

**MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 7, 1994**

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MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 7, 1994

The Vanderburgh County Board of Commissioners met in session at 6:05 p.m. on Monday, March 7, 1994 in the Commissioners Hearing Room with President Patrick Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, apologized for the late start due to an Executive Session just prior to the scheduled Commission Meeting, introduced members of the County Staff (Mark Abell, Supt./County Bldgs., Attorney Alan M. Kissinger, Commissioner Borries, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, Official Recording Secretary.)

RE: APPROVAL OF MINUTES

It was noted by Commissioner Tuley that the Board has had two sets of minutes for perusal, February 14, 1994 and February 28, 1994. He then entertained a motion.

Motion to approve both sets of minutes, as presented, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Mr. Tuley subsequently asked if there are any individuals/groups who wish to address the Commission but do not find their particular item of interest on this evening's agenda. There was no response from the audience.

RE: AUTHORIZATION TO OPEN BID/ROLM TELEPHONE EQUIPMENT

President Tuley entertained a motion to authorize the County Attorney to open the one (1) bid received on the used Rolm Telephone Equipment.

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

RE: REQUEST FOR AUTHORIZATION TO ADVERTISE REQUEST FOR BID FOR SOFTWARE FOR COUNTY & TOWNSHIP ASSESSORS REASSESSMENT SYSTEMS

Mr. Richard Cappelletti of SCT was recognized. He says he comes before the Board this evening requesting permission to release the RFB for hardware and software for the County and Township Assessors. It will be advertised on March 10th and March 17th, with bid opening scheduled on April 4th.

Mr. Tuley entertained comments.

Ms. Evelyn Lannert said the only thing Mr. Angermeier questioned was the evaluation team, which is the County Assessor, the Township Assessors and Mr. Cappelletti and whether there would be a stand-off.

Mr. Tuley asked, "Are we talking in reference to the RFB -- or when the bids come in and which is the best one?"

Mr. Cappelletti said, "The Evaluation Team is comprised of the County Assessor and the Township Assessors, and he has positioned himself as Chairman. They will review the vendors that respond and recommend a vendor. They will also be responsible for accepting the system once it is installed and certifying that it is operational according to the requirements of the RFB."

Mr. Tuley asked, "Al (Folz), since you are here, I assume, representing the Township Assessors, could we make this a committee of three (3) -- someone from the County Assessor's office, someone as a spokesperson for the Township Assessors and Mr. Cappelletti?"

Mr. Folz responded, "That would be fine with me if that is what the Commission chooses."

Mr. Tuley said, "Well, I mean, it would eliminate an eight to one gang up here. You have one representative from the Township people and one from the Township Assessors -- and let Mr. Cappelletti act as Chairman."

Mr. Folz said the Township Assessors outnumber the County Assessor.

Mr. Tuley said, "That's why I think we're trying to get one to one."

Commissioner Hunter noted, "However, you will be locked up in a room and you will stay there until you get it all worked out, too."

Mr. Folz said he hates to speak for all the other Township Assessors, as he thinks they also wanted to serve on the committee.

Mr. Borries said -- "A consensus. Just like this Board, we don't always agree on everything, but we work it out. It may not be happy for everybody, but I think you have to get a spokesperson."

Commissioner Tuley stated, "I hear the music of '...to dream the Impossible Dream' floating through the air."

Mr. Borries continued, "I think that's the only fair way. It's got to get down to three persons."

Commissioner Hunter said, "And I concur. It will be a lot less intimidating and whoever the Township Assessors want is fine. I don't think we're asking for any particular spokesperson."

Mr. Tuley said, "No, it doesn't make any difference to us who the spokesperson is -- then, if it's one to one and, Cap, if you, as Chair, can cast the deciding vote. I think that's as close as we can get."

Mr. Cappelletti noted a couple of slight changes will have to be made in a paragraph of the RFB.

Mr. Borries said that with all due respect to the townships, he just doesn't feel -- he knows there are more township assessors, but he would feel uncomfortable about weighting that Board. The County Assessor has responsibilities for the entire County. So he thinks they have to come up with a consensus. And it may be pretty cut and dried. This thing could come down to a point where you just open it up and nobody will be satisfied. But it's the low bid, the correct thing, the most responsive...

Mr. Cappelletti interrupted, "Then do you want the wording changed in this to reflect that?"

Mr. Borries asked what Mr. Cappelletti has in there?

Mr. Tuley said it is Section 2.3 on Page 2-1, Evaluation Team.

March 7, 1994

Mr. Folz said he would like it to read Township Assessor or Representative, okay?

Mr. Borries said, "The County Assessor, a Representative from the Township Assessors and the Director of Computer Services."

Mr. Hunter said, "Right. You might even want to say the County Assessor or his Representative -- he may want to send Evelyn. So why don't we cover that, too?"

Mr. Borries said, "Okay. That is good. The Selection Evaluation Team will be comprised of the County Assessor or his Representative, a Representative from the various Township Assessors, and the Director of Computer Services, acting as Chairman."

Mr. Hunter said, "That is good -- you've got three and from there I think you guys can work it out. I'm not up for re-election, I don't have to worry about anything."

Commissioner Borries said they are going to put a striped shirt on Commissioner Hunter and he can go in there as the referee.

Commissioner Hunter said he wouldn't miss it!

President Borries moved to modify Section 2.3 under Evaluation Team to reflect the above language. Seconded by Commissioner Hunter. So ordered.

Motion was made by Commissioner Borries that the Request for Bids for Reassessment Hardware, Software and Support Services be approved for advertising. Seconded by Commissioner Hunter. So ordered.

The Commissioners expressed appreciation to Mr. Cappelletti for getting the RFB together so quickly.

Mr. Folz asked a question, but it was inaudible since he was speaking from the back of the room.

Mr. Tuley said, "See, we could have told you that before you came down here."

Mr. Folz said, "Thank you."

Mr. Hunter said, "Thanks for coming by."

Commissioner Tuley said, "Media, don't misunderstand what Al said. I did not tell him before the meeting this was going to be the vote. I did not tell him 'Hey, we've held the meeting -- it's all done -- just come in and find out what we did'."

Jim Beck from the Evansville Courier said, "I was asleep over here -- I didn't hear what he said."

Mr. Tuley said, "Well, I didn't want you to wake up in the middle of the night and write something."

RE: STOP SIGN ORDINANCES - SECOND READING

President Tuley said the Board has Second Readings tonight on two different ordinances amending Chapter 72, Schedule II of the Code of Ordinances of Vanderburgh County whereby in one we are removing a stop sign at the intersection of Cold Springs Lane where it intersects with Heather Lane. The Third and Final Reading is scheduled next Monday night.

Motion to approve this Ordinance on Second Reading was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

President Tuley said the second Ordinance adds stop signs at eight (8) intersections.

Motion to approve this Ordinance on Second Reading was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: WILLARD LIBRARY AGREEMENT

Mr. Tuley said this agreement is the next item on the agenda. He assumes this has to do with the keeping of the records. The funding was approved last Wednesday.

Commissioner Borries said, "It really wasn't; that is why I am trying to go back and look. I attended a County Council Meeting. Well, what was approved was \$3,000."

Mr. Hunter asked, "I think that is what he understood, didn't he?"

Mr. Borries said, "Yes. But I'm a little concerned about this agreement. We can't sign this one. This is a four year contract and I don't see any modification on this."

Commissioner Tuley said, "No, you're right."

Mr. Borries said, "If it would please the Board, I would recommend that we delay this for a period of one week. Here's what happened if you go to Page 8. Here's what they actually approved -- \$3,075. I don't have any problem approving that for a contract of additional monies needed for 1994. But I don't believe that we can sign this."

President Tuley suggested referring this back to the County Clerk, asking her to get a proper contract for signatures next week. And then we'll sign what we really agreed to do."

Mr. Borries agreed, saying we actually wound up getting \$3,075.

Mr. Hunter said he thinks when the Director was over last week and we spoke with him, he thinks he was under the impression it was the \$3,000 plus. He floated through here the other day and we told him not to come to the meeting tonight, remember that? He was in our office and he wanted to know if he needed to be here and we told him that he didn't. So it's just the form of this agreement that we're not comfortable with, not with what was approved -- and certainly not a four year span.

Mr. Tuley noted it was the consensus of the Board that action on this agreement be deferred for one week.

RE: RESOLUTION RE DAVID L. RICE PARKWAY

President Tuley said this is the next item on the agenda and asked if Commissioner Borries would read the Resolution. Commissioner Borries read the Resolution, as follows:

RESOLUTION

WHEREAS, David L. Rice was the first President of USI, and has served in that capacity for 27 years;

WHEREAS, During his tenure of leadership, U.S.I.'s enrollment increased eight-fold, from 900 into its present enrollment of 7,500 students;

WHEREAS, David L. Rice was instrumental in turning a once regional campus into a fully independent separate state university;

WHEREAS, David L. Rice has dedicated his career to community involvement and has been visionary in his approach to the educational challenges of the 21st century;

BE IT THEREFORE RESOLVED, The future Vanderburgh County Road Project at the entrance of USI known as Eickhoff-Koressel Road, upon completion, be named the **DAVID L. RICE PARKWAY.**

VANDERBURGH COUNTY BOARD OF COMMISSIONERS

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

Mr. Borries said it was a very nice night for a very nice couple. President Rice was, he thinks, truly touched by this particular Resolution. He was very surprised. The story he told was that Dr. Rice's home -- he's always been so impressed -- as a member of the community has always been open to both parties and they always have these wonderful dinners and you go out there and hear what the agenda is for the future of USI. He will have the Republicans one week and the Democrats one week. And some years where there is no election and the two parties aren't fighting, on occasion he's even had both parties at time to time. So he thinks it's always a real tribute to him to be a person of the community to keep you informed as to their plans. But at the time this particular overpass and road project were being discussed, he remembers talking with Dr. Rice after the meeting and saying, "Well, Dave, this is a State University and it's a State road project and that's a State highway out there'. And he always has that big smile on his face -- and he said, "Yeah, but we live in this County and you were elected to help us out - - so you better do something' -- and all the while he kept smiling that smile. So we've done that with the overpass and it's going to be a real addition to that university and they are going to need that. Hopefully, we will have it open by the time he leaves June 30th. If not, it will be open soon thereafter. At any rate, this would apply then to the road project that has been planned, which would eventually extend north to be the entrance of University of Southern Indiana. I told him we had a little problem because we are not fully funded -- but with that big smile of his, maybe some day that will all come about. If you choose to sign this, this would be a Resolution that when that County road project is extended and built at the entrance of USI, currently known as the Eickhoff-Koressel Road, upon completion it would be named the David L. Rice Parkway. He would move that the Resolution be approved.

Commissioner Hunter said he would be pleased to second the motion. So ordered.

Commissioner Borries said he gave a blank Resolution to Dr. Rice and told him the Board was going to introduce it tonight. Maybe we could send him the original. He then asked Ms. Matthews if it is possible to send him the original -- or should they sign another copy.

Ms. Matthews said the Board can sign a copy for the Auditor's files and give the Original to Dr. Rice. She then asked if the Board would want to have the Resolution framed before giving it to Dr. Rice.

Deputy Sheriff Eric Williams interjected that Commissioner Borries' presentation the other night was excellent.

Commissioner Borries thanked him and said Dr. Rice seemed very pleased. He's certainly been instrumental in turning that into a first-class university.

Commissioner Tuley said, "As the old saying goes, that's going to be a tough act to follow."

Commissioner Hunter agreed and stated we want to make sure that continues to be the "David L. Rice Parkway -- and not the "David L. Rice Raceway" or something.

Commissioner Borries said Ms. Matthews' suggestion to have the Resolution framed is excellent -- maybe we could take it out to.....

Mr. Hunter asked who we could take it to -- there used to be a Risley's downtown.

Deputy Sheriff Williams noted that Bippus Framing on 2nd & Cherry Streets has done a number of things for the Sheriff's Department.

Commissioner Borries said that we should do it right -- and it was the consensus of the Board that the Resolution be taken to Bippus Framing, Inc.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Bid/Rolm Telephone Equipment: Attorney Kissinger said that only one (1) bid was received. It is not a bid for all items that were available for bid -- but it is from Network Business Systems in the total amount of \$5,845. Mark Abell basically has been riding herd on this bid and he's asked that the Commissioners take it under advisement until next week's meeting. It is his understanding that there may be another bid coming in -- but they were unable to deliver. We may ask for some special action on this -- but at the very least we ask that it be taken under advisement until next week.

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

Attorney Kissinger said he has nothing further to report.

It was noted by Attorney Kissinger that there is a Certified Check to Vanderburgh County with the bid, as requested. He would ask that the Auditor hold said check until the evaluation period is over.

RE: SUPERINTENDENT OF COUNTY BUILDINGS/MARK ABELL

Full Circle Services, Inc. Power of Attorney: Mr. Abell said that last week the Commissioners had spoken about using Full Circle Services and he believes we signed a contract with them. They turned around and sent him a Power of Attorney that he is going to pass on to the County Attorney for his signature and that will empower Full Circle to collect the check that is mentioned in the Power of Attorney.

Attorney Kissinger said if this is not urgent, he will review the document and report on same next week. Incidentally, it has to be executed by the Commissioners.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Reports: Mr. Morphey submitted his Weekly Progress Reports for period of February 18 thru February 24, 1994 and February 25 thru March 3, 1994.....reports received and filed.

Road Closings: Commissioner Borries asked where we stand right now on road closings?

Mr. Morphey said we still have quite a few roads closed in Union Township. They're doing some clean-up down there from the high water. The water is starting to come back up again.

Mr. Borries said this will be the third time, won't it?

Mr. Hunter asked, "I'm afraid to ask, but how are we fixed for salt. Believe it or not, they are saying we may need it tomorrow night.

Mr. Morphew said they have revised the forecast. First, they said it would be a small amount and now they're saying there could be an accumulation.

Mr. Hunter said the temperature is going to be 32 degrees -- so we could be on either side. It also could be freezing rain.

Mr. Borries asked how we are in doing in Mr. Morphew assessing the roads at this point. Does it look like we are going to have a pretty extensive list?

Mr. Morphew said that we are. He thought we were in very bad shape until he went to the Purdue Road School. The entire city of Lafayette looks worse than the Old Henderson Rd. They're in very bad shape and the highways are in bad shape. It has been a tough winter. At the road school, one of the things he did learn was that with regard to the County Line West Road, we paved over the river rock that was on the road. The gentleman said the rock in Southern Indiana has silica in it and in extreme weather conditions it causes the pavement to break up. So we should have removed that rock before we paved over the road.

Mr. Tuley asked if that is what caused some of the problems we've got out there right now.

Mr. Morphew said it is -- the base underneath it. We had a couple of days where it was 18 degrees to 23 degrees below zero and the road just broke up. The only solution he has now is to go back out and take out the bad areas, put in soil stabilizer of some sort, pack the road base and put another 3-1/2 inches of base material down and a top surface -- and then we won't have that problem.

Commissioner Tuley asked how much area we're talking about.

Mr. Morphew said he thinks there is a total of about 1,200 ft. They'll be going in and re-doing the entire 1,200 ft.

The Commissioners said they waited too long to get a road out there to leave it like that -- re-do it, and get it right.

Mr. Morphew said it stands to reason. The section of County Line Road that we did south of Baseline -- we removed the rock before we paved that area and it's held up. There are no problems on that road now. (Mr. Morphew offered further comments, but they were inaudible.) Continuing, he said INDOT has a couple of experiments going right now. One is on I-70 and the other is on I-64. They're finding that we don't want to use this rock around here.

The Commissioners thanked Mr. Morphew for his report.

RE: COUNTY ENGINEER - JOHN STOLL

Railroad Crossing Petition/Ohio Street Bridge Project: Mr. Stoll said this is his first item of business. Attorney Kissinger has reviewed same and indicated it is okay for the Commissioners to sign.

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

One (1) Original Signed Petition mailed to:

Mr. Michel McGathey
Indiana Department of Transportation
100 N. Senate Avenue

Room 1901
Indianapolis, IN 46204-2219

Copies of Petition sent via Certified Mail to:

CSX Railroad
Mr. Victor L. Frost
Frost & Hugon
8888 Keystone Crossing - Suite 1401
Indianapolis, IN 46240

Mr. Timothy Stewart
Asst. Utility Consumer Counselor
Indiana Utility Consumer Counselor Office
Indiana Government Center North Rm. 501N
Indianapolis, IN 46204

Char-Lee Drive/Street Acceptance: Mr. Stoll said the next item is the acceptance of Char-Lee Drive. He does have an updated Insurance Certificate until May 11, 1994.

Motion to approve the acceptance of Char-Lee Drive was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Request to Close Oak Hill Road @ Lynch Rd. on March 9, 1994: Mr. Stoll said Blankenberger Bros. is requesting approval to close Oak Hill Rd. all day on March 9th for purposes of installing forced main associated with the Lynch Rd. project -- weather permitting. (This work was canceled due to snow; to be rescheduled.)

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

President Tuley asked that Mr. Stoll be sure to make note to contact the media due to the traffic down through there.

Supplemental Agreement/Green River Rd. Section A: Mr. Stoll said he has a letter to INDOT concerning a Supplemental Agreement to be prepared in amount of \$33,000 concerning Green River Rd., Section A. This agreement is necessary because of the extended time the contractor has been out there. The last supplement only covered through the end of 1993. This agreement will last until completion of the project.

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

Request to go on Council Call/Transfer of Funds: Mr. Stoll said he needs to go on Council Call to request transfer of \$30,000 from 203-4365 Bixler Road Bridge to 203-4349 Bixler Road Bridge. There was an error in the budget and two line items were established for Bixler Road Bridge -- and this will get all the funds into one line item.

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

CSX Railroad: Mr. Stoll said that one item he wanted to bring to the Board's attention is that CSX Railroad will be starting a project on May 16th, he believes, of replacing their tracks in the area of Bristol-Myers and ten (10) miles north of there. The County only has one crossing to be affected and that is at Allen's Lane. This will involve replacement of cross ties and railings, etc. When the equipment comes through, the crossing will be closed for two days. Prior to that, CSX will be doing some preliminary work that will shut all of the crossings down for three days. He doesn't yet have a schedule of when they'll be working on the various

crossings.

RE: REQUEST FOR STOPLIGHT AT INTERSECTION OF
ALLEN'S LANE & ST. JOE AVENUE

Commissioner Borries said he has one item he has discussed with John Stoll. Maybe Commissioners Tuley and Hunter have also received a letter from State Representative Dennis Avery concerning the intersection of Allen's Lane and St. Joe Avenue. This has been a troublesome intersection. He wrote to Dennis and told him it is kind of a weird one, because there's not a lot of traffic. But this appeared to be a high accident intersection. Again, it is not a high volume thing. Coupled with this there has been a request from several of the businesses out there -- and it may be something we want to seriously consider if it is okay to ask John to work on this. Some of the business owners out there in the St. Joe area between what we call Diamond Avenue (S. R. 66) and Allen's Lane feel that the median is really hurting their business. It may be something we want to seriously consider, particularly because K-Mart is leaving that area and we're going to have an empty building. Frankly, he would hope that we would be able to assist them in any ways we could -- not the least of which he thinks they're interested in participating with the County to see if we can get that median moved out of that area and have a center turn lane. Frankly, those medians -- he doesn't know, some of them are so outdated from time to time. He remembers very clearly when that one was built. At the time one guy who owned a nursing home in the area wanted to put all kinds of beautification in that area and, frankly, not a lot of that ever came about and no one really adopted the spot like they thought. But, again, in the interest of helping that area in the future, he would like to ask John to explore the various alternatives. Some of them may help cut down the accident at that intersection. He has an idea that some of them try to do a U-Turn. If you want to get into K-Mart, you have to go all the way north to Allen's Lane and then turn -- and it seems when you're coming from a dead stop and you want to go east or west on Allen Lane, you have four lanes of traffic plus the median to get across -- and he thinks part of the problem, too, is that people are speeding through that on St. Joe and are misjudging how fast the north-south traffic is going on St. Joe Avenue. He thinks some of the turning movements could be lessened going into K-Mart and places like that (Speedy Oiler) if we examine that whole median issue out there.

Commissioner Tuley said he thought there was a turn lane into the K-Mart. Mr. Stoll and Commissioner Hunter confirmed there is at the K-Mart, but not at the Speedy Oiler.

Commissioner Tuley said he agrees that taking out the median and making that a turning lane would solve a lot of problems.

Commissioner Hunter asked if Mr. Borries remembers how long that median has been in there.

Mr. Borries said probably for 13 years. He thinks that project was finished just about the time - - somewhere around 1981.

Commissioner Hunter said there has been a lot of commercial development then in that area since the median went in.

Commissioner Hunter said "A little -- but not as much as they envisioned. They envisioned that was all going to be a commercial area and it just, frankly, has never taken off. If it had, K-Mart probably wouldn't be leaving. But K-Mart is going to pull out.

Commissioner Tuley said that perhaps in order to induce somebody else to locate there we need to look at this.

Commissioner Borries said that having seen sometimes how some of these medians work and heard complaints from businesses -- like out on Green River Rd. -- they look good and supposedly, they are to direct traffic. But, frankly, he doesn't think they sometimes contribute a lot to the development in certain areas. That is why he wants to look into this.

It was the consensus of the Board that Mr. Stoll should look into this problem. Mr. Hunter noted that Speedy Oiler contacted him and they had a petition they circulated. So it is something that has been on going and we need to address it. Commissioner Borries said some of our County forces may be able to assist on this.

In response to query from Commissioner Hunter, Mr. Stoll said K-Mart will be closing on April 17th -- pretty shortly. Would the Commissioners want to wait to do a traffic count out there after they close. It was the consensus of the Board that this would be a good idea.

Commissioner Hunter said he knows we had two or three people killed out there three or four years ago -- he can't remember the circumstances. But he received letters and phone calls on it.

Commissioner Borries said we conducted some site review out there; we changed some turning lanes, blisters - widened that -- made sure there were no obstructions. He keeps wondering why there would be so many accidents, because it is not a high volume traffic area. But again, he thinks part of it is because you're coming from a dead stop at Allen's Lane and there is too much speeding.

Mr. Morpew offered comments -- but, again, they were inaudible for the most part.

Commissioner Hunter suggested taking a look at the accidents; see what kind of accidents occurred; whether the officer felt speed was a contributing factor; how many and why. We did this on Boonville-New Harmony there by Hoffman's and it was really helpful -- because there were six accidents. One had gone to sleep and two or three of them involved alcohol. It really turned out to be not as serious as it seemed, because of the contributing factors. It would be interesting to see what the factors are on this one.

Mr. Borries said we don't have a lot of stoplights in the County. In terms of the expense -- when you're talking about something twenty-four hours a day, seven days a week, three hundred sixty-five day a year -- and put another stoplight out there, he guesses that is why he has always tried to explore other alternatives.

Mr. Stoll said the cost runs from \$50,000 to \$100,000.

RE: NORTH GREEN RIVER RD. PROJECT

Commissioner Hunter asked if Mr. Stoll would call Koester Contracting and ask them how they can put the asphalt parking lot in for Super K, but they can't finish North Green River Road Project.

Mr. Stoll said a lot of it probably comes down to the fact that the specifications don't call for work to be done during December, January, February and March.

Mr. Borries asked, "There were some penalties assessed to that group?"

Mr. Hunter asked if Mr. Stoll is saying they don't have to come back to do anything until April? He drove by and saw their equipment putting in this humongous parking lot and then he got over to Green River Rd. and fell off again -- and he thought, wait a minute, there is something wrong here that they could tell him they couldn't put asphalt down but they're doing an entire humongous parking lot. Why can't they get out here and finish this project?

Commissioner Borries said, "Good point."

Mr. Hunter asked, "Isn't our money as good as K-Mart's?"

Mr. Tuley commented, "Apparently not."

Mr. Hunter said, "I think it's better -- but apparently not.

Mr. Stoll said that K-Mart is a one time shot and ours will come round again.

Mr. Tuley said, "Maybe it will and maybe it won't."

Mr. Borries again said, "Good point."

Mr. Hunter said he doesn't mean to hassle John Stoll, but he looked at that and thought, "We're being ripped off here."

Mr. Stoll said he saw them over on Burkhardt Rd. working Saturday afternoon -- so in addition to the parking lot the road was having work done, too.

Mr. Hunter asked, "So it is warm enough to put asphalt down?"

Mr. Stoll said, "It is -- or, it was."

Mr. Hunter said, "Until tomorrow's snow it was."

RE: CONSENT AGENDA

President Tuley entertained questions concerning the Consent Agenda. He said the only question he has concerns the storage of election equipment. He'd like to give this to Mark Abell and see if he can work with the County Clerk and see if there is any place to store this equipment. He really doesn't understand to a large degree. He gave them part of the Treasurer's office before he left office and we had 184 precincts and now we have 164. The only problem they had was the old tabulators. They have storage for 184 right now.

Messrs. Borries and Hunter asked why she can't leave the equipment where it is.

Mr. Tuley said he guesses the reason he is confused is that he doesn't know why.

Mr. Abell asked what the Clerk is asking for.

Mr. Borries said they want us to put the equipment somewhere where it is not now. That's all he can say. It is already being stored, but we have to store it somewhere else.

Mr. Abell said, "Okay -- relocation; relocation."

Messrs. Tuley and Hunter both said they do not understand why.

Mr. Borries said she has to have room for the replacement tabulators.

Mr. Hunter asked if we're going to get rid of the old tabulators when we get the new ones?

Mr. Tuley said we only signed a one year lease. They don't know what will happen after the one year period, maybe that is why she doesn't want to get rid of the old ones.

Mr. Abell said that basically he just needs to get the lowdown on what they need.

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

RE: SCHEDULED MEETINGS

President Tuley noted a list of Scheduled Meetings is attached to the agenda.

Ms. Matthews said the Executive Session scheduled on March 28th at 4:30 p.m. is not included on the schedule. In response to query, Ms. Matthews said the ad went to the newspaper and copies were distributed internally. In fact, she included a copy for the Commissioners in their packet of minutes.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. (There was none.)

RE: NEW BUSINESS

Commissioner Borries said he knows that Commissioner Tuley will be meeting with the Department Heads soon. Now that the Indiana Legislature has finished their work we ought to have all of the various funding sources in place. Lest there be a mad scramble here, he thinks the Commissioners need to begin to set up some five year plans -- some real long range plans - - so that an orderly kind of plan can be presented to the County Council and that it be confined to things -- some of them are immediate needs, such as the repair at E.A.R.C., providing that the E.A.R.C. people will get off the roof. He needs to make that very clear. When he goes by, they are still parking there and he is very sympathetic to that cause. He knows all of us are. But you can't park on a roof and expect that it is going to continue to work. But that is one critical need. He thinks we can first look at immediate needs and then look at the five year plan to make sure these funds can be set up in an orderly way. He would ask that President Tuley work with them.

Commissioner Tuley said he has asked them -- in fact, he brought it up again at today's Department Head meeting. He asked them to get it together and forward it to the Commissioners. It's funny Rick brought this up, because he asked them today. He also got a call from a Council member just prior to the meeting who said, "Please get us a list and prioritize it."

Commissioner Hunter asked if we're going to have the Cumulative Capital Development Fund money or not?

Commissioners Tuley and Borries confirmed that we are -- \$530,475 or something and then it will go to a million next year.

Commissioner Hunter said he agrees with Rick. We need to put a game plan together.

Commissioner Borries said we have needs at the Auditorium.

Commissioner Hunter said we need to hold up on that until we have the report from the Auditorium Task Force. He thinks the report may have changed since last weekend's grandioso announcement.

Mr. Tuley said we also still have negotiations to do with the riverboat and we don't know what will come out of that yet.

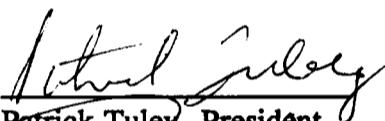
Mr. Hunter said that is true.

Commissioner Tuley entertained further matters of New Business to come before the Board. There being none, at 7:20 p.m. he moved for adjournment. Motion to this effect made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

PRESENT:

Patrick Tuley, President
Richard J. Borries, Vice President
Don L. Hunter, Member
Alan M. Kissinger, County Attorney
Cindy Mayo, Chief Deputy Auditor
Mark Abell, Supt./County Bldgs.
John Stoll/County Engineer
Bill Morphew, Supt./County Highway
Joanna Morphew
Evelyn Lannert/County Assessor's Office
P. R. Cappelletti/SCT/Computer Services
Shirley Reeder/Knight Assessor's Office
Al Folz/Knight Township Assessor
Eric Williams/Deputy Sheriff
Others (Unidentified)
Jim Beck/Evansville Courier
Kyle Foster/Evansville Press
Steve Burger/WIKY

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President


Don L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 7, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Approval of Commissioner Minutes
 - B. Any group/individual wishing to address the commission
 - C. Bid Openings
re: Rolm Telephone Equipment
 - D. Richard Cappelletti, Data Processing
re: Approval for release of RFP/hardware and software for
County & Township Assessors Reassessment System
 - E. Stop Sign Ordinances
re: Second reading
 - F. Willard Library Agreement
re: for signature
 - G. Resolutions for Signatures
re: Dennis Rice, USI
5. **DEPARTMENT HEADS**

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

6. CONSENT ITEMS

A. Travel/Education Requests:
Health (3)

B. Employment Changes:
* see attached

C. Claims for payment:

(1) Kevin Bryant.....819.11
66.60

(2) Given & Spindler.....4,241.00
* Management fee for March 1994

D. Check for acceptance:

(1) Kevin Bryant Check # 516.....971.63

E. Betty Knight Smith, County Clerk
re: Storage of surplus election equipment

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED — 7:26 pm.

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY HNY. DEPT. 2010 1990 *cm*
dy

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
					HR.	
2010-1990	HANSEN LEE STUCKEY	4309 CHESTNUT ST.	EXTRA HELP LABORER	10	94	2-28-94 ✓
	EXTRA HELP 2-28-94					
	THROUGH 3-3-94.					

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *William J. Mayhew* DATE 2-28-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department ELECTION OFFICE *sh*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
121-1120	Mary L. Bassemier	6618 Lt. Schaefer Rd	Dep. Clerk	6.00	3-4-94
121-1120	Nancy Kleiman	16639 Big Cynthiana Rd	Dep. Clerk	6.00	3-4-94
		(17 117)			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Alvina Matlock* DATE 3-4-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	SAM J. ALDERSON	EMP.# 05514	CORRECTION OFFICER	\$7.00 HR	2-13-94 ✓
136.1-1990	JASON B. SHANKS		CORRECTION OFFICER	\$5.00 HR	2-21-94 ✓
136-1960	DEBBIE WALLACE		SPECIAL REPORTER		2-13-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	SAM J. ALDERSON	EMP.# 05514	CORRECTION OFFICER	\$5.00 HR	2-12-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

Man 2, 94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor (REASSESSMENT)

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
490- 150-1990	Duane D. Hagedorn	516 S. Kentucky	Part Time Data Coll.	Hourly 7 00	2/28/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
--	------	---------	----------	--------	-----------

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE

2/28/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department **VANDEBURGH SUPERIOR COURT**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
3701803	Richard D. Jewell		Riding Bailiff	Other Pay \$20.00	2/24/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Larry D. Dutch DATE 2/4/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department **Knight Township Assessor**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1130-1190-1130	Lloyd C. Crowe	26 Madison Ave.	Second Real Dep.	16,075.00	3/1/94 ✓
1130-1160-1130	Susan Behne	415 S. Kelsey	Deed Record Dep.	16,075.00	3/8/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-1130	[Redacted]	8314 N. St. Joe Ave	Coordinator II	18,708.00	2/28/94 ✓
1130-1190-1130	Lloyd C. Crowe	26 Madison Ave.	Second Real Dep	15,336.00	3/1/94 ✓
1130-1160-1130	Susan Behne	415 S. Kelsey	Deed Record Dep.	15,336.00	3/7/94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Shirley Roeder DATE 2/28/94
Knight Twp Assessor
Chief Deputy

March 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 60/305	2 61/304 3:00pm County Council	3 62/303	4 63/302	5 64/301
6 65/300	7 66/299 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	8 67/298	9 68/297	10 69/296	11 70/295	12 71/294
13 72/293	14 73/292 4:30pm Solid Waste 5:30pm County Commissioners	15 74/291 9:00am Insurance Comm.	16 75/290	17 76/289 St. Patrick's Day 9:00am Steering Comm. 3:00pm Pigeon Creek	18 77/288	19 78/287
20 79/286	21 80/285 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Renovings	22 81/284	23 82/283	24 83/282	25 84/281	26 85/280
27 86/279	28 87/278 5:30pm County Commissioners 6:30pm Drainage Bd.	29 88/277	30 89/276 3:30pm Personnel & Finance	31 90/275		

February

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Alan Kissinger
Sam Humphrey & Cindy Mayo
B. J. Farrell & Mark Abell

CITY OF EVANSVILLE
VANDERBURGH COUNTY

NOTICE TO BIDDERS

IS HEREBY GIVEN THAT THE DEPARTMENT OF PUBLIC PURCHASE
FOR AND ON BEHALF OF COUNTY COMMISSIONERS WILL UNTIL MONDAY,
7, 1994, AT 5:30 P.M. RECEIVE AND PUBLICLY OPEN AND READ
BIDS FOR THE SALE OF THE FOLLOWING ROLM TELEPHONE EQUIPMENT:

- * 91 - ROLM MODEL 240 TELEPHONE SETS
- * 8 - ROLM MODEL 400 TELEPHONE SETS
- 2 - ROLM OPERATORS CONSOLES
- * 307 - SINGLE LINE MODEL 2500 TELEPHONE SETS
- 1 - TADIRAN 616 SYSTEM WITH:
 - 4 - 200 EKT PHONES
 - 1 - KEY SERVICE UNIT

IT PRICING SHALL BE GIVEN FOR MODELS 240, 400, AND 2500

REQUIREMENTS:

1. All bids must be accompanied by a Certified Check payable to the BOARD OF COUNTY COMMISSIONERS of Vanderburgh County in the amount of the bid.
2. The BOARD OF COUNTY COMMISSIONERS of Vanderburgh County reserves the right to award separate contracts for each item and/or the right to reject any and all bids if considered to be in the best interest of Vanderburgh County.
3. Pricing is to be supplied on a per unit basis as quantities have been approximated.

DATED THIS 14th DAY OF FEBRUARY, 1994

BOARD OF COUNTY COMMISSIONERS
VANDERBURGH COUNTY

MR PAT TULEY, President
MR RICK BORRIES, Vice-President
MR DON HUNTER, Member

Attest: Sam Humphrey, County Auditor

PUBLISH IN THE EVANSVILLE COURIER AND PRESS:

FEBRUARY 16, 1994
FEBRUARY 23, 1994

COUNTY
 NOTICE IS HEREBY GIVEN
 THAT THE BOARD OF COUNTY
 COMMISSIONERS OF
 VANDERBURGH COUNTY
 WILL UNTIL MONDAY,
 FEBRUARY 7, 1994, AT
 5:30 P.M. RECEIVE AND
 PUBLICLY OPEN AND READ
 BIDS FOR THE SALE OF THE
 FOLLOWING ROLM TELEPHONE
 EQUIPMENT:
 * 91 - ROLM MODEL 240
 TELEPHONE SETS
 * 8 - ROLM MODEL 400
 TELEPHONE SETS
 2 - ROLM OPERATORS
 CONSOLES
 * 307 - SINGLE LINE MODEL
 2500 TELEPHONE SETS
 1 - TADIRAN 616 SYSTEM
 WITH:
 4 - 200 EKT PHONES
 1 - KEY SERVICE UNIT
 IT PRICING SHALL BE
 GIVEN FOR MODELS 240,
 400, AND 2500
 BID REQUIREMENTS:
 1. All bids must be accom-
 panied by a Certified Check pay-
 able to the BOARD OF COUNTY
 COMMISSIONERS of
 Vanderburgh County in the
 amount of the bid.
 2. The BOARD OF COUNTY
 COMMISSIONERS of Ven-
 derburgh County reserves
 the right to award separate
 contracts for each item and/
 or the right to reject any and
 all bids if considered to be in
 the best interest of Vander-
 burgh County.
 3. Pricing is to be supplied on
 a per unit basis as quantities
 have been approximated.
 DATED THIS 14th DAY OF
 FEBRUARY, 1994
 BOARD OF COUNTY
 COMMISSIONERS
 VANDERBURGH COUNTY
 MR. PAT TULEY, President
 MR. RICK BORRIES, Vice-
 President
 MR. DON HUNTER, Member
 Attest: Sam Humphrey, Coun-
 ty Auditor
 (EVANSVILLE COURIER AND
 PRESS FEBRUARY 17 & 24,
 1994)

BID RECAP SHEET

PROJECT: ROLM TELEPHONE EQUIPMENT

BID OPENING DATE: MARCH 7, 1994

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
<u>Network Business Systems</u>	<u>\$5,845.00</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS:

ACTION TAKEN:

**MINUTES
COMMISSIONERS MEETING
MARCH 14, 1994**

I N D E X

Subject	Page No.
Meeting Opened @ 5:50 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Rejection of Bid-Used Rolm Telephone Equipment	1
Stop Sign Ordinances (Final Readings)	2
Ordinance Amending Chapter 72 (Deleting sign)	
Ordinance Amending Chapter 72 (Adding 8 signs)	
Proclamation re Tornado Awareness	2
Agreement with Kevin Bryant re Collections/County Treasurer.4 & 6 (Deferred to March 21st)	6
County Attorney/Alan M. Kissinger	4
Proposed Ordinance re Surplus Properties	
Agreement between County & Kevin Bryant	
Superintendent of County Buildings/Mark Abell	6
Request re Storage of Election Equipment	
Full Circle Services/Power of Attorney	
County Highway/Bill Morpew	7
Weekly Progress Report	
Flooded Roads	
Request to go on Council Call (Transfers & Appropriations)	
Widening of Doors @ County Highway Garage	
Request for New Mobile Telephone	
County Engineer/John Stoll	8
Notice of Intent Letter/Ohio Street Bridge	
Notice of Intent Letter/Lynch Rd. Paving Project	
Travel Request/HERPICC Roadside Safety Workshop on 3/24	
Bridge Inspection Report/Phase I presented by United Consulting Engineers	
Allen's Lane & St. Joe Avenue/EUTS Traffic Study	
Ohio Street Bridge (to be used for Greenway)	
Rezoning Petition VC-20-93/Joseph Hartmann/Request for Continuation to April 18, 1994 (approved).....	10
Consent Agenda	10
Scheduled Meetings	10
Executive Session of 3/28 to be added to Calendar	
Pigeon Creek Greenway Meeting on 3/17 @ 4:30 p.m.	
Technical Coordinating Committee on 3/16 @ 4:00 p.m.	
Agreement w/Waggoner, Irwin, Scheele & Associates re Community Corrections Program Evaluation	11
New Business	13
State of the County Address/Downtown Kiwanis	
Old Business	13
Draft Agreement Between DMD & Commissioners re Redevelopment Commission	
Departmental Wish Lists (due before next week)	14
Meeting Adjourned @ 6:55 p.m.	14

MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 14, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, March 14, 1994 in the Commissioners Hearing room, with President Patrick Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Buildings, Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, County Auditor Sam Humphrey and Joanne Matthews, Official Recording Secretary) and asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

Mr. Tuley said the Board has had copies of minutes of December 13, 1993 and March 7, 1993 for perusal. He then entertained a motion.

Motion to approve both sets of minutes, as presented, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

President Tuley asked if there are individuals/groups present who wish to speak to the Commission but do not find their particular item of interest on this evening's agenda. There was no response from the audience.

RE: REJECTION OF BID - USED ROLM TELEPHONE EQUIPMENT

President Tuley said the next item on the agenda concerns the bids received on the Used Rolm Telephone Equipment. He asked Mr. Abell if this is his item.

Mr. Abell said he will take charge of this item if President Tuley doesn't mind. He would recommend that we reject the one (1) bid received last week.

Mr. Tuley asked, "The one that came in late?"

Mr. Abell responded, "Uh, the one that came in late I am informed by the Attorney is really not a valid bid -- so just reject the only one we got."

Mr. Tuley commented, "Not enough money."

Mr. Abell responded, "Not in our best interest, I guess."

Mr. Tuley said, "Okay, put it that way then. That's the recommendation of the County Attorney."

Attorney Kissinger said, "Yes."

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

Mr. Abell said, "In regards to that -- in looking back I wondered why we didn't get very many people to bid on that. And some of the language in the Notice, I think, scared some

of the local people away from it -- or, at least, that is what they told me. And so I have re-worded it to take that out of there. I guess I am asking permission to re-bid it. To advertise for re-bid, or however you want to word that."

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

Mr. Abell said, "Thank you."

RE: STOP SIGN ORDINANCES - THIRD & FINAL READINGS

Ordinance Amending Chapter 72/Deleting One Stop Sign: Commissioner Tuley said this ordinance deletes a stop sign at intersection of Heather Lane and Cold Springs Lane. Ordinance was approved on Second Reading last week and this is the Third and Final Reading. A motion was entertained.

Motion to approve the Ordinance on Final Reading was made by Commissioner Borries, with a second from Commissioner Hunter.

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

Ordinance Amending Chapter 72/Adding Eight (8) Stop Signs: Commissioner Tuley noted this Ordinance was also approved on Second Reading last week and this is the Third and Final Reading. A motion was entertained.

Motion to approve the subject Ordinance on Final Reading was made by Commissioner Hunter, with second from Commissioner Borries.

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

(NOTE: Copies of both Ordinances attached hereto.)

RE: PROCLAMATION RE TORNADO AWARENESS

President Tuley recognized Sherman Greer, Director of the Emergency Management Agency.

Mr. Greer said, "I would just like to remind you that Wednesday, March 16th, between the hours of 9:00 a.m. - 10:00 a.m. a Tornado Watch is going to be alerted from the National Weather Service out of Indianapolis. Between the hours of 10:00 a.m. - 11:00 a.m. a Tornado Warning will be given. We would like participation from all different agencies. This is an industry within the community. The schools -- at that time we'd like everyone to practice the tornado drills that they have within their organizations. Here at the Civic Center we will be doing the same thing. With the Board's permission, they would like the department heads to allow at least one or two employees to come in and participate in the drill we're having here. We also ask for a critique of the drill so that we can improve the drill and our plans that we do have here at the Civic Center Complex. For the last three years we've doing the drill here and we've gotten some good feedback from the people who participated.

"I just want to remind you that within the State of Indiana we're right in Tornado Alley. As far back as 1925 we had a devastating tornado that killed over 737 people in Missouri, Indiana and Illinois. Up to present the largest outbreak of tornadoes that ever occurred

in Indiana happened on June 2, 1990. We had 37 tornadoes that ripped across 31 Indiana counties, killing eight (8) people across the midwest -- which produced approximately 64 tornadoes in nine (9) states. So there is very good possibility at this time of year for tornadoes. Over the last thirty (30) years -- 1964 to 1993 -- Indiana averages approximately twenty-one (21) tornadoes and seven (7) tornadoes related to fatalities per year. From the period 1962 to 1991, Indiana ranks fifth in the nation in number of tornados per unit area and second in number of tornadoes related to death per area unit. So it is very important that we do our drills and take heed to what a Watch and a Warning are in the County."

President Tuley read the Proclamation, as follows:

VANDERBURGH COUNTY

PROCLAMATION

WHEREAS, Tornadoes are the most violent natural disaster affecting the majority of the United States, resulting in numerous deaths and injuries, and vast destruction; and

WHEREAS, Evansville, Indiana is located within the nation's "Tornado Belt", becoming a prime target of devastating tornado outbreaks particularly during the months of April, May and June; and

WHEREAS, a statewide tornado warning exercise will be held on March 16, 1994 for the purpose of testing communications systems, equipment and procedures; and

WHEREAS, during this week, the Evansville-Vanderburgh County Emergency Management Agency is emphasizing its safety procedures involving tornado activity.

THEREFORE, We, COUNTY COMMISSIONERS of Vanderburgh County do hereby proclaim March 14 - March 28, 1994 as

"TORNADO AWARENESS WEEK"

in the County of Vanderburgh in the State of Indiana

IN WITNESS WHEREOF, we have hereunto set our hands and have caused the great seal of the County to be affixed this 14th day of March in the year of our Lord one thousand nine hundred and ninety-four.

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

President Tuley said this is in conjunction with something -- what is it -- the Tri-State?

Mr. Greer responded, "The whole state. Kentucky had their Tornado Awareness a few weeks back. Indiana chose this time of year to have theirs.

Mr. Tuley said he was watching some program and it said the most tornadoes occur in June.

Mr. Greer stated, "In the month of June; the least amount is in the month of April. And tornadoes can happen anytime. I think you remember the Allendale tornado which happened in January of one year. They can happen anytime – it's just a matter of the weather conditions being right."

Mr. Tuley commented he'd always thought that the move toward spring with warm air when there is still cold air – that maybe the combination of those two would make April the most likely month for a tornado.

Commissioner Borries stated he was in a tornado in Edgemont, South Dakota going west one time and he will never forget. He never wants to be in another one either.

Mr. Greer said that if the Commissioners have time Wednesday morning to drop by the Civic Center to participate/observe when we are having our drill.

Mr. Tuley said he will be in Indianapolis and Commissioner Hunter said he will be at Bosse doing a tornado drill. Mr. Hunter said he would share this story. "Last week was to be our earthquake drill at Bosse, this week was to be the Tornado Drill and next week was to be the Fire Drill. The person who got on the microphone last week got a little confused and they had their tornado drill. So we're going to get to do it over again this week."

Motion to approve and sign the Proclamation was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: COUNTY TREASURER - AGREEMENT WITH KEVIN BRYANT

Mr. Tuley said the interested parties have asked him to delay this item for one week.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Proposed Ordinance re Surplus Properties: Attorney Kissinger said he has provided copies of the proposed Ordinance to each of the Commissioners. This Ordinance, he hopes, is to deal with the problem that we had not been too effectively dealing with in reference to the surplus real estate that the County became the proud owner of as the result of non-payment of property taxes. He said the Statute referred to in the second paragraph (I.C. 36-1-11-1, Sub-section "b" Sub-section "7") states basically that the sale or lease of property by a unit (and a unit refers to a unit of government) to an Indiana non-profit corporation organized for educational, literary or scientific, religious or charitable purposes that is exempt from Federal Income Taxation under Section 501 of the Internal Revenue Code, etc. and it says that that type of sale is specifically excepted from the application of the chapter which applies to the disposal of real or personal property by governmental unit. And although it listed the exception, it did not give us any guidance as to how we would proceed. What kind of guidelines we had to maintain in order to dispose of that property if we didn't follow the statutory guidelines – which it said we didn't have to. So he has talked with the County Attorney in Allen County, whose name is Fisherling (?) and they did something very similar to this and it was rather creative – under Home Rule, which is the first statute cited there (36-1-31) which authorizes us to adopt Ordinances for which there are no other specific statutory or constitutional provisions, in order to conduct the County's business. So he is recommending the Commissioners consider adopting this Ordinance, which sets out the specific guidelines for publicizing and actually selling or transferring these various pieces of real estate. He said, "I think, as all of you know, we have several charitable organizations. Another one that just came into the arena most recently is Patchwork Central and Habitat and at least a couple of other organizations interested in purchasing some of this real estate. This is the vehicle which will allow us to do it without going through the procedure of publicizing and having basically a public auction. This allows us to give priority to these charitable corporations. And, as you will note, the Ordinance, if approved, calls for a Public Hearing after giving a ten (10) day notice and publicizing which properties will be up for transfer to these various charitable organizations. And this

will allow interested parties – if there are any – to come in and object or register their objections; although the Commissioners will not be required to necessarily decide against a particular sale because of that objection – but at least you will have input from the public on these things. Also, it will give any other governmental units – such as County Council, if they should be interested – the opportunity to come in and indicate any objection or their interest in these things. And it certainly seems to me to be a much more expeditious manner of disposing of these properties and being sure they go to parties that are going to use them for a good cause, rather than just putting them up for public auction."

President Tuley said, "That's good. Now, if we adopt this, Mark you've been contacted, as Alan made reference to, by quite a few different ones and the list keeps growing. I was approached today by the SAFE House, as well. They would use that as part of their technical program for teaching remodeling skills, as well – even though they are not employed. So they would be interested in anything out in their area. Someone has been working with Jim Hadden. You may need to contact him to get the name. Because I assume that some of these neighborhood associations that are trying to get the Police Community Relations where they have an officer on the walking beat – they are trying to establish some places for them, an office. So we'll need to establish some sort of parameter as to when we may hold this meeting. You've already provided some of them with a listing of the properties."

Mr. Abell said, "Whoever has come by to get them – and there have been quite a few; but we haven't really publicized this."

Mr. Tuley said, "I know that. I was curious if there was a way to notify them by letter of our intent to honor the request, but give us a list of the properties they are interested in and then set a date for having the hearing to do the transfer."

Mr. Abell said that some have already submitted a list to his office – even this afternoon CHOICE came in and asked about it.

Attorney Kissinger noted, "We're going to have to do either one of two things. We're either going to have to list properties specifically that these various organizations indicated interest in, or we're going to have to list all of these properties and basically at the hearing have these people come in and almost tell us why they should have it rather than the other organization. Because some are competing for various properties."

Mr. Tuley said, "I'm sure they are."

Attorney Kissinger said, "As a matter of fact, the people at Patchwork said that their interest in this building was to go in and remodel it themselves and use it to expand their offices. I said perhaps you can have some kind of cooperative effort here with one of the educational organizations, bringing them in and training them during the remodeling process and you can work something out as far as transfer there."

Commissioner Tuley said, "I know, but it seems like when it talks about proof of their not-for-profit status, I think all of that should be sent them via letter form saying these are the things we are going to ask for, and maybe they should be subject to showing proof of that before we have any hearing, so we don't give one to somebody over somebody else and then it turns out they are not."

Attorney Kissinger, "In fact, the ordinance requires they show proof prior to the hearing."

Auditor Humphrey asked, "Does the Ordinance abrogate the part where the County Assessor assesses these properties?"

Attorney Kissinger replied, "Yes, yes it does."

Mr. Tuley asked, "Okay, Alan, what about that Case Study I gave you last week to look at? Does that have any bearing on this particular case?"

Attorney Kissinger replied, "No, it did not. That was based on properties that have not yet reached this stage in the proceedings. Those are properties on which the County has a Certificate but is not, in fact, the owner of yet."

Mr. Tuley said, "Good. Good. I'd entertain a motion at this time to approve the Special Ordinance, unless there is further discussion."

Motion to this effect made by Commissioner Hunter. Mr. Borries said he will second and the Ordinance will have to be advertised. It will then have to come back for a roll call vote.

Mr. Tuley said the Board will just approve it on First Reading and then advertise?

Ms. Matthews asked, "Are you having a Second and Final Hearing?"

Attorney Kissinger said advertise it once, with one hearing – the Second Reading only. He guesses basically the record should reflect that tonight the Ordinance was approved for advertising and the Board can take a vote after it has been advertised.

Agreement Between the County & Kevin Bryant re Collections: Attorney Kissinger said that although some other member may have this information, two different parties have requested that the Agreement between the County and Kevin Bryant for work with the Treasurer on County Collections be deferred until next week's meeting.

President Tuley said, "Yes, in fact this is going to be set for part of the Executive Session next week."

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Request re Storage of Election Equipment: Last week the Board asked him to look into the request from County Clerk Betty Knight Smith for the storage space for tabulators and other election equipment. He looked into this and found there is some space in the basement that the Building Authority would let us use. The theory behind it was that this year we are trying this new approach and if, for some reason, it didn't work or failed then we'd at least still have our old equipment we could fall back on. So he guesses she just needs permission to move the equipment out of her office down into the basement.

Motion to grant permission was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Full Circle Services/Power of Attorney: Mr. Abell said the foregoing is the last item he has. This would allow them to collect a check from the State of Indiana in the amount of \$10,451.35 that a few weeks ago we entered into a contract with them to do so for us. He's had the County Attorney review the Power of Attorney and he recommends that the Commissioners sign same and we will proceed to collect the check.

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

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted the Weekly Progress Report for period of March 4, 1994 thru March 10, 1994.....report received and filed.

Flooded Roads: In response to comment from Commissioner Borries that the water is coming up again – it has been rising all day, Mr. Morphey said it is. They've been monitoring the water and closing the roads, putting up and chasing barricades all day. They went out Saturday and did the same thing.

Mr. Tuley said he is not asking Bill any questions today. Last week he asked him if we had plenty of salt and it snowed on us.

Mr. Borries said he doesn't have any questions. He's sure Bill will be checking on the condition of the roads and we have a Road Hearing coming up shortly and that will give us further direction.

Mr. Morphey said he has a good start on the list of roads to be paved this year.

Request to go on Council Call: Mr. Morphey said he is requesting permission to go on Council Call for Transfers and Appropriations. He'd like to buy some new equipment. He'd also like to transfer funds so we can pay some bills. For example, we asked for \$30,000 for salt and Council cut it to \$15,000 and we've spent \$32,000 – so we have a problem. He needs to make a transfer to take care of that. He'd also like to request an appropriation at the same time for some new equipment.

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

Mr. Hunter asked if a 4-wheel drive vehicle is included in the list of equipment.

Mr. Morphey said he could put that on the list – he doesn't think it would go anywhere.

Mr. Hunter said he doesn't either.

Mr. Morphey said that just to make things interesting, he probably should add it to the list.

Widening of Doors at County Highway Garage: Mr. Morphey said this matter had also been discussed. He obtained estimates on two doors at approximately \$4,400 to widen two doors 24 inches.

Mr. Abell asked if that is the front door or side doors

Mr. Abell said the doors he had estimates were each side door – but he is more inclined to do one side door and the front door. Those are the two doors that are used the most – the east side door and the door facing Mill Road.

Mr. Hunter asked if the estimate would be the same if he did the front door instead of a side door.

Mr. Morphey responded affirmatively and said Mark said we have money to do the doors.

Mr. Abell again asked Mr. Morphey what the estimate was.

Mr. Morphey said it is \$4,400 for two doors.

Mr. Abell said we do have the money in the repairs account - but not much more, however.

Request for New Mobile Phone: Mr. Morphey said the mobile phone he has is six or seven years old and he's been having a number of problems with it. He took the phone down to have it repaired and he can buy a new phone cheaper than he get the old one repaired. In talking to United States Cellular and also VanAusdall & Farrar, come to find out we're paying \$44.00 per month for that service when he can go to VanAusdall & Farrar and get a new phone and pay \$32.00 per month - but we would have to sign a new contract for \$37.95. With the existing service (U. S. Cellular) we have 60 minutes air time. On the new contract, it would include 75 minutes air time.

Mr. Tuley asked if he is to the point where he can just walk away from the existing contract.

Mr. Morphey said he hasn't yet - we'd have to enter into a new contract. In response to query from Commissioner Tuley, Mr. Morphey said our existing contract is with U. S. Cellular. Van Ausdall & Farrar also uses U. S. Cellular and he doesn't understand how they can it for less money and still provide a free phone. At U. S. Cellular we would have to buy a phone and that was \$109.00.

Mr. Humphrey said he got his free and at \$37.95 for 75 minutes.

Mr. Borries said, "Yes, but they're throwing in the phone, Sam. Don't ask. It's the same thing."

Mr. Hunter suggested Mr. Morphey add another \$10.00 per month to get the free weekends. Does that include free weekends or not?

Mr. Humphrey said that his does - and he has U. S. Cellular.

Mr. Borries said he has some free weekend use and he can't remember whether it is for just three months.

Mr. Hunter said he has one. It's just basic and he adds \$10.00 per month to cover 8:00 p.m. on Friday to 6:00 a.m. on Monday mornings. And for anything within this calling range which goes as far north as Green County is free. Bill has problems on weekends just as well as the other five days per week - so he might as well check on that.

Mr. Morphey said he rarely uses 60 minutes of air time. It is basically for emergencies. They do have the two-way radio system.

Commissioner Hunter said he wishes he could explain that to his daughter.

Motion to approve the new mobile phone was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Mr. Morphey said he has the new phone now - what they call a demonstrator. He will pick up the new contract and bring it to next Monday's meeting.

RE: COUNTY ENGINEER - JOHN STOLL

Notice of Intent Letters/Ohio Street Bridge & Lynch Rd. Paving Project: Mr. Stoll said the first two items are Notice of Intent Letters for the discharge of storm water that we have to file with IDEM. Letters have to be filed with IDEM as part of the erosion control guidelines -- so it's just a matter of filing all the paperwork and filing all the proper construction notices and all that. They have just changed the guidelines and we are now responsible for it rather than the contractor after the job is let. He needs Pat's signature on the letters.

Motion to approve both of the foregoing letters was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Travel Request re HERPICC Roadside Safety Workshop/Jasper: Mr. Stoll said he is submitting a travel request for Bill Higgins and him to attend this seminar on March 24th.

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

Bridge Inspection Report: Mr. Stoll said that Ron Miller of United Consulting Engineers is here to present the Bridge Inspection Report.

Mr. Miller was recognized and stated, "My name is Ron Miller, a cohort of Jack Waldroup with United Consulting Engineers. Last fall the County awarded United Consulting Engineers a contract to perform the Phase I and Phase II County bridge inspections. They're here this evening to submit those reports to the Commissioners. The County gets eight (8) copies. Bill Morphew has a copy and they've left four with John Stoll. This is an inspection required every two years by the Federal Highway Department and the Indiana Department of Transportation. This is Phase I. They will do Phase II in two years. He would like to briefly touch on a few things in this report that are new this year. Page 21 is kind of a summary of all new bridges that the County has replaced or rehabbed since the last bridge inspection -- and the last one was done in 1993. Pages 23 and 24 list a summary of the bridges that need to be replaced and rehabbed and they kind of have them in a priority order with the estimated years that they need to be replaced. Page 26 lists the new bridge posting for all the bridges and we have about eight (8) that need to be re-posted. Pages 34 to 36 contain a summary of all the bridges. Again, this is new in this report. The summary of all bridges includes a schedule of safety improvements that the County could do over the next couple of years to help bring some of these bridges up to better code and everything like that. Of course, it all depends on the money the County has. As he said, this is Phase I. Two years from now they will be submitting Phase II. The amount of this agreement was \$28,400, of which 80% of that was reimbursed to the County by the Federal Highway -- so the County gets a pretty good deal out of this by using Federal money. United Consulting appreciates the opportunity to work for the County.

The Commissioners thanked Mr. Miller for his presentation and noted the pictures in the report give a lot more detail than pictures in the previous reports.

Commissioner Borries noted he likes the critical feature parts that really help summarize some of these and he is particularly interested in reading about some of these.

Mr. Miller said the format they have used is a lot different from that in the old reports. In the old versions it was really hard to read. The SIA page has gone from one to three pages and, again, the Federal Highway had a lot to do with that -- but it did add a few more items in there that need to be taken care of. But it does make it a lot easier for the average person to go in there and try to read what needs to be done. He knows the Commissioners get a lot of calls. About two or three years ago we changed our bridge numbers. They have both the old numbers and the new numbers. Some people may still be referring to the old numbers and not know the new numbers.

Mr. Borries said there is just a lot of good information in the report.

Mr. Miller said it is something the Highway Department can take and run with and it's pretty straightforward.

Allen's Lane & St. Joe Intersection/Traffic Study: Mr. Stoll said he received a copy of a Traffic Study conducted by EUTS of this intersection. He hasn't had a chance to look it over yet. When he does, he will send a memo and pass it along to the Commissioners.

Ohio Street Bridge: Mr. Stoll said he talked with Alan Kissinger earlier about the Ohio Street Bridge and we will try to get some kind of an agreement to use the Ohio Street Bridge in the Greenway if that is okay.

Mr. Stoll said that is all he has unless the Commissioners have questions. In response to query from Commissioner Tuley, Mr. Stoll said he has a Site Review Meeting every Monday at 9:30 a.m.

**RE: REQUEST FOR CONTINUATION/VC-20-93 (JOSEPH HARTMANN, ET AL)
TO APRIL 18, 1994**

President Tuley recognized Attorney Les Shively. He said he doesn't know whether his letter reached the Commissioners today or not. They have made a formal request in writing for a continuation of a zoning matter on the Commissioners' docket for next Monday. It is either in the name of Joseph Hartmann, et al or Nurrenbern Commerce Center at the Northwest corner of Iowa and I-64 and the Lloyd Expressway (VC-20-93). They have run into some scheduling conflicts with some of the principals involved in that matter, plus there is some additional engineering work they would like to highlight for the Commissioners in order to be able to answer all questions on that. If the Commissioners are inclined to grant the continuance, they will take care of notifying all surrounding property owners in writing immediately, starting tomorrow morning, that it has been continued to the April 18, 1994 Commission Meeting.

President Tuley said he did receive Mr. Shively's letter. In fact, he shared it with the other two Commissioners this afternoon. He then entertained a motion to approve the request.

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

RE: CONSENT AGENDA

Commissioner Tuley entertained comments, questions or a motion concerning the Consent Agenda.

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

RE: SCHEDULED MEETINGS

Executive Session/March 28th: President Tuley said it has been brought to his attention that the Executive Session scheduled for March 28th is still not included on the calendar of Scheduled meetings. It has, however, been advertised. He asked that Mr. Abell take care of seeing that this meeting is included on the calendar by next week.

Pigeon Creek Greenway Meeting/Thursday, March 17th/4:30 p.m./Workshop @ 5:00 p.m.: Mr. Tuley asked the other Commissioners if they received a letter about this meeting. Both Commissioners acknowledged receipt of same. Commissioner Borries said he will try to make at least part of the meeting. Commissioner Hunter said he plans to attend. Commissioner Tuley said he will also try to attend, depending on what time he gets out of the Riverboat Commission meeting.

Technical Coordinating Council/Wednesday, March 16th/4:00 p.m.: It was noted by Commissioner Borries that the Technical Coordinating Council will hold their first meeting. The Board's received replies from the various people contacted and that includes a lot of the City technical agencies and County agencies, as well as State. Mr. Shively was just here talking about a rezoning that happens to apply to a particular client that he has. But it occurred to him that one of the tasks this group could do would be to look at the overall plan for that particular area. We're hearing a lot of rhetoric these days from various

groups about total quality management and that type of thing and, frankly, he would like to see a total quality development take place out there. He thinks one of the ways that could happen would be if we could get a lot of technical people. Again, this is going to be a pretty far-reaching group; we're not just talking about government agencies in this case. We've asked some of the local utilities and others to kind of give perhaps some of their advice as to what that whole area east of Burkhardt should look like in ten years -- because it is going to change. We know that the demand is heating up. He doesn't think any of us want to see something out there that is going to be a nightmare to shoppers and motorists and people involved in the community ten years from now. So this might be at least one task this group could perform -- to look at the whole area east of Burkhardt Rd. The group will hold their initial meeting at 4:00 p.m. on Wednesday in this meeting room -- in case either of the other Commissioners can attend.

RE: AGREEMENT WITH WAGGONER, IRWIN, SCHEELE & ASSOCIATES
RE COMMUNITY CORRECTIONS PROGRAM EVALUATION, ETC.

Commissioner Borries said the Board has talked about the future, he guesses, and changes of what is called the Community Corrections Program or the SAFE House and one of the things that he believes is necessary to move forward here is to take not only an objective view -- but also a professional view -- of that operation from the standpoint, well, looking at the consulting services in a number of different areas. Well, looking at the operation first to get an overall work plan, if you will, about that particular program in relation to its employees. Also, in conversations he's had with Judge Young, he believes that it would be a very desirable thing for this particular program to seek a standard evaluation and acceptance from the American Correctional Association for that particular program. In other words, get this Community Corrections Program into compliance with the American Correctional Association. Also, to look at the management structure of the operation and then to prepare a final report that would help us in terms of looking at various recommendations to upgrade the program operations, including various options and timetables that need to be done in order to obtain certification from the American Corrections Association. He knows the County Council does not have money -- or at least they say they don't have money -- to approve this type thing; and maybe it is not within their purview to do that. But he would recommend that perhaps through accounts that could be obtained or at least the funds could be obtained from the Community Corrections Program itself, he would like to see Waggoner, Irwin, Scheele & Associates conduct this program evaluation. He knows that if they are chosen to do so or would be able to do so, they are going to have at least two PhD's (a Mr. Steve Smith and Gary Webb) who have extensive experience in criminal justice to also serve as consultants on this particular assignment -- since it is a very specialized area. He believes this would be a very important first step to get, he supposes, our responsibilities clarified, as well as maybe begin to clarify some of the confusion with this particular program.

Commissioner Hunter asked if these PhDs are attorneys.

Mr. Borries said he does not think they are attorneys.

Commissioner Hunter asked if they are Evansville people.

Mr. Borries responded, "No. They may be from Ball State. I don't have the information as to which university they are from, but they have expertise in criminal justice. And what the standards indicate - and what would have to be covered here -- would be things such as the administration of the SAFE House, the organization and how it is organized, fiscal management, personnel and staffing, evaluation, communication, physical plants, sanitation, hygiene, safety, emergency procedures, food service, medical care and health services. I think all of those things would be included within this proposal."

Commissioner Tuley said, "I was out there, as well. I met with Harris Howerton today. We started off sitting in on a Supervisor's Staff Meeting and there were a lot of questions

— a lot directed eventually to me, as Commissioner, and to be quite candid about it, I didn't have answers for them. So I do think this is a step in the direction to get some of those questions answered. I think you'd do yourselves a great service and that program a great service if you had the time to go out there and sit down with them. I spent three hours with them today and could easily spend another three or four hours with them reviewing and going over everything. That is a major, major program going on out there. So I think this is a step in the right direction to get some of the questions answered that we've been trying to get answered."

Commissioner Borries continued, "Well, there is just a wide variety of things that, as I say, I think you're exactly right. I do need to get out there and, again, had someone told me of the numbers housed out there and the services provided — frankly, I would have been surprised a year ago before a lot of this information began to hit. Because, I can remember very clearly when this program was started with fifteen (15) people and now it's far, far, above that. But, you know, frankly we're going to have some kind of assistance in evaluating this program from a rather impartial standpoint in order to get a fresh start here and move forward. At this point I don't think we're prepared to make any changes nor suggest any — until we see this kind of evaluation take place. I think we'll have to use Community Corrections funds. I don't know what those funds are, but this firm indicated a fee of \$11,000 and I certainly think they ought to be able to come up with that kind of money to, again, take some important first steps here to give us some direction as to how a Community Corrections facility this size should operate. Again, it seems there are just a lot of questions that need to be answered. Questions come up — for example, people can't quite understand how people from another state could be sentenced out there and serve time out there."

Commissioner Tuley countered, "I'll tell you what I was told today in reference to that same question. 'You commit a crime in Vanderburgh County, I don't care where you're from, you do the time in Vanderburgh County.' That is how that question was answered today. So there could be someone over there from Kentucky."

Commissioner Borries said, "But if I am correct on this, in what I saw reported, this person had to do with an electrical company in Kentucky. It was a Federal offense."

Reporter Kyle Foster interjected they do take in Federal prisoners.

Commissioner Borries continued, "Again, I think the scope of this thing has grown to a point where we need a little more focus on this thing."

Commissioner Tuley said, "I tell you, you guys have no idea how big — I'm not talking about just numbers, I'm talking about what all they do out there."

Mr. Borries said, "Again, had someone said that a person convicted of a Federal crime in Kentucky can serve here, I would have been surprised. I'm not being judgmental about it but, again, I think it's a big enough operation that we need to have a program evaluation."

Mr. Tuley interjected, "Because, again, they have grown in scope from that little 30 bed facility out there to what it is today. And I think you're right. It's growing so big and so fast that this kind of evaluation — these are the supervisors out there and they have a lot of questions. So, are you putting that in the form of a motion then?"

Motion was made by Commissioner Borries that the evaluation program by Waggoner, Irwin, Scheele & Associates be approved. Commissioner Hunter seconded. So ordered.

Commissioner Hunter said he is inclined to agree with both of the other Commissioners. Since the Commissioners are suddenly responsible for what goes on out there, he thinks they need somebody with some expertise to come in and evaluate and tell them basically

what they need to do next.

Commissioner Borries said he understands this is a hybrid program started in the State of Indiana. He doesn't know whether it serves as a model or some say that it does -- and it may. It obviously must be serving a community need. But if this American Correctional Association -- if there are standards here that could be applied to this particular kind of facility to put it in kind of a professional operation here, he believes that is something the Board really needs to seriously consider.

Commissioner Hunter asked, "Are these two guys from Ball State or wherever willing to do that? And they would work with Kent Irwin?"

Commissioner Tuley commented, "They are not on his staff. They are consultants that Waggoner, Irwin and Scheele are consulting."

Mr. Hunter continued, "Yes, a \$2-1/2 million budget is a lot of money and I'd like to finish in December kind of knowing we had at least gotten that program on the right track."

Commissioner Borries said he agrees.

President Tuley said he knows he'd asked B.J. to send a letter out to the Star Neighborhood Association (signed by all three Commissioners) to see if they would like to have someone on the Community Corrections Board. He asked that Mr. Abell check to see if we've received any response to date.

Mr. Abell said he doesn't recall that we have -- but maybe B.J. or Sara have one.

Mr. Tuley said perhaps the Association hasn't had another meeting yet. But part of the Commissioners' responsibilities includes taking an active part in Board appointments.

RE: NEW BUSINESS

State of the County Address/Downtown Kiwanis: Commissioner Borries noted the Board wants to notify the media that Commissioner Hunter will give a State of the County address to the Downtown Kiwanis Club -- and he believes that is needed. All too often -- he guesses it doesn't make good print -- but partisanship, he guesses, is sometimes what does get print. But he's been accused of that from time to time in his career. But he thinks from Mr. Hunter's perspective, certainly he will be anxious to hear what he has to say and certainly welcomes -- this will be a good opportunity for him to also say what is on his mind, not only as a minority member, but as a person who has served on the Board for a full four years now and things he would envision to be ahead. He will give that address this Thursday at the Downtown Kiwanis, which meets at the Hotel McCurdy at noon.

Commissioner Hunter noted that will be a St. Patty's Day luncheon -- complete with green beer.

RE: OLD BUSINESS

Draft of Agreement Between DMD & Commissioners re Redevelopment Commission: President Tuley said Attorney Kissinger has a draft copy of an Inter-Local Agreement between the Vanderburgh County Commissioners and the Department of Metropolitan Development to work in conjunction with our newly formed Redevelopment Commission. Alan will review the document and give a report to the Board next week. In the meantime, the Commissioners need to get the rest of their names together so those appointees can be named, sworn in, etc. He'd like to see this finalized next week so we can put this matter to rest.

Departmental Wish List: Commissioner Tuley said he needs to write a letter to the Department Heads and ask them to submit a prioritized wish list. He doesn't mean to call it a 'wish list', but that is what it is -- a list of things they wish for. He will ask them to prioritize it in their own minds -- but the final priority list will be determined by the Board of Commissioners and they will need to write a letter to Council. He asked that the Commissioners be ready to discuss this next week, because Council already has a list of requests for the next meeting.

Commissioner Hunter said he is going to suggest -- and hopes the other two Commissioners will go along with him -- that they look at the Evansville Association for Retarded Citizens' roof repair in very hard fashion -- because they apparently have a lot more water damage out there after last week's snow.

Commissioner Borries said he would certainly agree. He wasn't able to attend their first meeting and they canceled one due to snow in January. He is going to try to make the meeting scheduled this Wednesday.

Commissioner Tuley said they may need to contact Mark Abell to see if there are some surplus properties over there that we could give to them and they could bulldoze same for parking.

Commissioner Hunter said he met with Margaret today and she, of course, hit him with the roof. He told her real quick that he and Commissioner Borries agree that if we fix that roof they are not going to park on it. Then it occurred to him that we might even have some of this surplus county property over in that area that we could give to them and they could use it for parking. She was going to check into that, as well.

Commissioner Borries said he would wholeheartedly endorse their request, but the parking has to get off that roof.

Commissioner Hunter said she understands that and didn't quibble at all.

Auditor Sam Humphrey said he attended their first meeting and that was agreed to. Not only that, they agreed to buy two properties across the street to use for parking and eliminate on-roof parking.

Commissioner Borries said, "Good. They have to do that."

Mr. Humphrey said Deaconess probably owns all the property around there.

President Tuley entertained further matters of business to come before the Board. There being none, at 6:55 p.m. he entertained a motion for adjournment.

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

PRESENT:

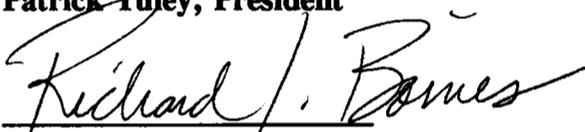
Patrick Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Alan M. Kissinger, County Attorney
Sam Humphrey, County Auditor
Mark Abell, Supt./County Buildings
John Stoll, County Engineer
Bill Morphew, Supt./County Highway
Jack Waldroup/United Consulting Engineers

Ron Miller/United Consulting Engineers
News Media

SECRETARY: Joanne A. Matthews



Patrick Tuley, President



Richard J. Borries, Vice President



Don Hunter, Member



AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 14, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER** - *5:50 p.m.*
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. **Approval of Commissioner Minutes** - *RB/DW (3/7/94 - 12/13/93)*
 - B. **Any group/individual wishing to address the commission**
 - C. **Bid Award**
re: **Rolm Telephone Equipment** - *To Be Re-Bid*
 - D. **Stop Sign Ordinances**
re: **Final reading**
 - E. **Proclamation for signatures**
re: **Tornado Awareness Week**
 - F. **Jayne Berry Bland/County Treasurer** - *Delay for one week*
re: **Agreement with Attorney Kevin Bryant**
for acceptance/signatures
5. **DEPARTMENT HEADS**

Alan Kissinger -----	County Attorney - <i>Ord./duplus Property Power of atty.</i>
Mark Abell -----	Superintendent of County Buildings - <i>212 86-</i>
Bill Morphew -----	County Garage -
John Stoll -----	County Engineer (See attached requests)

6. CONSENT ITEMS

A. Travel/Education Requests:

 Knight Township Assessor (1) County Recorder (1)
 County Assessor (1)

B. Employment Changes:

* see attached

C. Quietus # 13143 for acceptance/Koester Contracting/March Rent

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED — 6:50 p.m.

COUNTY ENGINEER'S

CONSENT AGENDA

MARCH 14, 1994

1.	CLAIMS:	
	BRIDGE INSPECTION 203-3540	
	United Consulting Engineers (Inv. #4)	\$10,244.00
	CONTRACTUAL SERVICES 203-3930	
	Community Jobs Club, Inc. (Inv. #6)	\$ 60.00
	BIXLER ROAD BRIDGE #7 203-4349	
	Hansen Testing (Inv. #120420)	\$ 750.00
	COLUMBIA/DELAWARE BRIDGE #1C 203-4353	
	United Consulting Engineers (Inv. #16)	\$11,354.28
	MANN ROAD BRIDGE #5 203-4361	
	Hansen Testing (Inv. #120421)	\$ 1,000.00
	GREEN RIVER ROAD 216-4910	
	United Consulting Engineers (Inv. #11)	\$ 2,932.50
	USI & SR 62 430 BOND	
	Blankenberger Brothers, Inc. (Inv. #12)	\$51,929.85

March 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 60/305	2 61/304 3:00pm County Council	3 62/303	4 63/302	5 64/301
6 65/300	7 66/299 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	8 67/298	9 68/297	10 69/296	11 70/295	12 71/294
13 72/293	14 73/292 4:30pm Solid Waste 5:30pm County Commissioners	15 74/291 9:00am Insurance Comm.	16 75/290	17 76/289 St. Patrick's Day 9:00am Steering Comm. 3:00pm Pigeon Creek	18 77/288	19 78/287
20 79/286	21 80/285 6:00pm Exec. Session 5:30pm County Commissioners 7:00pm Meetings	22 81/284	23 82/283	24 83/282	25 84/281	26 85/280
27 86/279	28 87/278 5:30pm County Commissioners 6:30pm Drainage Bd.	29 88/277	30 89/276 3:30pm Personnel & Finance	31 90/275		

February

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY EMT. DEPT. 201002010 *al*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101022	DARRYL CHAMBERLAIN	3209 HILLCREST TERRACE	TRUCK DRIVER	11 25 1125-00	3-4-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
201032	DARRYL CHAMBERLAIN	3209 HILLCREST TERRACE	EQUIPMENT OPERATOR	11 45	3-4-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY William J. Morpheus DATE 3-4-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 2010 02010 - VANDEBURGH COUNTY EMT. DEPT. *al*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101032	HAROLD LEE STUCKEY	4309 CHESTNUT ST.	EQUIPMENT OPERATOR	11 45	3-4-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101990	HAROLD LEE STUCKEY	4309 CHESTNUT ST.	EXTRA HELP LABORER	10 94 5-00	3-4-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY William J. Morpheus DATE 3-4-94

ORDINANCE TO AMEND CHAPTER 72,
SCHEDULE II, OF THE CODE OF
ORDINANCES OF VANDERBURGH COUNTY

WHEREAS, it has been verified that a certain traffic control sign within Vanderburgh County is not in compliance with the provisions of I.C. 9-21-3-1, et seq.,

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

(A) Chapter 72, Schedule II (Stop Intersections), of the Code of Ordinances of Vanderburgh County, Indiana, is hereby amended to delete the following location as a designated stop intersection:

<u>ROAD NAME</u>	<u>ROAD THAT INTERSECTS</u>	<u>ROAD THAT STOPS</u>
Cold Springs Lane	Heather Lane	Cold Springs Lane

(B) The designation of all other stop intersections listed in Chapter 72, Schedule II, of the Code of Ordinances of Vanderburgh County shall remain in full force and effect, as previously adopted or amended.

(C) The Vanderburgh County Highway Department is hereby directed to remove any unauthorized traffic sign that may be located at the above-described location.

(D) This ordinance shall be in effect after it has been signed by the President of the Board of Commissioners of Vanderburgh County and after any non-conforming traffic sign has been removed.

Date: 14 March, 1994



Patrick Tuley, President
Board of Commissioners of
Vanderburgh County

ATTEST: 

Sam Humphrey
Vanderburgh County Auditor

APPROVED AS TO FORM:



Alan M. Kissinger
Vanderburgh County Attorney

ORDINANCE TO AMEND CHAPTER 72,
SCHEDULE II, OF THE CODE OF
ORDINANCES OF VANDERBURGH COUNTY

WHEREAS, traffic engineering studies have verified that traffic control signs are necessary at certain additional intersections within Vanderburgh County,

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

(A) Chapter 72, Schedule II (Stop Intersections), of the Code of Ordinances of Vanderburgh County, Indiana, is hereby amended to include the following locations as designated stop intersections. All vehicles are required to stop at one or more entrances to these intersections, as indicated below.

<u>ROAD NAME</u>	<u>ROAD THAT INTESECTS</u>	<u>ROAD THAT STOPS</u>
Briar Ridge Road	Browning Road	Briar Ridge Road
Cold Springs Lane	Strawberry Hill Road	Cold Springs Lane
Creamery Road	County Line Road-West	Creamery Road
Dry Branch Road	Strawberry Hill Road	Dry Branch Road
Gun Powder Lane	Dry Branch Road	Gun Powder Lane
Honeysuckle Drive	Woodland Hills Drive	Honeysuckle Drive
Rock Creek Lane	Strawberry Hill Road	Rock Creek Lane
Woodland Hills Drive	Browning Road	Woodland Hills Drive

(B) The designation of all other stop intersections listed in Chapter 72, Schedule II of the Code of Ordinances of Vanderburgh County shall remain in full force and effect, as previously adopted or amended.

(C) This ordinance shall be in effect after it has been signed by the President of the Board of Commissioners of Vanderburgh County and after all necessary signs giving notice of the foregoing stop intersections have been posted in accordance with I.C. 9-21-3 and I.C. 9-21-4.

(D) Any violation of this traffic schedule shall be punishable pursuant to the applicable section of Title 9 of the Indiana Code.

Date: 14 March

Patrick Tuley
Patrick Tuley, President
Board of Commissioners of
Vanderburgh County

ATTEST: Sam Humphrey
Sam Humphrey
Vanderburgh County Auditor

APPROVED AS TO FORM:

Arian M. Kissinger
Arian M. Kissinger
Vanderburgh County Attorney



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

VANDERBURGH COUNTY

PROCLAMATION

WHEREAS, Tornadoes are the most violent natural disaster affecting the majority of the United States, resulting in numerous deaths and injuries, and vast destruction; and

WHEREAS, Evansville, Indiana is located within the nation's "Tornado Belt", becoming a prime target of devastating tornado outbreaks particularly during the months of April, May and June; and

WHEREAS, a statewide tornado warning exercise will be held on March 16, 1994 for the purpose of testing communications systems, equipment and procedures; and

WHEREAS, during this week, the Evansville Vanderburgh County Emergency Management Agency is emphasizing its safety procedures involving tornado activity.

THEREFORE, We, COUNTY COMMISSIONERS of Vanderburgh County do hereby proclaim March 14 - March 28, 1994 as

"TORNADO AWARENESS WEEK"

in the County of Vanderburgh in the State of Indiana

IN WITNESS WHEREOF, we have hereunto set our hands and have caused the great seal of the County to be affixed this 14 th day of March in the year of our Lord one thousand nine hundred and ninety-four

Patrick Tuley, President

Richard J. Borries, Vice-President

Don L. Hunter, Member

Patrick Tuley
Richard J. Borries
Don L. Hunter

SPECIAL ORDINANCE OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY FOR THE TRANSFER OF
SURPLUS PROPERTY TO NONPROFIT CORPORATION

WHEREAS, I.C. 36-1-3-1, et seq., authorizes the county executive to adopt an ordinance prescribing a specific manner for exercising a power for which there is no other specific constitutional or statutory provision;

WHEREAS, I.C. 36-1-11-1(b)(7) allows the sale or lease of property to Indiana nonprofit corporations that are exempt from federal taxation pursuant to Title 26 U.S.C.A. §501, without compliance with other requirements of I.C. 36-1-11-1, et seq.; and,

WHEREAS, Vanderburgh County does, on occasion, become the owner of surplus real and personal property;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Vanderburgh County, as follows:

1. The Board of Commissioners of Vanderburgh County, as "disposing agent" as defined in I.C. 36-1-11-2, is hereby authorized to dispose of property by transferring or selling it to any Indiana nonprofit corporation organized for educational, literary, scientific, religious or charitable purposes that is exempt from federal income taxation pursuant to Title 26 U.S.C.A. §501;

2. Prior to the approval of any such transfer of property, the Board of Commissioners shall conduct a public hearing, after giving notice required by I.C. 5-3-1 at least ten (10) days before the date of said hearing. Said notice shall include a statement that the hearing is open to the public, and shall contain a description of the property to be sold, or transferred, street address, legal description and key number (if applicable) as maintained by the Vanderburgh County Auditor, pursuant to I.C. 6-1.1-1-8.5 and I.C. 6-1-1.5, and the general terms of said sale or transfer;

3. At said public hearing the Board of Commissioners may establish additional terms and conditions of transfer which shall be included in the official minutes of said hearing;

4. Any prospective transferee must show proof that it is, in fact, an Indiana nonprofit corporation, as defined by Title 26 U.S.C.A. §501, prior to the date of the public hearing; and,

5. On compliance with the terms and conditions set forth above, the Board of Commissioners shall execute a deed or other appropriate form of transfer of property to the nonprofit corporation.

This ordinance shall become effective on the date that it is adopted by the Board of Commissioners of Vanderburgh County and signed by its president.

Date: _____, 1994

Pat Tuley, President
Board of Commissioners of
Vanderburgh County

ATTEST:

Sam Humphrey,
Vanderburgh County Auditor

BY: _____

APPROVED AS TO FORM:

Alan M. Kissinger
Vanderburgh County Attorney

POWER OF ATTORNEY
(LIMITED)

KNOW ALL MEN BY THESE PRESENTS:

That I, Patrick Tuley for and on behalf of Board of Commissioners of _____ in the County of Vanderburgh and the State of Indiana, have made, constituted and appointed and by these presents do make, constitute and appoint Full Circle Services, Inc., its true and lawful attorney for it and in its name, place and stead, and to its use, to collect and recover unclaimed, outstanding or abandoned property more particularly described as follows: State of Indiana Check No. 13063050 in the amount of \$10,451.35; and to obtain, deposit, negotiate and disburse any such property, and to obtain a copy of the cashed check at any time subsequent to deposit, giving its attorney full power to do everything whatsoever, requisite and necessary to be done on the premises, as fully as it could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that its said attorney, or such substitute or agent as it should designate, shall lawfully do, or cause to be done, by virtue hereof. This Limited Power of Attorney will automatically expire upon recovery of the above-described property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 14th day of March, 1994.

Corporate Name:

Board of Commissioners of Vanderburgh County

Federal Tax ID # 356000205

ATTEST:

Sam Humphrey
Secretary

By: Patrick Tuley
Title: Pres. C. Com.

STATE OF Indiana)
COUNTY OF Vanderburgh) ss.

Before me, a Notary Public, in and for said County and State on this 14th day of March, 1994, personally appeared Patrick Tuley to me known to be the identical person who subscribed the name of the maker hereof to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

Joanne A. Matthews
Notary Public

My Commission Expires: _____

JOANNE A MATTHEWS
NOTARY PUBLIC STATE OF INDIANA
VANDERSBURGH COUNTY
MY COMMISSION EXP. JUNE 12, 1995

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, MARCH 4, 1994 THRU THURSDAY, MARCH 10, 1994

FRIDAY, MARCH 4, 1994

One crew attended Haz-Mat training at the Union Hall.
Gradall and one crew worked on Heinlein and Old Henderson.
Trash crew ran regular routes.
Grader and two crews graded and rocked Outer Darmstadt, Mann Road and Hillside Rd.
One crew assisted Bridge crew on Barton Road.
One crew worked on paver and roller.
One crew ran barricades.
One crew cut brush on Mesker Park Drive.

MONDAY, MARCH 7, 1994

One crew attended Hazardous Material training at the Union Hall.
Two patch crews worked on work orders.
Gradall and one crew worked at 5830 Mesker Park on culvert.
Grader and one crew cleaned debris off roads in the bottoms.
One crew ran barricades.
Two tree crew worked on Mesker Park Drive.
One crew worked on decontamination of corrosive materials.

TUESDAY, MARCH 8, 1994

One crew attended Hazardous Material training at the Union Hall.
Gradall and one crew installed culvert at 2049 Volkman Road.
Two patch crew worked on Streuh Hendricks and McDowell.
Grader and one crew cleaned debris off roads in bottoms.
One crew ran barricades.
One crew hauled rock.
One crew cleaned trucks.
One crew cleaned brush off Frontage Road.
One crew worked on paver and roller and one crew attended paving school.

GENERAL CALL IN FOR SNOW REMOVAL WEDNESDAY, MARCH 8, 1994 - A.M.

WEDNESDAY, MARCH 9, 1994

One crew attended Haz-Mat training at the Union Hall.
All crews ran snow routes.

THURSDAY, MARCH 10, 1994

One crew attended Haz-Mat training at the Union Hall.
All crews ran snow routes.
One crew repaired mailboxes.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, MARCH 4, 1994 THRU THURSDAY, MARCH 10, 1994

FRIDAY, MARCH 4, 1994

Crew #1 - installed culvert on Barton Road.
Crew #2 - installed culvert on Barton Road.
Crew #3 - wash car and truck, clean equipment.

MONDAY, MARCH 7, 1994

Crew #1 - install culvert at 5830 Mesker Park, put up barricades on Barton Road, Mann Road and Creamery road.
Crew #2 - install guardrail on RedBank Road, remove forms from Meadowbrook.
Crew #3 - straighten guardrail on Broadway.

TUESDAY, MARCH 8, 1994

Crew #1 - install alum pipe across 2049 Volkman Road.
Crew #2 - paint guardrail, haul concrete from Lexington.
Crew #3 - dig out around pipe on Barton, straighten shoulder.

WEDNESDAY, MARCH 9, 1994

All crews hand sanded and salted bridges.

THURSDAY, MARCH 10, 1994

All crews hand sanded and salted bridges.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for March 14, 1994

1. Notice of Intent letter for the Ohio Street bridge — *RA1212*
2. Notice of Intent letter for the Lynch Road paving project — *RA1212*
3. Travel request for Bill Higgins and John Stoll to attend a HERPICC Roadside Safety Workshop in Jasper IN on 3/24/94 — *RA1014*
4. Bridge inspection reports from United Consulting Engineers —

Board of Commissioners

OF THE
COUNTY OF VANDERBURGH
305 ADMINISTRATION BUILDING
CIVIC CENTER COMPLEX
EVANSVILLE, INDIANA 47708
PHONE (812) 426-5241

Indiana Department of Environmental Management
Office of Water Management
Permits Section
105 South Meridian Street
Indianapolis, Indiana 46206-6015

RE: Notice of Intent (Stormwater) under 327 IAC 15

Gentlemen:

The following information is being submitted for your review under Rule 327 IAC 15. Requirement of Notice of Intent to Discharge Stormwater:

1. **Location:** Ohio Street from just east of 9th Street across Pigeon Creek to 2nd Street just west of Fulton Avenue, Vanderburgh County, Indiana
2. **Standard Industrial Classification:** SIC Code 1622 Bridge Project
3. **Owner:** Vanderburgh County Board of Commissioners
Room 305 - Civic Center Complex
Evansville, Indiana 47708
4. **Legal Description:** Beginning at a point approximately 25.3 feet south and 176.5 feet west of the southeast corner of block number 127 of Lamasco Subdivision being a part of the City of Evansville, as per plat thereof recorded in deed record "E", pages 6 and 7 in the office of the Recorder of Vanderburgh County, Indiana: thence easterly 1550.00 feet to a point approximately 203.7 feet south and 118.0 feet west of the northwest corner of block number 170 of said Lamasco Subdivision
5. **Receiving waters are:** Pigeon Creek
6. **Project fits the general permit for construction activity with 5 acres or more.**

7. **Project Description:** New bridge construction and road realignment from just east of 9th Street on Ohio Street to just west of Fulton.

Total Project Acreage = 4.6 Ac

Total Acreage of Land Disturbed = 3.5 Ac

8. **Estimated timetable for land disturbing activities and installation of erosion control measures will be as follows:**

Date Construction to begin: September, 1994

Date Erosion Control to begin: September, 1994

Date Construction to end: June, 1995

9. **Responsible officer:** Indiana Department of Transportation Construction Division
100 N. Senate Avenue
Indianapolis, Indiana 46204-2217

10. I, the undersigned, do hereby certify, to the best of my knowledge, the following:

The erosion control measures comply with the IDEM rule and with applicable state, county and local erosion control requirements.

The erosion control measures will be implemented in accordance with the Plan.

Verification that an appropriate state, county or local authority and the Soil and Water Conservation District have been sent a copy of the plan for review.

Verification that implementation of the Erosion Control Plan will be conducted by personnel trained in erosion control practices.

11. **Proof of Publication in a newspaper in the affected areas is attached.**

Sincerely,



Patrick Tuley
President, Vanderburgh County Commissioners

cc: Mr. Darrel Rice, County Soil & Water Conservation District
Mr. Chris Schietzer, Evansville Board of Public Works

Board of Commissioners

OF THE
COUNTY OF VANDERBURGH
305 ADMINISTRATION BUILDING
CIVIC CENTER COMPLEX
EVANSVILLE, INDIANA 47708
PHONE (812) 426-5241

Indiana Department of Environmental Management
Office of Water Management
Permits Section
105 South Meridian Street
Indianapolis, Indiana 46206-6015

RE: Notice of Intent (Stormwater) under 327 IAC 15

Gentlemen:

The following information is being submitted for your review under Rule 327 IAC 15. Requirement of Notice of Intent to Discharge Stormwater:

1. Location: Lynch Road from just west of Oak Hill Road to just east of Burkhardt Road, Vanderburgh County, Indiana
2. Standard Industrial Classification: SIC Code 1611 Road Project.
3. Owner: Vanderburgh County Board of Commissioners
Room 305 - Civic Center Complex
Evansville, Indiana 47708
4. Legal Description: Beginning at a point in the center of existing Lynch Road approximately 700 feet west of the southeast corner of the northeast quarter of Section 10, Township 6 South, Range 10 West, Center Township, said point being approximately 588 feet west of the centerline intersection of Lynch Road and Oak Hill Road, and extending in an easterly direction for a distance of 11,450 feet to a point approximately 110 feet east and 140 feet South of the Southwest corner of the northwest quarter of Section 7, Township 6 South, Range 9 West, All in Vanderburgh County, Indiana
5. Receiving waters are: Pigeon Creek, Crawford Brandels Ditch
6. Project fits the general permit for construction activity with 5 acres or more.
7. Project Description: Lynch Road paving and intersection construction from just west of Oak Hill Road to just east of Burkhardt Road.

Total Project Acreage = 30.9

Total Acreage of Land Disturbed = 29.6

8. Estimated timetable for land disturbing activities and installation of erosion control measures will be as follows:

Date Construction to begin: April, 1996

Date Erosion Control to begin: April, 1996

Date Construction to end: Summer, 1997

9. Responsible officer: Indiana Department of Transportation Construction Division
100 N. Senate Avenue
Indianapolis, Indiana 46204-2217

10. I, the undersigned, do hereby certify, to the best of my knowledge, the following:

The erosion control measures comply with the IDEM rule and with applicable state, county and local erosion control requirements.

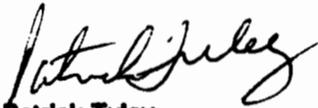
The erosion control measures will be implemented in accordance with the Plan.

Verification that an appropriate state, county or local authority and the Soil and Water Conservation District have been sent a copy of the plan for review.

Verification that implementation of the Erosion Control Plan will be conducted by personnel trained in erosion control practices.

11. Proof of Publication in a newspaper in the affected areas is attached.

Sincerely,



Patrick Tuley
President, Vanderburgh County Commissioners

cc: Mr. Darrel Rice, County Soil & Water Conservation District
Mr. Chris Schletzer, Evansville Board of Public Works

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3/14/94 DEPARTMENT: COUNTY ENGINEERING DEPT.

EMPLOYEE(S): JOHN STOLL

BILL HIGGINS

DATES OF TRAVEL: 3/24/94

DESTINATION: JASPER, IN

PURPOSE: ROADSIDE SAFETY WORKSHOP

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

LODGING REQUIRED: N/A

MEANS OF TRAVEL: _____ COUNTY VEHICLES NUMBER: 90
OTHER: _____

REIMBURSEMENT CLAIMED: _____ Mileage _____ Parking
_____ Per Diem Registration
_____ Air Fare _____ Other

APPROVED: John Stoll
Department Head

APPROVED: Patrick Tuley
Office Holder

APPROVED BY VANDERBURGH COUNTY COMMISSIONERS this 14th day of March, 1994.

Richard J. Barnes
Richard Barnes, President

Patrick Tuley
Patrick Tuley, Vice President

Don L. Hunter
Don L. Hunter, Member

**VANDERBURGH COUNTY, INDIANA
COMMUNITY CORRECTIONS PROGRAM EVALUATION**

MARCH 14, 1994

I. ACTION STEPS/SCOPE OF CONSULTING SERVICES

The following action steps and accompanying scope of consulting services are described and presented in a sequence to best meet the objective of conducting an operations evaluation of the Vanderburgh County, Indiana Community Corrections Program.

Consultants will work closely with County officials to define goals, establish schedules, and ensure that project timetables objectives are met.

STEP 1: Develop Project Work Plan and Schedule

Consultants will meet with County officials to elicit organizational background information and to formulate a work plan including project timetables.

STEP 2: Conduct Comprehensive Community Corrections Program Evaluation

Using the American Correctional Association "Standards for Adult Community Residential Services" for national accreditation consultants will construct an evaluation survey and conduct an assessment of the following standards:

Administration, Organization and Management
Fiscal Management
Personnel and Staffing
Research and Evaluation
Communication and Coordination
Records
Facility (Physical Plant, Accommodations,
Sanitation, Hygiene)
Safety and Emergency Procedures
Food Service
Medical Care and Health Services
Intake
Programs
Supervision
Citizen and Volunteer Involvement
Out-Client Services

STEP 3: Prepare "Draft" Management Report

From information gathered and compiled from the program assessment consultants will prepare a "draft" management report focusing on findings and recommendations. This report will be reviewed and discussed with County officials.

STEP 4: Prepare Final Management Report

A final management report will be prepared identifying various recommendations to upgrade program operations including implementation options, estimated costs, and timetables.

II. FEES

- a. To perform the above professional consulting services as specified, the Firm proposes to be paid a not-to-exceed fee of (\$11,120.00), plus travel expenses; or alternately
- b. fees may be billed at hourly rates of \$85.00 Principals and Associates; and \$40.00 Consultants, plus travel expenses.
- c. For consulting services requested beyond the specified scope of consulting services fees will be billed hourly.

III. BILLING SCHEDULE

Upon completion of each of the following action steps the Firm would expect to be paid specified fees as within two weeks after submission of Statement of Charges.

ACTION STEPS	SCOPE OF SERVICES	FEES
Step 1:	Develop Work Plan/Schedule	
Step 2:	Conduct Program Evaluation.....	\$ 3,420.00
Step 3:	"Draft" Management Report.....	\$ 4,860.00
Step 4:	Final Management Report.....	<u>\$ 2,840.00</u>
	TOTAL.....	\$11,120.00

TIMETABLE

It is estimated that the above Scope of Services will be concluded within (90) calendar days.

LETTER OF ENGAGEMENT

The County of Vanderburgh, Indiana hereby engages the Firm of Waggoner, Irwin, Scheele & Associates Inc. to proceed with the provision of professional consulting services according to the terms and conditions specified in Waggoner, Irwin, Scheele & Associates Inc. Community Corrections Evaluation for Vanderburgh County, dated March 14, 1994.

X *Patrick J. Kelly*
FOR THE COUNTY

X 3-14-94
DATE

FOR IMMEDIATE RELEASE
MARCH 14, 1994

FOR MORE INFORMATION CONTACT:
Kent Irwin (317) 286-5195

VANDERBURGH COUNTY, INDIANA
COMMUNITY CORRECTIONS PROGRAM EVALUATION

Waggoner, Irwin, Scheele & Associates Inc. a Muncie research and management firm has been jointly retained by the Vanderburgh County Commissioners and Circuit Court Judge Richard L. Young to conduct a program evaluation of the County's (SAFE House) Community Corrections Program.

Firm president Kent Irwin will direct the project. Irwin said "we will be using American Correctional Association (ACA) accreditation standards established for adult community residential services to assess the SAFE House program." According to Irwin "ACA accreditation standards cover the full array of operational functions: administration, organization, fiscal management, personnel and staffing, research, evaluation, communication, records, physical plant, sanitation, hygiene, safety, emergency procedures, food service, medical care, and health services."

The study will involve on-site interviews, a systematic review of documents, facilities, and programs. The consultants have been assured participation and cooperation among program staff, and open access to all records and facilities. "During the coming weeks we will be seeking input from County elected officials, the advisory committee, staff, clients, and community," Irwin said.

A final report is to be completed in 60-90 days and will be designed to provide County officials with a comprehensive guideline to upgrade services, programs, and overall operations.

Steve Smith Ph.D. and Gary Webb Ph.D. both have extensive experience in the criminal justice field and will serve as consultants on this assignment.

In past years Waggoner, Irwin, Scheele & Associates have assisted the County with the installation of a job classification and compensation system; and most recently with an employment assessment of the Americans with Disabilities Act, and development of a new County personnel policies handbook.

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VANDERBURGH COUNTY, INDIANA
COMMUNITY CORRECTIONS PROGRAM EVALUATION

WORK PLAN

March 2, 1994

<u>Project Activity</u>	<u>Target Dates</u>
1. Meet with County officials to gather background information and formulate work activities and timetables.	March 2
2. Conduct on-site interviews using American Correctional Association accreditation standards survey. County officials (Commissioners, Judge(s), Advisory Committee etc.) SAFE House staff, clients	March-April
3. Prepare "draft" management report and review findings with County officials.	April
4. Prepare final report identifying specific recommendations to upgrade services, programs, and operations.	April-May 31

Project Operations:

1. Consultants will have access to all program documents, records, and facilities; and are assured participation from County officials and staff. Interviews will be scheduled directly with those being interviewed.
2. Findings and recommendations will be reviewed with County Commissioners and Judge Richard Young in advance of release of information to the public.

Project Contact:

Kent Irwin
Waggoner, Irwin, Scheele & Associates Inc.
118 South Franklin
Muncie, Indiana 47303

(317) 286-5195
(317) 286-2824 FAX

**MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 21, 1994**

I N D E X

Subject	Page No.
Meeting Opened @ 6:10 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Presentation re Hydromagnetic Water Conditioners/ Bud Davis/Riverbend Mechanical, Inc.	1
Purchasing Department/Lynn Ellis	2
Letting of Quotes re T-Shirts & Ball Caps for Burdette Park (Quotes to be Opened 3/28/94)	
Ordinance re Community Corrections Fund/Harris Howerton (Deferred)	2
Building Commission/Ordinance Amending the Building Code ... (Second Reading - Monday, April 4, 1994 (Final Reading - Monday, April 11, 1994)	2
Agreement with Kevin Bryant re Collections (Deferred).....	3
County Attorney/Alan M. Kissinger	3
Approval of Leave of Absence/Tom Waterman/County Highway Garage	
Superintendent of County Buildings/Mark Abell	3
Request from WNIN re Donation of 50 Push Button Telephones	
County Highway Garage/Bill Morphey	4
Weekly Progress Report Request to do work on County Right-of-Way/Baumgart Rd. Bruce Biggerstaff (approved) Concerns re No Dumping Sign/Old Boonville Highway (John Stoll to look into this) Request for Removal of Debris/St. Joseph Avenue	
County Engineer/John Stoll	6
Request to go on Council Call (approved) Acceptance of Resignation of Gary Kercher (Last day will be April 4, 1994)	
Consent Agenda	7
Scheduled Meetings	7
Special Called Meeting of County Council (3/23/94) April Executive Sessions: 4:00 p.m. on April 4th, April 18th and April 25th for purposes of discussing Possible & Pending Litigation and Personnel Matters	
Old Business	7
Appointments to Community Corrections Advisory Board; The Reverend Floyd Edwards and Bobby Ogburn. Still awaiting word from Beverly Kempf of the Star Neighborhood Association	
New Business	8
Request to Use County Roads/Bluegrass UMC (approved)	

Rezoning Petitions	8
VC-1-94/Petitioner, Caring Friends, Inc. (First Reading (approved)	
VC-2-94.Petitioner, Robert & Dennis Fehrenbacher (First Reading) approved	
Meeting Adjourned @ 7:10 p.m.	8

MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 21, 1994

The Vanderburgh County Board of Commissioners met in session at 6:10 p.m. on Monday, March 2, 1994 in the Commissioners Hearing room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, apologized for the late start due to a lengthy Executive Session, introduced members of the County Staff (Mark Abell, Supt./County Buildings, Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, County Auditor Sam Humphrey and Joanne Matthews, the Official Recording Secretary. Commissioner Tuley subsequently asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

President Tuley said the Commissioners have had copies of the minutes of December 20, 1993 and March 14, 1993 for perusal and he entertained a motion for approval.

Motion to approve both sets of minutes, as presented, was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

Commissioner Tuley then asked if there are any individuals/groups present who wish to address the Commission but do not find their particular item of interest on this evening's agenda. There was no response from the audience.

RE: PRESENTATION RE HYDROMAGNETIC WATER CONDITIONERS
BUD DAVIS/RIVERBEND MECHANICAL, INC.

Mr. Bud Davis of Riverbend Mechanical, Inc. said he is not a salesman. However, they do have one piece of equipment that will save the County money. (His son, Chris Davis, is also with him.) He then presented a detailed packet to each of the Commissioners, including a proposal to furnish and install hydromagnetic water conditioners for the boilers at the Vanderburgh Auditorium and the County Highway Garage. Units are \$2,400 each. The County Garage has one (1) boiler. The Auditorium has two (2) boilers. Mr. Davis explained that there are procedures that must be followed when using these hydromagnetic water conditioners. First, the boilers must have a blowdown at least once a day, and more if inspection reveals that more frequent blowdowns are needed. Secondly, the water pH needs to be checked at least monthly and should not be allowed to go below seven (7). He said that the water conditioners are used to eliminate scale and corrosion in piping and equipment without the use of chemicals. He noted the packet also includes letters from satisfied customers -- including Union Federal Permanent Federal, the Courts Building, Redspot Paint & Varnish Co., Inc., Southwest Indiana Mental Health (at the Hillcrest-Washington Home), etc. He acknowledged that when he first heard about this equipment he thought it was a scam. Then they investigated and tested and found out to the contrary. Mr. Davis said they have tested these products for two years and have them in service at the several locations heretofore mentioned. He knows they work -- he can show physical evidence that they work. He then submitted jars of water samples to the Commissioners; a sample after the first week and a sample following two weeks. The first sample contained a rust colored water sample and the latter jar contained clear or clean water. He explained that the hydro unit realigns molecules in the water. What this does, basically, is take all the chemicals out. Mr. Davis submitted pipe samples on which the hydro unit had been used. He said there is no maintenance involved, with the exception that maintenance would be involved if the unit were used on copper pipe. Other users of the equipment include the Lutheran Church on

Madison St., St. Joe Church on Virginia, Gibbs Manufacturing and International Tables in Henderson, KY., etc. The School Corporation plans on using this equipment throughout their entire system. They are going to put these units in the Hulman Buildings in Terre Haute. This equipment removes all the build up chemicals, etc., and gas bills will go down. He said the effectiveness of heat exchange in a facility is directly related to operational cost and with this equipment, fuel consumption will decrease and existing equipment will work under lower stress, thereby extending the life of the equipment. There will no longer be a need to periodically use chemicals, thereby further lowering the cost. If you acidize, chemicals can run \$150 every 30 gallons. Further, this equipment has a 25 year guarantee.

In discussing use of this unit for domestic water or drinking water purposes, Mr. Davis noted the taste of water is related to minerals, metals, etc. When this unit is utilized, water will taste better and will appear to be wetter. So he is also offering wetter water.

Applicable uses for the County would be the Auditorium, which has two boilers; the Old Courthouse; the Coliseum; the County Highway Garage, etc. We have several facilities that have boilers.

Again, the cost is \$2,400 each or in the case of the Auditorium, it would require two at a total cost of \$4,800.

When Mr. Davis concluded his presentation, President Tuley noted that right now the County financial situation is not optimistic. Should money become available, we might at least try one or two of these units.

Mr. Davis again noted the installation of this equipment would save the County money -- money they could spend on other projects.

(Note: Mr. Davis' presentation is not a verbatim transcript, due to faulty tape early in the meeting. Rather, this portion of the minutes was transcribed from shorthand notes.)

RE: ORDINANCE RE COMMUNITY CORRECTIONS FUND - HARRIS HOWERTON

President Tuley stated that Harris Howerton had requested that the Board adopt an Ordinance concerning the establishment and funding of the Community Corrections Fund. This matter is being deferred.

RE: PURCHASING DEPARTMENT - LYNN ELLIS

Letting of Quote/Burdette Park T-Shirts/Baseball Caps: Ms. Lynn Ellis, Purchasing Department, was making her first appearance before the Board to request permission to advertise for quotes for Burdette Park T-Shirts/baseball caps. Quotes are to be publicly opened and read on Monday, March 28th.

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

In response to query from the Commissioners, Ms. Ellis stated she is from Tallahassee, Florida.

In conclusion, Ms. Ellis said she cannot be present when the quotes are read, but we are on a tight time frame here since the merchandise has to be delivered by May 1st. She would request that the Commissioners go ahead and award to the lowest bidder so we can get the merchandise ordered.

RE: BUILDING COMMISSION/ORDINANCE AMENDING THE BUILDING CODE

Mr. Roger Lehman, Building Commissioner, was recognized and stated he now has the Final Draft of the proposed Ordinance amending the building code. Changes and modifications

March 21, 1994

previously discussed have been included, along with several editorial changes.

In response to query from the Commissioners concerning heating contractors, Mr. Lehman said he did not contact every heating contractor in Evansville and ask them about it. There are a few it affects more adversely than the ones he talked to and so we may be proposing a change. But that is an issue that has not been passed by the City either -- so it may be a month or two before we come up with a solution. Therefore, he'd like to go ahead and get this taken care of and we can bring that one subject up later.

RE: AGREEMENT WITH KEVIN BRYANT RE COLLECTIONS

Commissioner Tuley said because the County Treasurer is newly married and officially on her honeymoon, this item has been deferred until her return.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Approval of Leave of Absence/Tom Waterman/County Highway Garage:

Attorney Kissinger said that Tom Waterman, a former employee at the County Highway Garage, has made a request through his Teamster's Union representative that he be granted a leave of absence from employment. Just briefly, and for purposes of the record, to bring the Commissioners up to date, Tommy Waterman was injured on the job, was paid through Workmen's Comp insurance for a period of time, ultimately (last summer, he believes) made a final settlement with the Workmen's Comp carrier and he was continued on benefits up to February 28th of this year. At that time he was terminated. The request that has been made is that Mr. Waterman be placed on a one (1) year leave of absence, with the understanding that that would be a one (1) year leave of absence without benefits, without pay, without insurance, without the accumulation of vacation, sick days, etc., for the purpose of allowing him to at some time in the future during this one year period -- if he is eligible and capable of returning to his job at the County Garage (which we know isn't going to occur -- or if he is capable and qualified for any other job that is open within the County) that he receive favorable consideration for employment in that position and that his seniority for benefit purposes, etc., would continue. We may do that under the County Personnel Policy and he would recommend that the Commissioners give favorable consideration to granting the request for the leave of absence to start January 1, 1994 and to terminate December 31, 1994.

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

Attorney Kissinger said he has nothing further to report.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Request from WNIN-TV for Old Telephones: Mr. Mark Abell said that on a brighter note, he has a request from WNIN-TV that we donate fifty (50) of our old Rolm single line telephones. Addressing Attorney Kissinger, Mr. Abell said he guesses we can do that since they are not-for-profit.

Attorney Kissinger said we will be able to after next week. The Ordinance re surplus property will become effective as soon as the Commissioners approve it at that time.

Mr. Borries said the letter indicates "for the annual auction". Does that mean we get the phones back after the auction?

Mr. Abell said it does not. Right now their volunteers are using rotary dial phones and apparently those are real slow and there is a time lapse there. What we have is push button type phone. They would keep these and use them every time they have an auction.

Mr. Borries asked if they have to have another switch to put these in and Mr. Abell said he doesn't think so.

Commissioner Tuley said Mr. Abell might call them to say under the present arrangement we can't just do that -- but if an ordinance that has been drafted is passed, we will be back in touch with them.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted his Weekly Progress Report for period of March 11, 1994 thru March 17, 1994.....report received and filed.

Flooding: Commissioner Borries said the water is receding. He did some biking yesterday and got down by the river off Lynn Rd.

Mr. Tuley said the way the rain was coming down between 4:00 a.m. and 5:00 a.m. this morning, he thought it might be making a rapid rise back up to the top.

Mr. Morphey said that according to some of the river rats, when it goes down that fast -- it is going to come back up. That's what the people who know the river tell him. But he hopes not.

Mr. Borries said if it does, this will be about the fourth or fifth time.

Commissioner Tuley entertained questions of Mr. Morphey. There were none.

Request to do work on County Right-of-Way/Baumgart Rd.: Mr. Morphey said he talked to a developer out on Baumgart Rd. and Heinlein Rd. BLB (Bruce Biggerstaff) is developing that area and Mr. Morphey said one of the concerns he had was an addition paralleling Baumgart Rd. on the east side. It runs from Heinlein over to the bridge on Baumgart -- approximately 80 ft. Bruce had said if the County was to purchase this pipe, that when he cleans this ditch line out that he would install it at no charge to the County and it would be installed properly. Mr. Morphey said he felt this was very generous on Mr. Biggerstaff's part and this would also dress that corner up real well. We are going to pave Baumgart road this year. So he feels that will really dress that corner up. He is requesting permission from the Board and also asking what type of agreement would we need to do this? As he said, this is free -- no charge to the county.

Mr. Borries said he thinks Mr. Biggerstaff wrote a letter -- he had requested a letter.

Mr. Tuley said he saw it today.

Commissioner Borries said, "As long as we give him permission to work on County right-of-way -- as long as we have it in writing that he is not going to charge the county, I have no objection to it."

Mr. Hunter said it sounds like a good deal to him.

Mr. Morphey said that it is. We built a retaining wall in that ditch on the north side of that bridge three years ago. It took us a week to build it, because the road was caving in. Actually the ditch line bank had caved in next to the road and this was the only way he could find to restore the bank without it caving in further. What he has done out there in so far as the development of that corner -- he thinks it's about a 10 acre tract there -- it really looks good out there and we're not going to have any more problems with the road failing again right there.

Commissioner Borries said he would say if we have that letter on file, it's just a matter of our giving Mr. Biggerstaff approval to do the work on County right-of-way. "You all will be inspecting the job, I'm sure, won't you? And he's agreed to do this at no charge."

Mr. Morphey said that is correct.

March 21, 1994

Mr. Borries moved to grant the request, with a second from Commissioner Hunter. So ordered.

Concerns re Sign/Old Boonville Highway: Commissioner Borries said he had an individual call him about a sign that had been put near this person's property out on Old Boonville Highway that said, "No Dumping".

Mr. Morphew said someone told him about that today. We don't set signs.

Mr. Borries said he doesn't know who put it out there -- and she didn't know. He doesn't know whether it is a neighborhood feud. But if someone can just go out there. John knows about it.

Mr. Morphew said John Stoll could probably tell him a lot more than he can. The County Highway does generate some requests for signs, as does the County Engineer -- and the Traffic Sign Department installs the sign. But the particular area that they're talking about is a neighborhood feud and this is another one of those feuds that developed between two or three neighbors that are not quite satisfied with what the other neighbor is doing. There is a culvert there and they're filling the area up. We did ask them to stop dumping grass clippings, leaves, brush trimmings, etc. -- we've asked them several times during the last couple of years to stop dumping there - because it was restricting the water flow. There was another gentleman who was going to install a new line on his farm -- he needed a 2" main -- and the Water Department temporarily ran a hose through our culvert to his property. Those neighbors were squabbling about that. This is a neighborhood squabble.

Mr. Borries said he had the feeling that was the case.

Mr. Stoll said that with regard to the sign that was installed, Bill Higgins in his office requested that it be installed, based on complaints about dumping. The intent wasn't to make any of the neighbors mad, it was to try to address a problem. They will look into it more. There is one lady who is very upset about it.

Commissioner Borries said, "Very much so and I don't know what to tell her. I was not aware of it and she wanted my help. I don't know if she is the dumper or the dumpee or what. I have no idea. I just told her I would bring it up. I mean, she was so upset that she wasn't talking very clearly in terms of the sign; who "they" were, who put it out there."

Mr. Stoll said it sounds like he got the same phone call basically and he told her we'd look into it. If it needs to be pulled out of there again -- so be it.

Commissioner Borries asked Mr. Stoll to look into this if he can.

Request for Removal of Debris on St. Joe Avenue: Commissioner Tuley said he has a note on his desk from a cleaning lady who works here who must live out around or St. Joe -- indicating the trash, etc., is accumulating there -- probably north of Diamond Avenue. He'd like for Mr. Morphew to have the guys take a look out there.

Mr. Morphew said they do that. BFI is only responsible north of Mill Rd. there at the Indiana Hi-Rail Crossing -- from there to Laubscher Rd. at the entrance to their landfill. But, basically, this is an age old problem. St. Joe from Diamond all the way out is a haul road. Every trash truck in the county takes that direction, so from that point on we do look at a lot of trash. We do clean that up and occasionally we ask BFI (they have a sweeper) to go down and clean it up. And they do that for us. He can request that they do that for us again.

Mr. Tuley said she just left a note on his desk saying, "It needs it again". She did this one other time and they must have gotten right on it, because he got another note within a week saying, "You guys did a fine job and we appreciate it". So it's been several weeks and here's another note.

Mr. Morphew said, again, that he will take care of it.

RE: COUNTY ENGINEER - JOHN STOLL

Request to go on Council Call: Mr. Stoll said he has a request to go on Council Call for \$33,000 for North Green River Rd. They are in the process of marking off the striping.

Mr. Hunter said he was out there earlier this afternoon and it really is nice.

Mr. Borries said, "Let's have a ribbon cutting out there. What the heck -- we may as well enjoy these good times. So maybe when the weather turns nice we can cut a ribbon out there. It's been a long time coming."

Commissioner Hunter said that might be kind of fun.

Mr. Stoll said that based on what Keith Litton, the Project Engineer out there, told him -- he said probably mid to late April for completion of the whole project.

Mr. Hunter said a ribbon cutting would be nice and the media could be invited.

Kyle Foster asked what the Commissioners are talking about.

President Tuley laughingly said, "Now we know why you guys never get your story right -- you're too busy talking with each other to know what we're saying."

Mr. Stoll said, "Judging from their complaints, they both live out there -- so they will be throwing stuff at us during..."

Commissioner Hunter reiterated we're going to have a ribbon cutting ceremony out there in April and asked if they will cover it.

Motion to approve going on Council Call was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Mr. Stoll said he also has a request for \$3,000 for extra summer help. He was approached by Chad Jordan, who has been out at the County Highway Garage the past few summers. He's a Purdue student and he was asking whether he could come into the County Engineer's department rather than the County Highway Garage this summer. He's an engineering student and Bill gave him high marks as far as an employee. Being he is a civil engineering student, Mr. Stoll said he felt he would be handy to have around.

Mr. Borries said, "Hail to Old Purdue, that's what I say. One more tuition payment here. I'll move that it be approved."

Commissioner Hunter seconded. So ordered.

Resignation of Gary Kercher: Mr. Stoll said the final item he has is a letter of resignation given to him today by Gary Kercher. His last day will be April 4th.

Mr. Borries moved the Board will accept the resignation and wish Mr. Kercher all the best. He asked if we will want to advertise for that position?

Mr. Stoll responded affirmatively.

Motion seconded by Commissioner Hunter. So ordered.

Mr. Tuley said he enjoyed meeting with Mr. Stoll this morning, although, as he told Mr. Stoll earlier, it would be nice to have enough knowledge about what he does to ask him some good questions.

COMMISSION MEETING

7

March 21, 1994

Mr. Borries said you just learn by asking.

Mr. Tuley said that is what he did.

RE: CONSENT AGENDA

President Tuley entertained questions concerning the Consent Agenda, noting there are not many items on that list.

Mr. Borries said it is going to be easy to consent, but hard to get the money.

Commissioner Tuley said, "That's right."

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

RE: SCHEDULED MEETINGS

It was noted by Commissioner Tuley that a calendar of scheduled meetings is attached to the meeting agenda. He stated there is a special called meeting of the County Council on March 23rd.

Executive Sessions: Motion to schedule Executive Sessions in April at 4:00 p.m. on April 4th, 18th and 25th for purposes of discussing Possible and Pending Litigation and Personnel Matters.

Seconded by Commissioner Hunter. So ordered.

RE: OLD BUSINESS

Appointments to Community Corrections Advisory Board: Commissioner Borries said he has two (2) names to add to this profile of persons on the Community Corrections Advisory Board. As a Citizen Member, he would like to nominate The Reverend Floyd Edwards, who is also Director of the City-County Human Relations Commission. As a person he would be a Citizen Member, and he thinks he also works with some of the clients ordered to hone their skills and certainly they are supervised through programs he administers -- Mr. Bobby Ogburn, President of the Evansville Black Coalition and also a member of RTP, which deals with certain clientele there. He thinks he would fit under a person who operates a private correctional operation -- since many of these people probably would not be able to get a job in the future were it not for the training they receive under this particular program. Therefore, at this time, he would nominate those two persons to fill vacancies on the Community Corrections Board.

Commissioner Hunter said that since The Reverend Edwards is one of his former students, he would be glad to second the motion. So ordered.

President Tuley said that along that same line of thought, he is still waiting to hear in writing from Beverly Kempf, President of the Star Neighborhood Association. In order to fill the third and remaining seat, he'd still like to give her an opportunity to respond.

Commissioner Hunter said he thinks this would be a good idea.

Mr. Tuley said he talked to her last week. She said she had one name and would be working to provide us with a couple of names to choose from. We will leave that vacancy open for a short time and see what happens.

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

RE: NEW BUSINESS

Request to Use County Road/Bluegrass United Methodist Church: Mr. Tuley said he has a request to use County Roads for a 4 mi. run and 2 mile walk for the First Annual Bluegrass United Methodist Church Bluegrass Dash on Saturday, April 23rd. The request comes from Pastor Ruth Millgate. A certificate of insurance is attached. It is his understanding they have already contacted the Sheriff's Department and it has been verified by staff members in the Commission Office that the Sheriff's Department has no problem with it. Mr. Tuley said his only question is what roads are we talking about. Does Mark Abell know what roads they are talking about?

Mr. Abell said he does not -- that was all done with B.J. and he wasn't in on that.

Mr. Tuley said we have plenty of time and he'd like to hold this up until we know what roads they are talking about. Does it matter to the other Commissioners to know?

Attorney Kissinger said he doesn't think it important that the Commissioners know. Basically, if the Sheriff is going to provide security or going to be involved -- and they just basically have to be authorized by the Commissioners to do so.

Mr. Tuley entertained.

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

President Tuley entertained further matters of New Business to come before the Board. There were none.

There being no further business to come before the Board, President Tuley said it is 7:10 p.m., and Rezoning Petitions started ten minutes ago. He then proceeded with the Rezoning.

VC-1-94/Petitioner, Caring Friends, Inc. (First Reading): Common known address is 2216 S. Green River Rd. Requested rezoning is from Agricultural to CO-1.

Motion to approve the Petition on First Reading and forward to the Area Plan Commission was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

VC-2-94/Petitioner, Robert & Dennis Fehrenbacher (First Reading): Mr. Tuley said the common known address is 8944 Big Cynthiana Road. Requested rezoning is from Agricultural to C-4.

Motion to approve the Petition on First Reading and forward to the Area Plan Commission was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

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

PRESENT:

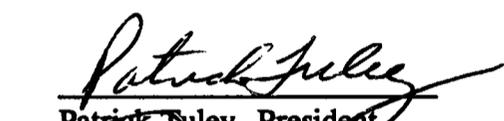
Patrick Tuley, President
Richard J. Borries, Vice President
Don L. Hunter, Member
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
Mark Abell/Supt., County Bldgs.
Bill Morphew/County Highway Supt.
John Stoll/County Engineer

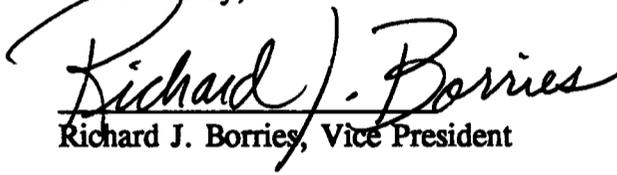
COMMISSION MEETING
March 21, 1994

9

Roger Lehman/Building Commissioner
Bud Davis/Riverbend Mechanical, Inc.
Chris Davis/Riverbend Mechanical, Inc.
Lynn Ellis/Purchasing Department
News Media

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President

Dopn L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 21, 1994

5:30 P.M.

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Approval of Commissioner Minutes
 - B. Any group/individual wishing to address the commission
 - C. Bud Davis/Riverbend Mechanical
re: Boiler Maintenance
 - D. Lynn Ellis/Purchasing
re: Approval of the letting of quotes
 - E. Harris Howerton/Community Corrections
re: Adopt ordinance concerning establishment and funding of
County Corrections Fund
 - F. Roger Lehman/Building Commission
re: Changes to Vanderburgh County Building Codes
 - G. Agreement with Kevin Bryant
*deferred from 3/14/94
5. **DEPARTMENT HEADS**

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

FINAL

COUNTY ENGINEER'S

CONSENT AGENDA

MARCH 21, 1994

1. CLAIMS:

USI & SR 62 430 BOND Blankenberger Brothers (Est #14)	\$173,366.69
VOLMAN ROAD BRIDGE #2311 203-4343 CCC of Evansville (Inv. #94001E)	\$ 13,395.34
OHIO STREET BRIDGE #3C 203-4345 Bernardin Lochmueller (Inv. #93-097-5(3))	\$ 297.59
Bernardin Lochmueller (Inv. #91-068-1(21))	\$ 13,048.62
LYNCH ROAD EXTENSION 216-4827 Bernardin Lochmueller (Inv. #90-038-1(24))	\$ 1,337.60

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department **BURDETTE PARK**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	ED BERGWITZ		GROUND CREW	4 75	3-5-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tully

DATE

3-15-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department **Sheriff**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
05011300092	David Anson		Patrolman	133629 2779500	3-22-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
05011300092	David Anson		Probationary Patrolman	128822 2679500	3-21-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Ray Hanman

DATE March 18, 1994

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor (REASSESSMENT)

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1150-1120	Sandra B. Boyd	1212 S. Kentucky Ave.	Coordinator #1	Hourly	3/14/94
		(FULL TIME) REASSESSMENT		(18708 ANNUAL) FOR BUDGET BOOK	
				Hourly	3/14/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1150-1990	Sandra B. Boyd	1212 S. Kentucky Ave.	Data Coll.	Hourly 700	3/13/94
		(STILL PD P.T. on 3/25/94 P.R.)			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Samuel G. [Signature]

DATE 3/16/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 213.8 Health/TAP

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.8-1110	Barbara Roe	222 S. Red Bank Road Evansville, IN 47712	THIRAZZOR	27,045.00	3/18/94
		(PAID 166.17 on 3/25/94 P.R.) - CASH - CRAA 907)			19

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Sam Elder

DATE 3/17/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 20101990 VANDEBURGH COUNTY INV. DEPT.

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101990	HAROLD LEE STICKER	4309 CHESTNUT ST.	EXTRA HELP LABORER	10 94	3-4-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *William J. Murphy* DATE 3-4-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	JOSEPH D. DICKINSON		PART-TIME CORRECTION OFFICER	\$5.00 HR	3-7-94 ✓
505.01362 1180	JOSEPH FLOYD	EMP# 05488	FULL-TIME CORRECTION OFFICER	9.222/HR 19,142 AN	3-13-94 ✓
136-1990	TANISHA R. SMITH	EMP# 05518	INTERN	\$5.00 HR	2-27-94 ✓
136-1980	KARLA CLAYBROOK	EMP# 05246	OTHER	\$30 -	3-1-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1180	JOSEPH FLOYD	EMP# 05488	FULL-TIME CORRECTION OFFICER	8.764/HR 18,230 AN	3-12-94 ✓
136-1990	TANISHA R. SMITH	EMP# 05518	INTERN	\$4.75 HR	2-26-94 ✓
136.1-1990	TIMOTHY S. PIERCE	EMP# 05439	PART-TIME CORRECTION OFFICER	\$7.00 HR	2-17-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 3/16/94
JUDGE, CIRCUIT COURT

Department 2010 02010 VANDERBURGH COUNTY INT. DEPT.

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101068	ANDREW S. WADE	3318 BAYARD PK.	GASOLINE MAN	11 25	3-14-94 ✓
	RETURNED TO WORK FROM MEDICAL LEAVE OF				
	ABSENCE, LAST DAY WORKED 2-22-94.				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *William J. Magness* DATE 3-18-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY CLERK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1400	SUE TRAVIS		DEPUTY CLERK 6 MONTHS RAISE 7.223/HR	16075 00	3-14-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1460	PAULETTE H HELTSLEY		DEP CLERK	7.062/HR 14691 00	3-11-94 ✓
1010-1400	SUE TRAVIS		DEP CLERK	15336 00 7.3730/HR	3-11-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Deputy Sheriff Smith* DATE 3-18-94

March 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 60 / 305	2 61 / 304 3:30pm County Council	3 62 / 303	4 63 / 302	5 64 / 301
6 65 / 300	7 66 / 299 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	8 67 / 298	9 68 / 297	10 69 / 296	11 70 / 295 Pay Day	12 71 / 294
13 72 / 293	14 73 / 292 4:30pm Solid Waste 5:30pm County Commissioners	15 74 / 291 9:00am Insurance Comm.	16 75 / 290	17 76 / 289 St. Patrick's Day 9:00am Steering Comm. 5:00pm Pigeon Creek	18 77 / 288	19 78 / 287
20 79 / 286	21 80 / 285 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	22 81 / 284	23 82 / 283 3:30pm County Council	24 83 / 282	25 84 / 281 Pay Day	26 85 / 280
27 86 / 279	28 87 / 278 4:30pm Exec. Session 5:30pm County Commissioners 6:30pm Drainage Brd.	29 88 / 277	30 89 / 276 3:30pm Personnel & Finance	31 90 / 275		

February

S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

RIVERBEND MECHANICAL, INC.

120 E. POWELL AVENUE
P.O. BOX 3078
EVANSVILLE, INDIANA 47730
(812) 422-6659

21 March 1994

Board of County Commissioners
Civic Center Complex
Administration Building
Evansville, Indiana 47708

Gentlemen:

We are pleased to submit our proposals to furnish and install hydro-magnetic water conditioners for the boilers at the following locations.

Auditorium

2 - Boilers - \$4,800.00

County Garage

1 - Boiler - \$2,400.00

Sincerely,

RIVERBEND MECHANICAL, INC.


Russell (Bud) Davis

RIVERBEND MECHANICAL, INC.

120 E. POWELL AVENUE
P.O. BOX 3078
EVANSVILLE, INDIANA 47730
(812) 422-6659

**THESE ARE PROCEDURES THAT MUST BE FOLLOWED WHEN USING HYDROMAGNETIC
WATER CONDITIONERS:**

1. Boilers must have a blowdown at least once a day, and more if inspection reveals that more frequent blowdowns are needed.
2. Water pH needs to be checked at least monthly and should not be allowed to go below 7.

RIVERBEND MECHANICAL, INC.

120 E. POWELL AVENUE
P.O. BOX 3078
EVANSVILLE, INDIANA 47730
(812) 422-6659

To Whom It May Concern:

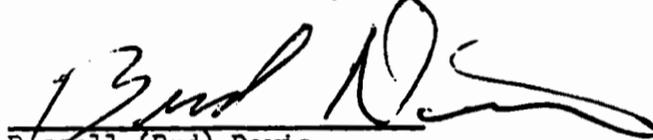
Enclosed is literature on water conditioners that are used to eliminate scale and corrosion in piping and equipment without the use of chemicals.

We have tested these products for two years. We have them in service at several locations and know that they work. We can show physical evidence that they work.

Please contact us if we can help solve problems in your water systems.

Sincerely,

RIVERBEND MECHANICAL, INC.



Russell (Bud) Davis
President

February 22, 1992

Dear Sir,

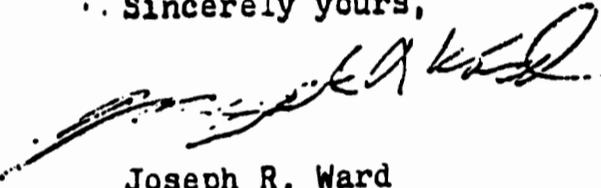
I am writing to you to tell you how impressed I am with your Descal-A-Matic. The cooling towers here at our plant were in such bad condition with large amounts of debris and large amounts of algae, bacteria, and excessive amounts of rust flakes.

Of course with this problem, it became quite time consuming with dealing with such methods which included chemical pumps, lines, and drums of materials that were not adequate with performing the results needed in our cooling towers.

In the short period of time since your Descal-A-Matic and Coppersilver units were installed we are greatly surprised of the outcome. It seems to have almost immediate reactions to the solution. This system is still performing with great results.

The unit has started to clean debris from our system which had been compiling for years. It has done this without the use of any chemicals. There has been slight to no algae growth or bacteria growth. We have had better PH control and conductivity. The water has been quite clean compared to before you system was installed.

Sincerely yours,


Joseph R. Ward

Mr. Bud Davis
Riverbend Mechanical, Inc.
P.O. Box 3078
Evansville, Indiana 47730

Dear Sir:

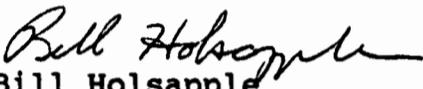
We are writing to tell you how impressed we are with the magnetic water conditioners that you installed on our boilers, cooling towers, mill water and domestic water systems.

The units have cleared corrosion and scale that had accumulated for many years. For instance, scale has been removed from our boilers and they can be cleaned with a garden hose.

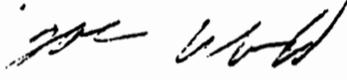
We do not use chemicals since the installation of your conditioners. Prior to their installation, our chemical cost was in the tens of thousands of dollars annually.

We highly recommend the use of the magnetic water conditioners.

Yours truly,


Bill Holsapple
Engineering Projects Manager

Joe Ward
Maintenance Department





Southwestern Indiana
Mental Health Center, Inc.

March 1, 1994

Mr. Bud Davis
Riverbend Mechanical Inc.
120 Powell Avenue
Evansville, Indiana 47713

Dear Bud,

I am writing this as an updated report to you on how pleased we have been with the performance of the hydromagnetic water conditioners installed on the water system at Hillcrest Washington Youth Home.

As you are well aware, soon after taking over the operation of the youth home, we embarked on an extensive remodeling project which included significant replacement and alterations to the Home's water system.

The corrosion build up and deterioration of the mixing valves was an on going and frustrating problem. Despite regular inspections and service, we were spending several thousand dollars a year on repair and replacement. Needless to say, this was a real concern to us as it appeared to be an on going and expensive problem, and one we had not anticipated so soon after our water system alteration and replacement.

In December, 1992, Riverbend installed the strap on hydromagnetic water conditioners. To date they appear to have virtually eliminated the need for replacement or repair due to scale and corrosion build up. Regular inspections bear out the effectiveness of this system. While there were various other solutions for the problem, this appears to be the least expensive and labor intensive.

In closing, let me say we are very pleased with the performance of this system and appreciate your efforts in helping us find a solution to this problem.

Sincerely,


John K. Browning
Executive Director

JKB/jim

□ Main Office 415 Mulberry Street Evansville, IN 47713-1298 (812) 423-7791	□ Stockwell Center 80 South Stockwell Road Evansville, IN 47714 (812) 476-5437	□ West Side Office 1 North Barker Avenue Evansville, IN 47712 (812) 423-4418	□ Stepping Stone 30 South Stockwell Road Evansville, IN 47714 (812) 473-3144	□ Owen Regional Services 100 South Avenue Owen, IN 47630 (812) 476-1215	□ Posey Regional Services 100 Vista Drive Mt. Vernon, IN 47620 (812) 838-6558	□ Warrick Regional Services 112 E. Main Street Roussville, IN 47601 (812) 897-4776
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HULMAN & COMPANY

WHOLESALE GENERAL MERCHANDISE

Send Response To:
Suite 501

123 N.W. Fourth St.
Evansville, Indiana 47708
(812) 425-3411

January 17, 1994

TO WHOM IT MAY CONCERN:

In June 1993, we had a hydro unit installed here at the Court Building by Bud Davis at Riverbend Mechanical. It cleaned scale and sludge from the boilers and we are seeing evidence of continuous cleaning.

We are satisfied with the performance of this product.

Very truly yours,

HULMAN & COMPANY

Mark R. Owen
Property Manager

MRO/jfm

900 WABASH AVENUE • TERRE HAUTE, INDIANA 47807
TELEPHONE 812/232-9446

MAILING ADDRESS P O BOX 150 • TERRE HAUTE, INDIANA 47808
FAX 812/232-2397

TO WHOM IT MAY COCERN

IN JUNE OF 1993 WE INSTALLED TWO HYDRO UNITS ON OUR TWO
90 HP. WEIL MCLAIN CAST IRON SECTIONAL BOILERS.
THESE UNITS ARE WORKING WONDERS, I HAD INSPECTED ONE OF OUR
BOILERS PRIOR TO INSTALLING THESE UNITS. I FOUND THE BOILER
TO HAVE A MINIMUM OF A 3/8" OF SCALE BUILD UP. AFTER OPERATING
WITH THE HYDRO UNITS FOR ABOUT FIVE MONTHS ALL BUT A
VERY SMALL AMOUNT OF THE SCALE IS NOW GONE.
I WAS SOMEWHAT WARY OF THE CLAIMS BUD MADE ABOUT THE UNITS
AND AGAIN THESE UNITS HAVE PROVED WHY I TRUST BUD TO DO
MY BOILER WORK. ON MY BOILERS THE CLEANING ACTION OF THESE
UNITS WAS APPARENT WITHIN THE FIRST 24 HOURS.
I AM CONVINCED THESE UNITS WILL SAVE ME MONEY AND PRESERVE
THE LIFE OF OUR BOILERS. THE RESULTS I HAVE SEEN ARE TRULY
UNBELIEVABLE.

SINCERLY



RUSSELL LENN MAINTENANCE SUPERVISOR

101 Southeast Third Street • P. O. Box 1227 • Evansville, Indiana 47706-1227 • 812/428-6800

**UNION
FEDERAL**
SAVINGS BANK



501 MAIN STREET • P.O. BOX 3125
EVANSVILLE, INDIANA 47731-3125
Phone (812) 425-7111

January 26, 1994

To Whom It May Concern:

During the month of November, 1993, Riverbend Mechanical installed two magnetic water conditioning units. There were two reasons we decided to have them installed. The first was the high cost of chemicals needed to treat our boilers and boiler water. Second, these units were represented to remove existing sludge and scale build-up. It has been approximately three months and I have seen, through the blow down water, sediment and small particles of scale being flushed out. In March of this year my boilers are scheduled to be taken off line and visually inspected for insurance and certificate purposes. I will be able at that time to make a definitive assessment as to whether the Hydro-Units are performing to expectations. If preliminary results hold true, I believe these units will show they are performing as promised.

Sincerely,

A handwritten signature in cursive script that reads "David Maze".

David Maze
Maintenance Supervisor
Union Federal Savings Bank

DM:njt

The logo consists of the letters 'T' and 'S' in a stylized, serif font, positioned one above the other. They are white and set against a solid black square background.

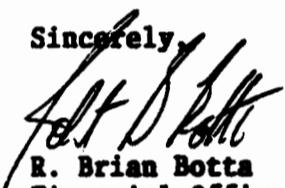
January 28, 1994

TO WHOM IT MAY CONCERN:

Three years ago, Riverbend Mechanical installed hydro units on our domestic water. This enabled us to do away with our softener which was approximately four months old. After seeing the results on this a year later, we installed hydro units on our boilers. We have seen great results of this with a high amount of scale removed from the boilers.

We are extremely satisfied with the performance of this product.

Sincerely,



R. Brian Botta
Financial Officer
T.P.S., Inc.

RBB:bjs

TOXICOLOGY AND PATHOLOGY SERVICES FOR SAFETY EVALUATION IN ANIMALS



PRESENTS "ANSWERS"

1. WHY DO I NEED YOUR PRODUCT?

The effectiveness of heat exchange in your facility is directly related to your operational costs. The continued scarcity of basic fuels is also progressively increasing your manufacturing costs. With a better heat transfer in boilers, cooling towers, condensers, steam uses, domestic hot water heaters, distillation equipment, etc., your fuel consumption will decrease and your equipment will work under lower stress, thereby extending equipment life, and improving your profit picture.

2. WHAT DOES THIS UNIT DO?

It inhibits the scale build-up in new pipes and progressively removes scale from existing pipes, boilers, water towers, heat exchange units, and potable domestic water systems:

3. HOW DOES IT DO THIS?

By accelerating the suspended particles through an intensified controlled magnetic field, we are able to institute a reaction that alters the character of these solids so that they no longer provide a crystal seed, thereby controlling crystal growth. The existing deposited particles are affected by these charged particles and as a consequence, the existing scale is gradually carried away.

4. HOW LONG DOES IT TAKE?

Many variables enter here: scale type, age, temperature, etc. Some units have shown results in the first days of operation; others may take several months. The action is related to the age of the scale, its composition, the conductivity of the fluid, and its velocity. It is non-violent, slow and progressive.

5. WHAT PROCEDURE OF FIELD TEST DO I USE TO SEE THE UNIT WORKING IN A BOILER?

In many cases visual inspection tells the tale. Although a T.D.S. continuity test will indicate its reaction, the operator or plant supervisor has schedules set up for blowdown according to P.P.M. concentration in his boiler water. Our unit will increase his reading, showing the scale coming into suspension, requiring more frequent blowdowns. As the scale is removed, the T.D.S. - P.P.M. will again recede and blowdown should be sequenced to maintain the correct T.D.S. Because of the removal of existing deposits, the heat exchange will be better and consumption will go down.

6. WHAT PROCEDURE OF FIELD TEST DO I USE TO SEE THE UNIT WORKING IN AIR CONDITIONING EQUIPMENT?

Monitor the temperature spread across the condenser, 10°F - 12°F should be maintained. Since the condenser increases in efficiency, the load can be produced. Record this change. Head temperature will decrease, oil temperature will decrease. This load change has several side effects: (1) Dollars saved in energy consumed; (2) Increased life of equipment.

7. WHAT PROCEDURE OF FIELD TEST DO I USE TO SEE THE UNIT WORKING IN INDUSTRIAL HEAT EXCHANGERS?

Many manufacturing processors are keyed into a heat exchange medium: mold temperatures, compressor temperatures, hydraulic oil temperatures, heat transfer oils, and lubricating oil functions are keyed into a heat exchange medium, which in turn has a keyed control over production.

8. WHAT PROCEDURE OF FIELD TEST DO I USE TO SEE THE UNIT WORKING IN DOMESTIC HOT WATER SYSTEMS?

Potable water and its required purity presents our greatest challenge. Hydrodynamics' units do not introduce any foreign contaminants which would alter the purity. The unit's location, which is on the feedwater line at a point after the recirculated hot water premixes with the cold, then as it enters the hot water generator. Normal blowdown of this storage tank will reveal a residue of crystal deposits being discharged from the bottom drain.

By observing this discharge and the increase in temperature of the return hot water line, you will witness a shorter recovery time; also, a change of a more efficient heat exchange. Monitoring the T.D.S. in the raw water feed, as well as the circulating hot water at the furthest point in the system will show the rate of removal. Scheduled blowdown of the hot water storage tank should not be neglected.

Water flow rates will increase at all points in the system. Sectionalizing a piece of the water line at a remote

purposes such as sterilizers, evaporators, steam tables, heating, dishwashing, etc., a marked difference will be seen in the reduced maintenance of use application.

9. WHAT OTHER METHOD CAN I USE TO COMPUTE THIS SAVINGS?

In most cases of water use, a means of circulation is required. When the scale is removed, the flow rate increases and the load on the pump motor is reduced.

To convert this savings into dollars will require a simple ampere reading, before and after. The reduced load in amperes multiplied by the voltage will reflect watts of energy saved.

10. WHAT KIND OF WATER WILL IT WORK ON?

It is most effective on water with a high P.P.M. concentration, hard water, salt water, and soft treated water.

11. IS IT UNDERWRITER'S LABORATORY APPROVED?

We do not need UL approval. We use no outside source of power. We derive our energy from a permanent magnetic force field.

12. WHAT EXPENSES ARE INVOLVED FOR ME TO USE THIS UNIT?

After installation in a boiler, only an oxygen scavenger is required. In an AC condenser, an algacide may be required.

13. HOW MUCH DOES ONE COST?

Less than one major overhaul to your system. Normal payback in one year by energy saved.

14. HOW MANY FEET DOWNSTREAM WILL IT WORK?

It works faster in close proximity to the unit. But as the system cleans, the action moves away. A unit has been installed on a large recirculating unit of over 5,000 feet. Action shows a continual increase in flow throughout the system.

15. WHAT SIZE DO I USE?

Refer to the flow chart. The most effective flow rate is indicated on the flow chart as average GPM.

16. HOW IS THE UNIT SOLD?

The system size and flow determine the unit size. A lease purchase plan is also available. Your Hydrodynamics Representative has details.

17. HOW SOON CAN I ACQUIRE A UNIT?

Normally, within 10 days (most sizes are in stock).

18. WHO INSTALLS THE UNIT?

Your maintenance department will find it very easy to install a unit equipped with victaulic couplings. If you have selected a flanged unit it is very easy to weld matting flanges to your existing systems.

19. IS IT A WATER SOFTENER OR WILL IT SUBSTITUTE FOR ONE?

No, it does not soften water. It does make wetter, suds better, only because the surface tension is changed. It is not a water softener.

20. DOES ALL THE WATER NEED TO PASS THROUGH THE UNIT?

The effectiveness of the unit depends on the volume of flow. Should the flow be reduced by an open bypass, the effectiveness is reduced. Placing the unit in the feedwater makeup line limits its effectiveness. It should be placed where all the water passes through it each cycle.

21. HOW MUCH FLOW IS REQUIRED TO MAKE THIS UNIT WORK?

The flow chart shows minimum and maximum magnetically treated water amounts that must "flow" over the scaled surface to effectively remove deposits. Storing treated water in a scaled tank is not a solution.

22. WHAT EFFECT OCCURS TO OUR UNIT WHEN THE FLOW IS STOPPED?

None. When the flow slows or stops, the action stops also.

23. WHAT HAPPENS TO THE PIPE AFTER THE SCALE IS REMOVED?

It could be that scale is sealing a leak, so removing it may cause some leaks. No further action besides a clean pipe occurs.

24. WHAT ABOUT MY BOILER AFTER IT'S CLEANED?

After the P.P.M. has stabilized, to control any pitting, it is common knowledge to use an oxygen scavenger. We have a product called O-MINUS which should be added at that time.

O-MINUS is a plating amine which provides a protective coating over the base metals, thereby preventing oxygen attack, known as pitting. O-MINUS will carry over into the steam line providing protection to this highly corrosive

The percentage of condensate return will indicate the amount required. Treatment is keyed to the feedwater makeup. Once a system has been treated with the proper dosage (dilution ratio being approximately 10,000:1), only a few ounces a day will be required to keep the proper balance.

25. WHERE DOES THE LITTLE SCALE GO?

In a once-through system, the scale removed is flushed away. In a recirculating system, the scale will settle in a slow flow area such as a sump. This can be removed by bleed-off or physically removed if the particles are too large to flush out.

26. WILL NEW SCALE FORM AFTER THE SYSTEM IS CLEAN?

Yes! New scale CAN form if the unit is removed from a clean system. Keeping the unit in the system keeps it clean, and proper bleed-off or blowdown is maintained.

27. WHAT ABOUT POLLUTION?

The natural water elements are not contaminated and can be returned to municipal water disposal systems. This feature on a domestic hot water system is the only way to go.

28. WHAT ABOUT CHEMICALS IN MY COOLING TOWER?

Scale is no longer a problem. The Tower Treatment from Hydro is all you need. It could be possible in your environment that a fungi and algae growth will occur. Hydrodynamics manufactures an algaecide to control this problem. Again, the dilution ratio is 10,000:1. After the initial dosage, only a few ounces are needed to maintain the control. Of course the evaporation rate, load on this system, and weather conditions will be the final deciding factor.

29. HOW DO I PUT IT IN MY TOWER?

You can slug treat it or a metering unit can be installed so proper control, according to demand, assures a maintenance-free operation.

30. WHAT PRESSURE CAN I USE?

The HYDRODYNAMICS units are constructed of stainless steel, and normal pressures of 150 P.S.I. are no problem

31. CAN I GO ABOVE 150 P.S.I.?

Yes - if pressure over 150 P.S.I. is indicated on the order. When pressures over 150 P.S.I. are encountered, specify this when ordering your unit. Hydrodynamics will install the proper pressure rated fittings.

32. WHAT PRESSURE DROP WILL I HAVE?

Pressure losses across the unit are very small. Of course, while the system is scaled, usually the flow is restricted. Pressure drop across the unit will not even register until full flow has been restored.

33. DOES THE UNIT AFFECT RUST?

Yes, to some extent. Only the extremely loose scale mixed with other scales will be affected. It will not derust a bed line. It is not a metal removal action.

34. WHAT ABOUT MY P.H.?

Tests have shown stabilization in boilers from 8.0 - 8.3, although this too will be relative to the condition of the raw feed water.

35. WHAT EFFECT WILL THIS UNIT'S OPERATION HAVE ON SALT WATER?

The unit's operation is related to the conductivity of the fluid; consequently, salt water systems are more conductive and the reaction is more pronounced.

Ships using salt water for temperature control of heat exchangers are ideal environments, not to mention offshore rigs, crew boats, tugs, dredges, etc.

36. WHAT DOES THIS DO TO MY DRINKING WATER?

The taste of water is related to the minerals, metals and salts in suspension. When these are reduced in size, we are better able to taste them. Water will taste better, will appear to be better.

37. WHAT SIZE ARE THESE UNITS?

Standard units are available in 2" increments - 2" - 4" - 6" etc to 26" Above this, they are built to customer specifications.

38. HOW BIG ARE THEY?

The standard length is 14 inches for a 2" (diameter) unit, all other sizes 4" and up are 18" in length.

39. WHAT IS THIS DANGEROUS MAGNETIC SIGN? WILL IT HARM MY PEOPLE?

This warning label is related to disassembly. The material used internally must be handled properly. The units are designed so that tampering is almost impossible. No harm can come when handled as a normal piece of equipment.

40. CAN WE MANIFOLD THESE UNITS?

Yes. Observing the flow indication, they can be set up in manifold to handle large volume or to regulate the flow

- 41. YOU MEAN THIS IS A FLOW REGULATOR?**
No. Our unit requires a velocity of flow and it may drop below our units ratings. So, if they were manifolded, you could switch to a smaller size or to half the units and maintain proper velocity for efficient operation.
- 42. WHAT ABOUT MOUNTING?**
Vertical is ideal; a horizontal mount is fine. We ask that the internal grid be vertical to prevent air entrapment.
- 43. HOW DOES THE COST OF THIS COMPARE TO THE CHEMICALS I NOW USE?**
The minor amount of chemicals to be used with this unit is nil. Normally, the lease/purchase charge per year for a unit will be less than your present expenditure for chemicals.
- 44. IF THIS IS THE CASE, HOW CAN I JUSTIFY THE PURCHASE OF THIS UNIT?**
Your greatest savings occur from:
- (1) **Prevention of Production Loss** — No downtime, because of cleaning and replacing clogged systems.
 - (2) **More Efficient Heat Transfer** — Your heat exchanger efficiency is returned to manufacturer's specs. Energy savings are in both oil and electricity consumed.
 - (3) **Flow Rate** — Returned to normal for better mechanical operation.
 - (4) **Equipment Replacement** — The replacement of damaged equipment is reduced. The life of existing equipment is extended.
 - (5) **Total Mechanical** — Values will "free up" and hot water lines will deliver proper rated flow. Your hot line distress calls will diminish. Your personnel will like their jobs more and your life becomes just a little bit easier. Your family will love you more.
- 45. WHAT MAKES THIS UNIT WORK BETTER THAN THE OTHERS?**
The effectiveness of this unit is based on sound proven laws of physics. It affects suspended particles and the basic water molecules. Its effectiveness is directly coupled to its environment. The bigger the job, the better it works. It is self-powered, self-regulating, does not require maintenance, does not add to pollution and can be used in fresh as well as salt water. It is not a gadget, it performs a physical function. It controls scale.
- 46. HOW DO I PAY FOR IT?**
Normal 30 day billing is standard procedure. If the unit is purchased under a lease purchase plan, the unit will be yours after the 3rd payment.
- 47. BOY! IF IT DOES ALL THIS, WHAT DOESN'T IT DO?**
It's not a miracle machine. It won't be installed today and your problems gone tomorrow. Its effectiveness is related to your particular scale problem. It will progressively perform as we have outlined.
- 48. DO YOU PUT THIS IN AND FORGET IT?**
That's not the way we do it! If you control your blowdown and sump flushings properly, then no further problems should occur. If you want samples of water taken to keep abreast of things, the samples can be sent to our lab for analysis and any corrective recommendations will be made from Bogalusa, Louisiana. We don't ship it and forget it.
- 49. BOY! THIS SOUNDS TOO GOOD TO BE TRUE.**
But it is! There are letters of users attesting to what it has done for them. Hydrodynamics has been recognized by major industries as an aid in solving water scale problems.
- 50. DO I NEED AN OXYGEN SCAVENGER IN MY DRINKING WATER LINE AFTER IT'S CLEANED?**
Only use for oxygen scavenger is in the closed boiler systems or closed chilled water systems.

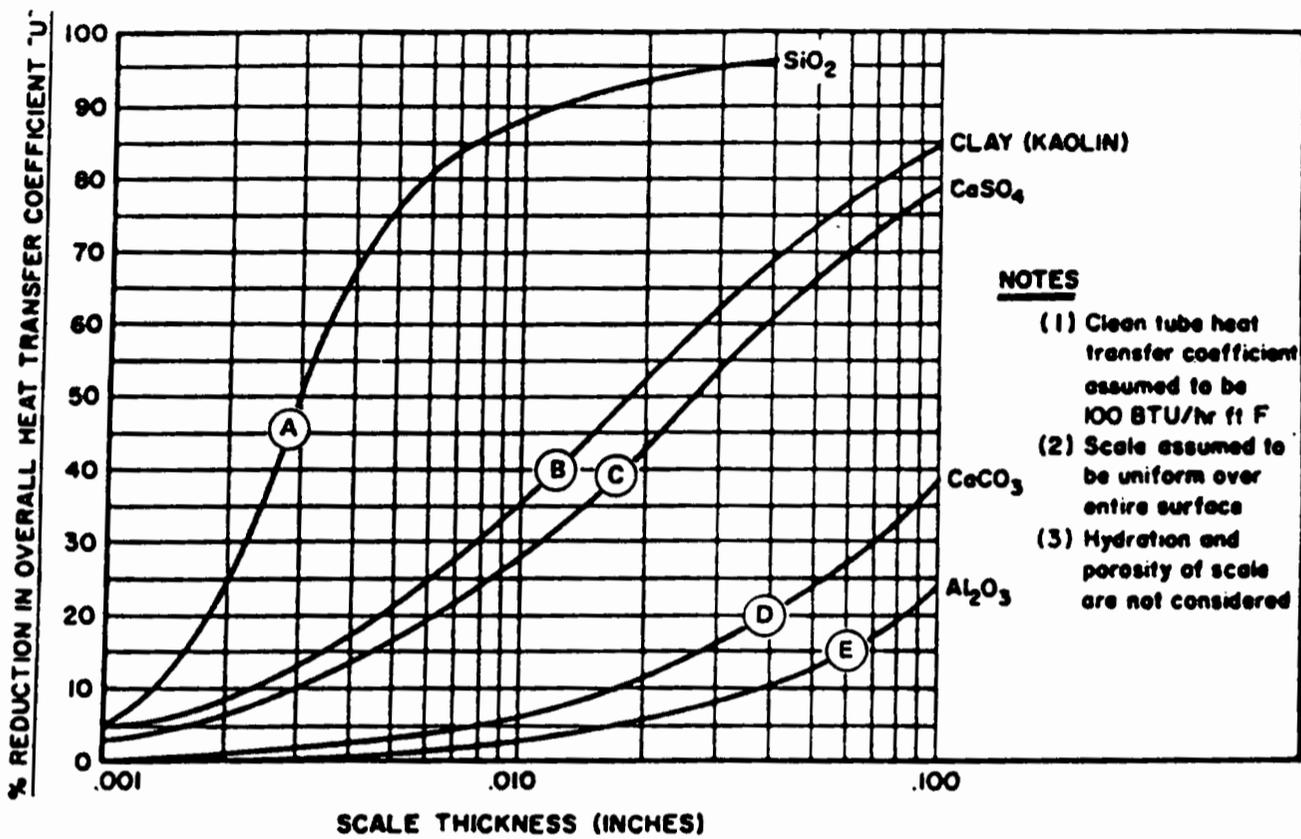


Figure 1.3a. Heat transfer efficiency curve. (After Donohue and Sarno.²⁰)

Lines A,B,C,D and E represent the common elements found in an average scale deposit. The Composition of your deposit will determine the final efficiency loss. It has been our experience, the average scale deposits of .025 (calling card thickness) can cause as much as a 28% - 30% loss in heat transfer in a boiler.

In a 100 Hp boiler operating 24 hours with a load cycle average of 10 hours per day operating 240 days per year, a 15% efficiency gain could amount to 36 days worth of fuel cost.

In an airconditioning system two areas are important: The chilled water cooler and the condenser.

In the condenser a .025 deposit could amount to as much as more than 30% of the heat transfer efficiency.

In the chiller this .025 deposit would be an additional loss in excess of 50%.

FLOW CHART AVERAGE



hydrodynamics corp.®

P.O. Box 667, Bogalusa, LA 70427
Phone: 504-735-0600 Fax: 504-735-0603

<u>DIAMETER SIZE</u>	<u>MODEL NUMBER</u>	<u>GPM</u>
1.5	1A	10
1.5	2A	18
2	1B	25
2	3B	50
3	9B	100
4	12C	200
5	20C	300
6	28C	450
8	50C	800
10	78C	1,200
12	112C	1,700
14	153C	2,350
16	201C	3,000
18	254C	3,800
20	314C	4,800
22	380C	5,800
24	452C	6,900
26	530D	8,100
28	616D	9,400
30	706D	10,800
32	804D	12,200
34	907D	13,800
36	1017D	15,500
38	1134D	17,300
40	1256D	19,200
42	1385D	21,100
44	1520D	23,200
46	1661D	25,300
48	1809D	27,600
50	1963D	30,000
52	2123D	32,400
54	2290D	34,900
60	2827D	43,200
66	3421D	52,200
72	4071D	62,200

FUEL COSTS DUE TO BOILER SCALE
Results of tests made by U. S. Bureau of Standards

Boiler Horsepower:	100	200	300	400	500	600	700	1000	
Lbs. Steam/yr. avg. (millions)	9.1	18.2	27.3	36.4	45.5	54.6	63.7	91.0	
Fuel cost, clean boiler*	78,500	157,000	235,500	314,000	392,500	471,000	549,500	785,000	
Scale, in inches	% extra fuel cost	EXTRA FUEL COSTS IN DOLLARS							
1/32	8.5	6,672	13,345	20,017	26,690	33,320	40,035	46,707	66,725
1/25	9.3	7,300	14,601	21,901	29,202	36,502	43,803	51,103	73,005
1/20	11.1	8,713	17,427	26,140	34,854	43,567	52,281	60,994	87,135
1/16	12.4	9,734	19,468	29,202	38,936	48,670	58,404	68,138	97,340
1/8	25.0	19,625	39,250	58,875	78,500	98,125	117,750	137,375	196,250
1/4	40.0	31,400	62,800	94,200	125,600	157,000	188,400	219,800	314,000
3/8	55.0	43,175	86,350	129,525	172,700	215,875	259,050	302,225	431,750
1/2	70.0	54,950	109,900	164,850	219,800	274,750	329,700	384,650	549,500

* Based on no. 2 fuel oil at \$1.00/gallon

100 HP produces 3,500 lbs. steam per hour
 Figuring 10 hours per day, that equals 35,000 lbs. of steam per day.
 Figuring 260 days per year (average number of working days) times
 35,000 lbs. of steam, annual amount of steam produced
 comes to 9,100,000 lbs.
 You must burn about 78,500 gallons of no. 2 oil to produce 9,100,000
 lbs. of steam in a clean (80% efficient) boiler.
 When no. 2 oil costs \$1.00 per gallon, \$1.00 x 78,500 equals \$78,500.



hydrodynamics corp.

Hwy. 10E • P.O. Box 667 • Bogalusa, LA 70429-0667
 504-735-0600 • Wats 1-800-327-9304 • Fax 504-735-0603



hydrodynamics corp.

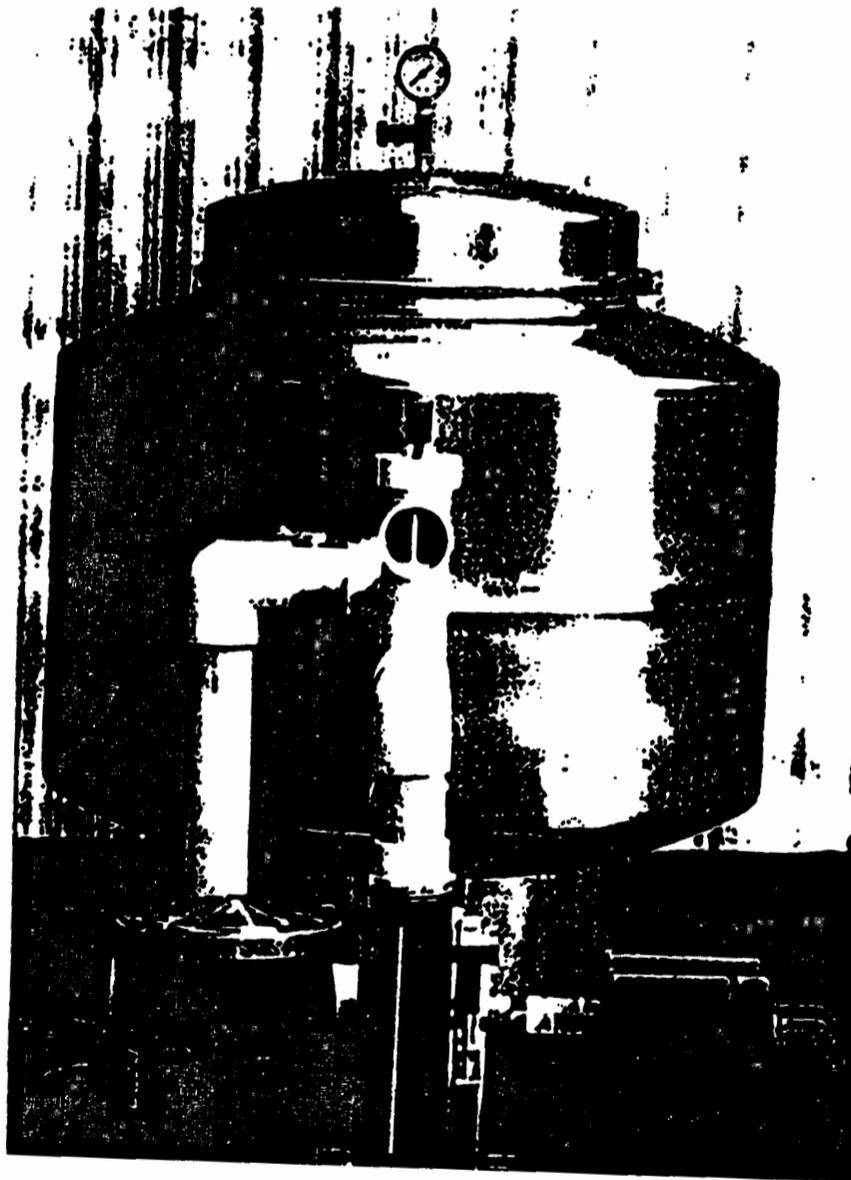
Hwy. 10 E • P.O. Box 667 • Bogalusa, LA 70429-0667
WATS 1-800-327-9304 504-735-0600
LA WATS 1-800-541-7724 Fax 504-735-0603

HYDRODYNAMICS MULTI-MEDIA FILTER**

HYDRODYNAMICS CORP. is proud to present its multi-media HYDRO filter for typical applications in industrial fluids.

HYDRODYNAMICS designed the HYDRO filter with several thoughts in mind:

1. To aid in the removal of health hazards.
2. Higher total dissolved concentrations in cooling fluids.
3. Reduced water loss.
4. Aid in control of algae and bacterial infections in cooling towers.
5. Extended life of tower treating chemicals.
6. Reduction in man-hours for tower sump cleanup.
7. Reduced down time and increased production.
8. More efficient heat transfer by reduced fouling.
9. A step in the right direction for zero bleed-off.





SCALETEK INTERNATIONAL, INC.
303 34TH STREET, SUITE 9 • VIRGINIA BEACH, VA 23451

MAGNIFLO

by PMI

MAGNIFLO is designed to

REDUCE, CONTROL OR ELIMINATE

- existing scale from water systems including boilers, cooling towers, furnaces condensers, tube sheets, heat exchangers, water jackets and industrial and commercial water systems.
- chemical and maintenance costs in those same systems.
- leaching in piping and equipment.
- many odors such as chlorine and sulphur.

CONTROL

- pH fluctuations in fluid recycling systems.

IMPROVE

- the efficiency and the life of filtration and water systems.

CONDITION

- water for more efficient use of detergents and other additives.

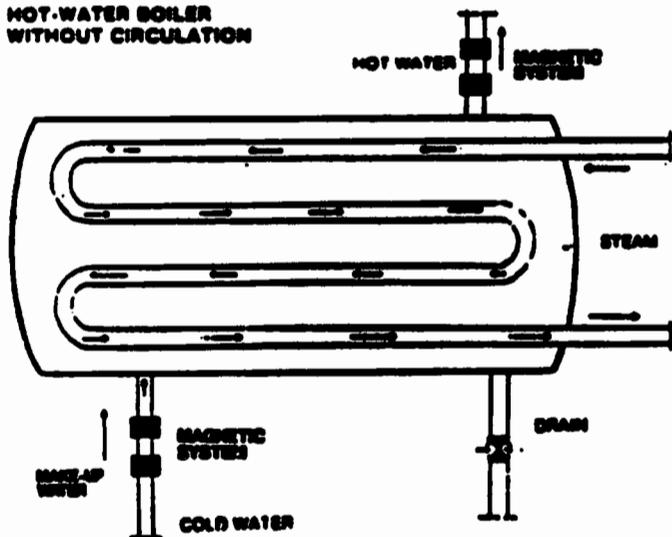
MAGNIFLO does NOT

- Add chemicals or other pollutants to your water systems.
- Remove anything from the water.
- Need replacement . . . EVER.
- Require electricity or mechanical means for its operation.
- Require maintenance . . . it has no moving parts.

**ONE-TIME PERMANENT INSTALLATION
100% GUARANTEED**

BOILERS

HOT-WATER BOILER
WITHOUT CIRCULATION



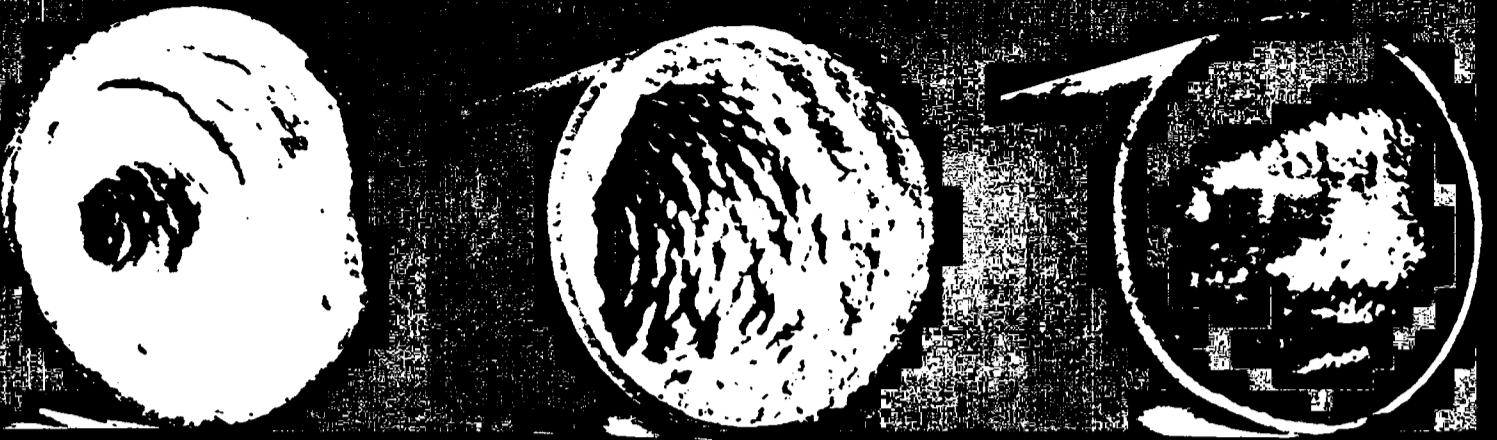
- NO CHEMICALS
- NO ELECTRICITY
- NO SALTS OR OTHER POLLUTANTS
- NO PLUMBING NECESSARY

Distributed By:

**SCALETEK
INTERNATIONAL, INC.**
303 34th Street, Suite 9 • Virginia Beach, VA 23451

804-422-5334 • U.S. PATENT # 5,122,277

Magnetic Water Treatment Systems from



SCALE & CORROSION CAN COST YOU MONEY!

Untreated fluid used in boilers, hot water systems, cooling towers and other equipment contains dissolved salts, gasses and traces of many minerals and metals. These elements are the direct cause of scale buildup in pipes and equipment. If left unchecked, scale buildup can increase fuel costs, repair and cleaning costs, downtime and may eventually result in dangerous explosion potential.

ORDINARY SCALE PREVENTION ISN'T THE ANSWER

Most scale prevention techniques are either chemical or electrical and all require the constant use of water treatment chemicals or expenditures for power and bulky equipment. Higher operating and maintenance costs, expensive labor and pollution are also a part of these ordinary water treatment processes.

HYDRODYNAMICS OFFERS YOU A BETTER ALTERNATIVE!

Hydrodynamics units are completely self-contained. The unique Hydrodynamics unit is powered by a highly intensified, directional magnetic field requiring no outside power source.

HOW THE HYDRODYNAMIC UNIT ACTUALLY WORKS

Fluids passing through the unit are exposed to powerful, permanent magnetic fields which physically affect the structure of suspended particles in the fluid. Each of these submicron particles have now been installed with a high surface charge which is carried along into the unit.

As they flow through the unit contacting the deposited materials, a transfer of charge occurs. This charge transfer causes a disruption in the state of the deposited material. The deposit is slowly eroded away by the scouring action of the fluid flow. At a point in the unit where there is a low velocity flow such as in a sump, storage tank, etc., the submicron particles settle and can be readily removed by blow down, sump flushing or bleed off.

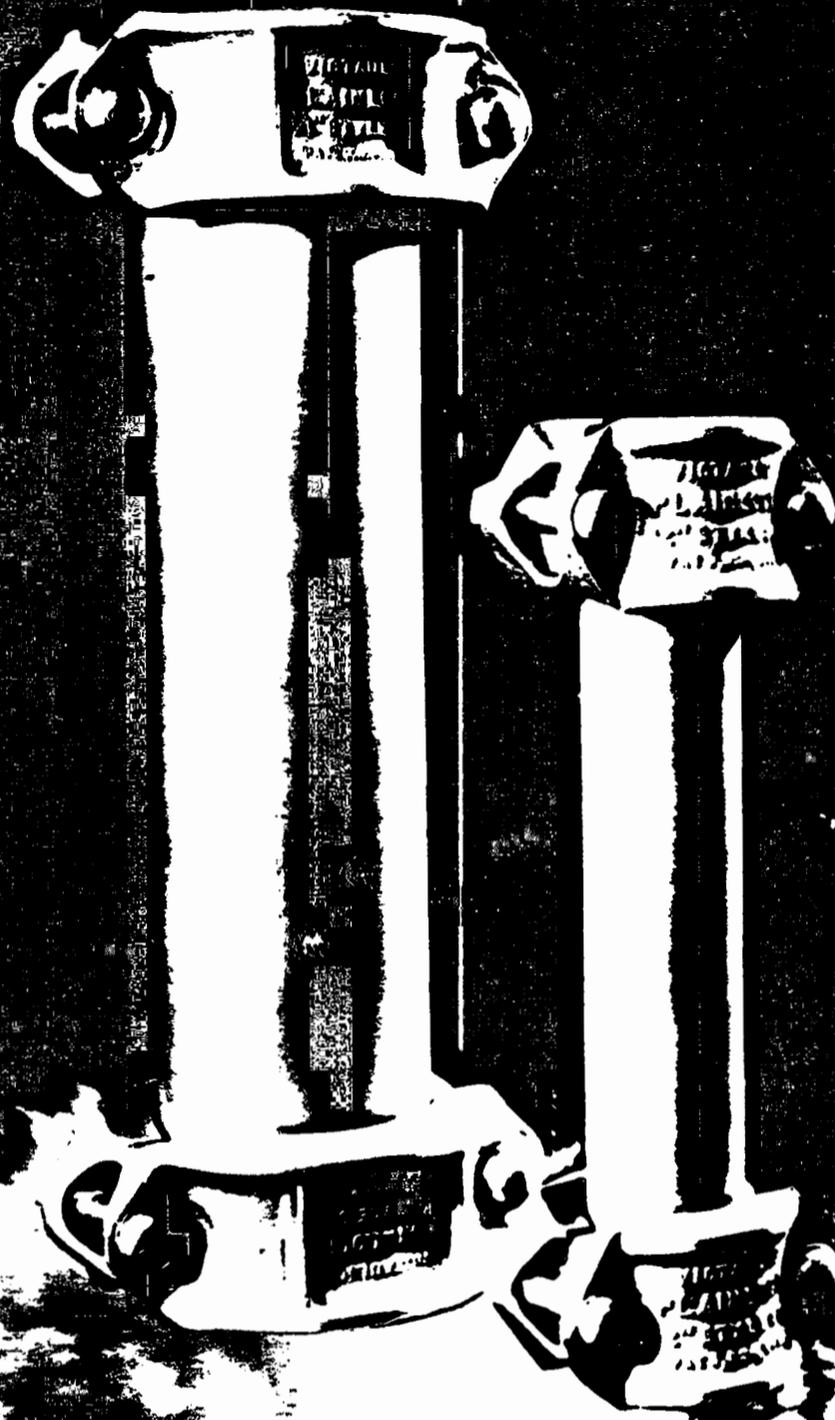
WHAT DOES THIS MEAN TO YOU?

In simple terms, the Hydrodynamics Unit will aid in the control of scale and many corrosion causing elements. Our unit provides proven results that will reduce your treatment costs, improve machinery efficiency and save money by reducing electricity consumption.

REMOVES OLD SCALE — PREVENTS NEW DEPOSITS

The Hydrodynamics unit will help prevent new scale deposits from forming and will also gradually disintegrate any scale remaining in the system. In some cases, when the unit is first installed, a faster disintegrating action will take place until the looser deposits are removed. Filters should be checked and cleaned during this period as needed. The time required for complete scale removal will depend upon composition of the deposits.

After the scale has been removed, a layer of charged particles approximately .003 inch thick will adhere to the base metal. This soft, powdery layer is a characteristic side effect of the treatment and will not adversely affect operation of the unit.



Reduce Water Treatment Costs Dramatically
Control New Scale Formation
Remove Existing Scale
No Operating Costs
Self-Powered – No Electrical Connections
Easy Installation
No Maintenance
No Moving Parts
No Recharging
Non-Polluting



hydrodynamics corp.

Hwy. 10 E • P.O. Box 667 • Bogalusa, LA 70429-0667
WATS 1-800-327-9304 504-735-0600
LA WATS 1-800-541-7724 Fax 504-735-0603

Explanation of the Magnetohydrodynamics System

The following may at some time help in an explanation of the magnetohydrodynamics systems.

Quote - A high velocity electrically conductive fluid stream crossing a magnetic field may be regarded as taking the place of the moving conductor of a conventional dynamo.

This quotation outlines the basic elements that are important to the reaction known as magnetohydrodynamics (MHD) reactions.

Further, when a jet of conducting fluid with velocity moves through a magnetic field of flux at right angles to the field's origin, an electron excitation occurs in the conductive fluid.

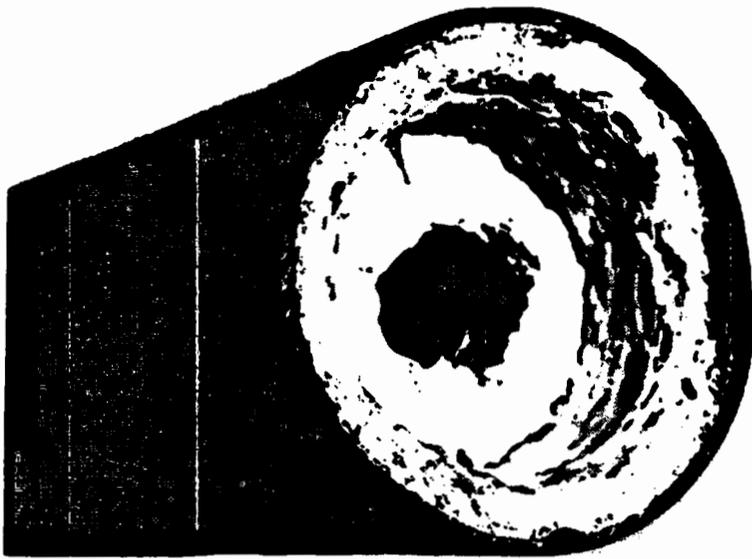
Assuming that the working fluid has conductivity, this conductivity is related to the dissolved solids contained in the fluid. (Pure water is an insulator). The relationship of conductivity and velocity relates directly to the electron excitation.

The unbalance of outer valences of atoms make up either positively or negatively charged atoms. All we need to do is correct the unbalances. This interferes with the ionic bonding that occurs in supersaturated fluids. The electron excitation of the MHD Unit creates an environment where atoms of different charges can expel a free electron or absorb a free electron to satisfy its valence unbalance. As a result, the now neutral atom has less affinity to bond ionically than charged atoms. We have not changed the chemical structure of the fluid. We have not removed the contained solids.

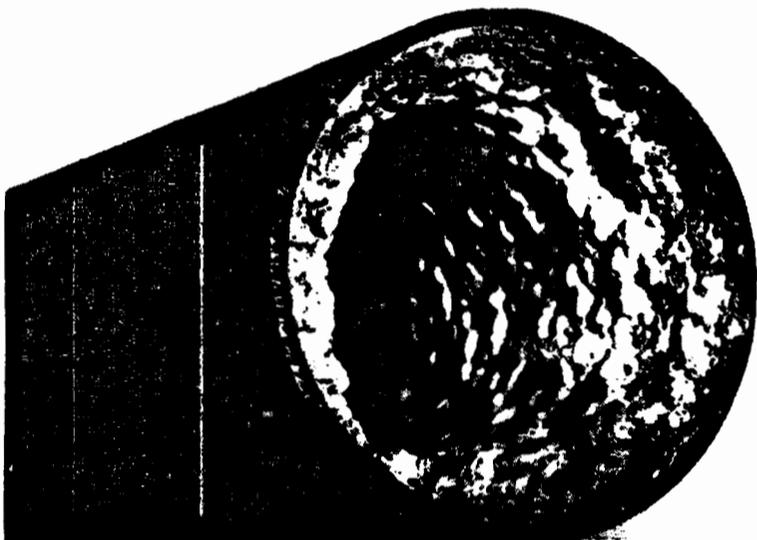
What we have accomplished is when dissolved solids in supersaturated fluids precipitate from the fluid, instead of bonding into a crystal of a high physical, such as an ice cube, it forms the same chemical substance but with a low physical such as a snowflake. The physical structure of the snowflake will not support mass or resist flow impact. Therefore, a light powdery film forms. When this film tries to grow deeper, the original bond is not capable of supporting the mass and it drops off and is washed away by the passing fluids.

This outline better explains the principle involved with the Hydrodynamics Unit.

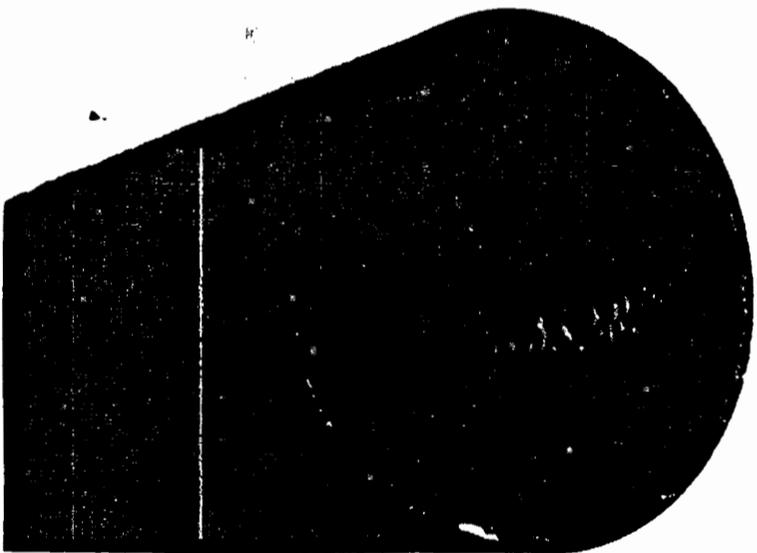
Let's now explore "particulate matter in suspension". This would normally be recognized as "turbidity" which is important to reactions with old existing scale.



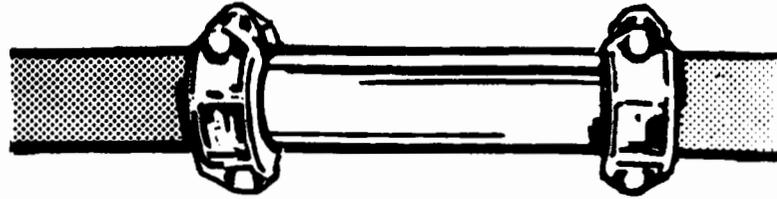
1. Typical scale and calcium buildup caused by untreated water has almost closed this pipe.



2. This photo shows the effect of treatment with a Hydrodynamic unit on the same section of pipe a short time after installation.



3. After continual treatment most scale is removed and will be prevented as long as the system is in operation.



*self-contained units
control
scale formation
and remove
existing scale.*

**Scale and corrosion
can cost you money!**

Untreated fluid used in boilers, hot water systems, cooling towers and other equipment contains dissolved salts, gasses and traces of many minerals and metals. These elements are the direct cause of scale buildup in pipes and equipment. If left unchecked, scale buildup can increase fuel costs, repair and cleaning costs, downtime and may eventually result in dangerous explosion potential.

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isn't the answer.**

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**Hydrodynamics offers
you a better alternative!**

Hydrodynamics systems are completely self-contained. The unique Hydrodynamics system is powered by a highly intensified, directional magnetic field requiring no outside power source.



hydrodynamics corp.

P.O. Box 667, Bogalusa, LA 70427
Phone: 504-735-0600 Fax 504-735-0600

Reduce Water Treatment Costs Dramatically!

See For Yourself... Magnetic Water Treatment Makes Scale Prevention Chemicals A Thing Of The Past

Save Money—Improve Efficiency—Eliminate Pollution
The Hydrodynamics system prevented new scale deposits from forming and actually removed approximately 25% of the existing deposits in only 90 days. (The time required for complete scale removal will depend upon hardness and composition of the deposits.) The improved efficiency in boiler operation will result in reduction of fuel costs, maintenance costs and chemical treatment costs. The loosened scale and particle laden water is easily removed by filter cleaning and blowdown or sump flushing.

No Operating Costs

The Hydrodynamics unit costs you nothing to operate or maintain. It is completely self-contained and self-powered. There are no electrical connections, no recharging, no moving parts and pollution from scale prevention chemicals is eliminated.

You owe it to yourself and your company to find out more about Hydrodynamics. Call or write a representative today for more information.



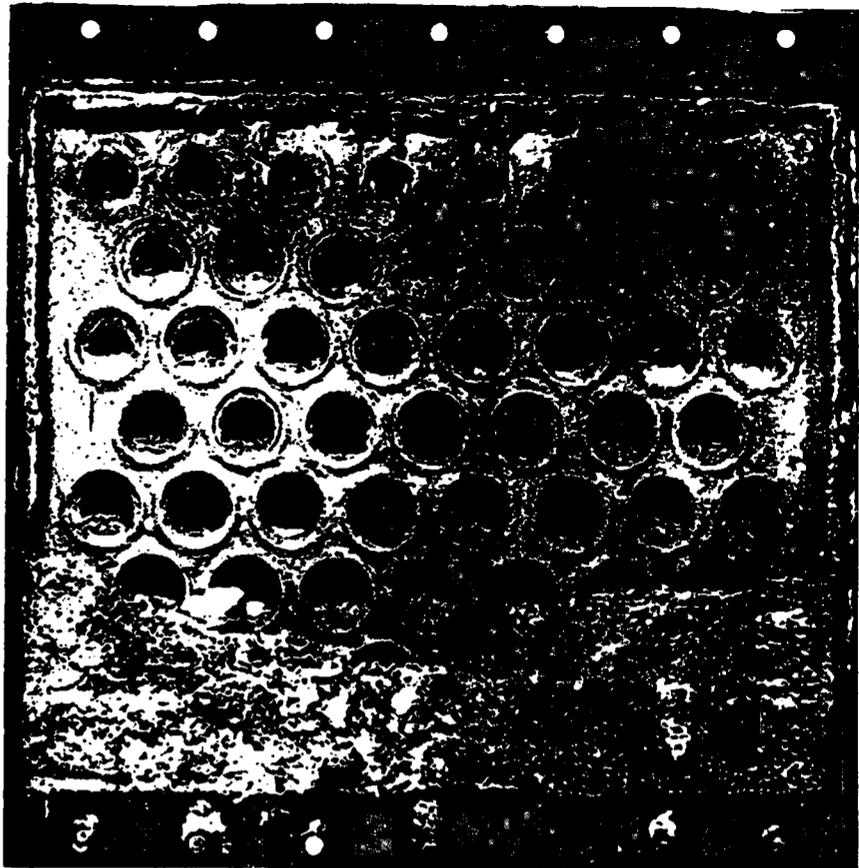
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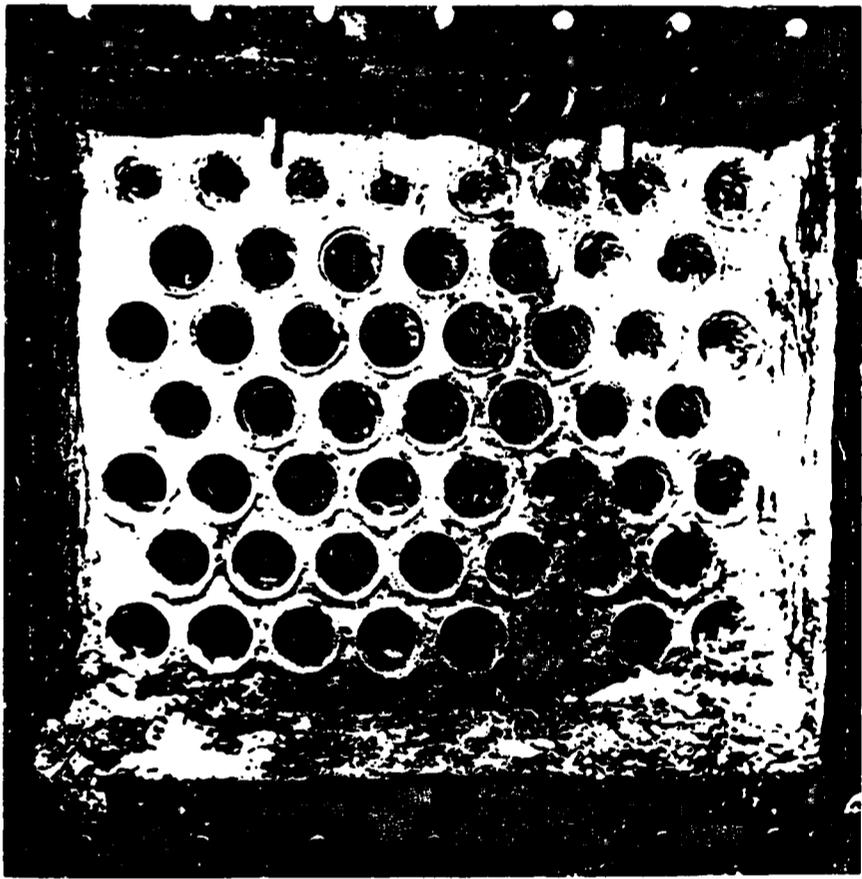
P.O. Box 687 • Hwy. 10E • Bogalusa, La. 70429-0687

Phone: (504) 735-0800 • Fax: (504) 735-0803

PATENT PENDING



This photo of boiler tubes was taken on the same day that a Hydrodynamics system was installed in an Ajax boiler at the Times Picayune Publishing Company in New Orleans, La. Scale buildup and loose scale is excessive, increasing operating costs and decreasing efficiency.



This photo of the same Ajax boiler tubes shows the effect the treatment only 90 days after installation of the Hydrodynamics system. In the words of the Chief Building Engineer Raymond Francinque, "After 90 days we removed our manifold and found at least a 25% improvement in our Ajax boiler. I highly recommend the use of this unit on all water that has to be treated." (Note the reduction of loose scale and scale buildup in most of the tubes.)



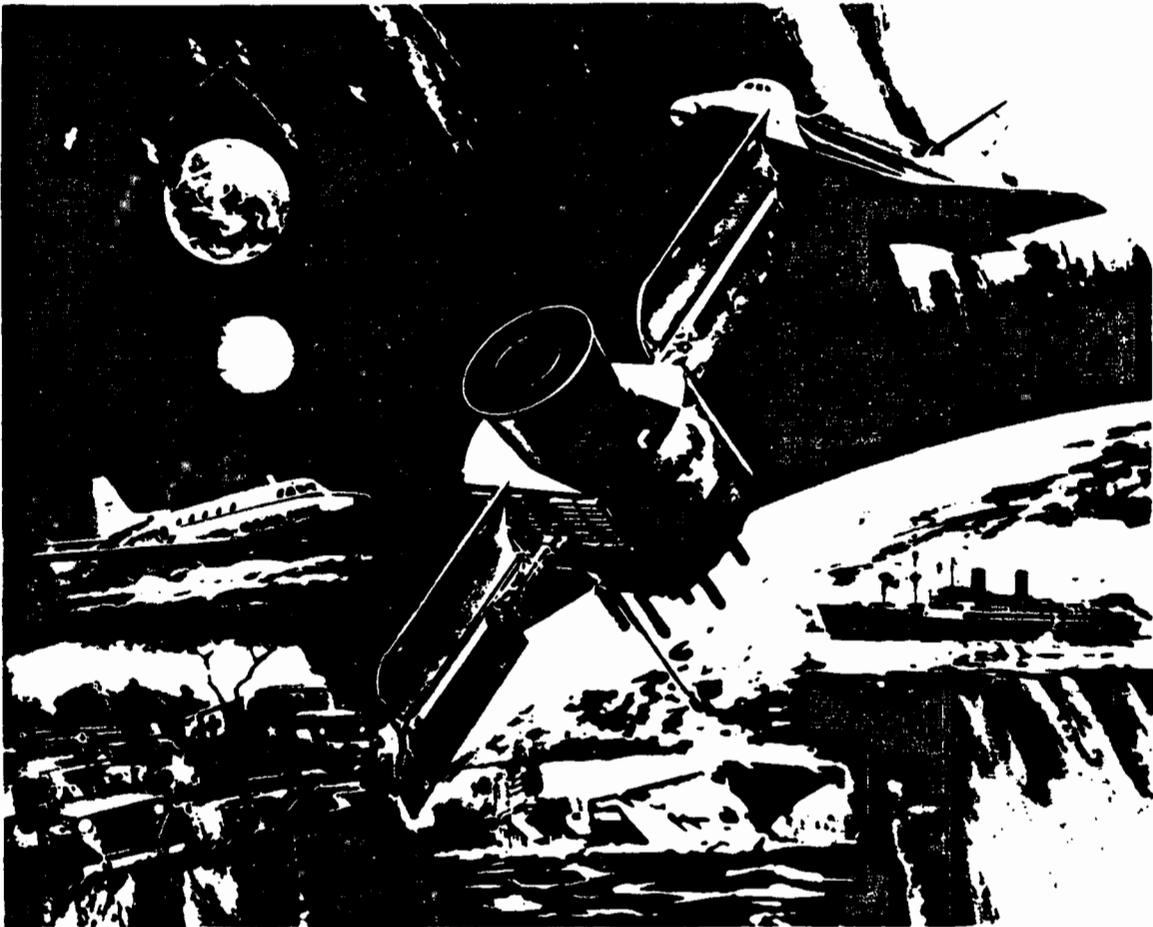
MODEL NO.	MODEL DIA.	LENGTH	ASA FLANGE DIA. **	BOLT CIRCLE DIA.	BOLT LENGTH	BOLT DIA.	NUMBER BOLTS	FLANGE THICKNESS
1A & 2A	1.50	14.00	5.00	3.87	2.75	.500	4	.675
1B & 3B	2.00	14.00	6.00	4.75	3.25	.625	4	.75
9B	3.00	14.00	7.50	6.00	3.50	.625	4	.9375
12C	4.00	18.00	9.00	7.50	3.50	.625	8	.9375
28C	6.00	18.00	11.00	9.50	3.75	.750	8	1.0000
50C	8.00	18.00	13.50	11.75	4.00	.750	8	1.1250
78C	10.00	18.00	16.00	14.25	4.50	.875	12	1.1875
112C	12.00	24.00	19.00	17.00	4.50	.875	12	1.2500
153C	14.00	24.00	21.00	18.75	5.00	1.000	12	1.3750
201C	16.00	24.00	23.50	21.25	5.25	1.000	16	1.4370
254C	18.00	24.00	25.00	22.75	5.75	1.125	16	1.5625
314C	20.00	24.00	27.50	25.00	6.00	1.125	20	1.6875
380C	22.00	24.00	29.50	27.25	6.50	1.125	20	1.7500
452C	24.00	36.00	32.00	29.50	8.00	1.38	20	1.8750
530C	26.00	36.00	34.25	31.75	8.00	1.38	24	2.0000

** STANDARD FLANGES ARE 150 LB.
SPECIAL ORDER 300 LB. FLANGES



U.S. DEPARTMENT OF TRANSPORTATION

The Coast Guard Engineer's Digest



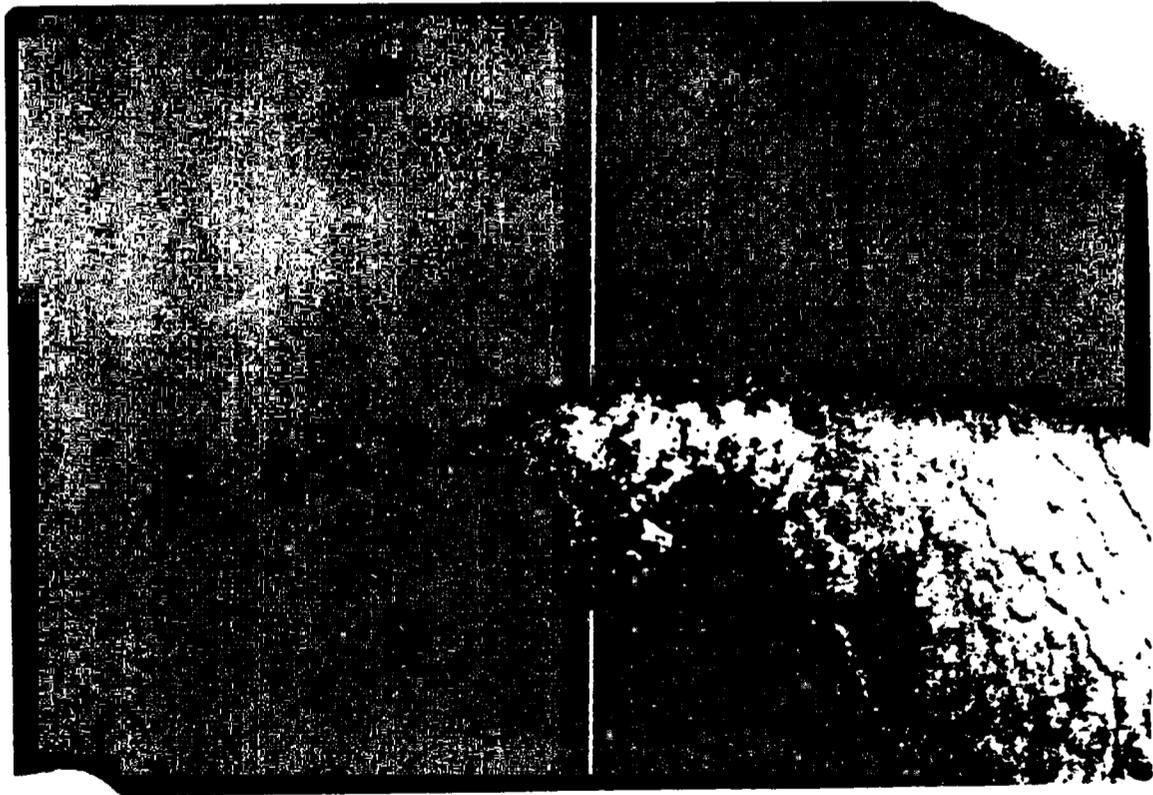
CG 133
Volume 20

Number 205
Winter 1980

Circulating water in 4 percent silica with calcium carbonate at CG Radio Station New Orleans



CG Radio Station New Orleans boiler tubes covered with calcium carbonate before being installed



transfer surface, the transfer of heat being no longer insulated by a blanket of calcium carbonate. The cost savings is being reflected in the amount of oil used, all due to more efficient heat transfer. Prior to the installation of the Hydrodynamic unit, the boiler used, in a two week period, from 80 to 90 gallons of oil. After the unit had cleaned the tubes, the oil consumption dropped to 40 to 60 gallons for the same two week period, providing an approximate 30 percent savings in fuel.

this savings will pay for the Hydrodynamic unit in a short period of time and prolong the life of the boiler and heat exchanger. This equipment has been virtually maintenance free since and its installation was simple. It continued to combat escalating fuel costs and to provide energy savings and improved equipment life.

Due to the above success, the Eighth Coast Guard District has installed Hydrodynamic units at the following locations: Station Grand Isle, Grand Isle, LA; Base Galveston, Galveston, TX; Station Port Isabel, Port Isabel, TX; Brownsville Moorings, Brownsville, TX and Loran Station Cape San

Blas, Cape San Blas, FL. Results have been similarly impressive for each of these installations.

ABOUT THE AUTHOR

L. G. Simpson came to the Coast Guard from Ingram Corporation in 1968 where he was a Chief Engineer. He served in various capacities at Coast Guard Base New Orleans. He transferred to the Eighth District Office as an Engineering technician in 1973 and has gained broad experience in electrical and mechanical design and maintenance, both afloat and ashore

COMMANDANT'S COMMENTS

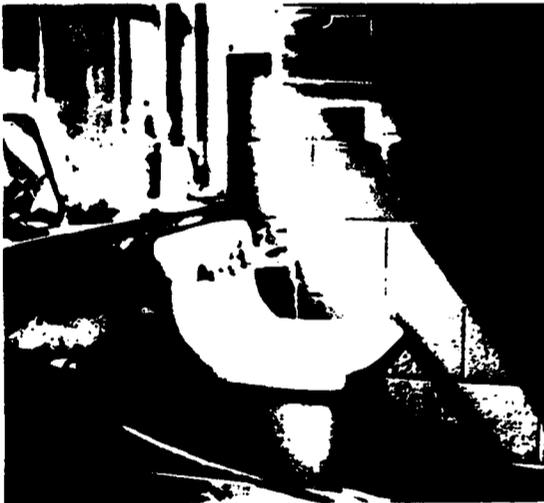
Significant losses in energy transfer systems due to scale have been a real problem for years. In these days of high energy costs and mandates to reduce energy use to the minimum possible, products such as this should be investigated and utilized wherever they can be of use

While there is considerable argument as to theory of operation it appears evident that the hydrodynamic unit does work (at least in the 8th District)

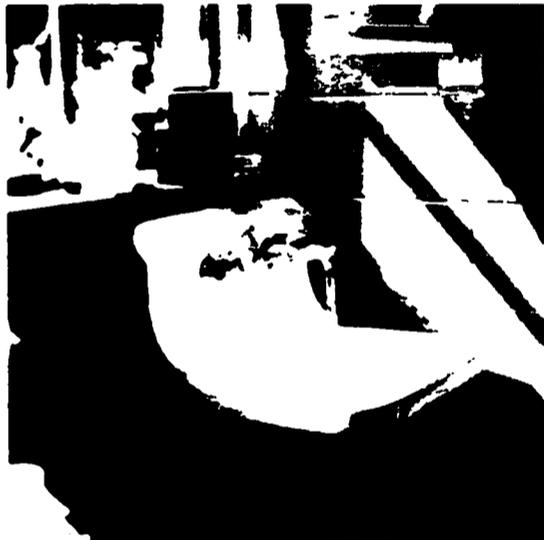
Hydrodynamic Corporation is but one of several manufacturers of electrical water treatment equipment. This article should not be construed to be an endorsement of *all* electrical water treatment equipment.

The effect of the hydrodynamic unit on water flow at the Air Purpose Bldg service sink. CG Radio Station New Orleans

Before



After



Board of Commissioners

of the
County of Vanderburgh
305 ADMINISTRATION BUILDING
CMC CENTER COMPLEX
EVANSVILLE, INDIANA 47708



CAROLYN McCLINTOCK
DON L. HUNTER
RICHARD J. 'RICK' BORRIES



TEL. (812) 426-5241

AGENDA REQUEST

NAME OF REQUESTOR: Harris Howerton

REQUESTOR TITLE: Director of Court Services

DEPARTMENT: Corrections

REQUEST(S) BEING MADE:

Adopt ordinance concerning establishment and funding of County Correction Fund
(I.C. 11-12-6)

DATE TO BE PLACED ON AGENDA: March 21, 1994

ACTION x CONSENT _____ OTHER _____



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

RICHARD J. BOR
DON L. HUNTER
PATRICK R. TUL

AGENDA REQUEST

NAME OF REQUESTOR: Mark Tuley and Lynn Ellis

REQUESTOR TITLE: Burdette Park Manager/ Buyer

DEPARTMENT: Burdette Park/ Purchasing

REQUEST(S) BEING MADE:

Approval of the letting of quotes. Quotes will be obtained and
a recommendation made for March 28, 1994.

DATE TO BE PLACED ON AGENDA: March 21, 1994

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

305 ADMINISTRATION BLDG. CIVIC CENTER COMPLEX EVANSVILLE, IN 47708 812-428-5241

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

REQUEST FOR PRICE QUOTATION

The County Commissioners Office on behalf of Burdette Park will receive sealed price quotes until 12:00 noon in Room 307 for the following items to be publicly opened and read on March 28, 1994 at 5:30 p.m. in Room 305.

All quotes must include a sample of item and information indicating the quality of the product quoted. Warranty limits, guarantees, etc., for the items quoted shall be furnished in writing.

Shirts must be completed and delivered by May 1, 1994 to Burdette Park.

Price quotes shall exclude Federal Excise and Indiana State Sales Taxes as exemptions can be furnished for the vendor.

The County Commissioners reserves the right to award by line item and/or to reject any and all price quotes.

Quantities shown have been estimated to the best of our ability, but are not binding. Burdette Park reserves the right to purchase more or less than the estimated amounts.

Price quotes will be received up to March 28, 1994, until 12:00 noon at the County Commissioners office or Purchasing Department, Rm 323 Civic Center Complex, 1 N.W. M.L. King Jr. Blvd., Evansville, IN 47708.

Price quotes must be submitted in a sealed envelope showing the vendor's name, address and date and time of opening on the front of the envelope.

QUANTITY	COLOR	DESCRIPTION	SIZE(S)	HANES 50/50	HANES BEST 50/50	SCREEN STARS BEST 50/50
120 total	Ash	T-Shirts	M, L, XL			
24	Ash	T-Shirts	XXL			
60 total	White	Outerbanks Golf T-Shirts	L, XL			
12	White	Outerbanks Golf T-Shirts	XXL			
TOTAL						
Above are printed with 2-color logos - - over heart on Outerbanks - over full front on T-Shirts						
200 total (estimate)	White	T-Shirts	M, L, XL,			
2 doz. (estimate)	White	T-Shirts	XXL			
Above are printed with 2-color logo - over heart, lifeguard emblem on back						
100 total (estimate)	White	T-Shirts	M, L, XL,			
2 doz. (estimate)	White	T-Shirts	XXL			
Above are printed with 2-color logo - over heart, Waterslide emblem on back						
12 doz. (estimate)	Ash	T-Shirts	M, XL			

QUANTITY	COLOR	DESCRIPTION	SIZE(S)	HANES 50/50	HANES BEST 50/50	SCREEN STARS BEST 50/50
30 doz. (estimate)		Baseball Caps - 1- color imprint on hat front	Youth and Adult			
12 doz. (estimate)		Baseball Caps - 2- color logo on hat front - good quality - send sample	Adult			
TOTAL						

VENDOR NAME: _____

VENDOR ADDRESS: _____

VENDOR PHONE NUMBER: _____

VENDOR CONTACT: _____

I HEREBY AGREE TO SUPPLY THE REQUIRED T-SHIRTS NO LATER THAN MAY 1, 1994 IF AWARDED THE QUOTE.

AUTHORIZED SIGNATURE

**NOTICE OF PUBLIC HEARINGS
RE
AN ORDINANCE AMENDING THE BUILDING CODE
OF THE COUNTY OF VANDERBURGH, INDIANA**

NOTICE IS HEREBY GIVEN that the Board of Commissioners has scheduled Public Hearings with regard to An Ordinance Amending the Building Code of the County of Vanderburgh, Indiana in Room 307, Administration Building, Civic Center Complex, Evansville, Indiana as follows:

SECOND READING 5:30 p.m. - Monday, April 4, 1994
FINAL READING 5:30 p.m. - Monday, April 11, 1994

Copies of the subject Ordinance are available for public viewing prior to the scheduled hearings in the Office of the Building Commission (Room 310), Office of the Board of Commissioners (Room 305) and the County Auditor's Office (Room 208).

**BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA**

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

ATTEST:

**Sam Humphrey, Auditor
Vanderburgh County**

APPROVED:

**Alan M. Kissinger
County Attorney**



DAVID L. DIAL
PRESIDENT & GENERAL MANAGER

March 15, 1994

Mr. Mark Abel
Vanderburgh County Commissioners
City-County Bldg. Rm 315
Evansville, IN 47708

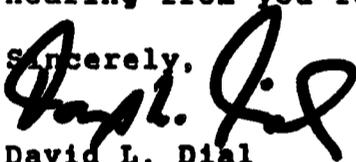
Dear Mr. Abel:

This letter is intended to follow-up on a conversation you had recently with WNIN staff member Sue Ann Samuelson concerning the donation of 50 phones to WNIN.

I understand that Vanderburgh County is presently upgrading its phone system and replacing many of the phones currently in use. WNIN requests that 50 of the Rolm 2500 sets now utilized by Vanderburgh County be donated to WNIN for use at its annual Auction. WNIN currently uses rotary phones and the donation will help us improve our communications with viewers.

Thank you for your consideration of this request. I look forward to hearing from you further on this matter.

Sincerely,


David L. Dial
President and General Manager

TRI-STATE PUBLIC TELEPLEX, INC.
405 CARPENTER STREET
EVANSVILLE, IN 47708-1027
812-423-2973
FAX 812-428-7548

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, MARCH 11, 1994 THRU THURSDAY, MARCH 17, 1994

FRIDAY, MARCH 11, 1994

One crew attended Haz-Mat training at the Union Hall.
Gradall and one crew worked on Old Henderson Road.
Two patch crews worked on work orders.
Front end loader worked on South Weinbach.
One crew cleaned trucks in the garage.
One crew ran barricades.
One crew repaired mailboxes.
One truck hauled sand.
One crew worked on paver and one crew worked on Red Bank.

MONDAY, MARCH 14, 1994

Gradall and one crew replaced a culvert on Barton Road.
Two patch crews worked on work orders.
One crew cleaned trucks in the garage.
Two tree crews worked on Frontage Road and Red Bank Road.
One crew ran barricades.
One crew repaired salt barn.
One crew graded and rocked Roesner and Little Schmuck.
Tiger mower and one crew cleaned brush on Mill and St Joe.

TUESDAY, MARCH 15, 1994

Two patch crews worked on work orders.
Gradall and one crew removed plows and spreaders from 5 & 34.
Two tree crews worked on Frontage and Red Bank Road.
Grader and two crews graded and rocked Maasberg, Miller & Lutterbach.
One crew ran barricades.
One crew cleaned trucks at the garage.
One crew repaired salt barn.
Tiger mower and one crew cleaned brush on Mill and Edgewater.

WEDNESDAY, MARCH 16, 1994

Two patch crews patched culverts on Koring and New Harmony.
Two tree crews worked on Red Bank, and at 3224 New Harmony.
Grader and two crews graded and rocked Lutterbach, Motts Lane and Sensmeier.
One crew cleaned trucks.
One crew removed plows and spreader on #31.
One crew ran barricades, one crew repaired salt barn.
Tiger Mower and one crew cleaned brush on Edgewater and Wright.

THURSDAY, MARCH 17, 1994

Gradall and one crew ditched at 8731 New Harmony.
Grader and one crew graded and rocked Miller Road.
Two patch crews worked on Koring Road.
Two tree crews worked on Red Bank, St. Wendell and Buente.
One crew cleaned trucks, one crew repair salt barn and one crew ran barricades.
Two crews worked on Boonville New Harmony.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, MARCH 11, 1994 thru THURSDAY, MARCH 17, 1994

FRIDAY, MARCH 11, 1994

- Crew #1 - repaired wash out on Larch and Pine place, build forms on Dieffenbach, work on bridge railing.
- Crew #2 - repair drain on 7000 Old State, concrete, remove branch on Waterworks Road bridge.
- Crew #3 - pick up new truck at Miller truck and take ro ETC.

MONDAY, MARCH 14, 1994

- Crew #1 - repair guardrail at Frontage and St. Joe, Ridgeway and Audubon, remove concrete forms from Dieffenbach bridge.
- Crew #2 - install culvert on Barton Road.
- Crew #3 - repair guardrail on Frontage and St. Joe, Ridgeway and Audubon.

TUESDAY, MARCH 15, 1994

- Crew #1 - Saw Mann Road and Creamery Road, repair large culvert on #3 School Road.
- Crew #2 - get plywood for truck bed, remove all tools from old truck to new truck. Pick up sand at 8118 Larch Lane.
- Crew #3 - wash cars, trucks and tools.

WEDNESDAY, MARCH 16, 1994

- Crew #1 - Back hoe worked on Harmony Way, Koring to remove rock for patch crew.
- Crew #2 & #3 - patch bridge decks on Mesker Park, Pieffer, and Old State Road.

THURSDAY, MARCH 17, 1994

- Crew #1 - back hoe removed rock for patch crew on Koring Road.
- Crew #2 & #3 - worked on Pfeiffer Road Bridge.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for March 21, 1994

- DIS/KA* 1. Council call request to appropriate \$33,000 for north Green River Road
- RA/D/S* 2. Council call request to transfer \$3000 from 203-11202030 to Extra Help 203-1990
3. Resignation letter from Gary Kercher, Assistant County Engineer



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

March 21, 1994

To The Board of Vanderburgh County Commissioners:

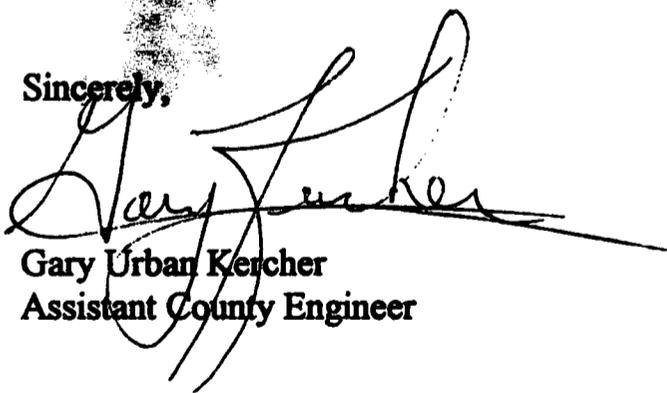
It is with great regret that I submit, for the Boards' acceptance, this request for resignation as Assistant County Engineer. I would like to apologize to the County Commission and to the County Engineer for any inconvenience caused by my untimely departure. I also apologize to the citizens of Vanderburgh County should there be any impairment of service from the Department as a result of my leaving. I will continue to reside in the area and will be, most likely, working with you in the future. Once I am settled in my new position, I will make myself available to the Department should any questions or situations arise that I may be of service.

As per the employee personnel policy, my final day with the department will be two weeks from today, Monday, April 4, 1994.

I want to express my gratitude for the support and the opportunities provided me, by the citizens of Vanderburgh County and its' Government, during my tenure.

Thank You

Sincerely,



Gary Urban Kercher
Assistant County Engineer

NOTICE OF MEETINGS
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
EXECUTIVE SESSIONS
APRIL 1994

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold Executive Sessions at 4:00 p.m. on the following Mondays in April 1994 in Room 307, Civic Center Complex, Evansville, Indiana: April 4, April 18 and April 25.

PURPOSE OF SAID MEETINGS is to discuss Pending Litigation and Personnel Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

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

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

Warrant No. _____
Claim No. _____
Date _____

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

IN FAVOR OF
Vendor Name BLANKENBERGER BMS
Vendor No. 481

March 17, 1994
John Steel
Signature of Office Holder

\$ 173,366.69
ON ACCOUNT OF APPROPRIATION
Dept. Fund Name USF
Account No. 430 BOND

I have examined the within claim and hereby certify as follows:
That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

Allowed _____ 19____

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

In the sum of \$
Richard J. Barnes
[Signature]
Board of Commissioners

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>EST. #14</u>	<u>—</u>	<u>3/14/94</u>	<u>430 BOND</u>	<u>173,366.69</u>
TOTAL				<u>173,366.69</u>

MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 28, 1994

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:40 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Request re Proposed Route for Eickhoff-Koressel Rd.	1
Ordinance/Transfer of Surplus Property to Nonprofit Corporations/Second & Final Reading	5
Authorization to Open Quotes/T-Shirts & Ball Caps for Burdette Park	6
Resignation of Pete Helfrich from the Pigeon Creek Greenway Committee	6
Baumgart Rd./Bruce Biggerstaff	7
County Attorney/Alan M. Kissinger	8, 9 & 12
Reading of Quotes/T-Shirts & Ball Caps	
Superintendent of County Bldgs./Mark Abell	8
Request to Advertise/Surplus Properties Donation of Telephones to WNIN	
County Highway Garage/Bill Morpew	9
Weekly Progress Report Old Henderson Rd.	
County Engineer/John Stoll	10
Travel Request (approved; B. Higgins & D. Franklin to attend HERPICC Traffic Workshop on 5/4/94) Removal of Median/St. Joseph Avenue Between Diamond Avenue & Allen's Lane North Green River Rd. Project Westchester Drive/J. Stoll to respond to Billy Carroll; this is not a county-accepted road Speed Limits/North Green River Rd. (Cannot rescind resolution re lower speed limits until around mid-April per project engineer)	
Cumulative Bridge Fund/A. Kissinger will probably have something next week	12
Reading of Quotes/T-Shirts & Ball Caps	12
Award Outerbanks Shirts and hats to Southwest Graphics & Apparel and other shirts to Imagination Graphics	
Consent Agenda	12
Scheduled Meetings	12
Old Business	13
Cumulative Capital Development Fund Installation of Stop Signs complete; Sheriff's Department has been notified	

New Business 14
 Holiday Schedule for 1994 (approved)
Meeting Adjourned @ 6:40 p.m. 14

MINUTES
COUNTY COMMISSIONERS MEETING
March 28, 1994

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, March 28, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding. He noted that Commissioner Hunter is not present today, as he is on vacation.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Buildings, Attorney Alan Kissinger, Commissioner Rick Borries, himself, County Auditor Sam Humphrey and Joanne Matthews, the Official Recording Secretary. He then asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

Commissioner Tuley said the Commissioners have had copies of minutes from September 20, 1993 and March 21, 1994 for approval. The Commissioners had seen the draft form of the minutes of the regular portion of the September 20th meeting; the only thing that has been added is the lengthy rezoning portion of the minutes and the minutes in final form have now been submitted for approval and signatures.

Motion to approve both sets of minutes, as presented, was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

President Tuley said that for any individuals/groups present who do not find their particular item of interest on tonight's agenda, now is the time to come to the podium, state name and address, as well as the nature of their business.

RE: REQUEST RE PROPOSED ROUTE FOR EICKHOFF-KORESSEL RD.

Mr. Roger Hall approached the podium, introduced himself, stated he resides at 7545 W. St. Joe Rd. in northern Vanderburgh County. He said "I am addressing you on the Koressel-Eickhoff Rd. from Highway 66 to Highway 64. I'm addressing you because I am on one of two routes. There are two routes -- Route C and Route C-2 and my home is in Route C. The alternate route is C-2. I'd like to get some information if possible, for when I built my house in 1989, I also followed up with a pole barn on July 10, 1990 and I got a letter from the County Engineers on October 22, 1990 informing me I was in the right-of-way. Originally when I bought the property back in the 1980's I bought it from a Dr. Keickly and when I went back and purchased it I even had little notes in there 'Am I in the right-of-way or anything like that?' So when I got my permits I even checked with the Area Plan Commission to make sure that I was not on proposed routes. I guess at that time they weren't aware of it, I'm not sure. But I went back and did a little detective work and the original route was about 3/8 mi. to the east of my home. There are some press clippings in 1960's according to one of my neighbors (and he has a copy of same) -- because he put in it that he woke up on Saturday morning and there were some surveyors out in his front yard. I have a copy of Mr. Larry Lutz's letter in there asking if there is any kind of help for me, as well as there is on file about fifty (50) to seventy-five (75) businesses which are on file..."

Commissioner Borries asked, "Mr. Hall, how were those businesses on file? Would you have made any contact with them?"

Mr. Hall replied, "Yes, I did."

Mr. Borries asked, "Did you make any contact, for example, with people who would have lived

on the far east side, such as Jefferson Avenue?"

Mr. Hall responded, "Some of them I did. And some of them my friends went out and got petitions for me, because they were aware of it."

Mr. Borries asked, "So you initiated this. This wasn't anything that -- I mean, it's a little bit unusual when you think of people on East Boonville-New Harmony -- way on the east side of the county -- who would be doing that. So, for the record, you initiated these."

Mr. Hall said, "I initiated everything."

Commissioner Borries said, "We also -- and I want to commend you for your active role in this, because didn't you also initiate then letters to the White House to Mrs. Clinton?"

Mr. Hall replied, "Yes, I did. And by the way, when I initiated it, they also came back to me and asked if there was anything they could help me with. One of the persons was from Kight Lumber Company. I've known him for about fifteen years and some of them went out and got petitions for me."

Commissioner Borries asked, "Were you aware that this project has been planned and on the books and even designed previously at one point either partially through the County Surveyor's office and partially through other engineering firms -- so were you aware this has been a longstanding project?"

Mr. Hall replied, "After I built my house I was."

Mr. Borries asked, "You were not aware of this in the 1960's?"

Mr. Hall replied, "No, I was not. I've lived out there from 1974 on. I was not aware of this. I purchased this big tract of land in 1980 and I followed up with Dr. Keikly and a few others"

Mr. Borries asked, "Are you also aware there has been no decision made, nor has there been any final determination on this particular matter?"

Mr. Hall replied, "I understand that, yes. And I've got those petitions on file. A lot of people went out for me and would go door-to-door; some of them from new roads and some from the east side or wherever. Also, I checked with Bernardin, Lochmueller & Associates. The route that goes through my home will displace approximately fifteen (15) homes. This is what the engineers told me. The route that goes around my home displaces thirteen (13), which is two fewer homes. In addition to that -- there is also a copy there -- there is a lady whose house will be affected who said she didn't even want the road near her, that she'd rather have the road go through her house than have it within 400 ft. to 500 ft. And one of the houses is vacant right now. The lady is in a retirement home and she's an elderly lady. I talked to her niece and that house is vacant right now -- and that house is on St. Joe Rd. So if you'd consider those two, it takes fifteen homes through mine for families to be displaced versus eleven on the alternate route. So there are more families being displaced by running the road through my home. Some of the advantages are basically if you run it thorough my house, it puts it a little closer to the school (which is St. Joe School) and to the churches. And it's a noise reduction, also, if it's farther away for the Greg Kempf subdivision that is around St. Joe. In addition to that, we all have a tendency to designate certain roads as hazardous waste. We don't want the hazardous waste to go through Highway 41. I know we did that on the east side and we probably will do that on the west side given enough time. And that would take it farther away from people, as well as from the schools and churches. And, basically, in conclusion I'd like to say is that it is farther from the churches, farther from the schools for most of the west side people who have a petition in here. Some of the people on both Route C and Route C-2 have signed that they prefer Route C-2 and...."

Mr. Borries asked, "Are you saying that everybody who has signed these petitions has seen Route C and Route C-2?"

Mr. Hall said, "Everybody who has signed the petition is aware of the fact that the road was going through my house and the other alternate site was about 700 ft. west of my home. I think it's written on top there. And, also, the fact is that since I did talk to the Area Plan Commission and I realize there was a little problem there that I built a home in 1989 and followed up with a pole barn in July of 1990, in neither case was I aware that there was a road going through my property. My home is in the middle of a 12 acre tract and the road is going through my front door. Basically and humbly, I'd like to say that as elected officials, we'd like you to vote along the majority of residents affected by this -- just as you were elected by the majority of voters - - and that's all I have to say. Do you have any questions?"

Commissioner Borries said, "Well, again, Mr. Hall, thank you for coming personally. Again, you are aware that no final decision has been made?"

Mr. Hall responded, "Yes, Sir."

President Tuley said, "I just have a question. Somewhere -- and I was trying to find it again - - the accusation that there has already been a decision made?"

Mr. Hall said, "No. I had one thing that kind of threw me off -- but I feel what happened was that I own some property to the west of me and my brother does -- we own a five acre tract. Someone has already come up to us and made an offer on the tract, even though it is in one of the routes. He says that the decision has been made. I asked him how he knew that -- and that is basically why I am down here. He says he just knows it. Well, the long story cut short is that I feel he has probably talked to the engineering firm and, based upon what they recommend right now, they are recommending Route C, I guess because of the cost -- it's a little bit cheaper I think -- \$2 million or whatever cheaper."

Commissioner Borries said, "That is pretty significant."

Mr. Hall continued, "Yes. And, basically, he is feeling that it is a pretty good gamble for him to drop that kind of money for that land. Now, I mean it's..."

Mr. Tuley said, "I'm just reading in Section V (Representation) here -- 'The letters and Petition we ask humbly to be heard -- 1. Letter from Another road project party states that our letters/hearings do no good due to decision was already made.' Mr. Tuley continued, "That's fine -- I mean, by all means, you have to be applauded in your efforts to be heard and to get other people to come to your aid. In the statement about a decision was already made, is that in reference to the Kixmiller letter? Is that what we're making reference to?"

Mr. Hall replied, "Oh, I went and did all this work and it got in the newspaper and she wrote me a letter stating (didn't want to use her name) she was down here (and I mean this is just quoting basically) and did everything possible also in the same situation and she said she found it was a waste of time. But so far, that is why I am basically down here addressing the County Commissioners -- is that hopefully it is not a waste of time. I mean, I don't know anything about government to be honest with you all. I'm just doing what I'm supposed to do to try to put as many points as possible on my side. And she's saying to forget it."

Mr. Tuley said, "I'm sorry if that's been her experience, if that's what it's been. I don't think -- and Commissioner Borries has been here in the latter parts sine this project has been started and I just came on board in 1993 -- and I know I haven't voted one way or the other for what route and I think the decision from all indications and letters I get is that decision is going to come down to this Board. So, you know, I just want to say that for the record so you understand there is no done deal. No decision has been made yet."

Mr. Hall asked, "When will a decision be made?"

Commissioner Borries interjected, "Mr. Hall, you are doing all the right things. But, again, I think you alluded to it and that point has to be made that, obviously, I don't know -- knowing this firm as well as other firms who have done work for the county, I don't know of any reason why they would unilaterally even begin to plan something if it was not something that had to be considered in so far as cost effectiveness. Now, when you're talking about \$2 million, you're talking about a lot of money -- because in terms of today's dollars I don't know what we would even be looking at and, you see, that is the other point I want to make later. But we might be looking at somewhere around \$10 million, maybe slightly more than that. So you're talking about almost 1/5 of the cost that has to be considered. So that is really why they are doing this in so far as pointing this out. And there is obviously nothing more emotional than one's own home and one's own property -- so we fully understand that -- and you are doing the right thing. And that is why it certainly makes our decisions difficult, to equate not only your personal feelings about your property with needs that we have in the future when this highway might be built. And we don't know when it is going to be built. What we do know is that as money and plans come forward -- if there will be some money at some point -- is that there is going to have to be with literally the fastest growing university in the State of Indiana some kind of north-south access into that particular area. And we can't do anything on St. Joe venue -- particularly inside the city -- that is a city project -- and we're looking at all kinds of other alternatives to the entrance of USI. So we can't even tell you at this point when this particular project will be built. We have a number of other critical projects we are involved in right now -- some of which have just been completed, such as the North Green River Rd. project -- but some which are already under way and are going to involve a massive amount of money, such as Lynch Rd. They will involve some completion and target dates ahead of this one. On the other hand at some point -- if it isn't this Board, but some other Board -- if planning moves forward on this, at some point in the future this road may be built. I think you've done all the right things as far as I know in so far as expressing your concerns about that. We certainly want to give them serious consideration."

Mr. Hall asked, "Well, is there going to be a decision on which route, or will this be something just left out in limbo and when the need arises then a decision will be made?"

Commissioner Borries said, "Well, I will assure you that there will be no decision made unless it is right here in this meeting -- and you will hear about it."

Mr. Hall said, "No, I mean will there be a decision in eight, ten, twelve or fifteen years down the road for the road to be built, or will we just wait four, five or six years and then if there is a need then that decision will be made?"

Mr. Borries responded, "Again, that is difficult to say. And you have to understand that when we start taking your property or if property is going to be taken, they have to give full fair market value on that. And there are appraisers, review appraisers and everything else. So I'd want to assure you that should your property be involved -- if that is the route that is going to be taken -- you are going to receive full market value for that property if that taking would occur. When would that decision happen? I can't tell you that. Again, it may be that John Stoll, the County Engineer, would have a comment."

Mr. Stoll said, "From what I understand right now from talking to Bernardin, Lochmueller & Associates, the corridor location study has been submitted to INDOT and once they review it, then a public hearing will be set sometime later on this summer. And then they will transcribe those minutes from the public hearing and take it from there in so far as what input the public has had on that. But sometime this summer. I don't have any specific dates either as to when the public hearing may be."

Mr. Tuley interjected, "That a vote would be taken -- even though it may be several years before it is every constructed. Is that what I am hearing?"

Mr. Hall said, "We understand basically that there has to be another public hearing, then go before the County Commissioners and the Commissioners can decide on which route -- and then

there is a period of time whatever it is -- five, ten or fifteen years -- then the road will be built."

Mr. Borries said, "It could be sooner than that. The need is there -- finances is the biggest thing. We get roads through road projects and a complicated formula that has nothing to do with property taxes. It has to do with Federal gasoline tax allocations and State gasoline tax allocations. And then you have this pie -- and sometimes I think the State begins to see which projects are close and which ones aren't so close. When you're dealing with 7,500 students out there plus all the trip vehicles out there, there is probably already a need there. I mean, the need has been demonstrated. What is not there is the financing and we can't tell you that. We're stretched to the limit in so far as trying to plan now. Contrary to what you read in the newspapers, etc., we plan very carefully about this and we plan very carefully to the point that you will see through John Stoll, EUTS and everything else -- we try to plan as far out as we possibly can. We have not had a gasoline tax increase in this state in probably ten years or more. Gasoline consumption has flattened out, so therefore your revenue distribution is pretty well flattened out -- so as to how and when we will qualify for funding on this is pretty hard to tell. Thank you. You've done a fine job. I think you certainly shouldn't take a back seat to anyone in so far as your knowledge of government. You've certainly demonstrated your opinion here with all of this. Thank you."

President Tuley asked if there is anyone else who wishes to speak that is not on tonight's agenda. There was no response from the audience.

RE: ORDINANCE/TRANSFER OF SURPLUS PROPERTY TO NONPROFIT
CORPORATIONS/SECOND AND FINAL READING

In continuing, President Tuley said this Ordinance was prepared by the County Attorney and he asked whether Attorney Kissinger wants to have any discussion.

Attorney Kissinger said "Only to the extent that I'd like to make a statement. This is the Ordinance that we believe will be the answer to the kind of quandary we were in prior to becoming aware of the possibility of making these nonprofit transfers. The history of county surplus real estate in every county in the State of Indiana has been that this property ultimately is taken by the county; the county takes title to it as a result of the fact that no one has paid the taxes on it. Generally, it is not highly desirable property. As a consequence, ultimately the county has to get rid of the property because we have no real use for it. We basically auction it off to the highest bidder. The highest bidders are rarely truly high bidders and, as a consequence, it goes back to someone who wants to speculate on the property and hopefully make some money on it -- and ultimately it ends up back on the rolls of properties on which property taxes aren't being paid. I think this represents a really unique opportunity, primarily because of the fact that there are people who are coming in here who want to take this property for specific purposes -- and those purposes look like they are going to be long term purposes, not for speculation. All of these are nonprofit corporations; they can't really speculate on the property and hope to make a profit for themselves. It looks like this is going to be something everyone likes to refer to as a win-win situation. The county gets rid of its ultimate responsibility for liability for these various pieces of property. Also, we are able to transfer them to organizations that are going to use them for a very positive purpose and the third result is, hopefully, we won't see these properties again sometime in the future and have to deal with them as surplus properties. So I certainly recommend the Commissioners give favorable consideration to approving this Ordinance."

Commissioner Borries said, "Question of Alan. If there are not for profit organizations that have expressed interest in the same piece of property, then we would have to follow, I guess, some kind of bid procedure, wouldn't you say?"

Attorney Kissinger replied, "No, I really don't think we do. We're in the fortunate circumstance there of being allowed to be quite arbitrary. It becomes the decision of the Commissioners as to which organization the property will be transferred to. We don't really have to base it on anything., because there is a statute that specifically allows us to avoid the

bidding, the auction statutes. So my hope is -- and the various nonprofit organization that I have talked to about this -- my hope is all of them are working basically toward the same goal -- a charitable purpose. I hope they can be charitable to one another to the extent that they can reach some agreement and not really complete for these properties, because we have vacant properties and we have properties with improvements and residences on them. Some of these organizations don't have any desire to go in and remodel a property - but they need empty lots. Others want to improve some of the presently existing structures and yet others want to improve the structures and use them for office space for their organizational purposes. So I think everyone can be accommodated here without anyone being left out in the cold -- and everyone's purpose served. And I would really hope that these organizations -- once we get the notices out that these properties are available -- will get together and I'm hoping they will be able to advise us in advance what properties they are really interested in and I'm hoping there will be no overlapping there. Otherwise, the Commissioners have the full right and authority to just arbitrarily settle the dispute or settle the dispute by saying we don't want the argument, we don't want the fight and we don't want to be the arbitrators and therefore we're not going to transfer this property to any of these competing organizations. So I think it would be in the best interest of the nonprofit organizations to reach some kind of agreement prior to any controversy arising."

President Tuley entertained comments. There being none, he proceeded. "The win-win is that some people, based on the presentations we've heard -- comments have been made to various Commissioners, to Mark Abell -- that there will be training and education made available to people who would not normally get that. The understanding is that most of these homes will be sold to low to moderate income families at probably a lower than normal price via an outside of normal financing channel and they will be put back on the tax rolls; they will also be an improvement to the neighborhood in which they are located. So I do think this is a win-win situation. If there is no further discussion, then I will ask for a motion to approve the Special Ordinance.

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

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

RE: AUTHORIZATIO TO OPEN QUOTES FOR T-SHIRTS, BALL CAPS, ETC.

Attorney Kissinger said he talked with Lynn Ellis and the only accommodation she has asked from the Commissioners is that Joyce Moers be allowed to review the bids and look at the products during today's meeting and defer ruling until later in the meeting -- so we can make sure we have responsible and responsive bids.

Commissioner Borries moved the County Attorney be authorized to open the quotes received. Seconded by Commissioner Tuley. So ordered. Mr. Tuley said that when Ms. Moers is ready, she can let him know and come back before the Commissioners at that time.

RE: RESIGNATION OF PETE HELFRICH FROM THE PIGEON CREEK GREENWAY COMMITTEE

The meeting continued with President Tuley reading the following letter from Mr. Pete Helfrich of the Evansville Convention & Visitors Bureau:

March 8, 1994

Mr. Rick Borries, President
Vanderburgh County Commission
7517 Taylor Circle
Evansville, IN 47715

COMMISSION MEETING

7

March 28, 1994

Dear Rick:

I was honored when you appointed me to the Pigeon Creek Greenway Committee. However, I find that I must resign from the committee. There are several reasons for this decision and I am supported in this decision by the President of the Bureau.

With the passage of the increase in Inn Keepers Tax I will be doing the administrative work for the Bureau Board. We know that this project will be one of the first to be considered and I wish to avoid any potential conflicts. Also, I have been directed, as co-chairman of the legislative and lobbying committee, to begin advocacy work that may conflict with the directions given to me by my board and the elected officials who appoint them. It is something I wish to avoid.

I would like to continue being informed of future plans and I would like to be involved in so far as my position will allow. I wish the Greenway Committee well in all endeavors and I thank you.

Sincerely,

Peter D. Helfrich
Executive Director

cc: Shirley James, Co-Chairman of the Greenway Committee
Joe Vezzoso, Jr., President of the Evansville CVB
Pam Martin, Co-Chairman of the Lobbying/Legislative Committee

Mr. Tuley said the Commissioners will need to look for a replacement. Pete is a fine young man and he appreciates his candor in recognition that he may be in a position of conflict there. He then entertained a motion.

Motion to accept the resignation made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

RE: BAUMGART RD. - BRUCE BIGGERSTAFF

Mr. Tuley asked if Mr. Bruce Biggerstaff (who was in the audience) would like to come forward to discuss the letter or just enter the letter into the record. Mr. Biggerstaff said Mr. Tuley can just enter the letter into the record. Mr. Tuley proceeded, saying the letter is from Mr. Bruce A. Biggerstaff, Biggerstaff Investments.

March 9, 1994

Mr. Richard Borries
Vanderburgh County Commissioners
Admin. Bldg. - Civic Center
Evansville, Indiana 47708

Dear Mr. Borries:

On Tuesday, 22 February 1994, I met with Bill Morphew of the Vanderburgh County Highway Department. Mr. Morphew had expressed his concerns regarding erosion of the ditch along the east side of the bridge on Baumgart Road near the intersection of Heinlein Road.

We went over the construction plan for Baumgart Road Commercial Park which shows an open ditch along the west line of Lot #6 (see attached drawing). As the developer of the project, I will install an extension of approximately 72 L.F. of 48" pipe within the County's right-of-way at no charge to the County, if the County will furnish the materials for construction. These materials will consist of:

March 28, 1994

1. Approximately 72 L/F. of 48" pipe
2. 40 Ton of #5 stone
3. 25 Ton of Rip-Rap.

If this is acceptable, please contact me at (812) 867-5431.

Yours truly,

Bruce A. Biggerstaff

President Tuley asked if either Mr. Morpew or Mr. Stoll has any comments, a recommendation or what.

Mr. Morpew said this was discussed last week. The pipe is now in place. The Commissioners approved it last week and this is just a matter today of entering the letter into the records. He apologized because the Biggerstaffs made a trip downtown today.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

In being recognized, Attorney Kissinger asked to be deferred for the moment.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Request to Advertise/Surplus Properties: Mr. Abell said he would request permission to advertise in accordance with the Special Ordinance just adopted regarding the surplus properties. In that ordinance it states we need to give notice for a public hearing for those nonprofit agencies to submit their requests. He would like to start that part of the procedure.

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

Donation of Telephones to WNIN: Mr. Abell said last week he introduced a letter from WNIN requesting we donate fifty (50) of the old single line telephones. Again, that is surplus property. He is guessing we will have to advertise our need to do that then? If the Commissioners so desire to even do that.

Mr. Tuley said he doesn't have a problem with it. But since this ordinance has been adopted, would it not fall under that? He guesses WNIN is a not for profit public television station.

Attorney Kissinger said it would. However, he would suggest -- and he knows they are -- that for purposes of our record, Mark require them to submit something to show us proof that they are nonprofit and then keep a record of what is transferred and how that is handled.

Mr. Tuley said proof of nonprofit status has pretty well been covered in the ordinance anyway.

Mr. Abell asked if we need to go through the advertising process to give them the phones -- have a public hearing for that?

Attorney Kissinger requested that he talk with Mr. Abell about that tomorrow.

President Tuley said Joanne has said we advertised to sell a lot of the used Rolm telephone equipment, with bids to be opened April 4th. Those fifty (50) phones were not included in that?

Mr. Abell said we have taken bids and that is in there for that -- that is correct. We haven't actually opened the bids - that is coming up next week. That is part of that lot of equipment.

Mr. Tuley said, "In other words, we may not have fifty phones to give to anybody."

Mr. Abell said we have 300 or 400 of those -- and that's left open in the bid. It is stated that you should put in unit pricing, we reserve the right to change the amounts of the phones themselves, etc. Again, that will officially come up for bid opening next week and we'll see what the value of those phones is. He would estimate them to be somewhere -- he's had people in the business tell him that they would only bid on them as a matter of just complying with the rest of the bid. There is some other valuable equipment on there, but these phones they might bid at \$1.00 per set and just leave them with us -- because apparently they are really not worth anything.

RE: COUNTY ATTORNEY/ALAN KISSINGER

Attorney Kissinger said the quotes on the T-Shirts were under the required dollar amount for bids and Lynn Ellis of Purchasing pointed out to him that we could appropriately receive quotes as opposed to bids. We received quotes from three (3) businesses:

- 1) Midwest Marketing (unit quote)
- 2) Chips, Inc. (unit quote)
- 3) Imagination Graphics (unit quote)

Asbury Hall sent us a letter indicating they had received our invitation, but declined to submit a quote. He is assuming that when Joyce is finished reviewing those quotes -- that the lowest, most responsible, responsive bidder will be recommended at that time. He has nothing else to report at this time.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Morpew submitted his Weekly Progress Report for period of March 18, 1994 thru March 24, 1994.....report received and filed.

Old Henderson Rd.: Commissioner Tuley said he notes Mr. Morpew has crews working on Old Henderson Rd., trying to do some patching. Back toward town from Dogtown -- on the river side of the road there are some really bad ruts, holes, erosion etc. It looks like this road is one that we will have to give serious consideration to when we actually get into construction paving. What are we doing temporarily?

Mr. Morpew said they started patching down there today with asphalt.

Mr. Tuley asked, "We've had water up over that road twice recently?"

Mr. Morpew said, "Four times -- and it's going up again right now. We closed South Weinbach again this afternoon. The river is supposed to crest at 39.6 ft. Saturday morning. We hope it doesn't go back over Old Henderson Rd. again.

Mr. Borries asked at what point it goes over the Old Henderson Rd. -- 42 ft.?

Mr Morpew said right around 41 ft. He thinks the latest estimate is that it is supposed to go to 39 ft. One of the pieces of equipment they're looking at this year is a pothole patching machine. He went to look at that machine last week. It is a piece of equipment that we could use right now. It would cut down on man hours, as far as the number of people it takes to repair potholes and actually save us a lot of money.

Commissioner asked Mr. Morpew to explain how this equipment works.

Mr. Morpew said it is a machine that has its own tank. It's pulled by a truck, with the aggregate in the truck. The machine has a hopper on it and a tank for the oil. It has compressed air. It is powered by diesel engine. It has one nozzle. It takes one man to operate

it. The compressed air blows the loose aggregate and if there is water in the hole it will blow it out. You flip another switch and it will spray tack oil into the hole. You turn that off and flip another switch and it sprays the aggregate mix with the oil in there and it is sprayed in and compacted in, rather than just laying in the hole and rolled over.

Mr. Borries asked if it is a hot mix.

Mr. Morphew said it is not -- it is a cold mix. We had one demonstrated to us approximately two years ago on Wimberg Avenue -- when we replaced a very large culvert and it held up real well. He doesn't know why there wasn't further interest in trying to buy one. However, at that time Fred Howard was trying to get trucks out at the garage.

New Doors/County Garage: Mr. Morphew said he brought this matter up last week. We had a ball park price of \$4,400 to \$4,600 to replace the doors. The estimate on the front door was a little higher because of the construction of the building. The insurance was going to cost him more. He now has an estimate of \$5,400 for the front and the side door. The east door of the building to be widened 24 inches and replaced with new doors.

Mr. Abell said that was price checked with a couple of places and this was the lowest estimate.

Mr. Morphew said it is about \$1,500 lower than the next bid.

Mr. Tuley asked what funding mechanism we have.

Mr. Abell said he has funding under his budget -- repairs to buildings and grounds account. He may even have a little left over for the hydromatic units discussed by Mr. Bud Davis of Riverbend Mechanical.

Mr. Tuley said he is wondering if we could take these doors out of the CCD fund, as opposed to taking them out of Mr. Abell's budget.

Mr. Morphew said it is an improvement to a county building.

Mr. Tuley said he hasn't torn the law apart yet, but it seems to be for improvements to buildings. He doesn't want to hold up the work, but we can work it out internally as to how we're going to pay for this project.

Motion to proceed with the widening and replacement doors at the County Highway Garage was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

RE: COUNTY ENGINEER - JOHN STOLL

Travel Request: Mr. Stoll said he is requesting permission for Bill Higgins and David Franklin to attend a HERPICC traffic workshop in Jasper, IN on May 4, 1994. It's just a \$10.00 registration fee for each individual for the half day seminar. They would also request permission to use a county car to drive to Jasper. But that's it. No lodging or anything like that.

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

Removal of Median/St. Joseph Avenue Between Diamond Avenue & Allen's Lane: Mr. Stoll said this was discussed a couple of weeks ago. He is submitting herewith a letter from Mr. Jack Turpin regarding same. He discussed the possibility of the property owners, as well as the county, sharing the cost of this project. Mr. Stoll said he does not have any good estimates with regard to the cost of removing the median, so this is something he will have to check into further.

Commissioner Borries said he thinks we need to seriously look into this. They are mostly concerned with the future of that area, most particularly as that K Mart operation closes. Again, if there is any way we can help them in so far as improving the future of that area, we should do so.

Mr. Tuley said he agrees. If we're going to continue to grow in that area and, at the lease, maintain what we have out there -- it is a problem trying to get to some of those businesses with that median in place.

Mr. Borries said we also discussed some of the problems we've had at the St. Joe-Allen's Lane intersection. While the removal of the median might not necessarily improve that intersection, it could lessen the possibility of people making u-turns and some turning movements in that area.

Mr. Tuley asked if Mr. Stoll has talked with Mr. Turpin.

Mr. Stoll said that he has.

Mr. Borries said Mr. Turpin called him a couple of times and he referred him to John Stoll.

Mr. Stoll said he told Mr. Turpin we'd be having the public road hearing next week and he said he could attend if necessary. He told him he did not feel it was necessary right now for him to show up. He has already voiced his concern about this. It will be just a matter of our prioritizing which projects we can get done.

Mr. Tuley said he knows Commissioner Hunter has also talked with Mr. Turpin. Therefore, he doesn't think Mr. Turpin needs to make a special trip down here. We'd like to accommodate them if we can. We'll do whatever we can with whatever funding we have available.

North Green River Rd. Project: Mr. Borries said he certainly wants to commend Mr. Stoll on his work on the North Green River Rd. project. We now have a real nice area there and when the signage is done ...you know, we get written up lots of times for the things we don't do, but of the many things we have talked about and done this past year (he thinks Commissioner Hunter alluded to some of those) this is one of those things that is certainly going to improve traffic and the development in that area. Again, perhaps we could have a ribbon cutting ceremony to recognize the completion of that project.

Mr. Stoll said he has been discussing this with Keith Litton, the project engineer out there, and we'll see what we can get set up. He is assuming Monday would be the best day.

Westchester Drive: Mr. Tuley asked if Westchester Drive is the one that seems to come up every year when we start doing roads -- and it's not county accepted. Would Mr. Stoll mind writing one more letter to explain that to the individual who has sent us a letter. Just tell him we'd like to help him, but it's not a county accepted road -- and tell him what his options are. This is a new owner that probably wasn't put there last year. Every year when we get ready to pave, we have a letter from somebody out in that area.

Mr. Stoll said he will take care of this.

Speed Limits/North Green River Rd.: Attorney Kissinger said he would remind Mr. Stoll that with regard to the lowered speed limits, when there is no longer a need please let us know -- so we can rescind that resolution.

Mr. Stoll asked if we have to have a weeks' notice, or whether the Board can rescind it at any meeting.

Attorney Kissinger said he doesn't think we have to have any notice on that, because that was assumed to be for temporary emergency purposes. To adopt it, we had to give notice. For

purposes of rescinding it, he thinks we have to rescind it when the emergency no longer exists. Mr. Stoll can advise the Commissioners when the emergency no longer exists and they can rescind it during a meeting.

Mr. Stoll said he discussed this with the project engineer and he said it would probably be mid-April before they no longer have workers out there to be jeopardized by the higher speeds.

Cumulative Bridge Fund: Commissioner Tuley asked if Attorney Kissinger has the information on this.

Attorney Kissinger said he does have a copy of the information.

Mr. Tuley asked if we need to do anything to get this started.

Attorney Kissinger said, "Not tonight, we don't. I think we have until August on this. Am I correct, Joanne, we have until August?"

Auditor Sam Humphrey said we have until August 2nd.

Attorney Kissinger said he will probably put something together for next week on this.

RE: READING OF QUOTES/T-SHIRTS & BALL CAPS

Attorney Kissinger said Joyce Moers will report on the quotes received. He would note, however, that they also discovered when one of the sample boxes was opened that a quote was contained in the sample box. Once again, it was a unit quote from Southwest Graphics & Apparel, Inc.

Ms. Moers said they recommend that the Outerbanks shirts and all hats be given to Southwest Graphics & Apparel and all the other shirts be given to Imagination Graphics.

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

RE: CONSENT AGENDA

Commissioner Tuley entertained a motion concerning the Consent Agenda.

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

RE: SCHEDULED MEETINGS

President Tuley said there is a Drainage Board Meeting tonight immediately following the Commission Meeting. There is a Personnel & Finance Committee Meeting on Wednesday, March 27th, at 3:30 p.m.

Ms. Matthews noted the Public Road Hearing scheduled at 5:30 p.m. on April 4th is not included on the April calendar.

President Tuley said that is a very good point. In looking at the April calendar, on April 4th there is 3:30 p.m. Department Head Meeting; a 4:00 p.m. Executive Session; there is a 5:30 p.m. Commission Meeting, and the Public Road Hearing will be held during the course of that meeting. Do the clocks move ahead one hour this weekend? (It was confirmed they do.) Twenty years ago on April 1st he was enlisting in the service -- he can't believe it. He could be retiring already.

RE: OLD BUSINESS

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RE: OLD BUSINESS

The meeting continued with President Tuley entertaining matters of Old Business to come before the Board.

Cumulative Capital Development Fund: Mr. Borries said he does have one item in view of all the ongoing conversation concerning the Cumulative Capital Development Fund. He has, through the assistance of Representative Dennis Avery, contacted Mr. Bob Sigalow, the Senior Fiscal Analyst for the Legislative Services Agency in the State of Indiana, regarding this fund in an attempt to clarify some of the issues surrounding this. He received the following memo from Mr. Sigalow today:

To: Mr. Rick Borries
Vanderburgh County Commissioner

From: Bob Sigalow, Senior Fiscal Analyst

Re: Cumulative Capital Development Fund

Date: March 28, 1994

This memo is written in an attempt to clarify Vanderburgh County's budget situation in relation to the adoption of the Cumulative Capital Development (CCD) Fund.

The CCD levy is considered to be "outside" of the county's maximum levy limit. Some counties have not adopted a CCD levy. In order to not "penalize" those counties for not adopting the CCD levy, the State Tax Board allows them to exceed their maximum levy by increasing the tax rate by \$0.05.

When a county that has adopted a local option income tax first adopts the CCD levy, it must adopt a \$0.05 rate. In that first year, the county will lose the \$0.05 rate increase in the maximum levy that was previously granted. This leaves the total county tax rate the same in the first year.

After the first year, the county may increase the CCD rate to \$0.10. No further reductions in the county's maximum levy will occur. If the county does in fact adopt a \$0.10 rate after the first year, then the county's total rate in that year would represent a new increase of \$0.05 over the year before CCD adoption. The only way to get to this new rate increase is to lose the \$0.05 rate from the maximum levy in the first year.

Temporary loans may be made from the CCD fund to any other fund. A temporary loan is meant to help with cash flow and as such it must be repaid before the end of the year.

The information in this memo was obtained from the State Board of Tax Commissioners. Please let me know if you require any further assistance.

In addition to that, Mr. Borries said he has been appointed to the Board of Directors of the Association of Indiana Solid Waste Management Districts (he doesn't know sometimes how he gets involved in these things) and they have a meeting scheduled this Wednesday at 1:00 p.m. in the Indiana Association of Cities and Towns offices. He thinks this may be the first meeting of this group. In any event, he will be up in Indianapolis. If there is any further information we need to get from Mr. Sigalow, who has been very helpful in giving a clear understanding of how this whole mechanism has been set -- we can talk with him at that time. He also says that in order to get to where we needed to be in relation to what has been done, this was the correct way it was adopted. But, again, it simply hits the \$0.05 in the first year, but will increase by \$0.05 in the second year.

President Tuley said, "So the hit on the General Fund is for one year only."

Commissioner Borries said that is correct.

Mr. Tuley said since there is this meeting called for Wednesday for Council, which he will be attending, would Mr. Borries mind if he took a copy with him so he can make copies for all the Council members. He said he is glad Commissioner Borries researched that; he appreciates it.

Mr. Borries said, "I think in any other year, you know, the greater questions have been we've gone in this county from somewhere around a \$4 million operating balance down to frankly far less than that -- \$500 some odd thousand. This impact would not have occurred and certainly does in the future allow some flexibility for us to be able to plan and do needed repairs on county facilities that have long been neglected. This would not have impacted had we not had such a small General Fund balance to carry over."

President Tuley said, "It wouldn't have the same effect, that's for sure." Mr. Tuley then entertained other matters of Old Business to come before the Board. There were none.

Installation of Stop Signs: Ms. Matthews said she did forget to mention that Bill Higgins of the County Engineer's office had called and the eight (8) new stop signs that were covered in a recent ordinance have now been installed and she has notified the Sheriff's Department to this effect.

RE: NEW BUSINESS

Holiday Schedule for 1995: Commissioner Tuley said he does have the Holiday Schedule for 1995 to be considered for adoption. There is o change from years passed.

Motion to approve the schedule, as submitted, was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered. Commissioner Tuley said if anyone wants a copy, same will be made available following the meeting.

President Tuley entertained further matters to come before the Board. There being none, he declared the meeting adjourned at 6:40 p.m., saying the Drainage Board will convene following a five minute recess.

PRESENT:

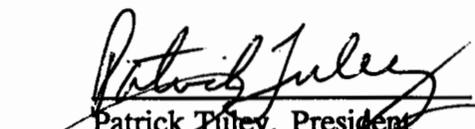
Patrick Tuley
Richard J. Borries
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
Mark Abell, Supt./County Bldgs.
John Stoll, County Engineer
Bill Morphew, Supt./County Highway
Joyce Moers/Burdette Park
Roger Hall (re Eickhoff-Koressel Rd.)
Mr. & Mrs. Bruce Biggerstaff
John J. Elpers, Jr.
John J. Bittner
Eric Williams/Deputy Sheriff
Jim Beck/Evansville Courier
Kyle Foster/Evansville Press
Steve Burges/WIKY

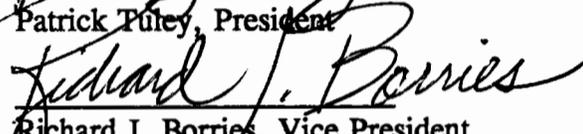
COMMISSION MEETING
March 28, 1994

15

ABSENT: Don Hunter

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President



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

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 28, 1994

5:30 P.M.

FINAL

5:40^{PM}

1. **CALL TO ORDER**
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS** - *Royal Hall re Krossell Rd. (13)*
 - A. **Approval of Commissioner Minutes** - *2/20/93 - 3/21/94 - RJS:PT*
 - B. Any group/individual wishing to address the commission
 - C. **Ordinance/Transfer of Surplus Property to Non-Profit Organizations**
re: **Second and Final Reading** - *app ✓*
 - D. **Mark Tuley/Burdette Park**
Lynn Ellis/Purchasing
re: **T-shirt quotes**
 - E. **Letter from Convention & Visitors Bureau**
re: **Resignation of Pete Helfrich from Pigeon Creek Green Way Committee**
 - F. **Letter from Biggerstaff Investments**
re: **Erosion of ditch/Baumgart Road and Heinlein Road**
5. **DEPARTMENT HEADS**
 - Alan Kissinger ----- County Attorney ✓
 - Mark Abell ----- Superintendent of County Buildings ✓
 - Bill Morphew ----- County Garage ✓
 - John Stoll ----- County Engineer(See attached requests) ✓

6. **CONSENT ITEMS**

A. **Travel/Education**

Health (5) Coroner (1)

B. **Claims for payment**

- (1) Keith Rounder.....1,301.65
- (2) Carl Heldt..... 752.50
- (3) Carl Heldt.....1,462.09

C. **Employment Changes**
see attached lists

7. **Scheduled Meetings - List attached**

8. **OLD BUSINESS**

9. **NEW BUSINESS**

10. **MEETING ADJOURNED** — 6:40 pm

DRAINAGE BOARD IMMEDIATELY FOLLOWING

COUNTY ENGINEER'S

CONSENT AGENDA

MARCH 28, 1994

- | | | |
|----|--|-------------|
| 1. | EMPLOYMENT CHANGES:
Release\effective 4/5/94 - Gary U. Kercher | |
| 2. | VOLKMAN ROAD BRIDGE - CHANGE ORDER | \$ 1,471.44 |
| 3. | CLAIMS:
VOLKMAN ROAD BRIDGE #2311 203-4343
CCC of Evansville Inv. #94001F | \$42,949.87 |
| | LYNCH ROAD EXTENSION 216-4827
Bernardin Lochmueller Inv. #92-032-2(7) | \$ 592.44 |

April 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1 91 / 274 April Fools Day Good Friday	2 92 / 273
3 93 / 272 Daylight Savings—set ahead 1 hour Easter	4 94 / 271 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm County Commissioners	5 95 / 270	6 96 / 269 3:30pm County Council	7 97 / 268	8 98 / 267 Pay Day	9 99 / 266
10 100 / 265	11 101 / 264 4:30pm Solid Waste 5:30pm County Commissioners	12 102 / 263	13 103 / 262	14 104 / 261	15 105 / 260	16 106 / 259
17 107 / 258	18 108 / 257 4:00pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	19 109 / 256 9:00am Insurance Comm.	20 110 / 255	21 111 / 254 9:00am Steering Comm. 5:00pm Pigeon Creek	22 112 / 253 Pay Day	23 113 / 252
24 114 / 251	25 115 / 250 4:00pm Exec. Session 5:30pm County Commissioners 6:30pm Drainage Bd.	26 116 / 249	27 117 / 248 3:30pm Personnel & Finance	28 118 / 247	29 119 / 246	30 120 / 245

March

S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, MARCH 18, 1994 THRU THURSDAY, MARCH 24, 1994

FRIDAY, MARCH 18, 1994

Gradall and one crew worked on St. Joe Road east of Slate.
Grader and one crew worked on Swope Lane.
Four patch crews worked on Green River Road.
Two tree crews worked on Boonville New Harmony Road.
One crew ran barricades.
One crew worked in garage repairing salt barn.

MONDAY, MARCH 21, 1994

Gradall and three crews cleaned debris and repaired washouts
on Old Henderson Road.
Trash crew ran regular routes.
One crew ran barricades.
One crew cleaned trucks.
One crew repaired salt barn.
Two tree crews worked on Boonville New Harmony.
Grader worked on River Road.

TUESDAY, MARCH 22, 1994

Gradall and one crew ditched and replaced culvert on Mann Road.
Two patch crews worked on Hillsdale and Volkman Road.
Two tree crews worked on Boonville New Harmony Road.
Gradall and two crews removed plow and spreader from #40.
Two crews hauled dirt.
Grader worked on Old Henderson Road.
One crew repaired salt barn.

WEDNESDAY, MARCH 23, 1994

Two patch crews worked on Old Henderson Road.
Gradall and one crew replaced culvert on Creamery Road.
Grader, gradall and two crews worked on Old Henderson Road.
Two crews hauled dirt to garage.
One crew cleaned trucks.
One crew ran barricades, one crew repaired salt barn.
Two tree crews worked on Old Henderson Road.

THURSDAY, MARCH 24, 1994

Two patch crews worked on Agathon and Schissler
Gradall and one crew replaced culvert on Fischer Road.
Gradall, Grader and two crews worked on Old Henderson Road.
Two tree crews worked on Boonville New Harmony Road.
One crew cleaned trucks, one crew repair salt barn and one crew
ran barricades.
Two crews hauled dirt to the garage.

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY, MARCH 18, 1994 thru THURSDAY, MARCH 24, 1994

FRIDAY, MARCH 18, 1994

Crew #1 - installed guardrail on Schmitt, pick up rock on Lexington.
Crew #2 - paint bridge railings on Bender Road, clean Boonville New Harmony, cleaned Emge Road bridge and Buente Road Bridge.
Crew #3 - clean vehicles.

MONDAY, MARCH 21, 1994

Crew #1 - repair pipe on #3 School Road.
Crew #2 - pick up concrete on Lexington, clean drains in Evergreen Acres, clean bridges and overpasses on Maryland and Delaware St.

TUESDAY, MARCH 22, 1994

Crew #1 - installed culvert on Mann Road.
Crew #2 - saw around 10300 & 10900 Fischer Road and Orchard Road around 1902 and 2205 East of St. Joe, also 2 cuts at Burdette Park.
Crew #3 - dig out to patch Hillsdale and Browning, and Volkman.

WEDNESDAY, MARCH 23, 1994

Crew #1 - install culvert on Creamery Road.
Crew #2 - rip rap hole on Nisbet Station by culvert wash out.
Crew #3 - dig out Agathon culvert for patching, dig out Lexington Ave.

THURSDAY, MARCH 24, 1994

Crew #1 - install 18" alum pipe just south of 10950 Fischer Road.
Crew #2 - repair cut over drain pipe on Lexington, install eliminators on bridges.
Crew #3 - dig out Agathon - Schissler Road.

Proposal #3

EVANSVILLE GARAGE DOORS INC
315 N Fares Ave
Evansville, IN 47711

Phone 426-1125
Fax 424-5517

March 25, 1993

Vanderburgh County Garage
Bill Morpew
5105 St. Joe Ave
Evansville, IN 47720

Phone 435-5777

We hereby Submit Specifications and Estimates to Furnish and Install materials necessary to:

- 1) Install on ready openings 2 Doors 14.2 x 12.6

Model 624 - Commercial - 2" - by Clopay - Ribbed Steel
Exterior - White - Torsion Springs - 1 Row Glass - 12" radius
- Inside Slide Lock - Non-Insulated - Vinyl Weather Stripping
- Reconnect Openers.

- 2) Cut out block and brick to enlarge two openings from 12.2 to 14.2. Haul away debris.
3) Install Jambs and Header on 2 openings
4) Reframe sides, top, and above opening. Cover new lumber with aluminum and/or vinyl.

TOTAL COST FOR PROJECT AS SPECIFIED: \$5,400.00

Respectfully submitted Cory Mills

Note: This proposal is limited and may be withdrawn by us if not accepted within 30 days.

All electrical lines, air lines, gas lines, etc. moved by others prior to installation of doors. Evansville Garage Doors not responsible for any further erosion to block or brick caused by demolition or by installation of garage doors. All material is guaranteed to be as specified, and the work to be performed in accordance with specifications submitted for the above work and work to be completed in a workmanlike manner. Any alteration or deviation from the above specifications involving extra cost, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon accidents or delays beyond our control Owner to carry fire, tornado and other necessary insurance upon above work. Our workers are fully covered by Workman's Compensation Insurance.

Acceptance of proposal

Patricia J. Jones
President

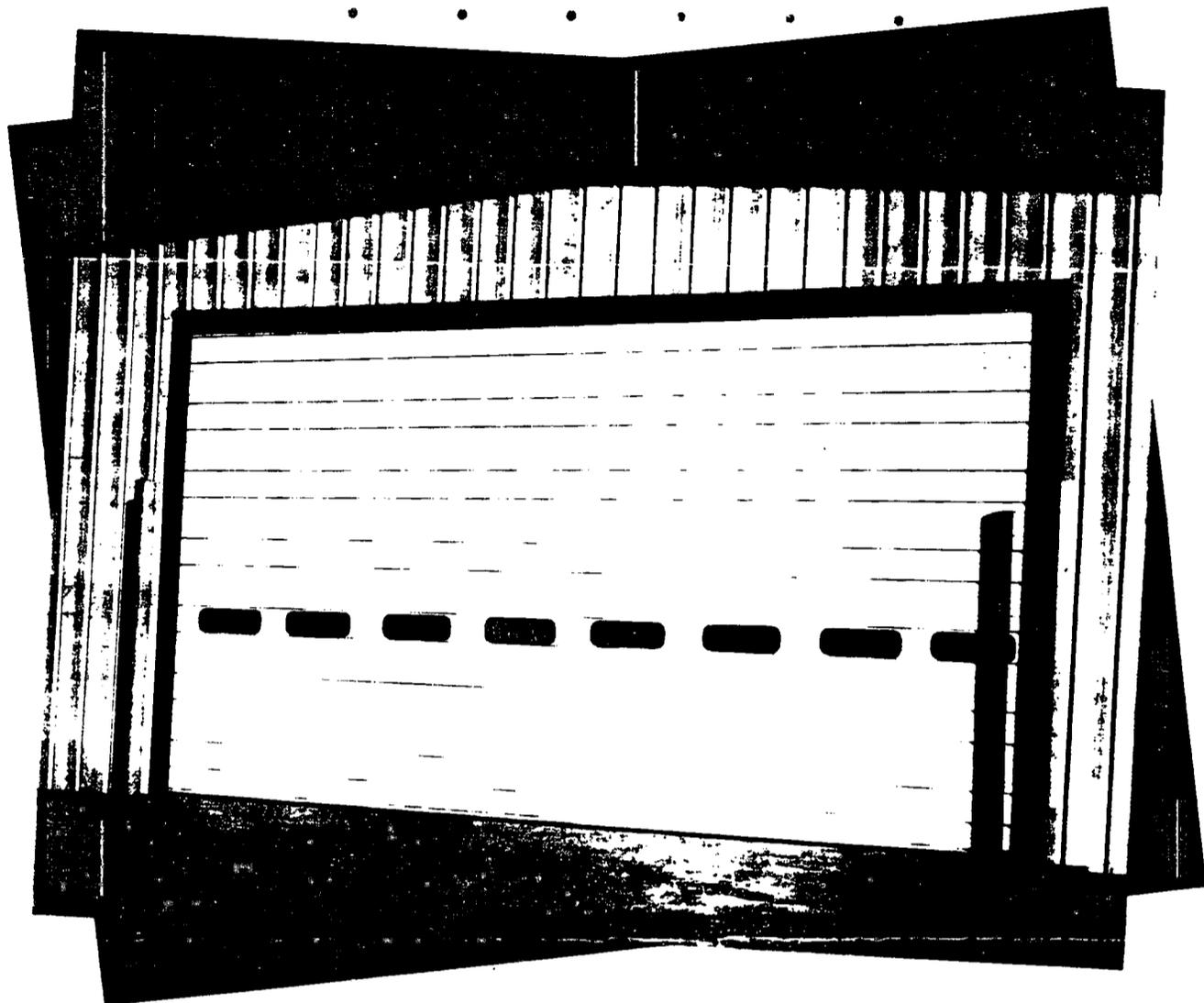
Date of Acceptance

3-28-94

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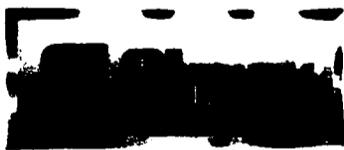
6 2 4 / 6 3 4

24 GAUGE RIBBED STEEL DOORS



MODEL 624 STANDARD ▼ MODEL 634 INSULATED

- ▶ 2 1/8" thick sectional steel ribbed door
- ▶ 24" gauge (.023" min.) heavy duty steel skins are G-60 hot-dipped galvanized, coated inside and out with an epoxy primer and finished with a baked-on white or brown polyester top coat for maintenance free performance
- ▶ Available non-insulated or insulated with environmentally-safe expanded polystyrene molded to the section
- ▶ 2" wide rustproof Tog-L-Loc construction with safety rivets and welds
- ▶ 5-year warranty against rust through
- ▶ Multiple optional window and track configurations available
- ▶ Doors are complete with all hardware, track and springs





VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for March 28, 1994

1. Travel request for Bill Higgins and David Franklin to attend a HERPICC traffic workshop in Jasper, IN on 5/4/94 — *R3/1/94*
2. Letter from Mr. Jack W. Turpin regarding the removal of the median on St. Joseph Avenue north of Diamond Avenue —

BIGGERSTAFF INVESTMENTS

8150 BURCH PARK ROAD EVANSVILLE, INDIANA 47711 PHONE (812) 867-5431

9 March 1994

Mr. Richard Borries
Vanderburgh County Commissioners
Admin. Bldg. -- Civic Center Complex
Evansville, Indiana 47708

Dear Mr. Borries:

On Tuesday, 22 February 1994, I met with Bill Morphew of the Vanderburgh County Highway Department. Mr. Morphew had expressed his concerns regarding errision of the ditch along the east side of the bridge on Baumgart Road near the intersection of Heinlein Road.

We went over the construction plans for Baumgart Road Commercial Park which shows an open ditch along the west line of Lot # 6 (see attached drawing). As the developer of the project, I will install an extention of approximately 72 L.F. of 48" pipe within the County's right-of-way at no charge to the County, if the County will furnish the materials for construction. These materials will consist of

1. Approximately 72 L.F. of 48" pipe
2. 40 Ton of # 5 Stone
3. 25 Ton of Rip-Rap.

If this is acceptable, please contact me at (812) 867-5431.

Yours truly,


Bruce A. Biggerstaff

BAB/mo

encl.

PLEASE ROUTE TO:

RICK BORRIES
PAT TULEY
DON HUNTER
OTHER Mister

*Copies sent to
J. H.*

THE *Speedy* OILER

4711 Bellemeade Avenue
Evansville, IN 47714
812-476-0535

2920 N. St. Joseph Avenue
Evansville, IN 47720
812-426-2819

March 21, 1994

County Commissioners
Vanderburgh County
305 Civic Center Complex
1 N. W. Martin Luther King, Jr., Blvd.
Evansville, Indiana 47708-1832

Dear Sirs;

I would like to request the topic of removal of the divider median on St. Joseph Avenue, North of Diamond Avenue, be discussed at your next meeting.

What we would propose is a possible joint venture of County and Property owners of the removal of the median and replace it with a center turn lane.

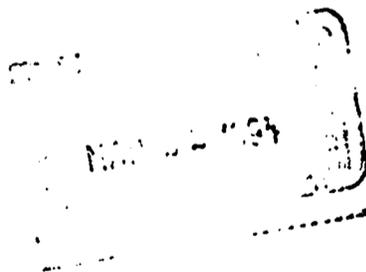
This action, I feel would benefit both property owners and the County with growth and development in this area of the city. Thank you for your attention to this matter.

Respectfully submitted,



Jack W. Turpin, Owner
The Speedy Oiler, Inc.

JWT:bjs
cc: John Stoll



2609 Westchester Drive
Evansville, IN 47720
March 25, 1994

Mr. Pat Tuley, County Commissioner
Number One Martin Luther King Boulevard
City-County Administration Building
Civic Center Complex Room 305
Evansville, IN 47708

Dear Mr. Pat Tuley

In January of this year I purchased a home located at 2609 Westchester Drive. Westchester Drive is located one block west of the county garage on the corner of St. Joseph Avenue and Mill Road.

The horseshoe shaped road that runs through this small county sub-division is in need of some serious repairs or complete renovation. Trying to find a clear path to drive on this road is a task during the day and nearly impossible at night. There are several washout's, loose chunks of concrete, and numerous potholes (both small and large). The street over the past 20 to 22 years has settled about two to three inches below the grade of almost every driveway on this street.

After speaking with a co-worker of mine, Dennis Heathcott, about my concerns he suggested that writing a letter might be a way to bring this matter to the attention of the Board of Commissioners of Vanderburgh County.

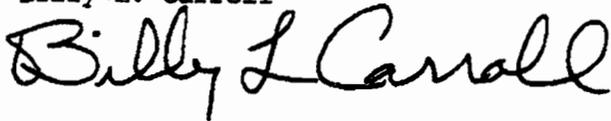
As I stated earlier this sub-division has been around for about 20 to 22 years. It has been explained to me, "the new kid on the block", that this street has never been the subject of any significant road work.

This is an appeal to your sense of understanding and commitment and I am asking you to personally visit this location before attending the public forum on county roads on April 4, 1994.

Thank you for your time and any personal consideration you give to this matter.

Sincerely a concerned county home-owner

Billy-L. Carroll





VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel (812) 424-9663

March 31, 1994

Mr. Billy L. Carroll
2609 Westchester Drive
Evansville, IN 47720

Dear Mr. Carroll:

Vanderburgh County Commissioner Pat Tuley referred your letter concerning the condition of Westchester Drive to me at the County Commission meeting on March 28, 1994. Although Westchester Drive is in need of major repairs, there is unfortunately nothing that the County can do to repair this road. This is due to the fact that this road was never accepted for maintenance by the County when the road was originally constructed. As a result, the County cannot use its funds to repair or replace this road since it is not a County road.

In order for the road to be accepted by the County, it would need to be repaired to meet County standards. This would have to be done at the expense of the property owners along the road. Once the repairs are made, the road could be officially accepted by the County through a vote by the County Commissioners at a Commission meeting.

If you and other residents along this road would like to pursue repairing this road in order to have it accepted by the County, personnel from this department could assist you in determining what repairs would need to be made to the road in order for it to be accepted. Please contact me at 435-5773 if you would like to discuss this further.

If you have any questions concerning this, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "John Stoll".

John Stoll, P.E.
Vanderburgh County Engineer

cc: Pat Tuley

EVANSVILLE
CONVENTION & VISITORS BUREAU

agenda
PAT P
DCN

March 8, 1994

Mr. Rick Borries, President
Vanderburgh County Commission
7515 Taylor Circle
Evansville, IN 47715

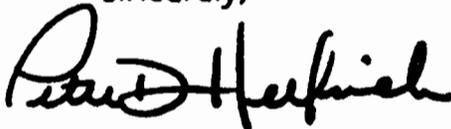
Dear Rick:

I was honored when you appointed me to the Pigeon Creek Greenway Committee. However, I find that I must resign from the committee. There are several reasons for this decision and I am supported in this decision by the President of the Bureau.

With the passage of the increase in Inn Keepers Tax I will be doing the administrative work for the Bureau Board. We know that this project will be one of the first to be considered and I wish to avoid any potential conflicts. Also, I have been directed, as a co-chairman of the legislative and lobbying committee, to begin advocacy work that may conflict with the directions given to me by my board and the elected officials who appoint them. It is something I wish to avoid.

I would like to continue being informed of future plans and I would like to be involved in so far as my position will allow. I wish the Greenway Committee well in all endeavors and I thank you.

Sincerely,



Peter D. Helfrich
Executive Director

Copy: Shirley James, Co-Chairman of the Green Way Committee
Joe Vezzoso, Jr., President of the Evansville CVB
Pam Martin, Co-Chairman of the Lobbying/Legislative Committee

COPY

**LEGISLATIVE SERVICES AGENCY
Office of Fiscal and Management Analysis
302 State House
Indianapolis, Indiana 46204-2789
(317) 232-9855
(317) 232-2554 (FAX)**

FAX COVER SHEET

**TRANSMITTED TO: Mr. Rick Borries
Vanderburgh County Commissioner**

TRANSMITTED BY: Bob Sigalow (317)232-9859

DATE: March 28, 1994

Number of Pages to Follow This Cover Sheet: 1

MESSAGE:

Here is the information that you requested. I hope this is helpful.

SPECIAL ORDINANCE OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY FOR THE TRANSFER OF
SURPLUS PROPERTY TO NONPROFIT CORPORATION

WHEREAS, I.C. 36-1-3-1, et seq., authorizes the county executive to adopt an ordinance prescribing a specific manner for exercising a power for which there is no other specific constitutional or statutory provision;

WHEREAS, I.C. 36-1-11-1(b)(7) allows the sale or lease of property to Indiana nonprofit corporations that are exempt from federal taxation pursuant to Title 26 U.S.C.A. §501, without compliance with other requirements of I.C. 36-1-11-1, et seq.; and,

WHEREAS, Vanderburgh County does, on occasion, become the owner of surplus real and personal property;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Vanderburgh County, as follows:

1. The Board of Commissioners of Vanderburgh County, as "disposing agent" as defined in I.C. 36-1-11-2, is hereby authorized to dispose of property by transferring or selling it to any Indiana nonprofit corporation organized for educational, literary, scientific, religious or charitable purposes that is exempt from federal income taxation pursuant to Title 26 U.S.C.A. §501;

2. Prior to the approval of any such transfer of property, the Board of Commissioners shall conduct a public hearing, after giving notice required by I.C. 5-3-1 at least ten (10) days before the date of said hearing. Said notice shall include a statement that the hearing is open to the public, and shall contain a description of the property to be sold, or transferred, street address, legal description and key number (if applicable) as maintained by the Vanderburgh County Auditor, pursuant to I.C. 6-1.1-1-8.5 and I.C. 6-1-1.5, and the general terms of said sale or transfer;

3. At said public hearing the Board of Commissioners may establish additional terms and conditions of transfer which shall be included in the official minutes of said hearing;

4. Any prospective transferee must show proof that it is, in fact, an Indiana nonprofit corporation, as defined by Title 26 U.S.C.A. §501, prior to the date of the public hearing; and,

5. On compliance with the terms and conditions set forth above, the Board of Commissioners shall execute a deed or other appropriate form of transfer of property to the nonprofit corporation.

RECEIVED FOR RECORD

at 1:22 P M
MAR 29 1994
BETTY L. HARRIS, CLERK
VANDERBURGH COUNTY

This ordinance shall become effective on the date that it is adopted by the Board of Commissioners of Vanderburgh County and signed by its president.

Date: 7:00 AM 28, 1994

Pat Tuley
Pat Tuley, President
Board of Commissioners of
Vanderburgh County

ATTEST:

Sam Humphrey
Sam Humphrey,
Vanderburgh County Auditor

BY: _____

APPROVED AS TO FORM:

Aldn M. Kissinger
Aldn M. Kissinger
Vanderburgh County Attorney

LEGISLATIVE SERVICES AGENCY
Office of Fiscal and Management Analysis
302 State House
Indianapolis, Indiana 46204-2789
(317) 232-9855
(317) 232-2554 (FAX)

MEMORANDUM

To: Mr. Rick Borries,
Vanderburgh County Commissioner

From: Bob Sigalow, Senior Fiscal Analyst 

Re: Cumulative Capital Development Fund

Date: March 28, 1994

This memo is written in an attempt to clarify Vanderburgh County's budget situation in relation to the adoption of the Cumulative Capital Development (CCD) fund.

The CCD levy is considered to be "outside" of the county's maximum levy limit. Some counties have not adopted a CCD levy. In order to not "penalize" those counties for not adopting the CCD levy, the State Tax Board allows them to exceed their maximum levy by increasing the tax rate by \$0.05.

When a county that has adopted a local option income tax first adopts the CCD levy, it must adopt a \$0.05 rate. In that first year, the county will lose the \$0.05 rate increase in the maximum levy that was previously granted. This leaves the total county tax rate the same in the first year.

After the first year, the county may increase the CCD rate to \$0.10. No further reductions in the county's maximum levy limit will occur. If the county does in fact adopt a \$0.10 rate after the first year, then the county's total rate in that year would represent a net increase of \$0.05 over the year before CCD adoption. The only way to get to this net rate increase is to lose the \$0.05 rate from the maximum levy in the first year.

Temporary loans may be made from the CCD fund to any other fund. A temporary loan is meant to help with cash flow and as such it must be repaid before the end of the year.

The information in this memo was obtained from the State Board of Tax Commissioners. Please let me know if you require any further assistance.

Subject: Koresell-Eichhoff Rd. From Hwy. 66 to Interstate #64

Mr. Pat Tuley

- I. Introduction
- A. My Name & Address *Roger Hall*
 - B. Subject: Koresell-Eichhoff Rd. from #66 to #64
 - 1. We Prefer route C-2 over C which is through my home.
- II. Timing problem on dates
- A. My building Permit-Pole Barn was 7-10-90
 - " " " -Home 4/89 moved into home 11/89.
 - B. Letter from Vand. Cty. Engrs was 10-22-90
 - 1. Area Plan Commission didn't inform me.
 - a. Dr. Kiecle had these notation in my offer in 1980 about roads. This shows that I did pursue this.
 - C. Original route was 3/8 mile to the East of me per 1960 Press Clippings.
- III. Representation
- A. Mr. Larry Lutz's Letter on Hwy.
 - B. 50+ businesses wrote letters for me.
 - C. Petitions nearing 1,000+ for route around my home
 - 1. Someone from your office even admitted this was a large response.
- IV. Fewer Homes/Families displaced
- A. Route C through my home has 15 homes while Route C-2 around my home has only 13 homes removed per Bernardin Lockmueller
 - 1. Of these (13) homes, 1 home is not occupied due to elderly lady is in a rest home.
 - 2. One homeowner is on record that she would rather the road go thru her home than to live near it.
 - 3. Results in 15 homes in Route C while it changes Route C-2 (around my Home) to 11 families who may resist this road. & are affected.
- V. Representation
- A. The letters & Petition we ask humbly to be heard
 - 1. Letter from Another road project party states that our letters/hearings do no good due to decision was already made.
- VI. Advantages of Route C-2 (around my home)
- A. Noise reduction to Sub-division near Neu Rd
 - B. Noise Reduction to St. Joe School
 - C. Hazardous waste highway-move exposure to St. Paul's & St. Joe's church and St. Joe's School farther away by 500-1200 feet.
- VII. Conclusions for C-2 around my home.
- A. Further from Churches & school.
 - B. Preferred route-See Petition on file by West side residents
 - C. " " -for many people on both routes.
 - D. Consideration for only 1 home newly built in 1989 & Pole Barn in 7/90.
 - E. Has fewer lives disrupted by C-2
 - F. As elected officials we would like you to vote along with the majority of residents affected by this just as you were also elected by the majority of voters.

Thank you,

Roger Hall

DEPARTMENT OF BUILDINGS EVANSVILLE-VANDERBURGH COUNTY, IN 812-426-5463

Approved by State Board of Accounts for Evansville - Vanderburgh County Department of Buildings - 1984

PERMIT [REDACTED]		DATE: [REDACTED]	
LOCATION: [REDACTED]		TOWNSHIP: RD	PERMIT TYPE: BERMA STRUCTURAL
BUSINESS NAME: [REDACTED]		APPLICANT: ROBER HALL	LICENSE NO: [REDACTED]
OWNER: ROBER HALL		BUSINESS NAME: [REDACTED]	TRADE: [REDACTED]
ADDRESS: [REDACTED] PHONE: [REDACTED]		ADDRESS: 7845 W. ST JOSEPH RD. EVANSVILLE IN 47712 PHONE: 8129634341	
OCCUPANCY: FULL BARN	NO. STORES: [REDACTED]	NO. BLDG: [REDACTED]	NO. UNITS: [REDACTED]
CLASS OF WORK: NEW		TYPE CONST: 05	SOFT: 1,200
ZONE TYPE: [REDACTED]		ZONE PERMIT: 90-1048	TAX CODE: 9-22-20
SEWER PERMIT: [REDACTED]		FIRE PREVENTION: [REDACTED]	BUILDING SAFETY: [REDACTED]
[REDACTED]		APPLICANT'S SIGNATURE: <i>[Signature]</i>	[REDACTED]
[REDACTED]		FEE: 24.00	PENALTY: .00
[REDACTED]		TOTAL: 24.00	

Section II

- 05 Wood (Brick Veneer, Pole)
- 07 Pole / Frame
- 02 POLE BARN CONSTRUCTION



VANDEBURGH COUNTY ENGINEERING DEPARTMENT

Vanderburgh County Auditorium 715A Locust Street, Evansville, Indiana 47700

Phone: (812) 424-9600

Gregory W. Curtis P.E. County Engineer

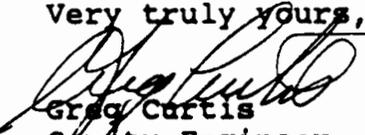
October 22, 1990

Mr. & Mrs. Roger O. Hall
10545 St. Wendel Road
Evansville, Indiana
47712

Dear Mr. & Mrs. Hall:

The Board of Commissioners of Vanderburgh County has engaged the firm, Bernardin Lochmueller and Associates, to conduct initial engineering studies and prepare the required environmental documents for the extension of Eickhoff Korressel Road from SR 66 to I-64 in western Vanderburgh County. They are beginning to investigate various feasible routes. The study area involves approximately 12 square miles. No route has been determined at this date. In order for our consultant to evaluate possible routes and their environmental and social impact it may be necessary for their employees to enter upon the land for the purpose of walking and visually inspecting. It is for this reason that we are sending you this survey notice. Receipt of this notice does not necessarily mean that your property will be affected by the proposed route nor that we will find it necessary to enter upon your property. Field personnel have been instructed to be courteous, and to avoid any damage of any sort to your property. After initial studies have been completed the County will hold public information meetings and or public hearings to explain the project and gather public input into the process. We wish to thank you in advance for your cooperation in this matter. Should you have questions, please contact Bernardin Lochmueller and Associates at 426-1737.

Very truly yours,



Greg Curtis
County Engineer
Vanderburgh County

Section II



STATE OF INDIANA
HOUSE OF REPRESENTATIVES

THIRD FLOOR STATE HOUSE,
INDIANAPOLIS, INDIANA 46204

LARRY E. LUTZ
2736 W VIRGINIA STREET
EVANSVILLE, IN 47712

1993-94
COMMITTEES
ENVIRONMENTAL AFFAIRS CHAIRMAN
LABOR
PUBLIC SAFETY
ROADS AND TRANSPORTATION

2 August 1993

Fred P'Pool, Commissioner
INDOT
100 N Senate Ave Room N755
Indianapolis, IN 46204

Dear Commissioner P'Pool:

Roger Hall, a constituent of mine, has asked me to write to you on his behalf concerning the Eickhoff-Koressel Road extension plans near the University of Southern Indiana in Evansville.

The extension, which will link Indiana 62 and Interstate 64, will run right through Mr. Hall's home. Mr. Hall has proposed an alternative route that passes west of his home by approximately 1,000 feet.

I am asking that you please consider this alternate route as a definite possibility in the plans for the extension.

Thank you very much for your consideration.

Sincerely,

Larry E. Lutz
State Representative

LEL/lrh

Section III

PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. 300 N
Eville, In. 4771

We, the signors of this petition do ask the Vanderburgh County Commissioners, House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Al Debas	3200 KLEITZ	9635713
2. Jerry Wilson	9002 #3 School Rd.	9633149
3. Ronald Schmidt	5105 Kleitz Rd	963-3120
4. David Silenbender	807 Werner Ave	485-3854
5. Jim Balbach	6520 White Pine Drive	963-9542
6. James Wiers	3217. S. NORMAN	479-4137
7. Randy & Beull	3315 W. Franklin St	425-4554
8. Ron Eickhoff	12700 Hwy 65	963-6914
9. Donald Maurer	8225 KNEER RD.	963-6203
10. Stephen Maurer	7800 DRY BRANCH RD	867-6182
11. Joe Helott	10200 BASLING RD	963 9410
12. Allen Graugh	3431 N. Red Bank	963-6959
13. MIKE KESSLER	1629 Emig Ave	468-9408
14. Jeff Akin	7201 Redwood Ave	963-5694
15. CARL MASON	9819 BLAKE RD.	963-6262
16. Jim Volker	WADSVILLE, 12101 Hwy. 65	963-5260
17. Richard A. Mason	9819 Blake Rd	963-6262
18. D. T. Turner	Wadsworth, 8944 HWY 65	963-3377
19. Margie Hartmann	8230 Big Cynthia Rd.	963-5706
20. Bob Hartman	8230 Hwy 65	963-5706
21. Joy Annan	4106 Broadway	424-4004
22. Rife Zuman	" "	" "
23. Ken Foy	6701 Northfield Dr.	867-1905
24. Ad string	14000 Big Cynthia	963-5853
25. Catherine Kring	" "	" "

111

PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe
Ellettsville, In. 4772

We, the signors of this petition do ask the Vanderburgh County Commissioners, House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

	Name	Address	Phone #
1.	Kathy Schenk	7230 Moss Creek Way	963-6968
2.	Don Schenk	7230 Moss Creek Way	963-6968
3.	Paul D. Hubbard	12005 HENRY	963-6381
4.	Everett Baylor	11220 Karendale	963 9085
5.	Becky Dasher	6620 W. Schmitt Ln.	963.5952
6.	Phil Dasher	6620 W. Schmitt Ln.	7635882
7.	John Rfy	10000 St. Wendel	9635851
8.	Christy	"	"
9.	Susan Baylor	11220 Karendale Ct.	963-9085
10.	Connie S. Gees	11802 Big Cynthia Rd.	963-6023
11.	Debbie Clem	5607 Westbraun Ln.	963-6729
12.	Jean Martin	3431 Orchard Rd.	963-8069
13.	Connie E. Gries	10410 Eg Corn Rd	9636682
14.	Tom Clem	5607 Westbraun Ln.	963-6729
15.	Vernon Gries	10410 Big CYNTHIANA Rd	963-6682
16.	Jim Martin	3431 Orchard	9638069
17.	Bob J. Fehrenbacher	9707 Zahn View Dr	963 6217
18.	Mary K. Fehrenbacher	" "	"
19.	Charles Schwartz	3941 Kleitz Rd	963-9210
20.	Angie Schwartz	" "	"
21.	Patricia Hill	9615 St. Wendel Rd.	963-6135
22.	Chris Hill	" "	"
23.	Ronald A. Rhye	7217 W. ST JOE Rd	963-5826
24.	Bob Bachl	7630 Market Pl. Dr.	963 5921
25.	Rick Weber	4636 Kuebler Rd	963-3965

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PETITION FOR KATHY & ROGER HALL
 KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe Rd
 E'ville, In. 4772

We, the signors of this petition do ask the Vanderburgh County Commissioners House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Bill Knapp	R.R.#1 Ft. Branch	753-4085
2. Connie Gaeckle	2701 Rexing Rd., Wadesville, In	963-6039
3. Mel D. Knapp	10401 Schaeffer Rd - Evansville	963-6323
4. Dave Loechte	Schnellville Ind.	389.2252
5. Kathy Knapp	10401 Schaeffer Rd.	963-6323
6. Cindy Effinger	1825 Rexing Rd Wadesville, In	985-9440
7. Joe Effinger	1825 Rexing Rd Wadesville, Ind	9859445
8. Gene Kiesel	RR#1 Ft. Branch	753-4700
9. Frank Kiesel	RR1 Box 50 Haubstadt	768-5544
10. Donna Kiesel	Fort Branch	753-4700
11. Dorothy Knapp	RR#1 Haubstadt	768-6840
12. Alma Lamey	R#1 Haubstadt	768-6340
13. Terry Lamey	RR#1 Haubstadt	768-6963
14. Dolores P. Kiehl	R.#1 Box 50 Haubstadt, In.	768-5345
15. Tom Martin	12620 OLD STATE RD EVANSVILLE	967-2515
16. Anthony Gaeckle	2701 Rexing rd Wadesville	963-6039
17. Norma Powell	5807 Autumn Dr Evansville	2570834
18. Ruth Powell	St 17 N. Cretcher Ind.	317-4574031
19. John Kiesel	2701 Rexing Rd Wadesville, IN	963-6039
20. Elmer Kiesel	RR#1 Haubstadt, In.	768-5345
21. Marilyn Loecht	6473 E Schnellville St Anthony In	389-2252
22. Bill Sandifer	12620 N. 136 W	273-3411
23. Jerome Lamey	RR#1 Box 338 Haubstadt In.	768-6340
24. Rich Wiggins	307 Eastern Ferry Rd.	273-3830
25. Judy Wiggins	307 Eastern Ferry Rd	273-3830

PETITION FOR KATHY & ROGER HALL
 KORRESSEL-EICHOFF ROUTE

7500 N. ...
 E'ville, In. 477

We, the signors of this petition do ask the Vanderburgh County Commissioner House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

	Name	Address	Phone #
1.	Patty Jacobs	721 N. Lemcke Ave.	426-1787
2.	Logan Jacobs	721 N. Lemcke Ave	426-1787
3.	Betty Kelley	719 N. Lemcke Ave.	422-5642
4.	Misha McFarland	717 N. Lemcke	428-3972
5.	Darla K. Sutton	309 S. Elm St	423-2150
6.	Candelyn Carter	717 N. Lemcke	428-3972
7.	Sarah Carter	717 N. Lemcke	428-3972
8.	Mike Michel	205 S. BARKER	423-1214
9.	Ruby L Michel	715 N. Lemcke Ave	425-6769
10.	Carol Masten	723 N. Lemcke	425-7049
11.	Stacy Masterson	723 N. Lemcke	426-2049
12.	Robert A. Hoover Jr.	8500 GREYWING DR	853-6632
13.	Garn Hurst	8500 Greywing Dr.	853 66 33
14.	Geraldine Gray	4645 Barton Ln.	963-5832
15.	Estil Gray	" " "	"
16.	Mandy Knapp	10821 E Sunset Dr	985-5304
17.	Norman Knapp	3407 Sweetser Ave	477-2136
18.	Patricia Knapp	5305 A. Paris Ave	428-6343
19.	Melba L. Knapp	3407 Sweetser	477-2136
20.	Thomas M. Cook	1809 E. Lowell	477-1097
21.	Sue Carr	7828 D Country Ct.	476-7086
22.	Daniel Quincy	664 S. Almond Blvd	476-3623
23.	Allen Boring Jr.	1435 WESTWOOD HILLS DR	424-9364
24.	Jane E. Boring	" " "	424-9364
25.	Nellie Heugel	510 Coffee Tree Lane	985-3686

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PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe
E'ville, In. 4

We, the signors of this petition do ask the Vanderburgh County Commission House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Steve Mould	6939 Northfield Dr	867-7966
2. Scott R. Watters	3500 Elmridge	477-7894
3. James W. Cullison	828 Douglas Drive	425-0828
4. Todd A. Zabel	623 S. Harlan	422-3552
5. John A. Zabel	301 ORIOLE PR.	473-2489
6. John A. Zabel	3821 Teena Terrace Ct	479-8526
7. Corbin Wilderman	1903 S. Philip	985 9177
8. Patty Schenk	11014 Wheeler	985-3466
9. Mark R. Schiff	10818 Orchard Lane	963-3674
10. Lynell Brewogel	471-6 Applewood	425-6607
11. Carl Ruckman	244 Jefferson	423 2025
12. Cheryl T. Mudd	6939 Northfield Dr	867-7966
13. John A. Zabel	8501 DARMSTADT ROAD EVANSVILLE	867-2272
14. John A. Zabel	1060 Diamond Ave EVANSVILLE	425-4428
15. John A. Zabel	1060 Diamond Ave.	425-4428
16. Mark Klossch	1060 Diamond Ave	425 4428
17. Carla Manzi	1060 DIAMOND AVE	425-4428
18. John A. Zabel	1060 "	425-4428
19. Herbert Komor	1020 Purgan	424-1898
20. John A. Zabel	976-Pibble Creek Nashville	(502) 826-2515
21. John A. Zabel	2745 Sun Mill Dr	474-9549
22. John A. Zabel	1280 S. Weinbach	464-5493
23. John A. Zabel	5698 Kenwood NEUBURGH	—
24. Louis M. Schmidt	1271 E. MORGAN AVE EVANSVILLE, IND	423-2738
25.		

PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe
Elville, In. 47

We, the signors of this petition do ask the Vanderburgh County Commission House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Don Meyer	110 Athens Ave	422-0190
2. Bob Brown	11 E. Olmstead	424-4458
3. Ralph Chapman	1412 Brentwood	477-1263
4. Mike Stovington	1907 N. Winbush	424-4453
5. Eddie Johnson	7222 OAKDALE	471-2000
6. Stump	RT1 305	471-2000
7. Joe Alz	3077 Summit Ct	5537193
8. De Bully	202 OLDE NEWBURN	858-2402
9. J. Heath	200 N Royal	471-2050
10. Shrimp King	2820 Sunset #56	827-4805
11. Art Oldham	6701 E. Oak	479-1737
12. Al Beyer	1949 E. Rnsolina	867-0501
13. Wm R. Harper	1966 S. Ky	424-9440
14. Debbie Hood	1106 Harriet	423-5694
15. Joe Barber	500 GUN POWDER LN	8672213
16. Terry Couch	1663 S. Gilchrist	426-757
17. Kathy Russell	1501 Brookdale Dr	467-0254
18. Doug Russell	1501 Brookdale Dr.	467-0254
19. Bob Russell	310 Riggs Ave.	424-8894
20. Peggy Russell	310 Riggs Ave	424-8894
21. Blum Fitzgerald	25 W Indiana	479-3090
22. Ralph Norman	11610 Broadway	985-5950
23. Ann Sizell	400 W. Booth Street	424-5814
24. Eric Paul	445 Washington	838-9670
25. Randy Ball	3329 Forest Ave	425-9402

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PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe
E'ville, In. 47

We, the signors of this petition do ask the Vanderburgh County Commission, House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Ann Vieira	15820 Old Brucetoo Rd	867-5047
2. Emily Hallmeister	8301 Larch Lane	867-3434
3. Martin Remeini	8102 Pine Creek Dr.	867-5587
4. Gordon L. Wetzal	7004 New Maple Dr	867-5492
5. Kara Carlin	309 Laywood Dr	426-9979
6. Greg Carlin	309 Laywood Dr	426-9979
7. Paula Minor	5616 Stringtown	425-3013
8. Carolyn Knopfmeier	1731 Brentlynn Ct	867-5240
9. Bill Hallmeister	8301 Larch Lane	867-3434
10. Lavern Fleck	8825 State	9636679
11. Kay Beshus	4131 Kuehler	9635284
12. Don Baumgart	10817 Brushridge	9630908
13. Debbie Baumgart	10817 Brushridge	9630908
14. Martha Lambert	1807 Western Hills	425-1773
15. Arnold & Sherkin	1807 Western Hills	425-1773
16. Cathy Crowder	5601 W St Joe Rd	963-9045
17. Joe Crowder	5601 W St Joe Rd	963-9045
18. Elizabeth J Murray	10288 Tecumseh	8535186
19. Thomas R. Murray	10288 Tecumseh	8535186
20. James E Helmer	13520 St Joe Ave	963-3115
21. Susan M. Helmer	13520 N St Joe Ave	963-3115
22. Diane Hill	309 Welworth	479-7445
23. Sr. Bridget Arnold	7725 St Wendel Cyn Rd.	963-6761
24. St. Rosalita	1337 Thompson Ave	416-1980
25. Theresa Weingartner	731 SE Riverdale Dr	422-6449

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PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe
Eville, In. 47

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KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Jane Sandefur	290 Sandefur Rd	273 5194
2. Maurie Sandefur	290 Sandefur Rd	273 5194
3. Leona Sandefur	1149 My 1233	273-352
4. John B. Roseman	RR2 Box 1541A Fort Branch	753-4484
5. Alf Kiesel	RR1 Box 453	753-3293
6. Diane Kiesel	RR#3 Box 216 Owensville	729-7888
7. Ann Kiesel	RR#3 Box 216 Owensville	729-7888
8. Edith Knapp	P.O. Box 182 Abubottel	768-6227
9. Larry Kiesel	RR#3 Box 216	729-7888
10. Ruth Hall	7545 W. St. Joe Rd	963-6341
11. Kathy Hall	- - -	963-6341
12. R. A. King	200 South Parker	unlisted
13. Ann K. King	" "	" "
14. Greg Hammon	104 Thorpe W. Chandler	925-7910
15. Star Cony	2600 N Lafayette Ave	426 2973
16. Kathy Cony	2600 N Lafayette Ave	426 2973
17. Harold Hall	4201 Meadowridge Rd	423-3446
18. Bee Hall	- - -	- - -
19. Shaw O'Kane	5700 Plainview Dr	963-9547
20. Pat Kane	5700 Plainview Dr	963-9547
21. Jane Dypfel	4010 Double Pond	963-5911
22. Donna Dypfel	4010 Double Pond	963-5911
23. Bob Dypfel	2949 W. Boonville New Harmony Rd	963-6129
24. Mary Schmitt	3220 Orchard Rd	963-6367
25. A. Marilyn Schreiner	6106 W. St. Joe Rd.	963-3335

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PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. ...
Eville, In. 4

We, the signors of this petition do ask the Vanderburgh County Commission House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

	Name	Address	Phone #
1.	James Knapp	10441 Edmonson Island Rd Wadesville Ind.	963-6963
2.	E. Ivira Knapp	" " "	"
3.	John Goodale	Dranford Ind Rd	963-35354
4.	James Goodale	" " "	9635354
5.	Carolyn Goodale	Alum Rd	963-6551
7.	Walter Goodale	Wagon Rd	963-6531
8.	Kate Anderson	10311 W. Bonville New Har Rd	9635938
9.	Edward R. Grelinger	10311 W. Bon. N. Harmony Rd	9635938
10.	Earlene Elpers	12320 Cigarette Rd	963528
11.	Gene Elpers	12320 " "	"
12.	Lynn Elpers	" "	"
13.	Bruce Elpers	" "	"
14.	Alisha Perry	5206 James Ave.	
15.	Billie Smith	328 Sequoia Dr.	424 6613
16.	Glynn Perry	5208 James Ave.	425-3652
17.	Patricia Perry	5206 James Ave	424-6613
18.	John M. Mearns	5901 St Paul's Dr.	424-6613
19.	Thomas J. Mearns	5901 St Paul's Dr	963-6632
20.	Steven Mearns	5533 W. St Joe Rd	963-6641
21.	Mark Mearns	13025 St. Wendel Rd	963-3435
22.	Lornie McHarris	7413 Washington	476 5211
23.			
24.			
25.			

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PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. JO
E'ville, In.

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KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Cecilia Kuester	9176 New Road	963-5155
2. Odous Stupp	7320 H.L. School Rd	963-6524
3. David Hays	7101 Kupper Rd	963-5113
4. Janet Burkes	9141 Fischer Rd.	963-6524
5. Kim Coyne	4501 Detroy Road	963-6122
6. J. J. Stahlb	4690 Orchard Rd	963-9240
7. Julian Sturville	4640 Orchard Rd	963-9290
8. Mark Schmidt	11411 S. WENDEL RD	963-9186
9. Trisha Tekeppel	4425W. Buena Vista Rd	963-3716
10. Randall E. Kuester	9176 New Rd.	963-5155
11. Diane Bassmer	5515 W St Joe Rd	963-3203
12. Jan A. Kempf	6445 St Paul S Dr.	963-3512
13. Stanley K. Jones	9130 New Rd	963-6823
14. Mick Flug	1125 S. Henning	471-1053
15. Doris Nichols	5877 Sharon Rd	853-924
16. Jeff Cullen	2160 JEFFERSON AVE	476-5515
17. Don Miller	3200 ANTHONY DR	963-633
18. Dan Hostler	10177 Byron Court	853-6600
19. Mark Balthus	3113 W. VIRGINIA	424-5820
20. Wendell Edwards	2131 E. Bonville - New Harmony Rd.	867-3178
21. Linda Wilson	5246 Mullins Rd.	867-2708
22. Kathy Singer	11730 K. Johnson Rd.	867-1807
23. Paul A. Uhlhorn	3401 HUCKLE RD.	479 0523
24. Ted A. Jones	411 KINGS PATH	867-6421
25. Larry [unclear]	2716 CAMELLIA DR	867-6045

PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

1345 W. ...
Evansville, In. 4770

We, the signors of this petition do ask the Vanderburgh County Commissioners House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Robert E. Cuttill	9420 New Rd. Ellettsville, IN.	963-6862
2. Leigh Anne Cuttill	9420 New Rd Evansville	963-6862
3. Evelyn M Cuttill	3313 N St Joseph, Evansville	
4. Robert O Cuttill	3313 ST Joseph Evansville	
5. Omer G. Conner	1317 Oakley St Evansville	425-0112
6. Erik F. Conner	1317 OAKLEY ST EVANSVILLE	425-0190
7. Tony Wess	10740 Brushridge Rd Eville	963-6725
8. Cindy Gies	9270 St. Wendel Rd Evansville	963-3000
9. T. E. Caddington	5420 KENSINGTON EVANSVILLE IN 47710	
10. Emily Caddington	5420 Kensington Rd Evansville, IN	
11. Malsha Conrad	2001 Williams Rd	
12. Sandra Brasser	6100 Dunville Pl Eville	477-2
13. Kathy Wright	1400 E. Walnut St.	423-7749
14.		
15.		
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PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe Rd.
E'ville, In. 47720

We, the signors of this petition do ask the Vanderburgh County Commissioners House of Representatives and the Senate to use the route around the above parties home. We petition the above government units to consider the fact that the road was being planned in 1987 and in 1989 after getting the necessary permits the Hall family built unknown to them and not being notified that they may be in the roads path. Please use the alternate route approx 1,000' from their home.

KORRESSEL-EICHOFF ROUTE

	Name	Address	47720	Phone #
1.	August Bender	15100 Bender Rd Evansville	47720	963-3425
2.	Ruth Buehl	Rt 2 Box 258 Hamlet, Ind.	47651	768-6734
3.	Jerome Buehl	Rt 2 Box 258 Hamlet, Ind.	47651	768-6734
4.	Joni Bender	944 Schroeder Evansville, IN	47711	867-6933
5.	Curt Bender	944 Schroeder Rd Evansville, In.	47711	867-6933
6.	Verena Bender	15100 Bender Rd Evansville In	47720	963-3425
7.	Elizabeth Bender	15705 Bender Rd. Evansville In.	47720	963-5
8.	Gary Gantner	6425 KRATZ AVE " "	47710	4231
9.	Calvin Gantner	6400 First Ave " "	47710	4232
10.	Julius J. Bender	733 Hernon Dr.	47711	4253
11.	Alma Gantner	6400 1st Ave Evansville, In.	47710	4232
12.	Mary Schneider	1106 Laubscher Rd " "	47710	4242
13.	Kenny Bender	1140 W. Baseline Rd. Evansville, Ind.	47711	8670
14.	Mary Hoester	10700 Spahn Rd Waterville, In	47638	963-5
15.	Greg Schneider	R1 Hamlet, In	47639	76850
16.	Debbie Schneider	R1 Hamlet, IN	47639	76850
17.	Don Bender	PO Box 773 NEW JACK	47629	8574
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				

PETITION FOR KATHY & ROGER HALL
KORRESSEL-EICHOFF ROUTE

7545 W. St. Joe
Eville, In. 47

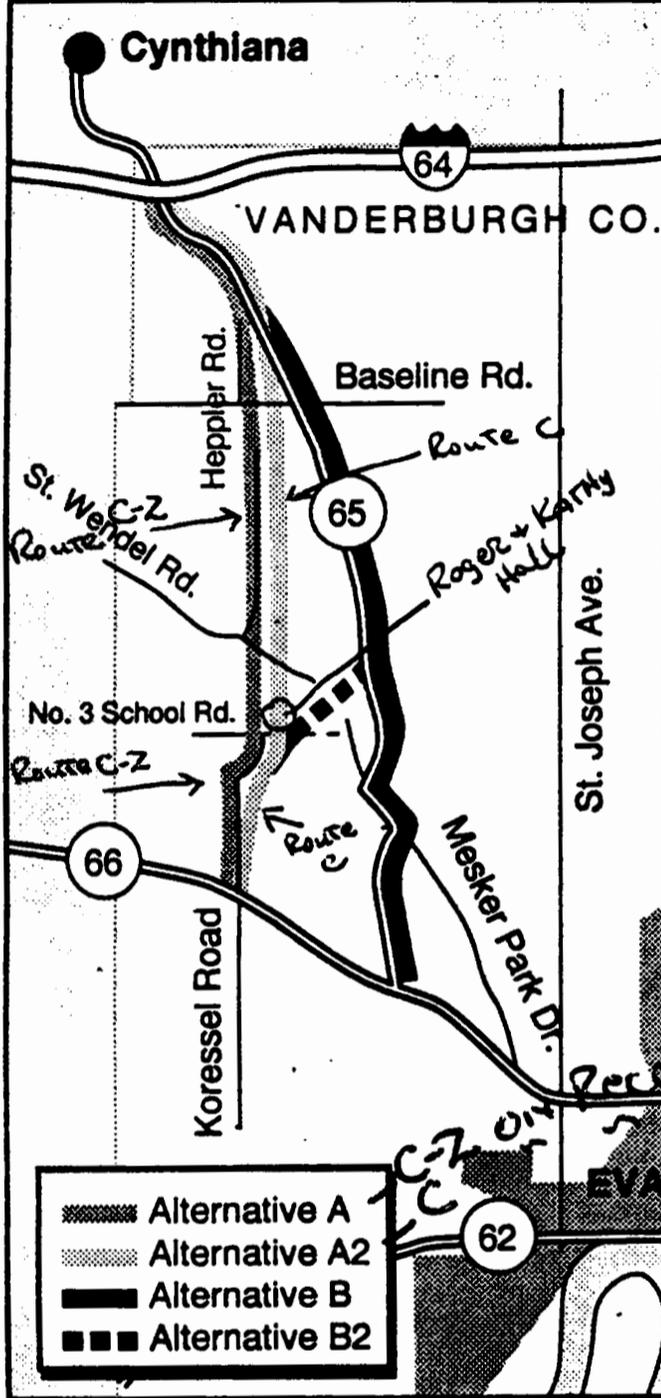
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KORRESSEL-EICHOFF ROUTE

Name	Address	Phone #
1. Bryan Zell	5601 H-SUCK RD	424-0138
2. Forest Cricker	905 W-COLUMBIA	428-4575
3. Daniel Durham	701 Wessel Lane	422-0301
4. Shush O Zeller	1501 Brook Rd 712 Dr.	423-5007
5. Crystal Ricketts	504 Schumaker St.	382-3136
6. Kathy Kumer	9109 Shockline Dr.	985-5306
7. Sandra Fleming		423-6887
8. Laura Kuest	1410 Sandelwood Ct	425-7511
9. Richard Kuest	1410 Sandelwood Ct	425-7511
10. Louie Zeller	10025 UPPER MT VERNON RD	485-7863
11. Karen Zeller	10025 Upper Mt. Vernon Rd	985-9863
12. Jamie Fleming		423-6287
13. Becky Tracker	7200 Wright Rd	963-6433
14. Tom Tracker	7200 Wright Rd	963-6433
15. Dana Pritchett		
16. Mike Kuest	Jennet Rd	925-9171
17. Rita Kuest	Jennet Rd.	925-9171
18. Jodi Zeller	5601 Hoge Rd	424-0138
19. Alvin Curtis	Hwy 57	795-4182
20. Edward L Payne	5900 Middle Mt Vernon Rd	424-4825
21. Larry Tooke	1802 S. Kentucky Ave	NO #
22. John Ammerman	285 God For d	AK
23. Harold Clechley	P.O. Box 3766	NO
24. Jerry Whitson	6720 Old State	867-5513
25. Amy Walk	302 SEQUOIA LANE	---

least-expensive route

Comparing routes



A comparison of options being considered for the next phase of the Eickhoff-Koressel Road extension project

Cost:

A: \$16.8 million
 A2: \$18.4 million
 B: \$26.9 million
 B2: \$20.6 million

Miles:

A: 8.82
 A2: 8.84
 B: 10.68
 B2: 9.72

**Structures to move
 (Residences, businesses, churches)**

A: 17
 A2: 15
 B: 106
 B2: 45

Cemeteries impacted:

A: 0
 A2: 0
 B: 2
 B2: 1

Schools impacted:

A: 0
 A2: 0
 B: 1
 B2: 0

Historic buildings or property impacted:

A: 0
 A2: 1
 B: 17
 B2: 5

* "A" is preferred by transportation officials, "A2" is preferred by residents in the area, "B" uses the existing state road, and "B2" blends the three other alternatives.

SOURCE: Evansville Urban Transportation Study

Courier graphic by MARK COOMER

IV

Vanderburgh Cty. Commissioners
Attn: Rick Borries, Don Hunter & Pat Tuley
Civic Center Complex
Evansville, In. 47708

Gentlemen:

As a Vanderburgh county resident and taxpayer we are writing to you and signing this letter to ask that the route around the home of Roger/Kathy Hall, 7545 W. St. Joe Rd. be selected. Their home is on one of two proposed routes from Hwy. 66 to Hwy. 64 in the Koressell-Eichoff Rd. expansion.

We are making our voices heard as saying that we want the route around their property. The route to the West of their home approx. 1,200 feet is the preferred route. If this route is not selected please be aware that our only alternative is responding at the next two elections.

A Vanderburgh County
Voter/Taxpayer,

Leo B. Gumbel
7909 School Rd
Evansville Ind 47711

CC: Roger/Kathy Hall

Please note that in addition to my brother, Mr. Leo Gumbel lives on #3 School Rd. and his property will be affected by the alternate route (C-2). He also prefers the route around my home. You will also take part of his farm ground and he has stated that he wants the route nearest to his house ~~with~~ which is the route to the West of our home.

IV

Richard A. Hall
319 Riggs Ave.
Evansville, In. 47712

Sept. 11, 1993

Vanderburgh Cty. Commissioners
Civic Center Complex
Evansville, In. 47708

Gentlemen:

As a Vanderburgh taxpayer we wish to go on record as supporting the route around the home of Roger/Kathy Hall, 7545 W. St. Joe Rd. on the proposed Koressell-Eichoff Rd from Hwy. 66 to Hwy. 64.

We own property on the route which will pass to the West of their home. We wish to go on record as stating that the route should not go through their property but should go through my property which is to the West of their home. We would be willing to settle in a fair & equitable way with you in selling our acreage on the proposed right-of-way around their home. Make no mistake we will not vote for any politician that votes for the route through their home. We consist of 12 votes for or against you.

Resolute for our
Brother,

Richard A Hall

Rick/Sharon Hall &
four families.

11

Nov. 21, 1993

Vanderburgh Cty. Commissioners
Attn: Rick Borries, Don Hunter & Pat Tuley
Civic Center Complex
Evansville, In. 47708

Gentlemen:

As a Vanderburgh county resident and taxpayer we are writing to you and signing this letter to ask that the route around the home of Roger/Kathy Hall, 7545 W. St. Joe Rd. be selected. Their home is on one of two proposed routes from Hwy. 66 to Hwy. 64 in the Koressell-Eichhoff Rd. expansion.

We are making our voices heard as saying that we want the route around their property. The route to the West of their home approx. 1,200 feet is the preferred route. If this route is not selected please be aware that our only alternative is responding at the next two elections.

A Vanderburgh County
Voter/Taxpayer,

Margaret Hatfield
8/4/93 School Rd

Evansville, In. 47720

CC: Roger/Kathy Hall

Mrs. Margaret Hatfield property is on Route C-2 which is the route to the West of our property. She also has designated the route around our property even though ~~xxxx~~ the Westerly route to the west of us is only 100-150' from her home.

IV

476-7192

Mrs. P. Kixmiller
3900 N. Greenriver Rd.
Evansville, IN 47715-1340

12-1-93

Dear Mr and Mrs. Hall —

after reading article in paper concerning
discussion of roadway - I felt a need
to use your "shoulder to cry on" - you
probably will be "kicking a dead horse" -
when attempting to have the Hwy. Dept.
and County Commissioners listen to reason -
for years residents in my neighborhood
fought - lobbied - etc. etc to have the
Hwy. Dept. attention shifted - to no avail!
Or even change the route - Too Bad!!!

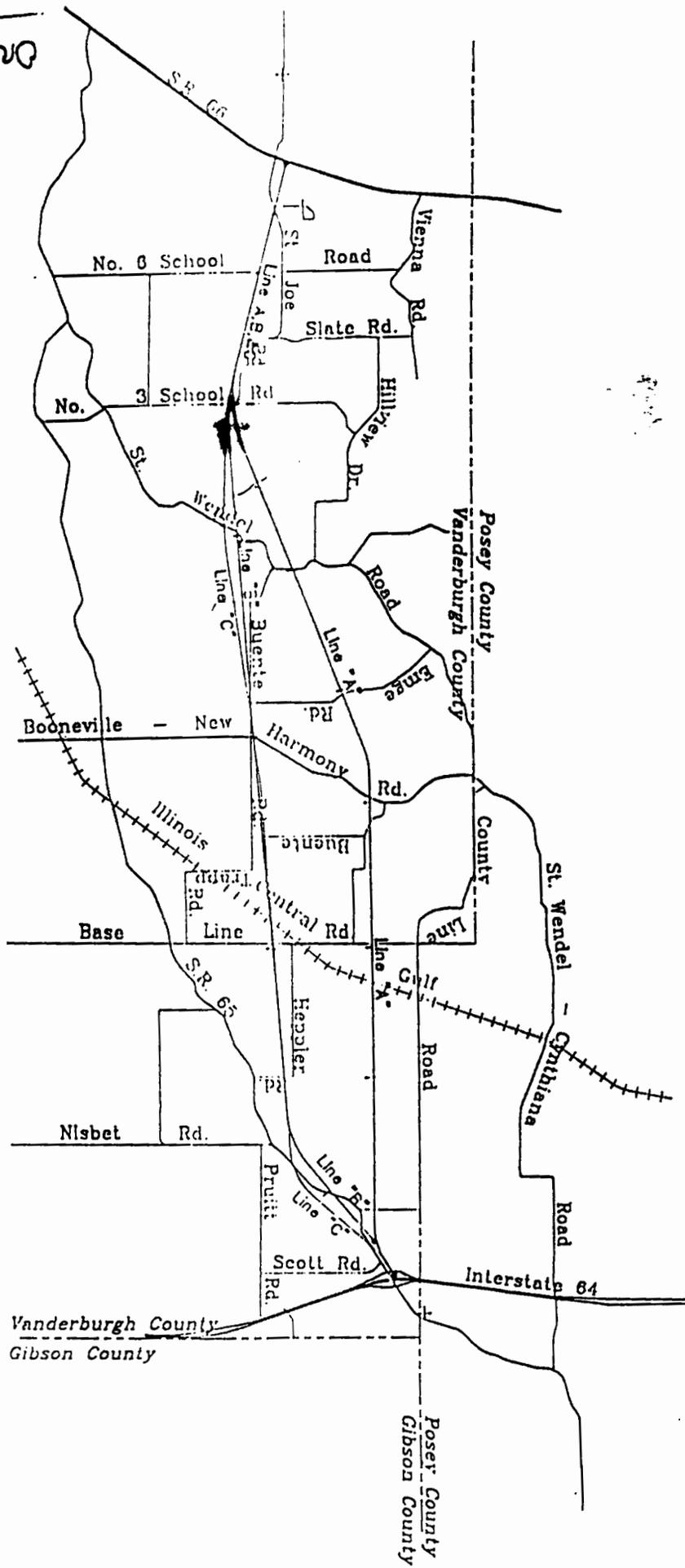
Public meetings - a farce - Big joke!!
Plans are already made before the
public meetings - a "done deal" so to
speak - have scores of minutes.

Clippings of letters written to and by so called
"interested parties" - Public officials -
Another joke! - State, local, National
officials rec'd letters from me - [redacted] all

[redacted]
Meetings - [redacted]

V

Original Kutter



Scale 1"=4000'

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3/24/94 DEPARTMENT: VANDERBURGH CO. ASSESSOR

EMPLOYEE(S): JAMES L. ANGERMEIER

DATE(S) OF TRAVEL: 4/19/94

DESTINATION: AIC MEETING BOONVILLE, IN.

PURPOSE: TO ATTEND AIC MEETING

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

LODGING REQUIRED: NO

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

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

APPROVED: _____
Department Head

APPROVED: James L. Angermeier (Signature)
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 20th day of March 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3-18-94 DEPARTMENT: Environmental

EMPLOYEE(S): George Thompson

DATE(S) OF TRAVEL: 3-20-94

DESTINATION: Clarksville, TN

PURPOSE: Underground Storage Tank Seminar

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

LODGING REQUIRED: No

MEANS OF TRAVEL: _____ COUNTY VEHICLE NUMBER: 188
OTHER: _____

REIMBURSEMENT CLAIMED	<u>No meals</u>	_____ Mileage	_____ Parking
		_____ Per diem	<input checked="" type="checkbox"/> Registration
		_____ Air fare	_____ Other

APPROVED: Sam Elder
Department Head

APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 28th day of March 1994

Patrick Tuley
PATRICK TULEY, PRESIDENT

Richard J. Borries
RICHARD J. BORRIES, VICE PRESIDENT

DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3/18/94 DEPARTMENT: Health/Nursing.

EMPLOYEE(S): Diana Simpson, Barbara Sprinkle, Gina Bosard, Donna Berning

DATE(S) OF TRAVEL: Next 2 months

DESTINATION: Immunization Action Program sites in and out of county
** see attached sheet

PURPOSE: Providing temporary coverage until new Immunization Nurse hired
and oriented

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

LODGING REQUIRED: No

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: No
OTHER: _____

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

APPROVED: *Sam Elder*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 20th day of March, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 03/22/1994 DEPARTMENT: County Coroner

EMPLOYEE(S): Dennis Buickel

DATE(S) OF TRAVEL: April 24, thru and including April 27, 1994

DESTINATION: Radison Plaza and Suite Hotel, Indianapolis, IN.

PURPOSE: 1994 Annual Spring Meeting, Indiana Coroner's Association

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

LODGING REQUIRED: \$99.00/nt. for three (3) nights

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: _____
OTHER: POV, approx. 340mi., round trip x \$.25/mile

REIMBURSEMENT CLAIMED	App. <u>340</u> Mileage	<u>Unk.</u> Parking
	\$ <u>96.00</u> Per diem	<u>\$100.00</u> Registration
	<u>_____</u> Air fare	<u>\$297.00</u> Other (PLUS TAX)

APPROVED: *Dennis Buickel*
Department Head

APPROVED: *Dennis Buickel*
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 28th day of March, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3/28/94 DEPARTMENT: CO. ENGINEERING DEPT

EMPLOYEE(S): BILL HUGGINS

DAVID FRANKLIN

DATES OF TRAVEL: 5/4/94

DESTINATION: JASPER, IN

PURPOSE: HERPACC TRAFFIC SIGNING WORKSHOP

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

LODGING REQUIRED: N/A

MEANS OF TRAVEL COUNTY VEHICLES NUMBER: 90

OTHER: _____

REIMBURSEMENT CLAIMED:	_____ Mileage _____	Parking _____
	_____ Per Diem _____	Registration _____
	_____ Air Fare _____	Other _____

APPROVED: John Steel
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 28th day of March, 1994.

Richard J. Borries
Richard J. Borries, President

Patrick Tuley
Patrick Tuley, Vice President

Don L. Hunter, Member

**MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 4, 1994**

I N D E X

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Hamilton Drive/Hitch-Peters Rd. Areas	
Westchester Drive	
Roesner Road	
Red Bank Road	
Approval of Minutes (Deferred until next week)	12
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**Approval of Remainder of Polling Site List, as submitted	
Ordinance Amending the Building Code (Second Reading)	18
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 Appointment/Pigeon Creek Committee/Rebecca Embry
 Appointment/Community Corrections Advisory Board/
 Beverly M. Kempf, Star Neighborhood Assn.
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 Law Enforcement Committee (S. Woodall and B. Ellsworth)

Meeting Adjourned @ 8:00 p.m. 24

MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 4, 1994

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, April 4, 1994 in the Commissioners Hearing Room with President Patrick Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Buildings, Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, County Auditor Sam Humphrey and Joanne Matthews, the Official Recording Secretary for the Board. Mr. Tuley then asked the group to stand for the Pledge of Allegiance.

Commissioner Tuley said there is a pad that is being circulated, if everyone would be good enough to sign in.

RE: PUBLIC ROAD HEARING

The meeting continued with President Tuley saying that anyone who wishes to address the Board should come to the podium, be recognized, state their name and address. The meeting is being recorded and this information will be needed for the record. He then asked if there are a number of individuals present from the same road? A gentleman in the audience said there is a group from Woodland Hills Drive. Mr. Tuley said that in the interest of time -- he doesn't mean anybody doesn't have the right to speak, the Commission will recognize anybody -- but rather than have fifteen people get up and say the same thing, is there a spokesperson for this group?

WOODLAND HILLS DRIVE

Ms. Dixie Sloan was recognized. She said she lives at 2210 Woodland Hills Drive. "About four years ago they put city water in and they said they would put the road back the way it was -- and we're still waiting. They tore up the shoulders on the road. The road was paved in 1968 and we have never had any other maintenance to the road. With the bad weather this year, plus the water being put in, our road is almost back to gravel and we would most appreciate any kind of consideration to get us a road. Thank you."

Mr. Donald F. Kinney of 2010 and 2114 Woodland Hills Drive was recognized. He said, "We have several children who ride the school bus and they have to walk down the road. It is getting so narrowed down now that it is sort of dangerous, because there is no way that two cars can pass each other on the road -- it is so very narrow now from moving in and breaking down. So for the safety of the children, we would appreciate it."

Commissioner Hunter asked, "Approximately how many homes are there?"

Mr. Kinney said there are probably fifteen. "Of course, there are several lots along with that."

Mr. James Thomas of 2115 Woodland Hills Drive was recognized and stated, "There is a lot of traffic on the road because of the opening of Valley View, which is a subdivision to the south of us and I imagine there are at least 20 to 25 homes over there that use that road to and from school and to and from Evansville, because it is closer to get out that way. Thank you."

Mr. Kinney said there are about eleven (11) residences on Woodland Hills Drive.

Commissioner Borries asked, "Don -- or Dixie, do you remember -- is it a concrete road now or is it a paved asphalt road?"

Mr. Kinney said it is chip and seal. "And we did give a great amount of land to widen the road in 1968. I have quite a bit of frontage and I deeded over a 20 ft. strip covering about 2,000 running feet in just one place to widen the road."

Ms. Sloan said, "When I talked to the County Engineer, they said the road was .0125 length -- a quarter mile. But that must evidently -- the road comes down to two white pillars and then the road picks up again. I know on our deed our road was accepted, too, but I don't think that length is correct. I think it is about 3/4 mile."

Mr. Borries said, "You also bring up an interesting point. You say you did contact the City Utility Department concerning this water? What did they do?"

Ms. Sloan said, "They said that the County would come out and give us a new road. I called them every other day and I've never gotten any response from anybody. Finally, the guy from the Water Department did come out and gave me a little bitty -- about a 2 ft. wide strip where the water came through just on a very short area where we come in and out of our drive. Other than that, that is the only thing that has been taken care of. That was an extremely large project -- Old State Road, Browning Road, Schlensker Road -- that whole area out there got all water - - and they've even taken it all the way up to the Lakeview Truck Stop are."

Mr. Borries said, "Well, it certainly helps with your quality of life -- that and sewers really are the most important things the County residents could ever have. And, really, we're also talking about a lot of money when you go into this. But the one good thing I wanted to point out -- at least we're trying to coordinate this and we've tried to form a loosely structured committee that would take no votes but just share information. Apparently they are not going to tear up the road after we go through and pave it, because apparently the water is already in."

Ms. Sloan said, "Yeah, if it took them from 1968 to do it the last time, I doubt that we will see them again. Thank you."

Commissioner Tuley asked if there is anyone else from Woodland Hills Drive who wishes to speak.

Mr. Howard N. Dibble of 2105 Woodland Hills Drive was recognized and said, "One thing I would like to add is that last year, after several telephone calls, we did get them to come out and mow along the sides -- but it's wooded real heavily on both sides and the foliage really takes over the road in a hurry. If that could be done once or twice a year, that would really help, too."

Mr. Tuley addressed Mr. Morphew, County Highway Superintendent, "Duly noted, Bill?"

Mr. Morphew responded, "Duly noted."

Mr. Tuley asked if anyone else wants to address Woodland Hills Drive? There being no response, he said, "Just to give you a point, there is not going to be a vote taken tonight. What we've got to do is the County Engineer's office and the Highway Superintendent have been out driving the roads and they are compiling a list. The reason for your input is to pick up any areas they've missed or they are unaware of. A list will be compiled and it will probably be a couple of weeks before we put a final list together to be done. I think we roughly spend about \$1 million each year in resurfacing roads. I don't think that will change this year. I think there is enough money, despite the articles you've been reading recently that reflect the general fund - - the road paving money comes from someplace else. So we still will be able to spend about \$1 million this year. Your comments and concerns will all be taken into consideration. We

April 4, 1994

appreciate your coming down and voicing them to us. The only way you're ever going to get anything done is to come down and let us know things that we're not aware of. Again, we appreciate your coming down. You're welcome to stay, if you like. I'm not throwing you out --but you don't have to spend the rest of the evening down here if you don't want to -- though you are welcome to do so."

Commissioner Borries also thanked the group for coming.

HAMILTON DRIVE/HITCH-PETERS RD. AREAS

Mr. Don Assalone of 6113 Hamilton Drive approached the podium and stated, "I'd like to address a couple of areas and I'll need your indulgence, because I'm not sure where the County stops and the City begins. Hamilton Drive is in New Melody Hills, as it is referred to. There was a lot of work done up there, I think, last summer because of the concrete roads. A lot of them were replaced and I offer my thanks for that. But that small section of Hamilton Drive where I am was ignored. Apparently there is some settling in there -- at least that is the way it appears. I'm not an engineer, but there are a couple of gaps -- maybe one or two inches -- where the concrete is settling down and I'd like to draw your attention to that. I'm also here as a business owner. I own a business that is on North Spring Street, which is in the Industrial Park across from the Sports Park -- which is off Bergdolt, which is off Hitch-Peters Rd. The western end of Bergdolt is mostly industrial -- that is where the Sports Park is and that is where Fisher Candy is, Evansville Supply Company, etc. There are a couple of major holes there -- ruts there -- that are becoming quite dangerous. Because of the heavy tractor-trailer traffic there are a couple of large holes that you have to avoid -- or you want to try to avoid -- but if you try that at an inopportune moment you are going to have a problem with the tractor-trailer truck. Because they are bigger than I am, I always go for the holes. So that is one area."

Commissioner Borries asked, "Don, are the holes in the street or are they along the right-of-way?"

Mr. Assalone responded, "They are in the street -- probably almost two feet into the travel way, into the asphalt."

Commissioner Hunter asked, "Are these holes that have formed due to the bad winter we had?"

Mr. Assalone responded, "Yes, Sir. There's a lot of patching in there. You can see a lot of patching. In this particular area I don't know if the patching has let go or if it's a new one that has come up -- but there is a lot of it in that area. And the third area is, I believe, an area that you have no direct control over -- but perhaps you can use some moral persuasion, if you will. There are two sets of tracks crossing Hitch-Peters Rd. One to the south, which was recently redone -- and that is in front of, I think, Furrow Supply -- and there is some traffic that goes over that fairly regularly. There is another set of tracks -- almost in front of one of the Whirlpool warehouses. They started working on that about two weeks ago and there are literally holes along side the tracks that are ten to twelve inches wide -- so there is no way you can go over it and hope you're just going to get a bump. I mean, the tire really sets into the holes. That track has been a hassle. I called the railroad company when I found out that no political body had any control over it. I called the railroad company a couple of years ago and they said, 'Yeah, we know there's a problem and we're going to work on it.' Any idea when? 'No, we've got lots of places that we've got to work on.' So I just let it go at that. But this time it is really disastrous. When you stop and consider the amount of tractor-trailer traffic that is on Hitch-Peters Rd. because of Inland Container supplying Whirlpool, because of other entities in there supplying Whirlpool, Furrow and the other entities that are down there -- we don't have very much tractor-trailer traffic on Spring Street because of the types of businesses that are there -- but there is a lot of traffic on Hitch-Peters and some of the drivers stop and plump, plump all two, three or four sets of tires going across there. Others just hob-knob across and it's kind of scary. Not to mention all the personally owned vehicles -- the four wheelers, passenger cars and vans that are getting whacked with that thing -- and it's been like that forever and ever. I've been out there six years in July -- and neither one of those two track crossings have been good,

except for the one over by Furrow. It's much better than it was before, but there is still a substantial humpty-dump on it. Again, I would ask your consideration when it comes listing time -- especially that thing with the railroad. What they are doing is there are apparently new tracks and a new railroad that is using those tracks. I don't know what it is all about, but I've never seen engines there for five years and now all of a sudden they're running vehicles up and down there. But nobody has been working on that section of Hitch-Peters Rd. for probably two weeks and it's not only inconvenient, it's a dangerous situation."

Commissioner Hunter said, "I'm going to make one suggestion. You might want to contact Rose Zigenfus at Urban Transportation. I served a couple of years on that committee and she seemed to have a finger on who was doing what on railroad crossings and when they were scheduled to be done. I had the feeling a lot of that went through that office. You two guys served on there, too (Commissioners Borries and Hunter) -- isn't that kind of the way it operates? She seemed to know what was going to happen when the rest of us didn't. So I would give her a call. Is it Indiana Hi-Rail that owns that or....."

Mr. Assalone said, "It might be -- because they've got a different engine, a different color-scheme than the ones that are using the tracks on the south section. I think CSX is on the south side. Isn't Indiana Hi-Rail a bright orange?"

Mr. Hunter said, "It could be -- or it's called Indiana Southern. They have kind of reddish yellow locomotives and I've seen them at the yards there across from Whirlpool a time or two. So I'd give her a call and see if she can do you any good."

Mr. Assalone said, "Well, thanks for hearing me."

WESTCHESTER DRIVE

Ms. Krista Head was recognized and approached the podium. "My name is Krista Head and I live at 2410 Westchester Drive. I have some copies of information regarding our road. (She then distributed same.)"

Ms. Matthews said there is a copy of Mr. Stoll's response to Mr. Billy Carroll attached to last week's minutes if Commissioner Tuley would like to refer to same.

Mr. Tuley acknowledged Ms. Head got his attention the minute she mentioned the name of the road.

Ms. Head said, "Evidently you've had other calls."

Mr. Tuley said, "Yes. Do you by chance know Mr. Billy Carroll that lives at 2609 Westchester Drive? I don't want to cut you off, but, John, would you come forward? We get a call at least once a year from someone on Westchester Drive. That is not a county-accepted road. It never was."

Ms. Head asked, "Why wasn't it accepted?"

Mr. Stoll responded, "I don't have any records that indicate why it wasn't accepted, but everything we have indicates it is not an accepted road."

Mr. Tuley said, "Tell me where it is, John."

Mr. Stoll replied, "It is right across from the County Highway Garage."

Ms. Head said it was built in 1972.

Mr. Tuley said he got a call on this last week. He then submitted Mr. Stoll's response to Mr. Carroll.

Mr. Stoll said that we've received numerous other complaints over the years.

Mr. Tuley said, "Oh, yes. I remember in 1992, when the road became a political issue. I got a lot of calls from Westchester Drive."

Ms. Head asked, "What do you do. Can you accept it now?"

Mr. Tuley responded, "Not until it is brought up to current standards would the county accept it for future maintenance. As I understand the process, when a development goes in - if they want the roads accepted the developer brings them up to county standards and there is an inspection done. If the county agrees that they do meet the standards, then they accept them and take them over from that point on. But apparently, for some reason (I don't know why) --

Ms. Head asked, "A road doesn't have to be built to standards? A developer can go in and...."

Commissioner Borries answered, "Probably not."

Mr. Stoll interjected, "It's a private road and the developer or homeowners have the responsibility of maintaining that road."

Mr. James Alexander was recognized and stated, "My name is James Alexander and I live at 2700 Whitman Drive. The land is not ours. We didn't purchase the land. When we purchased our homes, you know, we weren't told it wasn't a county road. Someone has to own the land."

Commissioner Borries said, "Either the developer -- or, in some cases, it just could be a dedicated right-of-way."

Ms. Head asked, "What is a dedicated right-of-way?"

Mr. Borries replied, "It's just space that if at some point the county chose to accept to maintain, they could do so. Right-of-ways are parcels of land that are given to governments or, in some cases, utilities so that electrical service or...."

Mr. Alexander continued, "That is all done in between the homes. But I mean someone has to own the land and pay the taxes on it. They're not paying taxes on this property?"

Commissioner Borries replied, "Probably not. Like we said, it could be a dedicated right-of-way. What happens is -- and, again, like everything else, things have changed. In the past -- and I would have no idea who developed that particular subdivision -- as John Stoll, our County Engineer, pointed out -- you might have a developer come in and build some houses and just put a road in there. If he didn't contact the engineer and if there was no inspection made and a formal petition run through this meeting and a request to accept the road for maintenance, it just didn't get done. Where we're in a bind is, the road is in such bad shape now -- we're sympathetic, but you're also talking about some outlays here that we may not be capable of doing."

Mr. Alexander said, "We've asked for help for years and, you know, it is not going to get any cheaper to replace."

Commissioner Borries said, "Well, I don't recall -- I know there have been questions about it -- but the procedure has to work this way. The County just can't take over a road, again, unless a whole series of processes is followed. Petitions have to be initiated, inspections have to be made, and then this Board would have to grant approval on it."

Mr. Alexander said, "We started a petition and we were cut off on that and told to put everything on hold by the County Engineer in February 1992."

Commissioner Borries said, "That was probably David Savage, I guess."

April 4, 1994

Mr. Tuley said, "It wasn't John -- he wasn't there then."

Commissioner Hunter said, "It could have been Greg Curtis, too."

Mr. Alexander said, "I mean, we feel we're kind of getting shorted -- because the homes out there in the last five years have paid over \$72,000 in property taxes and we haven't received any benefit. We just feel like it is somewhat unfair."

Commissioner Borries said, "I won't argue the fairness of it at this point. I think we certainly can review the whole situation. But, you see, today we have fewer developers and tougher standards. You just can't, by chance, have somebody go out and build a road and then all of a sudden it belongs to the county without it, for one thing, conforming to certain county standards. What kind of road is it -- asphalt or concrete?"

Mr. Alexander replied, "It is concrete."

Mr. Borries continued, "A lot of that stuff -- the grade may not have been inspected, core-samples may not have been taken, etc. I mean, it could have been put in there with a very small amount of thickness involved. It may not have been good; or sealed properly in terms of expansion joints -- just a whole bunch of things could have happened that, at some point, could have been avoided."

President Tuley asked, "What are our options?"

Commissioner Borries replied, "Our options are to be sympathetic to what they say or to go out and look at the road and see what kind of money we're talking about. You'd have to make a formal application here in terms of petitioning this Board and this puts this technical person on the spot, because he has to make some recommendations here in terms of cost. We'll just have to look at it from that standpoint."

Commissioner Hunter asked, "Wouldn't the first step be to see if we actually own the land or if the developer still owns the road?"

Mr. Alexander said, "The land was willed to the county -- that's what it says in the records I checked. The roads were willed to the county."

Mr. Hunter said, "That would make it dedicated right-of-way then."

Mr. Tuley said, "Just because they deeded it to us or gave it to us, or whatever doesn't mean the county has to accept."

Commissioner Borries interjected, "Again, the Commissioners speak through their minutes. So unless something was run through here at some point. Do you have any records? Who is the oldest person out there? -- not in terms of age, but who has lived out there the longest?" Do you have anybody? Somebody ought to go back and check the records, because, you know, there could have been a mistake made along the way. I'm not saying there was or there wasn't. Joanne Matthews -- that is why we go through and record everything verbatim and she references everything. So your comments will be referenced in here, just as the letter to Mr. Carroll was that President Tuley shared with you. We can look at it and I am not opposed to that. But, again, it makes it tough for us at this point -- because you end up getting some problems here that you really didn't plan on. It's a very unusual situation. But, again, for whatever reason, unless we can find some records -- the County doesn't maintain roads that are not accepted. In effect, it is considered a private road."

Ms. Head asked, "Does that include the storm sewers? Is that part of the road? I think part of the problem is from the storm sewers, because they are filled to the top with mud and slush. The water runs past the storm sewer and doesn't fall into the drain at all. In fact, I have pictures that show that -- it's standing on top of the grate."

Mr. Tuley said, "I'm sure it doesn't help it any."

Ms. Head asked, "I mean, is that our responsibility?"

Commissioner Borries stated, "I would imagine that the sewers were probably put in by the utility department at some point, weren't they?"

Mr. Stoll said, "Mr. Stoll said this is part of the street -- so it would be all the same. Private street and private storm sewer."

Commissioner Borries asked, "Are you on city water?"

Ms. Head responded affirmatively.

Commissioner Borries asked, "Do you have sanitary sewers?"

Ms. Head replied, "Sanitary sewers."

Commissioner Borries asked, "Well, would you find out from that person who has lived out there the longest if they have any kind of records? Maybe, again, there is something we missed. Can you find out who the developer was?"

Attorney Kissinger interrupted, "I believe Mark Abell, our Superintendent of County Buildings has been consulted on this previously and, to his knowledge, his best guess is that Guthrie May was the developer."

Ms. Head said she believes there were three developers. Four houses were built and then they came back down in a "U" with another development.

Attorney Kissinger asked, "That should be recorded, shouldn't it, John? Wouldn't the developer's name appear on those plans?"

Mr. Stoll said that they should.

Mr. Alexander thanked the Commissioners.

Ms. Head said she has another question. "With that, I want to let you know we are not in an affluent neighborhood -- so we don't have a lot of money to spend. What do we need to do if we were to bring the road to standards? What are the standards?"

Commissioner Borries said, "Our County Engineer would have to give you his professional advice on that."

Ms. Head asked, "So I would need to contact John Stoll?"

Mr. Tuley suggested Ms. Head write down Mr. Stoll's phone number so she can call him direct. "I think probably what Commissioner Borries was telling you was that the first thing you want to do is to find out from the resident who has lived out there the longest an idea as to when all this happened, check the records, and make sure we haven't been misinformed -- that there wasn't an agreement made in a public meeting like this to accept that road. If there was, you need to point that out to us before you do anything else."

Commissioner Hunter said, "And, obviously, if it was turned down, the record should indicate just why it was turned down. You see, that is the other question in my mind -- why it was not accepted -- and there may be a very legitimate, logical reason. That would be in the records, too -- where somebody came to this Body and it was recommended it not be accepted for thus and so reason."

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President Tuley said, "But the County Auditor's office maintains all of these minutes. So if you can get an idea where to start, that will be helpful. I'm sure you don't want to go back to every single meeting for twenty years or whatever. Maybe the road wasn't turned down -- but our records indicate it was never accepted."

Auditor Humphrey said perhaps it was never presented.

Commissioner Tuley said, "That's a possibility, too. It may not have been."

Attorney Kissinger interjected, "You folks may also be in a situation -- since you all have this common problem -- that you might want to pool your financial resources and hire an attorney to represent you on this -- to check these records in the Recorder's office, etc. -- because you're going to need one united effort on this to finally get something done, or you'll end up back here next year with the same complaint."

Commissioner Borries said, "And bring your petition forward. I mean, if, in fact, it has never been accepted, then you need to bring that forward so we can, at some point, consider it. But there are some mysteries out there that we need to have solved, for whatever reason. It is kind of ironic that it is almost directly across from where the County Highway Garage is -- that's weird."

Ms. Head said, "I've talked with them and I think they sympathize with us, but they can't do anything. Thank you."

The Commissioners thanked Ms. Head.

Ms. Teresa Lewis was recognized and said, "My name is Teresa Lewis and we live at 2701 Westchester. I don't want to run this into the ground -- but I talked to Mr. Abell (I believe year before last) and we wrote letters and I'm sure you're familiar with the name "Thomas Ray". Tom has moved away -- he had enough. The roads -- you'd have to see them. You'll just have to go out and see them. Last year my son crashed on his bicycle and was scratched from head to toe -- and it makes you sick. The thing is, you know, when I talked to Mr. Abell we heard the thing about pooling money for an attorney, having the residents get it up to code or having the residents pay to have it paved. I talked with the residents and they don't have the money. I mean you're talking about family incomes of \$30,000 to \$40,000 who can't afford \$1,000 apiece. We've got four people I know on my street on disability. I know everybody has a sad story, but it's true. There is no money from the residents -- we just cannot afford it. There is just no way. So my question is, 'If the County does not accept the road, then what happens when the road literally falls in?' I mean, I pull out of my driveway and I'm going into a hole. It gets deeper and deeper. You know, I tell my husband, 'When I pull out of that driveway, one of these days it's just going to go straight into the hole.' What happens then? Who is at fault? Who is going to fix the road? We can't. There's no way normal, you know, middle to lower-middle income families can pay to fix the road. You're not told when you buy the home that you own the road. You wouldn't buy it. I wouldn't have bought it. But my question is -- it keeps getting worse and worse and worse every year -- and it's gotten so bad. The county knows it has been bad. When I talked to them -- the County Commissioner or the County Engineer came out and looked at the road at that time -- in 1992 -- when we called. Every time we call they're working on it, they're working on it, they're working on it. But the question is, "It's getting so bad and will cost so much money to have it fixed, what happens when it just falls in? When it gets that bad?"

Attorney Kissinger said, "That is why I said previously, you may have some legal recourse. I don't know that you do. You may have some."

Ms. Head said, "I think that has been searched real thoroughly. The only thing I've come up with -- and we have someone working on it who couldn't come tonight, her son is real sick -- they are saying (and we're hoping to get papers on it soon) that the road was built to code in

1972; the developer didn't go through his legal work or whatever he had to do to get the road accepted. We hope to prove that and I hope to God that is true. If, at that time, it was built to code in 1972, would the road then have any reason not to be accepted? I guess that is my question."

Attorney Kissinger responded, "Yes. Because still there would have to be a standard to which the county would agree to accept it. And if it is in the state of disrepair that you've described, it certainly wouldn't meet that standard."

Ms. Head asked, "So it wouldn't have to meet 1994 standards would it, if it had met 1972 standards at that time? That is what I am saying. It should have been accepted then, but the paperwork wasn't done or whatever they should have done at that time. We didn't live there in 1972 and neither did these other people."

Attorney Kissinger said, "That is an area in which perhaps the County Commissioners could offer you some relief in as far as an accommodation is concerned. But I'm speaking only prospectively if, in fact, you can get back to the developer and make some determination as to whether there is any liability there."

Ms. Head said, "I've heard two things. I heard he died several years ago; went bankrupt and died and there is no estate."

Attorney Kissinger interjected, "Which, quite often, is the case."

Ms. Head said, "If he's gone, then we don't have anybody to go back on -- just like the road is just there, it is falling apart, what do you do?"

Attorney Kissinger responded, "There is no legal solution to the problem."

Ms. Head asked, "There is, or there is not?"

Attorney Kissinger replied, "There is not."

Commissioner Borries said, "At some point -- and we will work with you --

Ms. Head interrupted, "It's just getting so frustrating through the years that you just get to where you want to scream."

Commissioner Borries said, "We understand. But you have to understand that from our perspective what happens is that we just can't go out and do work on what is considered private property."

Ms. Head interrupted, "You can have it - we don't want it. It's not private property."

Commissioner Borries continued, "I understand. But there are a lot of roads out there that, again, times were different; Commissioner Hunter has said this a lot and it is true, you know, a house is the single most important investment people buy, but often times you're looking at a lot. We sometimes don't have a perspective of how the builder did what. Frankly, sometimes I cringe when we look at retention and detention ponds in certain situations where, if the homeowner doesn't understand what they are buying. But, you know, government is not here to make money or cause anybody a problem. On the other hand, you can't protect individuals sometimes from things they somehow or other have to know and need to know. So we're kind of in a Catch 22 ourselves. We can't tell our County Highway guys to go across the street if it is not an accepted road. If we did, we'd be breaking the law. We just can't do it. And despite what you might otherwise see or hear, I think this Board is very sensitive in doing the right thing and providing what is the right way to do this. So I think we just need to try to work with them and see. We have a pretty talented crew out at the County Highway; they do a lot of work and a lot of fine work on our county roads. But you need to bring that petition forward

and help us with some research."

Ms. Head said, "Okay. You'll have it."

Inaudible question.

Attorney Kissinger said, "No, it does not."

Commissioner Borries said, "If you can't understand that, you may have to consult your attorney here."

President Tuley asked if there is anyone else from Westchester Drive who wishes to speak. He would say "Going, going, gone -- but...."

Commissioner Hunter said, "It already is, from what she says."

President Tuley said, "I mean, we're trying to sympathize with you -- and I know these copies don't do your road any justice in terms of the pictures. They are probably a lot worse than they look here -- but they look really bad here."

Ms. Head said, "It's quite frustrating to see. Kids can't ride their bikes. Her son fell last year and scraped himself up. Another resident is in an electric wheelchair."

Mr. Tuley said, "That's who I got a call from last year."

Ms. Head said, "She lives right across the street from her Mom and she can't even cross the street on her own power to visit her Mom -- which is really sad. You know, I appreciate your sympathy, but sympathy won't fix our road."

President Tuley said, "And I think what Commissioner Borries was saying was for you to help us by doing as much of that research as possible and bringing it back to us -- and if there is any way at all that we can legally help you with this problem, I don't want to speak for the other two -- but I don't think there's any one of the three of us who is not willing to do whatever we can within our power and ability to help you."

Commissioner Borries said, "One thing is for sure -- we won't have too far to travel."

Commissioner Hunter commented, "I think this is one of the reasons that I get frustrated. You're living with a road that was built twenty-two to twenty-three years ago and the rules have changed and the players have changed considerably. And you've done everything you think you can do and it is very frustrating. We get a little irritated up here when developers say that we're asking for things that are unfair and we're asking them to retain the soil that goes off their development onto someone else's property and I think this is a classic example of why we're asking this and why we're trying to change some of the building codes and why we're trying to change the drainage codes -- because we don't need these kinds of developers in this community. They either need to do the job and do it right the first time or they need to get out of the business. And there are a lot of similar stories in Vanderburgh County. Melody Hills is another good example of where something wasn't done right and the roads have washed out underneath and become a major problem. So when you sometimes read where the Commissioners or the Drainage Board are being unfair to developers, this is what we're trying to put a stop to -- because I sympathize with you. It is very frustrating and when your children can't get out and play in the street, then there is something wrong. So if you can try to do some research and make us aware, and John Stoll and Bill Morphew aware of what has been done up to this point, maybe we could start from there and we can try to do something."

President Tuley asked if there are any other roads -- or groups or individuals wishing to address the public hearing for roads?"

ROESNER ROAD

Mr. Gene Pfeiffer was recognized and stated, "Thank you. My name is Gene Pfeiffer. I reside at 645 S. Eickhoff on the west side of Evansville. Thank you for the opportunity to address you and I will keep my remarks brief and direct them towards the unpaved portion of Roesner Rd. I own 187 contiguous acres the west side. The unpaved portion of Roesner Rd. is one of my boundaries on that property. I brought with me tonight Ester Roesner and Edna Roesner, both of whom have lived on this road for over eighty (80) years. I might say that they both still hold current Indiana driver's license and they both still drive. For the Commission's information, Edna was a full time bookkeeper for corporations in Evansville for sixty-three years. Her sister, Ester, taught with the County School System for forty-seven years and as long time taxpayers I would like to think that maybe they deserve something a little better than they have in this road. I guess I'd have to say the County has been remiss in maintaining and caring for the road and I came to the conclusion a couple of years ago that it was easier to do it myself. In 1993, I think I spent about \$560 hauling rock in. This year, in 1994, I think I spent about another \$850 cleaning out the ditch so that the ditch really became a ditch and the road wasn't the ditch. I tried to keep some degree of maintenance on that. I would just like to ask the Commission to favorably review the possibility of paving that portion of Roesner Road which, at this time, is unpaved. Thank you."

Commissioner Hunter asked, "How long a portion are we talking about?"

Mr. Pfeiffer said, "Mr. Hunter, I think it is in the neighborhood of 2,000 feet -- something in that neighborhood. Also, it is, I think, one of the more narrow roads. I think there is about 35 ft. of easement there as opposed to the conventional 50 ft. It is a rather narrow road."

Commissioner Tuley asked, "Just for my own information, where is this?"

Mr. Pfeiffer responded, "Roesner Rd. would be north off of Hogue Rd. and the first road parallel to Eickhoff Rd. to the west. It would be one quarter mile west. It does dead end both on the north and the south. On the north it dead ends at the railroad track and on the south ..."

Mr. Hunter asked, "But a portion of the road is paved now?"

Mr. Pfeiffer said, "Yes. The portion on the south about one-eighth mile, if I could estimate. And on the north all of it is paved. To set the record clear, I do not maintain residence on that property. I have an agricultural endeavor there. But it is still a portion of the property on which reside -- it is all contiguous."

Mr. Hunter asked, "Are these ladies the only residents on the.."

Mr. Pfeiffer said, "There is another resident and I think he will speak to the issue, also. Thank you."

Mr. David Zigler was recognized. He identified himself and said, "I reside at 350 S. Roesner. I kind of feel like a duck out of water. We just moved in and my wife called down to the County department to see about getting the road graded and rocked and they did it immediately. So, like I said, I feel like a duck out of water because something good happened to us."

Mr. Borries said, "You don't hear those kinds of stories, you know. But it is possible to make everybody mad -- and I think that is how the world works sometimes -- but that's a good story."

Mr. Zigler said, "Well, and the thing of it is, my wife is the one who did most of the talking and that is what is amazing about it."

Commissioner Borries said, "The more you talk -- this is getting bad now, David. Better not say anymore. Don't say anymore."

Mr. Zigler said, "But I did want to say they did it about four weeks ago -- and I wanted to present these pictures to give you an idea of what things look like now. I'm very pleased with the department for what they've done and their willingness to come back out again -- but I'd also like to have it paved."

Mr. Hunter asked, "And this was on the whole approximate 2,000 ft. that it was graded?"

Mr. Zigler said, "It is 2,800 ft. south of Hogue Rd. The first two-tenths of a mile is paved and the other three-tenths is not paved. It does go north of Hogue another half mile. I don't know if it is paved all the way -- but it is paved some of the way. The other thing is that my children are now getting a taste of what we used to do -- and that is, walk to the bus -- and it's a half mile where they walk and it gets kind of muddy, especially when it rains or snows."

Commissioner Tuley said, "I don't normally like to correct people, but I would say that right now you're a duck in real hot water."

Mr. Hunter asked, "You have to take your wife to dinner tonight?"

Commissioner Borries said, "I know that we, in the past, have always reviewed requests to upgrade the road system. It helps in a lot of ways. And some areas were considered non-attainment areas due to dust and things in the summer -- but we are limited with funds and that will be something we will have to consider here. But we will sure look at it."

RED BANK ROAD

Mr. Roger Lehman was recognized and stated, "I reside at 1220 N. Red Bank Rd. I, too, am here to compliment the Commissioners. I was going to send my wife up to do that -- but she was unavailable. On the paving of Red Bank Rd (I think it was two years ago) -- at the time they put chat along the shoulders of the road to help retain the pavement. The rains came and worked all the chat away. It is fairly steep from the road to the ditches and my concern is that the pavement is not going to last very long, because now the pavement sticks about six (6) inches above the grade. So it just needs some shoulder work. That is basically all of Rd Bank Rd. north of the Lloyd, where they paved, to the dead end up at Harmony Rd. There are cars and trucks that have run off the side -- and that made it deeper and deeper and deeper."

President Tuley entertained further comments. There were none.

Commissioner Borries said this was a nice hearing. He expected worse. Some years the Commissioners come in and almost want to put on helmets and shoulder pads.

RE: APPROVAL OF MINUTES

President Tuley said minutes from last week's meeting had been submitted for approval. He did not have an opportunity to review same and would like to defer approval until next week. The other Commissioners indicated their approval of his request.

Commissioner Tuley then asked if there are groups or individuals who wish to address the Commission but do not find their name or particular item of interest on tonight's agenda. If so, now is the time to come forward. There was no response from the audience.

RE: BID OPENINGS/TAX REASSESSMENT HARDWARE & SERVICES AND TELEPHONE EQUIPMENT

The meeting continued with Commissioner Tuley noting there are two bid openings. At this time he would entertain a motion to authorize Attorney Kissinger to open the subject bids.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner

Borries. So ordered.

RE: VOTERS REGISTRATION/APPROVAL OF 1994 POLLING PLACES

Mr. Tuley said the Commissioners should have a copy of the 1994 Polling Places in their meeting packets. He then recognized Mr. Jon Hill of Voter's Registration.

Mr. Hill said he needs to be sure the Commissioners have a new Page 2. Just today, it was found they moved from Caze School to a little Baptist Temple on Burdette Avenue. That is within the precinct and handicapped accessible and they prefer to have it there. Therefore, they are recommending this change.

Ms. Susie Kirk said the other one that is in question is Ward 6, Precinct 19. "Frankly, I am just a little concerned about this -- because I talked to Jayne Berry-Bland concerning this problem in 6-19 and was told about ten seconds into the conversation that I would not win. So I realized it was a contest. I thought this was for the convenience of the voters. 6-19 has had the polling place of New Bethel Youth Center since back in the 60's. It was old White School. Originally, I guess, it was deemed as not accessible to the handicapped, although it is. Not only is it, it is actually very nice. You pull up to the door; it's got a canopy over the top so if the weather is bad you don't get wet. There was just no reason to move that polling place from New Bethel down to Daniel Wertz School to where a voter is going to have a much farther distance to get from the automobile into the polling place. I talked to the custodian at Daniel Wertz today. Their polling place is now in an area the cafeteria called 'the Alcove'. It must be a small area that they use. I asked him if they could accommodate two (2) polling places in there and he said he really didn't think so -- that they probably would have to move it further into the school somewhere to accommodate two polling places. So what I am asking the Board to do -- and there was a question that came up about Janitor Fees or paying the School less money than like a church - and that's really not the case. The Janitor Fees are not the normal \$15.00 janitorial fee that is paid to like a Library Custodian. They are under union. I went back and checked the records and it looks like the janitorial fees are approximately \$30.00 and, obviously, that doesn't constitute anything anyway, because we are already moving something out of Caze School into a church. So I am asking this Board to approve New Bethel Youth Center as the polling place for Ward 6, Precinct 19 -- as there is absolutely no reason not to have it there. I'd be willing to take any of you out there and show you what it is like. It is a different door that you go in -- it's not the same door. Like I said, I was pleasantly surprised - - because when I kind of got stuck in the middle of this I thought, 'Oh, me' -- and when I got out there, like I said, I was very pleasantly surprised to see how nice it was."

Commissioner Hunter asked, "Why is there a problem?"

Ms. Jayne Berry-Bland interjected, "Can I say something?"

President Tuley replied, "Yes, go ahead. We'll hear both sides of the issue here -- there's no question that we'll do that."

Ms. Bland said, "Well, Don asked why there is a problem? Because where we vote, there is like five (5) steps where you go down -- and it is a problem for handicapped people. The door she is speaking about is for the New Bethel Day Care Center -- and that has to be regulated; because you can't let people come in and out of there with children in there. And they don't want that."

Ms. Kirk countered, "Well, I drove out there (during the day) and there was no problem. I talked to Mrs. Main out there, I believe. It was very quiet. There was nothing going on other than the fact that they were concreting the whole parking lot, which is another asset to their church out there. But there was nothing -- it was just as quiet as a mouse. And she said that there was no problem with that whatsoever. And if you want to talk about children -- I don't know, but I'm sure Don and Rick certainly know what schools are like when they open in the

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morning, not to mention what it is like when they close. And the kids running out. You know, I'm all for having polling places at schools -- if they would close them. But I think the more -- well, that's true -- because I think it is a danger to the kids. You have people coming into those schools that do it twice a year. You've got little children who are, needless to say, when school is closed they are wanting to go home and they're running around -- and the teachers do a marvelous job of keeping those kids in line. But when Jayne says there is a Day Care Center there, my goodness sakes -- it can't compare to the children at Daniel Wertz School. So I can't see where that has anything to do with it. If you want to say that, that is good -- because I will take New Bethel. If I were unfortunate enough to be disabled I would much rather go to New Bethel. Like I said, I went to both places and I know what the set-up is; and I would be more than willing to take anybody out there and show you the set-ups."

Commissioner Hunter asked, "What about the five steps she mentioned?"

Ms. Kirk replied, "When you go in, there is an area you go in where you walk five steps down. That is not the door that people who have a disability go in. They pull around to a canopy and..."

Ms. Bland interrupted, "They don't know that, Susie; they don't know where to go to vote."

Ms. Kirk countered, "Well, Jayne, that shouldn't be any particular problem. We can set up a sign. This is not the only place."

Ms. Bland said, "I understand that. Why is it that people...."

Ms. Kirk interrupted, "Well, we've had that polling place there -- I find that strange that this has been a polling place since the 1960's and all of a sudden -- this year -- we have a complaint. I find that strange."

President Tuley asked, "Susie, why did you use your words 'pulled into the middle of this' -- you don't reside in 6-19, so you don't vote there. So how did you get this involved I'll say for lack of a better term?"

Ms. Kirk said, "That's fine. Our party sent out the Board things for the Precinct Committeemen to fill out. So Shirley Cox (the Committeeman out there) sent hers back -- and we have on the form 'Polling place' and she put New Bethel. Tiger Ritter called her and said, 'It's not New Bethel anymore -- they are trying to change it to Daniel Wertz. Well, like I said, it's on the west and I'm like lost out there anyway. It's like another world for me out there -- I can't find my way around very well. So Shirley Cox called me and she would have come to the meeting except that she is down in Dallas, TX visiting her children over the Easter holiday. I told her I would look into it and see. Like I said, I thought at first -- Oh, boy -- you know, stuck right in the middle here. And when I drove out there, like I said, I was pleasantly surprised with the set-up. It is very nice. Like I said, I'll take any of you out there and show it to you. It's just -- there's just no reason not to have it there. There really isn't. Like I said, it's been there all these years and I have been involved since 1972 with the election office and with the voter's registration office -- and, in my recollection, I have never heard anyone complain. Mrs. Main out there -- I asked her, 'Have you had complaints?' They have never had any complaints. So I can't see disrupting -- and this precinct, I went back and even checked the votes. It's an independent precinct. So it is not one party will benefit over the other by moving it. These people are used to going there. There are several elderly who live in the precinct from what I can gather. And I can't see disrupting. I thought the whole idea of polling places was the convenience of the people. It is not a contest whether you win or lose; whether you are democrat or republican. And I feel that if this Board moves this precinct it is strictly political. Like I said, I'll take you all out there. There is no way you can turn it down if you go out there and look at it."

Commissioner Borries said, "I've seen it. But you're not talking about -- when you talk like that, you're not talking a quarter of a mile."

Ms. Kirk asked, "Okay, why should they drive a quarter mile, when there's nothing wrong with the existing polling place. Why?"

Commissioner Borries said, "Well, apparently there have been some complaints. That is what the issue is and...."

Ms. Kirk interrupted, "No. Well, like I said, if you move this polling place. I already - I was informed, like I said -- I was concerned coming up here -- because Jayne warned me ten seconds into it -- 'You won't win'.

Ms. Bland countered, 'Susie, I never said that and you know it."

Ms. Kirk said, "Jayne,..."

Ms. Bland said, "I did not."

Ms. Kirk said, "I swear to God on a stack of Bibles that is exactly what you said. You said, 'Don't even try it.' And I find that -- that's pitiful, I'm going to tell you real quick. It really is."

President Tuley said, "I'll go out there -- and I don't need you to guide me out there -- I'll go out there and talk to those same people, since you've made this a political issue instead of a 'this is the right thing to do'.

Ms. Kirk interrupted, "No, Pat, I didn't make it a political issue."

Ms. Bland offered comments, but they were inaudible since she was not speaking from the podium.

Mr. Tuley said, "The only conversation I've ever had until just now -- she called and said she was coming up and said, 'Let me tell you my side'. I said, 'Fine, you can come up here and tell me in the meeting."

Ms. Kirk said, "That's fine - and I think both sides should be represented. But when you go out there, like I said, it's very nice - with a canopy."

Mr. Tuley said, "I understand Shirley is in Florida -- or wherever she is. I also understand she is the Committeeman."

Ms. Kirk said, "I wouldn't have pressed this had I felt -- as a matter of fact, I'd just have come up here and said, 'Fine, whatever you decide to do, fine -- I wouldn't have cared. But after going out there and seeing the set-up, I just think those voters deserve better than to have to go down to that school and fight with that traffic. You know what it's like, do you not? Do you know what traffic is like at school? Have you ever picked up your child from school? Do you think it's not congested? Do you? Or, maybe your child is not old enough."

Commissioner Tuley said, "No, I haven't had to deal with that yet."

Ms. Kirk continued, "Well, it is. I have picked mine up numerous times and, believe me, it is congested."

Commissioner Tuley asked, "Is everybody comfortable with the rest of the polling sites that have been presented? Can we not vote on the rest of them and take one week to go out there and view for ourselves?"

Ms. Kirk asked, "Now, do we have to have a week?"

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Commissioner Borries said, "We do."

Ms Kirk continued, "Remember now, we are in the process of ..."

President Tuley said, "We can't make a decision until next Monday night -- so...."

Ms Kirk countered, "Well, okay -- if that is the way it is going to be over something like this, then I want to let the Board know now..."

Mr. Hunter interjected, "That is the way it has to be."

Ms. Kirk continued, "Then I want to let the Board know now that the 65,000 Voters Registration Cards may not get out before the Primary Election."

Commissioner Borries said, "Then we'll make the decision tonight. I've been to both places. If I recall, too, I'm not sure that -- you say they are paving part of the drive out there? At one time it was gravel."

Ms. Kirk said, "Okay. When I was out there they had it half done -- and I asked Mrs. Main and without a doubt it will, I guess -- it may be done by now. The whole thing is concrete. It really is. Like I said, this precinct has been there -- and I don't mean to say just because it has been there forever -- "

Mr. Borries said, "But that tradition doesn't necessarily provide, again, handicapped accessible -- nor was there a Daniel Wertz School. That is probably one of the flagships of the School Corporation in terms of facilities. It's all on one floor. It's one of the newest elementary schools that has been built. The old Daniel Wertz was around probably until ten years ago and, certainly, not what I would consider a candidate for not only handicapped accessible, but for this particular area."

Commissioner Tuley said, "I can't imagine that a school can't handle two precincts, either."

Ms. Kirk said, "No, no, Pat, that is not what I said. Where they have it now -- in what they call the Alcove -- it's in the cafeteria. He didn't know if that area in the cafeteria could accommodate two polling places. In other words, they might have to move it to -- I don't know, the gymnasium or whatever -- but when you park out there, you're in the weather. You're going to park somewhere -- because the teachers park, all right? I mean, I was there and you're going to have to go across the concrete outside, into the building, into this alcove. Whereas, at the other one you are right there. You get out of the car and there is the door. It's just right there."

Mr. Tuley said, "Something that you know you have to go in the other door now -- because you can't get down the steps."

Ms. Kirk said, "Well, all right, then let me put it this way. I think it is very commendable that this Commission is wanting to make polling places accessible to the handicapped. And if we are going to move this one, then I think the Commission should go through and review all of those that aren't and move those to places where the disabled are not going to have any problems in voting. Because, if it's good for 6-19, even though New Bethel is the better of the places for someone who is disabled..."

Mr. Tuley said, "In your opinion."

Ms. Kirk continued, "Yes, it is my opinion. Then I think that all of the polling places that are not accessible should be moved to areas that are. You are either going to move all of them or.."

Mr. Tuley said, "I believe, by law, that we have to notify the State on those that are not. Which other ones do we have a problem with?"

Ms. Kirk said, "That's right. There are a few -- not many. Some of them are out in the County. Tepe Park. I know you advertise those and they can either come down to the election office and vote. But, you know, I really think you should use your best judgment on this and do what is best for the voters -- rather than sending those people down to another area where you have small children. As I said before, I think the schools are great. But it has always worried me that some child is going to get hit because we have elderly people driving in to try to vote. They are not, you know...."

Mr. Tuley said, "You'll be in hot water with that other guy if you're not careful here and start talking about the elderly drivers."

Ms. Kirk said, "Well, it is. It is unfamiliar to them and, like I said, this is really a nice place and there is no reason that there couldn't be a sign posted or something, directing the handicapped around to that other door. It is a good place -- it really is. Like I said, if I... Thank God I'm not -- but if I were disabled I would much rather not fight the traffic at the school and go to New Bethel where it is quiet and do it. So, are you making a decision tonight or are we going to wait?"

President Tuley said, "Jayne has something else she wants to say."

Ms. Jayne Berry-Bland approached the podium and stated, "I would just like to address a couple of her points that she made. You know, the first one about the handicapped people -- most of you do know I do have a handicapped 22 year old daughter. And there is no way she can get up and down those steps -- nor would I allow her to try."

Ms. Kirk offered comments, but they were inaudible because she was not speaking from the podium.

Ms. Bland continued, "But she is not registered to vote, so it doesn't matter. Did she register. Okay. Anyway, I feel like -- you know, she is not the one who has made a complaint to me. I've had calls, as the Committeeman. The Mains -- the Reverend and Mrs. Main -- would never get phone calls regarding our voting; whether or not they could have access to vote. People don't call them. They have nothing to do with the election. We just obviously use that building. It is not convenient for the disabled or the handicapped - whatever you want to call them -- to vote there. The access would be much better at Daniel Wertz, because it is on one level. You're talking about one door. It has very good access over there. I've been over there several times and I feel like because we are not moving it more than one block away, it is exactly -- New Bethel Church sits at the corner of Red Bank and Broadway -- and we're talking about moving it one block on Red Bank, which is where Daniel Wertz is. And it has nothing to do with politics. I'm asking for this move because I feel like the voters would be happier with that according to the complaints that I've received. I have no idea if Shirley is getting any complaints. She is hard to catch, because I've tried to call her many times."

Ms. Kirk asked, "Is there any way -- if you decide to move this polling place to Daniel Wertz -- that as the voters come in, would it be possible to have someone out there -- someone from each party, so one doesn't say one is doing something to the other -- and ask the people as they come in -- if you decide to move it, would they rather go back to their old place or would they prefer to stay at Daniel Wertz? And then, if the people decide..."

Commissioner Tuley said, "That is supposedly what we're moving it for -- people have complained."

Ms. Kirk stated, "Shirley said there weren't any complaints. Like I said, I've been around since 1972 and, believe me, when people have complaints, they call the election office. They will tell you real quick if something is wrong. And they also call our office. Like I said, to my knowledge, I have never heard anyone complain about that. And, I mean people -- I would think that if it was that bad, that we would have heard something at one of our offices."

Commissioner Tuley said, "To finish it up -- you were saying to talk to people..."

Ms. Kirk said, "Sure. As people come in -- because I have a feel that the Commission is going to go ahead and move this to Daniel Wertz this time -- that seems to be every indication that I get by looking around here -- that maybe if we took a poll to see maybe if they wanted to go back to their old place. Because I think Jayne is right -- I don't think Susie is winning tonight."

Ms. Bland said, "That's a good ploy."

President Tuley said, "Well, if you want to take the poll, or whoever wants to take the poll is fine -- "

Ms. Kirk interjected, "I think it would be really good if you guys -- like I said, I think waiting a week -- uh, we have things we've got to get done down in our office. And I think you'd already made your mind up before I even got here, so let's just do whatever."

Commissioner Hunter interjected, "Mr. President, I would move for approval of the polling place for 6-19 at Daniel Wertz and ask for a roll call vote."

Seconded by Commissioner Borries.

Ms. Kirk asked, "Is it going to be permissible then to take the poll then out there?"

Mr. Tuley responded, "Sure.:"

Ms. Kirk asked, "Do you have any ideas of who you want to designate? Would you like each party....."

Mr. Tuley interjected, "Let the Committeemen work it out. How does that sound?"

Ms. Kirk replied, "That's fine."

Commissioner Tuley asked for a roll call vote: Commissioner Hunter, no; Commissioner Borries, yes; and Commissioner Tuley, yes.

Ms. Kirk said, "And I have one suggestion -- that maybe at a later date if we want to save a little money next year..."

Mr. Tuley asked, "Do you have one for saving any money this year?"

Ms. Kirk replied, "No, it's too late. But next year, instead of having BRC do the ballots at a cost of \$28,359, I think we need to go back and do it the way we've done it since 1975 -- at a cost of \$7,000. That is a savings of \$21,359. And, by the way, for all that \$28,000, they were supposed to start voting today and they have nothing for that \$28,000!"

In response to comment by Mr. Jon Hill, Commissioner Hunter said the Board probably needs to make two motions -- one for the acceptance of the polling places except 6-19 and then vote on 6-19 separately.

Motion was made by Commissioner Borries that the polling places for the 1994 Primary Election be approved, as submitted, with the exception of 6-19. Seconded by Commissioner Hunter. So ordered.

President Tuley said it takes longer to tie up polling places than it does to do a road here. That's pretty sad.

RE: ORDINANCE AMENDING THE BUILDING CODE - ROGER LEHMAN

The meeting continued with Commissioner Tuley saying this is the Second Reading for the Ordinance Amending the Building Code. He then recognized Mr. Roger Lehman, Building Commission.

Commissioner Borries stated, "This thing has been on for so long, Roger. Is this the same one that the City has now accepted?"

Mr. Lehman replied, "This is the one where we made the changes in the Board make-up, where the Commission wanted equal representation."

President Tuley noted that Commissioner Hunter had some questions and he thinks Roger addressed those, as well.

Mr. Lehman stated, "This is amended to include some amendments that were passed in City Council."

Mr. Tuley said this is Second Reading tonight, and the Third and Final Reading is scheduled for next week. He then entertained a motion.

Motion to approve the Ordinance on Second Reading was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: DMD - MIKE ROBLING

Sunbeam Plastics Grant/Audit: Mr. Mike Robling of the Department of Metropolitan Development was recognized and said the first item is this grant, which the County received from the Indiana Department of Commerce, requires an audit prior to their disbursing the balance of the funds in the grant. He solicited audit proposals from six (6) local CPA firms. He received one response -- from Marietta Overbeck in the amount of \$425.00. He would request the Board approve hiring the Overbeck firm and sign the engagement letter. He has done this for other grants in the past and, generally, he's only received two proposals. The grant included up to \$500 for the audit.

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

Metro Small Business Assistance Corporation/Loan Agreement for Collis: Mr. Robling said this is something that the Commissioners agreed to in principle last May, he thinks, when County Council appropriated the funds for this loan and Metro went ahead and made the loan with the understanding that they would be reimbursed by the County out of the 1994 budget.

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

In response to query from Commissioner Hunter, Ms. Mayo confirmed that this was included in the 1994 budget.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Bid Recap/Reassessment Software, Hardware & Services: Attorney Kissinger reported there were three (3) bidders (and all were unit bids) as follows:

- 1) Low Associates
- 2) Manatron, Inc.
- 3) CSS Associates

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Attorney Kissinger said the only comment that he feels it necessary to make is that the bid which came in from Low Associates was delivered in an unsealed form. There were other bids that were, in fact, received in time after the Low Associates bid. As a consequence, the reason for sealing bids would be defeated if we did not look on the Low Associates bid as not being in compliance -- in consideration of the fact that it was not sealed. Therefore, he doesn't know what Mr. Cappelletti wants to do on that, but under the present circumstances he cannot recommend that the Commissioners consider the bid of Low Associates because of the form in which it was received.

Mr. Cappelletti said he really has no problem with that determination. The bid was brought to his office in that condition and that is why he brought it to the Commission Meeting just that way and they did not open any of the other sealed bids -- being a sealed bid was one of the requirements of the notice.

Attorney Kissinger said, "My comment is then, in consideration of the fact that the Low Associates bid was not sealed, it should not be considered. I don't think we need any formal action on that now, but Mr. Cappelletti has asked that we take all of the bids under advisement. Do you intend to report next week?"

Mr. Cappelletti said, "It may not be next week."

Attorney Kissinger said, "All right. My comments then will stand until you come back and report to the Commissioners with your recommendation. So we need not do anything on that tonight. As to the rest of the bids, I am asking that they be taken under advisement."

Motion to take the remainder of the bids under advisement was made by Commissioner Borries, with second from Commissioner Hunter. So ordered.

Bid Recap/Used Rolm Telephone Equipment: Attorney Kissinger said we have two (2) bids and both are unit bids. They have totals and unit bids. Bids are as follows:

- 1) VV Associates
- 2) Intelex

Attorney Kissinger said he would also ask that these bids be taken under advisement so that they can be reviewed by Mr. Abell, who will report back at next week's meeting.

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

Agreement Between Board of Commissioners & Chauffeur's, Teamsters & Helpers Local Union #215: Attorney Kissinger reported this agreement is effective from January 1, 1994 thru December 1, 1996. He previously provided each of the Commissioners with unsigned copies of the agreement. He now has seven (7) copies which have been signed by the appropriate officials at Teamsters and if the Commissioners have any questions -- since he was part of the negotiations -- he would be happy to attempt to answer those questions. Otherwise, he thinks the agreement is in final form and he would recommend the Board give it favorable consideration and sign these copies tonight.

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

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Claims: Mr. Abell said he has several blue claims that came to the office a little later today that he would like to submit for signatures, as well as some checks to be quietused in that came in after the agenda was put together.

Motion to approve the claims and accept and endorse the checks was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted the Weekly Progress Report for period of March 21, 1994 thru March 25, 1994report received and filed.

Flooding/Old Henderson Rd.: It was noted that the water is up again on Old Henderson Rd. and Mr. Morphey said this makes five times this year. This year has been very hard on the roads. We're going to have to spend a lot of time down on Old Henderson Rd. this year. Cypress-Dale held up real well, far better than Old Henderson Rd. We've already spent a lot of time and money down on Old Henderson Rd. When the water goes down this time, we'll have to go right back down there again. But once the river stabilizes and we get into our paving season, we're going to have to do some paving on Old Henderson Rd.

Mr. Tuley asked "You did a lot of preliminary work on Cypress-Dale last year, did you not -- just trying to build it up, etc.?"

Mr. Morphey replied, "Yes. We did some ditching out there. We had to get some drainage; that road never had drainage. There were no ditches out there - but we did do that. We put culverts in and ditched the road. Actually, the road held up better this winter than Old Henderson Rd. We've had two holes develop in Cypress-Dale. In past years, the road has been falling apart, but this year it held together. I credit that to the drainage work we did out there."

Mr. Tuley said, "So those things are in place if we ever get the money to go ahead and pave it, we've done everything else in the preliminary round -- and it might last."

Mr. Morphey said, "I believe it will. I think the road will hold up this time."

Mr. Tuley said, "If I remember correctly, your comments to me last year were that we could go out there and pave it, but it is going to be torn up because we don't have the preliminary work done first, correct?"

Mr. Morphey said that is correct. He thinks we can finish that road off this year and not have any problems with it.

Commissioner Hunter said he had an item that came through the mail that he wanted to pass along to Mr. Morphey -- some high tech equipment for patching roads.

Mr. Morphey said that is the exact same machine he has a request in to Council for now.

Mr. Hunter said that is a neat looking piece of equipment.

Mr. Morphey said he took it a step farther; he went to Park County. They have a pothole patch machine. Normally, when you talk to a salesman he is going to try to sell you his particular machine. He wanted to see the machine in operation and talk to some County employees who were using the machine. Park County has one and he spent several hours up there talking to the men. There were two men in the truck and in his opinion, there should have been three men -- there should have been a flagman out there. for safety purposes. There was quite a bit of traffic on that road. But the machine worked well. They probably patched twenty holes in the road during the time he was there and he was slowing the work down because he was asking questions. Mr. Borries asked him last week if there was a cold patch or a hot patch -- he said there was a cold mix. Actually, the aggregate is cold but the oil is heated -- so this is....

Mr. Borries interrupted, "Okay. I have some worries about cold mix; I guess I'm biased about it. Maybe there is some new technology out there. That worried me a little bit, because

basically what cold mix is, is a chip and seal -- and, you know, our experience in using it when we had a pug mill out at the garage at one point was that it just wouldn't hold up after two severe winters."

Mr. Morpew said this machine also has compressed air that blows the hole out, then you spray the oil in under pressure, then you put the mix in with pressure and cap it off with aggregate. He watched a school bus drive right across the potholes. If you're running hot mix, we generally have a crew of five or six people. If we're putting cold patch in or whatever, we use three people. But all through the spring, summer and fall we're patching potholes and we're running five or six people. With this machine, you use three people -- a driver, an operator and a laborer. You pull the machine with a truck. The truck carries the aggregate. There is a special attachment that fits onto the tailgate of the truck that lets the gravel come right out of the center into a hopper on the machine and it goes through that hopper. They're very nice machines.

Mr. Tuley asked, "You're going before Council Wednesday on this machine, aren't you? And that's paid for out of roads and streets, not out of the general fund?"

Mr. Morpew said, "Yes. And that's out of roads and streets -- and the money is there."

Mr. Hunter asked how much that machine cost?

Mr. Morpew said it costs under \$45,000.

Mr. Borries asked if this also does some crack sealing, too.

Mr. Morpew said, "Yes, Sir. You use this for crack sealing. You use the generator to blow the cracks out and the dust out; put the emulsion in and the aggregate on top. It's a good machine."

Mr. Tuley said, "The good thing is, you just didn't hear this from a salesman; you went out and witnessed a county using it."

Mr. Morpew said we're going to have one demonstrated to us here at the highway department on Wednesday around 1:00 p.m.

Mr. Tuley said he knows Park County and they're a small, poor county. And if they could come up with the money to get this machine....

Mr. Morpew said, "This machine will not only save us a lot of money -- in UPM mix we're paying (of course, that's a cold patch and it doesn't stay in the holes -- but that's all you can get in the winter, because the batch plants do not mix) \$90.00 per ton for this mix. He would say it stays in the hole three days and it's out -- and it's a constant problem. The engineer's office spends \$200,000 in three years doing crack sealing -- and with the truck, the machine and the manpower we already have, we can get that cost way down. He would say that we could do that same work, including the material, for probably 25% of the cost of what we've normally been spending. And this could be used instead of the cold patch we've been using in the winter, because it does have a built-in heater."

Mr. Hunter asked, "And this would not pop back out in three days or so?"

Mr. Morpew said, "No, Sir. The emulsion is heated and it adheres to the bottom. With the UPM (the cold mix) you simply shovel it into the hole and drive over it. So your pressure is on the top and not on the bottom. With this, it's actually blown into the hole and the pressure is on the bottom."

Mr. Tuley said that in the long run, this sounds like good preventive maintenance -- so we're going to further the life of the existing road, as well.

Mr. Morphew confirmed that this is correct. He and John Stoll have been discussing the amount of money we've been spending on contracting and crack sealing, and they felt that if we could do that in house it would save a lot of money. He started looking at some of these machine about sixty days ago and this looks like the way to go. And we'd be saving three people per job -- and that's a lot of money by the time you tie insurance and everything in there -- about \$60 per hour.

Mr. Tuley said what we need to do now is get the funding in place for this machine.

Commissioner Hunter asked if we'd have to put this out for bid.

Mr. Tuley said we would.

Mr. Hunter asked if there are a lot of different companies that make this machine? It looked like a pretty unique piece of equipment.

Mr. Morphew said there are several different companies who have this machine.

Mr. Tuley said the main thing is that the Commissioners need to get on the phone with Council to talk to them about appropriating the monies. He doesn't think it will be too much of a problem with this piece of equipment. However, he doesn't know about the rest of what Mr. Morphew is requesting.

Hitch-Peters Rd.: Mr. Morphew said he does have some bad news. Hitch-Peters Rd. is in the City, as is the section of Bergdolt Rd. the Commissioners and Mr. Assalone were talking about earlier. We paved the other end of Bergdolt Rd. (the part that is in the county) last year.

RE: COUNTY ENGINEER - JOHN STOLL

Green River Rd./Section "D"/Road Plans: Mr. Stoll submitted the plans for Green River Rd./Section "B". He said that tentatively we're supposed to get bridge monies for Franklin Street, so that frees up the minimum allocation money that could be used for the next section of Green River Rd. He hasn't yet received anything in writing from the State, but the consultants are proceeding with getting plans ready for Section "D" on Green River -- so in case we are able to go with that, everything will be ready as far as the State is concerned with the design plans.

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

Green River Rd. Ribbon Cutting Ceremony: Commissioner Hunter asked if Mr. Stoll has had a chance to work on this event. Was it Hebron School that did the research? Who was the teacher?

Mr. Stoll said it was Hebron School, but he hasn't had a chance to work on that yet.

Commissioner Borries said the teacher was Libby Culver -- "From Cornfield to Concrete"

Mr. Hunter said he thinks we should have Libby and her class come out and do the ribbon cutting.

Mr. Stoll said he will call her tomorrow to see what we can get set up.

RE: CONSENT AGENDA

President Tuley entertained questions or comments concerning the Consent Agenda. He said he has one item to add -- a letter of appreciation to Mark Acker dated March 17th. (Copy of letter attached hereto) commending him for the job he has done. He would enter the letter for

the record and put it in Mark's personnel file.

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

Mr. Hunter said that, for the record, the County Engineer's Consent Agenda talks about the acceptance of right-of-way easements on Orchard Rd. Bridge #158 and it mentions Hunter Development Corporation/Parcel #7 -- he wants to emphasize this has nothing to do with him whatsoever -- unless it's a rich relative he has not yet met.

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

RE: SCHEDULED MEETINGS

It was noted by President Tuley that a calendar of Scheduled Meetings is attached to the agenda. Solid Waste meets next week. While he doesn't see it on the meeting calendar, is there not a Special Drainage Board Meeting next week -- just for the bid awards on the annual ditch cleaning?

Commissioner Borries confirmed that this is correct.

Mr. Tuley said Council also has a meeting on Wednesday of this week, as does the Area Plan Commission.

RE: OLD BUSINESS

Appointment/Pigeon Creek Committee: Mr. Borries said there are two appointments here that would fall under Old Business, one of which has to do with the Pigeon Creek Committee, that is changing the by-laws. He hasn't seen the changes, but Shirley James, the Co-Chairman, indicated that the Chairman of the Committee, Rebecca Embry, did not have an appointment designation. So she indicated in some conversations with this Board that it would be appropriate, obviously, for this Board to appoint Ms. Embry since she has been serving all this time. At this time, he would move to appoint Rebecca Embry. Seconded by Commissioner Hunter. So ordered.

Mr. Borries said Mrs. James has given them some other appointments, but he is not sure how they will work out in terms of the by-law changes.

Community Corrections Advisory Board: Commissioner Borries said another appointment is a request by Commissioner Tuley concerning an appointee to this Board from the Star Neighborhood Association. They had submitted a list of names. In looking over this list, he believes it would be best to have a person there to balance in terms of not only minority balance, but gender balance. At this time he would nominate Beverly M. Kempf, the Star Neighborhood Association president, to serve on this Board. Seconded by Commissioner Hunter. So ordered.

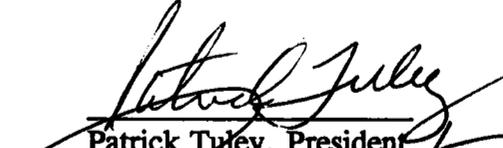
Darmstadt-Vanderburgh County Law Enforcement Committee: Mr. Borries said that under an agreement in 1993 between the Town of Darmstadt and Vanderburgh County, it indicated that a committee composed of personnel from the County and the Town of Darmstadt be appointed to review this arrangement for law enforcement services. Sheriff Hamner had taken the lead in this and had given his approval last year for this. Mr. Borries said at this time he would nominate Chief Deputy Stephen Woodall and Lt. Brad Ellsworth from the Vanderburgh County Sheriff's Department to serve as the County's representatives on this Board. Seconded by Commissioner Hunter. So ordered.

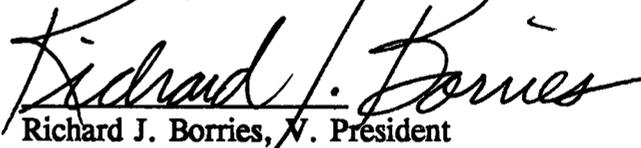
There being no further business to come before the Board at this time, President Tuley entertained a motion for adjournment. Motion to this effect made by Commissioner Hunter, with a second from Commissioner Borries. So ordered. Meeting was adjourned at 8:00 p.m.

PRESENT:

Patrick Tuley
Richard J. Borries
Don L. Hunter
Alan M. Kissinger/Attorney
Sam Humphrey/County Auditor
Cindy Mayo/Chief Deputy Auditor
Mark Abell, Supt./County Bldgs.
John Stoll/County Engineer
Bill Morpew/County Highway Supt.
Richard Cappelletti/Data Processing
Roger Lehman/Building Commission
Susie Kirk/Voters Registration
Jon Hill/Voters Registration
Mike Robling/DMD
Jayne Berry-Bland/Treasurer
Shirley Reeder/Knight Assessor's office
Linda Christensen/Manatron/ATEK
Evelyn Lannert/County Assessor's office
David Zigler
Don Assalone/Resident
Howard Dibble/Resident
Dixie Sloan/Woodland Hills Drive
Pat Willett/Woodland Hills Drive
Donald Kinney/Woodland Hills Drive
Teresa Lewis/Westchester Drive
Kris Head/Westchester Drive
Jeff Downey/Westchester Drive
James Boren/Westchester Drive
David Karges/Westchester Drive
Tammy Karges/Westchester Drive
Esther Roesner/Roesner Rd.
Edna Roesner/Roesner Rd.
Gene F. Pfeiffer/Eickhoff Rd.
James Alexander/Wittman Drive
Jim Kaiser/Concerned citizen and
former resident of Vanderburgh Co.
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, V. President


Don L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

April 4, 1994

5:30 P.M.

FINAL

- 5:30
1. **CALL TO ORDER**
 2. **INTRODUCTIONS**
 3. **PLEDGE OF ALLEGIANCE**
 4. **ACTION ITEMS**

✓ *******PUBLIC ROAD HEARING*******

- A. **Approval of Commissioner Minutes - *S. J. [unclear]***
- B. **Any group/individual wishing to address the commission**
- C. **Open Bids**
 - 1) **Tax Reassessment Software, Hardware and Services**
 - 2) **Telephone Equipment**
- D. **Susie Kirk / Jon Hill**
re: Approval of 1994 Polling Places
- E. **Ordinance Amending the Building Code**
re: 2nd Reading
- F. **Mike Robling / DMD**
 - 1) **Approval of audit / Sunbeam Plastics rail siding project**
 - 2) **Approval of loan agreement with Metro Small Business Assistance Corporation (Collis Inc.)**

5. DEPARTMENT HEADS

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

6. CONSENT ITEMS

A. Travel/Education

Health (1)
Knight Assessor (1)
Vanderburgh County Assessor (1)

B. Employment Changes
see attached lists

C. Treasurer's Monthly Report for Feburary

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

COUNTY ENGINEER'S

CONSENT AGENDA

APRIL 4, 1994

1. ACCEPTANCE OF RIGHT-OF-WAY EASEMENTS - ORCHARD ROAD BR. #158
Allen L. & Betty Krieteneyer - Parcel #1
Hunter Development Corp. - Parcel #7
Jerome & Jane Miller
Helen Francis Fuquay
Ennett K & Hazel C. Goodman - Parcel #2
David M. & Judith E. Lipking - Parcel #3
Tracy Lynn Lipking - Parcel #4

2. CLAIMS:

VOLKMAN ROAD BRIDGE 203-4343	
CCC of Evansville (Inv. #94001G)	\$18,215.35
LYNCH ROAD EXTENSION 216-4827	
David Matthews Assoc. (Parcel #11)	\$ 625.00
USI & SR 62 430 BOND	
Bernardin Lochmueller (Iv. #93-003-2(10))	\$11,768.86
UNION TWP 430 BOND	
CSX Transportation (Inv. #2LN4717)	\$ 1,246.45

April 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

						1 April Fools Day Good Friday 91/274	2 92/273
3 Daylight Savings—set ahead 1 hour Easter 93/272	4 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners 5:30pm Road Hearing 94/271	5 95/270	6 3:30pm County Council 96/269	7 97/268	8 Pay Day 98/267	9 99/266	
10 100/265	11 4:30pm Solid Waste 5:30pm Commissioners 101/264	12 102/263	13 103/262	14 104/261	15 105/260	16 106/259	
17 107/258	18 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Rezoning 108/257	19 9:00am Insurance Comm. 109/256	20 110/255	21 9:00am Steering Comm. 5:00pm Pigeon Creek 111/254	22 Pay Day 112/253	23 113/252	
24 114/251	25 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Brd. 115/250	26 116/249	27 3:30pm Personnel & Finance 117/248	28 118/247	29 119/246	30 120/245	

March

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department **CIRCUIT COURT**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
					HR	
136.1-1990	DANIEL I. THOMAS JR.		PART-TIME CORRECTION OFFICER	5.00		3-22-94 ✓
136-1380	MICHAEL DANKS	EMP.#02665	OTHER Circuit Court			3-13-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
					HR	
136-1970	MELVIN MACGREGOR	EMP.# 03397 (DECEASED 3/19/94)	PAR-TIME BAILIFF	5.00		3-13-94 ✓

RECORDER
COMMISSIONER'S RECORD

Signed by Beverly H. Coas DATE 3/30/94
JUDGE, CIRCUIT COURT

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department **ELECTION OFFICE**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
121-112	JANE WILKIE	6617 KRATZVILLE RD	CLERK	6	00	3-25-94 ✓
121-112	KATHLEEN PAJAK	APT. B 2675 MT VERNON AVE	CLERK	6	00	3-25-94 ✓
121-112	PAM DANIELS	1808 RAVENSWOOD	CLERK	6	00	3-25-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Alvina M. Muelbach DATE 3-25-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
111-199	LISA R. MORGAN	5206 PLEASANT RIDGE DR	PART-TIME OFFICE DEPUTY	\$5100 PER HOUR	3-29-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 3-29-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PROSECUTOR'S OFFICE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10801370	DOUGLAS [REDACTED]	3700 Richardt Evansville, IN 47715	CHIEF DEPUTY County Supp.	\$7210.00 ÷ 1,752 HRS = \$4,115.25/HR	MARCH 1 1994 ✓

*This money is being paid me by the
Prosecutor's Office*

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 29 March 1994

APPOINTMENTS MADE

	ADDRESS	POSITION	SALARY		EFFECTIVE
20101750	4309 CHESTNUT ST.	NO. OPERATOR	708	00	ANNUAL

PREVIOUSLY CREDITED FROM EMPLOYMENT CHANGE
 DATED 3-4-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

	ADDRESS	POSITION	SALARY		EFFECTIVE

31-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department **OFFICE**

APPOINTMENTS MADE

	ADDRESS	POSITION	SALARY		EFFECTIVE
121-112	805 S VILLA DR.	CLERK	6	00	4-4-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
 COMMISSIONER'S RECORD

SIGNED BY Alveta Matlock DATE 4-4-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department **TOWNSHIP ASSESSOR** *sh*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1000-1150-1130	KRAIG H. JONES	ANY WAY	REAL ESTATE DEPUTY	PER HOUR 112995	5/12/94

RECORDER
COMMISSIONER'S RECORD

Signed by *[Signature]* DATE **3-31-94**

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department **VANDERBURGH COUNTY SURVEYOR OFFICE ROOM 325-106** *sh*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

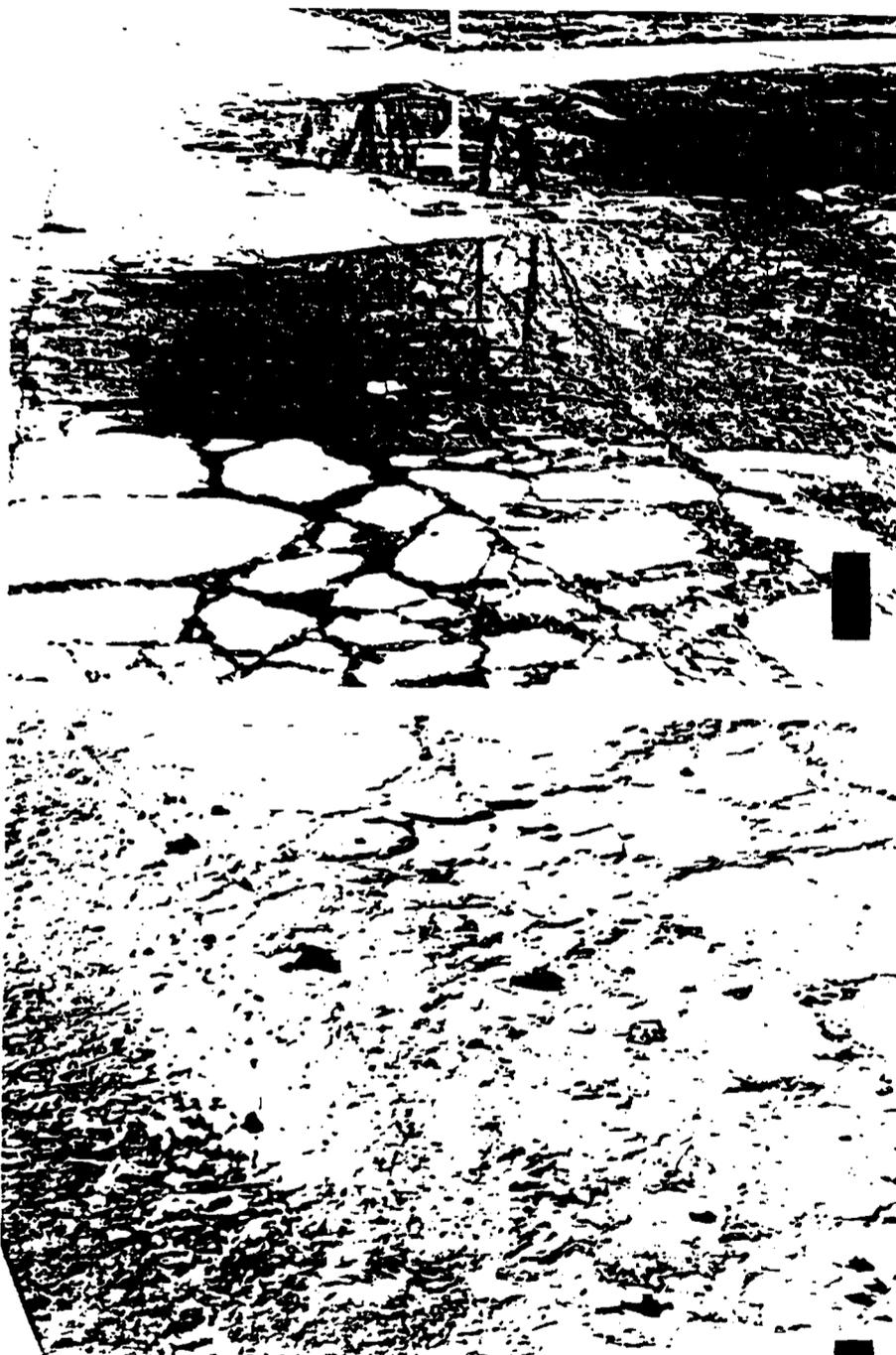
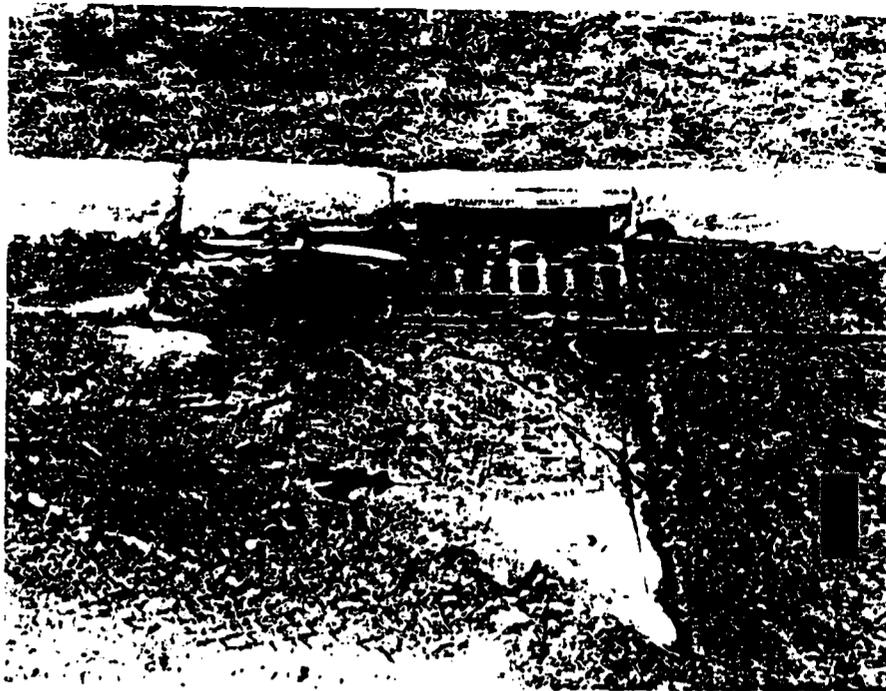
	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
106/116	MELTON PRESTON M	427 Center St Henderson, Ky.	Chiefdraftman	20,282.00	3-4-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE

Photos taken of Westchester Dr.

Kris Head
2410 Westchester Dr
Evansville, IN 47720



April 4, 1994





DATA PROCESSING REVIEW BOARD
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

A G E N D A R E Q U E S T

NAME OF REQUESTOR: Richard Cappelletti

REQUESTOR TITLE: Director

DEPARTMENT: Data Processing

REQUEST(S) BEING MADE:

- County Commisioners receive and open bids for the County/Township Assessor's TAX REASSESSMENT SOFTWARE, HARDWARE and SERVICES bids.
- * Bids will be taken for consideration and analysis after formal opening.

DATE TO BE PLACED ON AGENDA:

County Commissioners

Monday, April 4, 1994

ACTION **CONSENT** **OTHER**

BID RECAP SHEET

PROJECT: REASSESSMENT SOFTWARE, HARDWARE & SERVICES

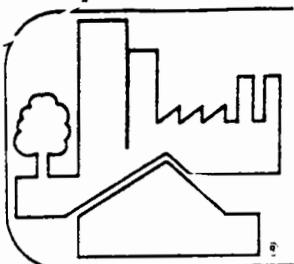
BID OPENING DATE: APRIL 4, 1994

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
<u>Law Associates</u>	<u>UNIT BIDS</u>
<u>MANATRON, INC.</u>	<u>UNIT BIDS</u>
<u>CSS ASSOCIATES</u>	<u>UNIT BIDS</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS:

ACTION TAKEN: TAKEN UNDER ADVISEMENT.



In Commission
john g. cleminshaw inc.

appraisers

March 31, 1994



Vanderburgh County Auditor
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

Dear Auditor:

It is with regrets that at this time we have elected to forego offering Vanderburgh County a proposal for your Reassessment Software, Hardware, and Support Services.

If it develops that you eventually decide to postpone this project, we would be interested in the possibility of offering a proposal at a later date.

We very much appreciate your considering our firm and wish you the best of luck.

Sincerely,

JOHN G. CLEMINSHAW, INC.

John David Cleminshaw
Executive Vice President

JDC/dh

cc: P. R. Cappelletti, CIR Courts

BID RECAP SHEET

PROJECT: USED ROLM TELEPHONE EQUIPMENT

BID OPENING DATE: APRIL 4, 1994

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
<u>V.V. ASSOCIATES</u>	<u>UNIT BIDS</u>
<u>IN-TELEX</u>	<u>UNIT BIDS</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS:

ACTION TAKEN: TAKEN UNDER ADVISEMENT.

AGENDA REQUEST

NAME OF REQUESTOR: R. MICHAEL ROBLING *WR*
REQUESTOR TITLE: DEPUTY EXECUTIVE DIRECTOR
DEPARTMENT: METROPOLITAN DEVELOPMENT

REQUEST BEING MADE:

Approval of loan agreement with Metro Small Business Assistance Corporation and approval of Claim Form concerning the County's participation in the financing for Collis Inc.

Background:

During the Spring of 1993, Vanderburgh County was approached concerning financial assistance for Collis Inc. At that time, the Board of Commissioners agreed in principal to provide financial assistance in the amount of \$150,000. Due to cash flow problems during 1993, it was agreed between the County and the City of Evansville, that the City, through the Metro Small Business Assistance Corporation would initially make a loan to Collis and that Vanderburgh County would reimburse Metro SBAC in 1994. The County Council appropriated funds for this loan as a part of the 1994 budget.

Under the terms of the Loan Agreement between Metro and the County, the principal amount of this loan will be repaid to the County in four annual installments of \$37,500 beginning in October 1994.

DATE TO BE PLACED ON AGENDA: April 4, 1994

ACTION REQUIRED: Motion to approve Loan Agreement with Metro Small Business Assistance Corporation and signatures on 2 copies.
Approval of Claim to Pay \$150,000 to Metro SBAC

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

Metro Small Business
Assistance Corporation

Vendor # ~~3523~~ 4523

\$ 150,000.00

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 1300-3994

PURCHASE ORDER NO. _____

INVOICE NO. _____

PURPOSE _____

Allowed _____ 19 _____

In the sum of \$ _____

Richard G. Barnes
Richard G. Barnes

Commissioners _____ County _____

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract. statutory authority.

That it is apparently correct. incorrect.

.....
Auditor

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

.....
19

LOAN AGREEMENT

THIS AGREEMENT, made, entered into, executed and delivered at Evansville, Indiana this 4th day of April, 1994, by and between Vanderburgh County, Indiana, a county organized and existing under the laws of the State of Indiana (hereinafter "County") and Metro Small Business Assistance Corporation, a not-for-profit corporation organized and existing under and by virtue of the laws of the State of Indiana, with its principal place of business in the City of Evansville, Vanderburgh County, State of Indiana (hereinafter "Metro").

WITNESSETH

WHEREAS, Metro is a not-for-profit corporation organized to protect and promote the economic development of the City of Evansville and its environs; and

WHEREAS, the Vanderburgh County Board of County Commissioners has authorized this loan agreement subject to the appropriation of funds by the Vanderburgh County Council; and

WHEREAS, the Vanderburgh County Council has pledged to include the appropriation of One Hundred Fifty Thousand Dollars (\$150,000.00) in its 1994 budget to fund this loan; and

WHEREAS, since Metro was established to make loans to small businesses and has the capacity to administer said loan; and

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the County and Metro hereby agree as follows:

1. **Project.** Metro shall utilize its own funds to initially make a loan to Collis Inc. pursuant to the terms and conditions outlined in Exhibit A, which is attached hereto and incorporated herein by reference. Subject to the appropriation of funds by the Vanderburgh County Council as part of Vanderburgh County's 1994 Budget, the County shall disburse the \$150,000.00 in loan funds to Metro on or before January 15, 1994.

2. **Loan to Metro.** Pursuant to action by the Board of County Commissioners and appropriation of funds by the Vanderburgh County Council as part of the 1994 Budget, the County hereby loans the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) to Metro. Said loan shall be non-interest bearing and shall be secured by a Promissory Note from Metro, a copy of which is attached hereto as Exhibit B, and incorporated herein by reference. Principal shall be repaid in four annual installments of Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00), with the first payment due on October 15, 1994 and subsequent payments due on October 15th of the succeeding years, until the principal is paid in full. All interest paid by Collis Inc. to Metro on the loan outlined in Exhibit A shall be retained by Metro and utilized as a part of Metro's Vanderburgh County Loan Fund.

3. **Default by Collis Inc.** In the event that there should be a default by Collis Inc. in the payment of its promissory note to Metro after Metro has disbursed loan funds to Collis Inc., but prior to the receipt by Metro of funds from Vanderburgh County, Vanderburgh County shall fulfill its agreement to Metro as if no default by Collis Inc. has taken place. In the event that there should be a default by Collis Inc. in the payment of its promissory note to Metro, then Metro shall be relieved of making its regularly scheduled payments pursuant to the Metro Promissory Note to the County for the period of time which Collis Inc. is in default of its payments, and if Collis Inc. should fail to make all of the payments required to be made by it under the Collis Inc. Promissory Note, then the County shall forgive and release Metro under the Metro Promissory Note in the amounts and to the extent that Collis Inc. defaults in the payments due under the Collis Inc. Promissory Note. Metro agrees to assign its interest, in the Security Agreement from Collis Inc. to the County, in the event of a default by Collis Inc.

4. **Reversion.** In the event Metro shall cease to exist, the remaining balance of funds from the loan shall revert to the County, and any outstanding balance from the loan to Collis Inc. shall be assigned to the County.

5. **Metro's Covenants.** Metro covenants as follows:

a. Metro will keep and maintain books, records and other documents relating directly to the receipt of proceeds from this loan, and Metro agrees that any duly authorized representative of the County or the Indiana State Board of Accounts shall, at all reasonable times, be permitted access to and have the right to inspect, copy, audit, and examine all such books, records and other documents of Metro.

b. Metro shall be responsible for making the loan as discussed in Exhibit A.

6. **County's Representations and Warranties.** County warrants and represents to Metro that:

a. County is duly organized and existing under the laws of the State of Indiana and has full power and authority to make this Agreement and to perform it in accordance with its terms.

b. The execution, delivery and performance of this Agreement have been duly authorized by proper proceedings of the Board of County Commissioners and the County Council.

7. **Amendments.** The County and Metro agree that this Agreement may not be amended in any material respect without the prior written approval of the appropriate officials of the County and Metro.

8. **Disclaimer of Relationships.** The County and Metro agree that nothing contained in this Agreement shall be deemed or construed by any of the parties hereto or by any third persons to create any relationship of principal and agent, or of limited or general partnership, or of joint venture.

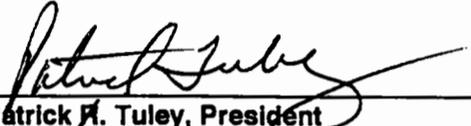
9. **Immunity of Members, Officers, Agents and Directors of Metro.** No recourse shall be had for the payment of any claim based on this Agreement or any supplement hereto against any director, agents, members or officers of Metro past, present or future, or any successor corporation as such, either directly or through Metro or any such successor corporation, whether by virtue of any statute, rule or law or by the enforcement of any assessment, penalty or otherwise, all such liability, whether at common law, in equity, by any statute or otherwise, of members, directors, agents or officers as such, being released as a condition of and consideration for, the execution of this Agreement.

10. **Disbursement of Funds.** The County shall disburse the loan funds to Metro in one installment to be made on or before January 15, 1994, subject to the appropriation of said funds by the Vanderburgh County Council as part of the 1994 Vanderburgh County Budget.

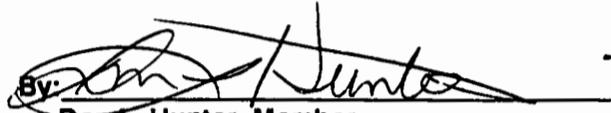
11. **Benefit.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the County has caused the execution hereof by its duly authorized officers, and Metro has caused the execution hereof by its duly authorized officers, all as of the day and year first above written.

VANDERBURGH COUNTY, INDIANA
Board of County Commissioners

By: 
Patrick H. Tuley, President

By: 
Richard J. Borries, Vice President

By: 
Don L. Hunter, Member

ATTEST:


Sam Humphrey, Auditor

METRO SMALL BUSINESS
ASSISTANCE CORPORATION

By: _____
Karen F. Carter, President

ATTEST:

Darryl Spurlock, Vice President

PROMISSORY NOTE

METRO SMALL BUSINESS ASSISTANCE CORPORATION

_____, 1994
Evansville, Indiana

Original Principal: \$150,000.00

FOR VALUE RECEIVED, the undersigned, **Metro Small Business Assistance Corporation** (hereinafter "Metro"), a not-for-profit corporation organized and existing under and by virtue of the laws of the State of Indiana, hereby promises to pay to the order of **Vanderburgh County, Indiana** (hereinafter "County"), the principal sum of One Hundred Fifty Thousand Dollars (\$150,000.00) (hereinafter "Principal Amount"), without interest.

The Principal Amount shall be repaid in four annual installments of Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00), with the first payment due on October 15, 1994 and subsequent payments due on October 15th of the succeeding years, until the principal is paid in full. This Promissory Note is executed and delivered pursuant to a Loan Agreement between the County and Metro dated _____, 1994. All of the terms, conditions, and provisions of the Loan Agreement are, by this reference thereto, incorporated herein as a part of this Promissory Note.

Metro hereby unconditionally waives diligence, presentment, protest, notice of dishonor and notice of default of the payment of any amount at any time payable to the County under or in connection with this Note. All amounts payable hereunder are payable without relief from valuation and appraisal laws.

All terms used in this Note which are defined in the Loan Agreement shall have the meanings assigned to them in the Loan Agreement.

IN WITNESS WHEREOF, Metro has caused this Promissory Note to be duly executed in its name and on its behalf by its President and Secretary, as of the date first written above.

Metro Small Business Assistance Corporation

By _____
Karen F. Carter, President

ATTEST:

Darryl Spurlock, Vice President

Exhibit A
to Loan Agreement
between Vanderburgh County
and Metro Small Business Assistance Corporation

Loan to Collis

Metro SBAC has made a loan to Collis Inc., a Delaware corporation, for the purpose of acquiring and installing equipment in a 120,000 square foot facility located at 3001 Maxx Road, Evansville, Indiana, to be leased by Collis Inc. Collis will utilize this facility for the manufacture of wire shelves and baskets for refrigerators. Collis Inc. will create 150 jobs with an annual payroll of \$2.5 million.

Terms of Collis Loan

Principal: \$150,000.00

Interest: Three Percent (3%) per annum

Repayment Schedule:

Accrued interest only due on October 1, 1993

Accrued interest plus \$37,500.00 in principal due on October 1, 1994 and on October 1st of each succeeding year until the entire principal balance is repaid.

Security: Collis Inc. shall assign a security interest in equipment to Metro. Said security interest shall be subordinate to the security interest of American National Bank and Trust and LaSalle Bank Lake View, both of Chicago, Illinois, and the security interest of the City of Evansville, Indiana.

AGENDA REQUEST

NAME OF REQUESTOR: R. MICHAEL ROBLING *Robling*
REQUESTOR TITLE: DEPUTY EXECUTIVE DIRECTOR
DEPARTMENT: METROPOLITAN DEVELOPMENT

REQUEST BEING MADE:

Approval of audit engagement letter with Marietta Overbeck, P.C., Certified Public Accountant, to conduct the audit required by the Indiana Department of Commerce Industrial Development Grant for the Sunbeam Plastics rail siding project.

Background:

Vanderburgh County has received an Industrial Development Grant from the Indiana Department of Commerce to assist Sunbeam Plastics in an expansion of its Kansas Road facility by upgrading a rail siding. The grant is in the amount of \$11,945. The project budget calls for \$11,445 to cover 50% of the cost of the rail siding work and \$500 to cover the cost of the project audit.

The rail siding work has been completed and Sunbeam has paid the entire cost of \$21,800 to Annex Railroad Builders, which was the low bidder approved by the Board of Commissioners on November 1, 1993.

The County has received the first grant payment in the amount of \$9,556.00. This amount has been paid to Sunbeam as a partial reimbursement of the \$10,900 which is due to cover the 50% grant share of the construction cost.

The grant agreement requires an audit before the balance of grant funds can be drawdown from the State.

A Request for Proposals - Auditing Services was sent to six local certified public accounting firms in early March. Marietta Overbeck, P.C. was the only firm to respond by the March 24, 1994 deadline. Ms. Overbeck's firm proposes to conduct the required audit for a fee of \$425.00. Her firm is familiar with the IDOC audit requirements and completed a similar assignment for the Department of Metropolitan Development in December of 1993.

DATE TO BE PLACED ON AGENDA: April 4, 1994

ACTION REQUIRED: Motion to approve audit engagement letter with Marietta Overbeck, P.C. and signature on letter (2 copies) by Pat Tuley.

MARIETTA OVERBECK, P.C.

A Professional Corporation / Certified Public Accountant
1715 N. Fulton Avenue, Evansville, Indiana 47710-2797
Tel. (812) 464-2698

MEMBER OF
AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS

INDIANA ASSOCIATION OF
CERTIFIED PUBLIC ACCOUNTANTS
METROPOLITAN DEVELOPMENT
EVANSVILLE, IN

March 15, 1994

MAR 21 1994

RECEIVED

Vanderburgh County Board of Commissioners
c/o R. Michael Robling, Executive Director
Department of Metropolitan Development
One NW Martin Luther King, Jr. Blvd., Room 306
Evansville, IN 47708-1869

We are proposing to audit the Industrial Development Grant-Sunbeam Plastics Corporation.

Our audit will be conducted in accordance with generally accepted auditing standards and will include tests of the accounting records of the Industrial Development Grant and other procedures we consider necessary to enable us to express an unqualified opinion that the financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles. If our opinion is other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit, we will not issue a report as a result of this engagement.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to the inquiry. At the conclusion of our audit, we will also request certain written representations from you about the financial statements and matters related.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. Also, we will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. However, because of the concept of reasonable assurance and because we will not perform a detailed examination of all transactions, there is a risk that material errors, irregularities, or illegal acts, including fraud or defalcations,

may exist and not be detected by us. Our responsibility as auditors is limited to the period covered by our audit and does not extend to matters that might arise during any later periods for which we are not engaged as auditors.

We understand that you will provide us with the basic information required for our audit and that you are responsible for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, but the responsibility for the financial statements remains with you. This responsibility includes the maintenance of adequate records and related internal control structure policies and procedures, the selection and application of accounting principles, and the safeguarding of assets.

Our audit is not specifically designed and cannot be relied on to disclose reportable conditions, that is, significant deficiencies in the design or operation of the internal control structure. However, during the audit, if we become aware of such reportable conditions or ways that we believe management practices can be improved, we will communicate them to you in a separate letter.

Our fee for these services will be \$425.00. Invoices will be rendered on completion and are payable in 15 days.

We appreciate the opportunity to be of service to Department of Metropolitan Development and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us, and this letter will continue in effect until canceled by either party.

Cordially,

Martta Overbeck

RESPONSE:

This letter correctly sets forth the understanding of Vanderburgh County Board of Commissioners.

Signature: _____

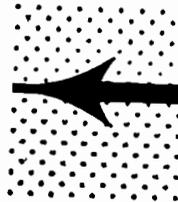
Title: _____

Date: _____

Robert Juley

Mer. Co. Com.

2-4-94



VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, MARCH 25, 1994 THRU THURSDAY, MARCH 31, 1994

FRIDAY, MARCH 25, 1994

Gradall, grader and three crews worked on Old Henderson Road.
Two patch crews worked on work orders.
Two tree crews worked on Boonville New Harmony Road.
One crew ran barricades and set sign posts.
One crew worked in garage repairing salt barn.

MONDAY, MARCH 28, 1994

Gradall and one crew replaced culvert at 10300 Fischer Road.
One crew set sign posts.
Two patch crews worked on Old Henderson Road.
One crew repaired salt barn.
Gradall, grader and three crews worked on Old Henderson Road.
Two tree crews worked on Old Henderson.
Payloader worked on S. Weinbach and River Road.

TUESDAY, MARCH 29, 1994

Gradall and one crew replaced culvert at 2205 Orchard Road.
Two patch crews worked on Old Henderson Road.
Two tree crews worked on Old Henderson Road.
Gradall, grader and three crews worked on Old Henderson.
One crew set sign posts and one crew painted door frames.

WEDNESDAY, MARCH 30, 1994

Two patch crews worked on Old Henderson Road.
Gradall, grader and three crews worked on Old Henderson Road.
Gradall and one crew worked at 1902 Orchard road on culvert.
Two tree crews worked on Boonville New Harmony.
One crew repaired salt barn.

THURSDAY, MARCH 24, 1994

Two patch crews worked on Barton Road.
Gradall and one crew worked on Old Henderson Road.
Two tree crews worked on Boonville New Harmony.
Grader and one crew worked on School bus turnarounds.
One crew worked on salt barn, one crew ran barricades and one crew removed spreaders from #8 and #10.

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY, MARCH 25, 1994 thru THURSDAY, MARCH 31, 1994

FRIDAY, MARCH 25, 1994

Crew #1 - clean under bridge on Old Lower Mr. Vernon, wash truck.
Crew #2 - clean under bridge on Old Lower Mt. Vernon, wash truck,
pick up trash on Old State Overpass.

MONDAY, MARCH 28, 1994

Crew #1 - install concrete pipe at 10300 Fischer Road.
Crew #2 - repair #280 Bridge on Buente Road, northwest corner.

TUESDAY, MARCH 29, 1994

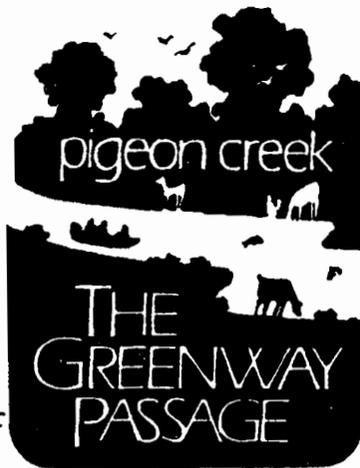
Crew #1 - install culvert at 2205 Orchard Road.
Crew #2 - haul 53's and 12" alum pipe from yard, pick up pipe
Orchard Road, Creamery and Fischer.
Crew #3 - mash up pipe from Fischer, Orchard, and Creamery.

WEDNESDAY, MARCH 30, 1994

Crew #1 - install pipe at 1902 Orchard Road.
Crew #2 - repair wash out by Hogue Road Bridge, rip rap both
pipes on Fischer Road.
Crew #3 - haul rip rap to Hogue and Fischer Road.

THURSDAY, MARCH 31, 1994

Crew #1 - rip rap Fischer Road and Orchard Road, add 53's to cut.
Crew #2 - change guardrails on St. Joe Road and Broadway.
Crew #3 - dig out rock on culverts on Barton Road.



6521 Mid. Mt. Vernon Rd.
Evansville, IN 47712

March 27, 1994

Mr. Lyle Boyles, Headmaster
EVANSVILLE DAY SCHOOL
3400 North Green River Rd.
Evansville, IN 47715

PLEASE ROUTE TO:

RICK BORRIES RM

PAT TULEY PT

DON HUNTER _____

OTHER PC

Dear Mr. Boyles:

As you may already know, the Pigeon Creek Greenway Passage Advisory Committee has a Youth Subcommittee comprised of members from all Vanderburgh County high schools. The appointments to this subcommittee were made formerly by the County Commissioners. Because of some changes to the by-laws, we are changing the appointers to the respective school corporations if it meets with their approval.

Our reasons for making this change is (1) to involve the schools more intimately with the Pigeon Creek Advisory Committee and (2) we feel the schools would be more knowledgeable regarding the student's abilities and interests.

The Advisory Committee thinks this group is important enough to be a separate subcommittee which will be under the chairmanship of Jack Benjamin (a soon to be retired high school teacher). At the present time, they are planning an activities agenda that will involve all the high schools in a very visible and constructive way in the development of the Pigeon Creek Greenway Passage and Bikeway Project.

The Chairman of the Advisory Committee would advise you as to when a new appointment would be needed.

Hopefully, this change meets with your approval.

Very truly yours,

Shirley W. James

(Mrs.) Shirley W. James
Co-Chairman

cc: Mayor Frank McDonald, Jr.
Pat Tuley, Van. Cty. Commissioner
Don Hunter, Van. Cty. Commissioner
Rick Borries, Van. Cty. Commissioner
Steve Melcher, City Council President
Rebecca Embry
Jack Benjamin
Pigeon Creek File

VETERANS OF FOREIGN WARS
OF THE UNITED STATES



EVANSVILLE POST NO. 1114

110 NORTH WABASH AVENUE

EVANSVILLE, INDIANA 47712



Dear Mr. Tuley,

Enclosed, you will find a copy of a letter to Mark Acker, the Vanderburgh County Service Officer.

Mark has been working for the Veterans of Vanderburgh County for several years now. He has worked diligently to help the veterans of our community both on and off his regular working hours.

I, for one, have seen Mark approached for help while he and his wife were out for dinner. He has never refused help to any veteran for any reason.

Mark's knowledge and professionalism have been demonstrated time and time again by his positive attitude and willingness to dedicate numerous hours of work for each person he has assisted.

The veterans of Vanderburgh County are lucky to have a man like this on our side. As times grow harder, and health care is at a low, we could all use more men like Mark.

Please, Help us to give him the thanks he greatly deserves.

DAVID A SNYDER
President Life Membership Club
Veterans Of Foreign Wars 1114

4224330 OR 4225831

17 MAR 94

To: Mark Acker, Vanderburgh County Service Officer

Via: Vanderburgh County Commissioner

Via: Vanderburgh County Council

Subj: LETTER OF APPRECIATION

The following officers of Veterans' organizations would like to thank you for a job well done.

You have demonstrated your dedication and knowledge time and time again, working to help the veterans in Vanderburgh County.

A Service Officer's job is not 8 to 5. You know this as well as any other veteran, and have dedicated many free hours to assist veterans through-out the community with whom you have come in contact with. If every government employee would demonstrate your kind of dedication, the Evansville area would certainly be known as the best city in the country.

Thank you, for a job well done. We all know you will continue to provide this county with the best service to be found by any veteran.

Signature	Representative of	Office
<u>Klyn E. Butz</u>	<u>American Legion Post 8</u>	<u>Commander</u>
<u>Jack Wagoner</u>	<u>Vet Center</u>	<u>Team Leader</u>
<u>Joan Dunnett</u>	<u>VFW 1114</u>	<u>Commander</u>
<u>David Barnes</u>	<u>Amvets 3rd District</u>	<u>Commander</u>
<u>Pat Dikeman</u>	<u>Amvets Post #84</u>	<u>Commander</u>
<u>James R. Jumper</u>	<u>VFW Post 2953</u>	<u>Commander</u>
<u>Guy Patterson</u>	<u>American Legion 265</u>	<u>1. Vice Commander</u>
<u>Gary Wagoner</u>	<u>DAV, CHAPTER 7</u>	<u>SR VICE CMDR.</u>
<u>L.O. Montgomery</u>	<u>VAND. COUNCIL OF VETS</u>	<u>COMDR, VETS CON</u>

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3/28/94 DEPARTMENT: Nursing/Health
EMPLOYEE(S): Constance Block

DATE(S) OF TRAVEL: Friday, Apr. 8, 1994
DESTINATION: TSDH Indianapolis
PURPOSE: Strategy meeting for MCH grant

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

LODGING REQUIRED: no

MEANS OF TRAVEL: _____ COUNTY VEHICLE NUMBER: ✓ 874
OTHER: _____

REIMBURSEMENT CLAIMED

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

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 4th day of April 1994

[Signature]
PATRICK TULEY, PRESIDENT

[Signature]
RICHARD J. BORRIES, VICE PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4/4/94 DEPARTMENT: VANDERBURGH CO ASSESSOR

EMPLOYEE(S): JAMES L. ANGERMEIER

DATE(S) OF TRAVEL: APRIL 5, 1994

DESTINATION: INDIANAPOLIS, IN.

PURPOSE: ATTEND BOARD OF DIRECTORS MEETING AT THE MARRIOTT

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

LODGING REQUIRED: NO

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

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

APPROVED: _____
Department Head

APPROVED: James L. Angermeyer (EL)
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 4th day of April 1994
1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

COBEV

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 3/29/94 DEPARTMENT: Knights Township

EMPLOYEE(S): Al Folz

DATE(S) OF TRAVEL: April 4, 1994

DESTINATION: Indianapolis, Indiana

PURPOSE: Indiana Assessor's Assoc. Meeting

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

LODGING REQUIRED: Yes

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

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

APPROVED: Shirley Reader, Chief Deputy
Department Head, Knights Twp

APPROVED: Al Folz
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 4th day of April, ¹⁹⁹⁴~~1993~~

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

Warrant No. _____

Claim No. _____

Date _____

CSX TRANSPORTATION

Vendor No. 388

\$ 1246.45

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Union Twp

Account No. 430 Bond

Allowed _____ 19____

In the sum of \$ _____

Richard J. Bonies
Richard J. Bonies

Board of Commissioners

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

March 31, 1994

Johanna
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>2LN4717</u>	<u>—</u>	<u>11/19/93</u>	<u>430 Bond</u>	<u>1246.45</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 1246.25

Warrant No. _____

Claim No. _____

Date _____

BERNARDIN LOCHMUELLER

Vendor No. 985

\$ 11,768.86

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USI FSA 62

Account No. 430 BOND

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
Richard J. Barnes

Board of Commissioners

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

March 31, 1994

John Hall
Signature of Office Holder

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

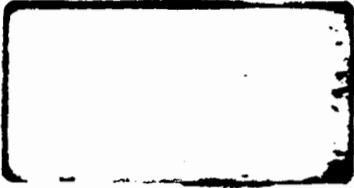
That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>93-003-2(10)</u>	<u>-</u>	<u>3/18/94</u>	<u>430 BOND</u>	<u>11,768.86</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

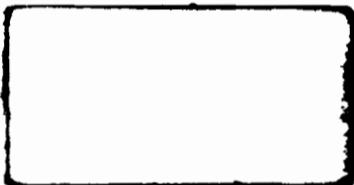
TOTAL 11,768.86



New Business.

Money app'd
by Council on
2/2/94.

Came in too late for agenda -
needs sigs. PJ



Commission Meeting
April 4, 1994

Name	Affiliation
Jayne Perry-Bland	Treasurer
Schering Paine	Anti Group
Edna Christensen	Marathon Club
Emelynn Lannert	Vand Co. Assessor
David E. Ziegler, D.E.	
Bill Norbert	VAND CO HWY DEPT.
John Stoll	CO. ENGINEER
R. Michael Tobling	Dept of Metropolitan Development
SUSAN L. KIRK	VOTERS REGISTRATION
Jon W Hill	" "
Don Cassaloni	Vand County Resident
David N. Pith	" "
Patricia D. Sloan	2216 Woodland Hills Dr. Evan
Paul M. Will	2114 WOODLAND HILLS DR.
Ronald E. Kinning	2010 Woodland Hills Dr
Alexis Lewis	2701 Westchester Dr.
Kris Head	2410 Westchester Dr.
Jeff Downey	2410 Westchester Dr.
James Bour	2500 Westchester Dr.
David Karges	2517 Westchester Dr
Tammy Karges	2517 Westchester Dr.
Pat Cappelleth	Computer Services Dept.
Eithen Roesner	101 S. Roesner Rd.
Edna Roesner	101 S. Roesner Rd.
Gene F. Pfaffer	635 S. Eichhoff Rd
James M. ...	2110 Witham Dr.
Roger Lehman	Ev. Vand Co. Bldg Comm.
Jim Beck	The EVU carrier.
Wyle Foster	The Evansville Press
Jim Kaiser	concerned citizen - former resident Vand Co.

BOWERS HARRISON KENT & MILLER

25 N.W. RIVERSIDE DRIVE
 P. O. BOX 1287
 EVANSVILLE, IN 47706-1287
 TEL. (812) 426-1231 • FAX (812) 464-3678

F. WESLEY BOWERS
 JOSEPH H. HARRISON
 DAVID V. MILLER
 PAUL E. BLACK
 GARY R. CASE
 ARTHUR D. RUTKOWSKI
 GEORGE C. BARNETT, JR.
 DAVID E. GRAY
 GREGORY A. KAHRE
 PAUL J. WALLACE

TIMOTHY J. HUBERT
 JAMES P. CASEY
 THOMAS A. MASSEY
 GREG A. GRANGER
 JOSEPH H. HARRISON, JR.
 CEDRIC HUSTACE
 CHRISTOPHER E. CARL
 MICHELLE AGOSTINO COX
 WILLIAM O. WILLIAMS II

OF COUNSEL
 ADDISON M. BEAVERS
 K. WAYNE KENT
 WILLIAM G. GREIF
 LEGISLATIVE CONSULTANT
 WASHINGTON, D.C.
 RICHARD L. LAPPAN
 ADMINISTRATOR

R.
 March 15, 1994

Kevin R. Bryant
 Attorney at Law
 200 N. W. 9th Street
 Evansville, IN 47708

RE: Alexander Ambulance Accounts

Dear Mr. Bryant:

Pursuant to your request, enclosed are the following checks which we have reissued to the Vanderburgh County Commissioners:

NAME	CHECK NUMBER	AMOUNT
Anthony Schmitt	4986	\$225.18
Valerie Riesbeck	4987	150.50
Gary Huddleston (David)	4988	177.05

These checks replace previous checks from our office to the Vanderburgh County Commissioners which were not cashed.

Sincerely,

BOWERS, HARRISON, KENT & MILLER

Beth A. Haefner

Beth A. Haefner
 Collections

/bah

Enclosures

APRIL 15, 1994

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 13518

FUND COUNTY REVENUE

\$150.50

FREEZE DEPT. TRUST BOWERS, HARRISON, KENT & MILLER

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$150.50 DOLLARS

ON ACCOUNT OF VALERIE RIESBECK, REPLACES CHECK
#3535 WHICH WAS UNCASHED

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

Sam Humphrey

March 15 1994

\$150.50

4987

7-1-2/883

DOLLARS

WALTER HARRISON, KENT AND MILLER

Walter Harrison, Kent and Miller

PRESCRIBED BY STATE BOARD OF ACCOUNTS

REVISED COUNTY FORMS NO. 20 - 1987
NO. 20 - 1987

April 05, 1994

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 13517

FUND COUNTY REVENUE

\$225.18

I HEREBY CERTIFY THAT: BOWERS, HARRISON, HENT & MILLER

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN,
IN THE SUM OF \$225.18 DOLLARS

IN ACCOUNT OF ANTHONY SCHMITT, REPLACES CHECK
#3506 WHICH WAS UNCASHED

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

Handwritten: Mark 15 1994

Handwritten: BOWERS, HARRISON, HENT AND MILLER

Handwritten: \$225.18

DOLLARS

71-27883

4986

April 05, 1994

QUETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 13516

FUND COUNTY REVENUE

\$177.05

I HEREBY CERTIFY THAT: BOWERS, HARRISON, RENT & MILLER

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN,
IN THE SUM OF \$177.05 DOLLARS

ON ACCOUNT OF GARY HUDDLESTON, REPLACES CHECK
#3566 WHICH WAS UNCASHED

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

4988
 71-2/83
 1994
 \$177.05
 DOLLARS
 BOWERS, HARRISON, RENT AND MILLER
 B.H. Miller
 APR 05 1994
 01458 203 51

REVISED COUNTY FORMS NO. 20 - 1947
NO. 21 - 1947

PRESCRIBED BY STATE BOARD OF ACCOUNTS

CLERK
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

APRIL 15, 1962

EVANSVILLE, INDIANA

NO. 1324E

\$639.96

EVAN

CHECKED BY

VANDERBURGH COUNTY, IN

THIS CHECK IS VALID FOR THE PURPOSE OF THE REGULATOR OF VANDERBURGH COUNTY, INDIANA
IN THE SUM OF \$639.96

ON ACCOUNT OF REIMBURSEMENT

SAM JUMPNEY
AUDITOR VANDERBURGH COUNTY, INDIANA

PAY TO THE ORDER OF

Handwritten scribbles and signature

VANDEREG CNTY. BLDG RM 305
ATTN JERRY E RINEY
CIVIC CENTER BLDG RM 305
EVANSVILLE IN 47708

0294032911334907T

account

⑆02410617⑆ ⑆043301627⑆ 0002440253⑆

Check No. 40-0162
No. 0433

PNC BANK, NATIONAL ASSOCIATION
JEANNETTE, PA

ACCOUNT NO. SERIAL NO
VANCNT 1-01 049698

\$*****839.96

PLEASE CASH PROMPTLY

Signature
Authorized Signature

**MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 11, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:35 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Community Corrections/Judge Richard Young	1
Nisbet Road Bridge/Dave Ellison	7
J. Stoll & Attorney Kissinger to check specs; Also, Dave Savage, who did the engineering on this project, is to be called in	
Purchasing Department/Lynn Ellis	8
Release of Bid Specs for Demolition of the Old Union Township School Sale of Used Rolm Telephone Equipment/Sold to Intellex for \$12,627	
Data Processing/Richard Cappelletti	9
Board authorized reinstatement of bid from Low & Associates re Reassessment Hardware/Software/Services so it can be evaluated along with the bids of Manatron and CSS	
Ordinance Amending the Building Code (Final Reading)	10
(Approved on Third & Final Reading, including the change on Page 20 in Fee Schedule, as described by Roger Lehman)	
Vanderburgh Auditorium/Sandra Toten	11
Approval given for installation of ten (10) Parking Meters on Auditorium Drive -- limited to 30 min. parking Revenues due the County from Auditorium Parking Lot Meters (25%) has been collected for 1992, 1993 and January & February of 1994. S. Toten to pursue collection of revenues for period of July thru December of 1991.	
County Attorney/Alan M. Kissinger	14
Acceptance of Subrogation Check from Leader National Insurance Co (\$871.26) and Execution of Release	
Superintendent of County Buildings/Mark Abell	14
Two (2) trucks considered unsafe at County Highway Garage to be checked by Mark Miller and Jim Loeffler; B. Morpew has been instructed that these vehicles are not to be used pending outcome of the safety check	
County Highway/Fred Howard	15
Weekly Progress Report St. Joe Avenue/Trash Removal (to be handled on a routine basis by County Highway Garage) Unsafe Trucks Old Union Township School Clean-Up Flooding/Old Henderson Rd.	
County Engineer/John Stoll	16
Supplemental Agreement Bernardin-Lochmueller/Lynch Rd. Right-of-Way Services (\$1,848.44)	

Authorization to Advertise for Two Vacant Positions/County
 Engineer's Office
 Agreement Between INDOT & the County for Construction of
 Franklin Street Bridge
 Stop Sign Ordinance/Revision (A. Kissinger to draft
 proposed Ordinance adding several Stop Signs)
 Westchester Drive/J. Stoll to put together some cost figures
 to resurface the road, etc. also to contact DMD to
 see if they're aware of any available monies since this
 is a private road at this point in time
 Green River Rd./Spring Valley Rd. Traffic Signal to be
 activated sometime this Wednesday
 CSX Railroad Crossing Improvements/Crossings to be closed
 beginning next Monday
 Green River Rd./Ribbon Cutting Ceremony to be scheduled
 for May 2nd
 Assistant County Engineer's Position/J. Stoll to approach
 the Job Study Group with regard to unclassifying
 this position

Complaint re Millersburg Rd.-Green River Rd. Intersection
 Concerning Growth on Right-of-Way & Debris, Dust, etc., on
 Highway 57/Ron "Pee Wee" Melton.....23

Consent Agenda24
 (approved)

Scheduled Meetings25

Request for Input from Technical Committee re
 Infrastructure/Lloyd Expressway & I-164 Area/Hartmann
 Rezoning25

Old Business ... (none).....26

New Business26
 Employment Status Change/Pat Tutt (approved)
 Notification to State Election Board re Handicapped
 Inaccessible Polling Sites

Meeting Adjourned @ 8:00 p.m.26

MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 11, 1994

The Vanderburgh County Board of Commissioners met in session at 5:35 p.m. on Monday, April 11, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

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

RE: APPROVAL OF MINUTES

Mr. Tuley said the first order of business is approval of the minutes from the Commission Meeting of March 28th.

Motion to approve the minutes as engrossed by the Auditor was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

Commissioner Tuley then asked if there is any group or individual wishing to address the Commission who does not find their name or particular item of interest on this evening's agenda. If so, now is the time to come forward.

RE: COMMUNITY CORRECTIONS - JUDGE RICHARD YOUNG

Judge Young was recognized and stated he is not here in his capacity as Circuit Court Judge, but in his capacity as President of the Community Corrections Advisory Board. "I felt I needed to address the Commissioners as the result of some newspaper reports -- the morning paper last Friday which, in my opinion, did not accurately describe what went on in that meeting. We had an extremely good meeting and discussed the many, many things and the item I want to talk to you about (which we've all had discussion about previously) is having a professional consulting organization come in and take a look at the Safe House (Community Corrections) and see where we're doing things good, where we need to improve, and you all have agreed that this needs to be done. We think it needs to be done, too. It's a great idea. We've always wanted to achieve A.C.A. accreditation and I think this will help us do that. The discussions we had a month or so ago -- maybe longer than that, Commissioner Borries -- when Kent Irwin was in town -- and we, in theory, agreed to go ahead and do this. Then when I got back from vacation a week or so ago, I read some back newspapers and they said the County was broke. My bookkeeper came to me and said if we're going to pay \$11,000 for a study (or whatever the fee is for the study) we need to make sure to make provisions for that so we don't run out of money in other accounts -- since we cannot go to the County Council as we usually do during the year and say we need more money for this, or more money for this, etc. As the last item on our agenda at the meeting, I indicated we may have to sit down and talk with the Commissioners and whoever the Commissioners decide they may wish to have perform this evaluation and see, Number 1, how the payments can be made so that it is fair to us (we don't run out of money) and also fair to whoever the consulting group is. Whether that is doing the study in phases, doing part of it now and part of it toward the end of the year so we can pay them with 1995 money or whatever -- but I thought it would probably be prudent and, obviously, we need to discuss it with the consultant as to how this thing is going to be paid for. That was really my only comment at the meeting -- that we need to take a look at this. If it needs to be scaled down right now, then finished up later in the year, then maybe that is what we need to do. But I think in light of the

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budget crunch we do need to at least discuss it. I do think the project needs to be done. The Board thinks the project needs to be done. Obviously, it is your call. You are in control of this facility. You always have been. you always will be as long as the State law remains the way it is now. So I felt I had to come and explain that due to the poor reporting from the Courier of that morning. If you have any questions of me I'd be happy to answer them -- but you need to go ahead with this project, there is no question about that. I'm sure Alan Kissinger would be able to give you better advice than I, but it's a professional contract and I think you can select whoever you want to select. I know the Irwin-Scheele firm has been mentioned. As a matter of fact, I think a contract had been signed on this. To give you my experience with Irwin-Scheele, when I was City Attorney back in the Vandevener administration I worked closely with them when they went through the City and did an evaluation for job descriptions and what have you. I found them to be a very professional, very competent organization and they have the resources and contacts to be able to bring in people, I think, who are necessary for the particular job they have to complete -- whether it is in Corrections, whether it is Personnel or any other aspect of City government. That is the only reason I am here. I have really nothing of any substance, just explanatory."

President Tuley said, "First of all, I just want to say thanks for coming to the meeting and clarifying some points that were made. Needless to say, I knew something was wrong when before 7:00 a.m. I had three phone calls from people wanting to talk about the Advisory Board Meeting. This was Friday morning after a meeting on Thursday afternoon."

Judge Young said, "I had many calls from Board Members, too, asking what is going on."

Mr. Tuley continued, "I think this is one more attempt to set the record straight."

Judge Young said, "Right."

Mr. Tuley continued, "We met again. It seems that you and I have had more meetings in the last two months than we've had in all the years I've known you. Thank God it is not you on the bench and me on the other side -- but I'd like to get this stuff settled so you and I can quit meeting."

Judge Young said, "Exactly right. Exactly. But, again, the Board believes it is a good project. Anything -- as you know, I think the corrections field is probably the fastest growing field in government throughout the country and if we're going to be doing this, let's do it right. And any help that we can get or any suggestions that we can get to professionalize, I think, are welcome."

Mr. Tuley said, "I appreciate your coming before the Commissioners."

Commissioner Borries stated, "Well, I appreciate it, too. You know, there are certain facts here. I have known Judge Young for quite some time. But there are certain facts that we don't seem to be able to get out here in this age of tabloid journalism. At least it seems to be adopted by some media. It's like certain controversies and things create a life of their own and because there is some controversy there, that is what they want to feed on in this kind of environment, this age, and this kind of day. Considering we're going all the way back to 1978 to see what the President did when he was a \$30,000 Governor of Arkansas, then anything goes -- anything goes. So the facts are and, Judge, I know you can clarify that -- the facts are there is no turf problem here or controversy that I see between your position and what this Board has done, is there?"

Judge Young responded, "No. Never has been."

Commissioner Borries continued, "I didn't think so. When you pick up the newspaper you see a lot of that kind of controversy there. It's like some reporters have called us and have already written the article -- so it's also kind of fill in the blanks. Borries says this and that or Hunter says or Tuley says -- after the article has already been written and we just kind of confirm

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supposedly what someone has drawn this conclusion. But it was also my understanding that this same paper endorsed the community corrections concept."

Judge Young said, "Oh, they have always been supportive."

Commissioner Borries continued, "Have been supportive of this. I endorse it. I would feel as I think you would and maybe this Board, that unless we want to supposedly lock all these people up -there would be nothing in the jail, go into another age of incarceration that may not fit what this community wants, that this particular facility is functioning as any facility does and that because of its growth it has had some problems and that, as are we, are pledged --when you mentioned this A.C.A., I understand that is the American Correctional Association -- that is what our goal is going to be here in this. Because, I guess, as one political party we had chosen a firm who specializes in at least thirty (30) other counties to do this, that was looked upon as political because we were not of the right political faith. That is unfortunate, because I think those representatives are here tonight and I think perhaps this Board might want to hear from them as to their qualifications and what their mission -- as they see it -- is going to be there. So it seems to me -- and then I had heard there was some kind of whole agenda of some kind of news investigation that was going to come out, but I haven't seen any articles about this. It just seems to me, Judge, that if there is something wrong out there, then maybe we, as Commissioners, need to know what that is. You haven't been able to find that out during your tenure, other than individual cases. I don't know what they are going to find out, but doggone it, it just seems to me here that if we're beating around the bush that if there is something there that we need to know, frankly, I'd rather know about it now than read it in the newspaper -- where we have to come back here and continue to debate what is or what isn't. But I think you are pledged -- as I think I would want to assure my personal feeling of being pledged here -- that we want to move forward on this. We want a professional study. We are not into a turf problem. We see a need for community corrections. End of speech. We want to work together."

Judge Young said "That is always the way I felt about it."

Commissioner Borries continued, "I guess if there is no controversy, that kind of stuff doesn't make the front page. It doesn't interest the readers, I guess. Has there been any turf problem? Have I imposed or, I mean, have you seen any politicalization -- other than we come from a political party and have chosen a firm that we're familiar with that has a statewide presence. I mean, I just don't get it. I think if there is an agenda and we want to bash something and say there's something out there that is wrong, yes, there have been mistakes. But any institution is going to have mistakes. Sometimes my paper doesn't get there on time. That's somebody's mistake -- either the carrier or the printer. I mean we've all had those kinds of incidents happen to us in any kind of institution. I just wish -- hopefully, we can kind of clear the air and move on with this."

Judge Young countered, "No. The Commissioners -- and I've spoken to all of you individually over the years -- have all been very supportive of the community corrections concept and there's never, at least in my opinion, been a turf battle. Your attorney is correct, the Commissioners have the final and ultimate authority on community corrections -- just as they do with almost every aspect of county government, whether you like it or not. You guys -- it's the old buck stops there situation. That's the way it has always been and that is the way it always will be. But anyway, I felt I had to come to clear up any question that you may have regarding our ideas regarding the evaluation. My concern, as President, was regarding how this is going to be paid for and when this is going to be paid for -- so we're all basically singing off the same page when we know exactly what we are doing in terms of the evaluation and how it is going to be paid. That's it."

The Commissioners again thanked Judge Young and said they appreciated his coming today.

Commissioner Borries said, "I just would want to tell you from my end that there is no turf problem here. We're pledged to work with you."

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Judge Young thanked Commissioner Borries.

President Tuley said that Commissioner Borries is correct, Mr. Kent Irwin of Waggoner, Irwin & Scheele is here and he, for one, would like to hear whatever Kent has to say at this point in time.

Mr. Irwin thanked Mr. Tuley and said he is here tonight with Mr. Steve Smith, a PhD from Ball State University in criminal justice. "From our initial meeting with Commissioner Borries and then later on with this Board (and I believe the contract was signed on March 14th) we have proceeded expeditiously in as much as this Commission and the Judge would like to have information as quickly as possible. Mr. Tuley has furnished us with a stack of documents, I think, about two feet thick which are now back in our office -- which we've been plowing through and looking at the various ways to address the accreditation standards -- things that can be answered on paper as well as things we may be looking at at the facility. We are scheduled to meet with the administrators tomorrow and the next day. And instead of meeting here tonight with Judge Young, I think we're meeting with him on Wednesday. I think we're all moving in the same direction. We're probably 60% to 70% completed in terms of the information-gathering and we're getting to the point where we're going to start putting things to paper and hopefully have a report back to you within the 90 day period that was specified in the contract. What I brought with me tonight is a copy of the accreditation standards and I would like for Professor Smith to address these just briefly to show the Commission and the public, if you will, exactly what we're going to be looking at -- and for -- as we move through this process."

Commissioner Borries said before Professor Smith makes a statement, we want to welcome him to our fine county. We're very proud of it and his being here with us. "Again, for the record, would you just want to say where you do work in Indiana? What you've done in this county; what you saw as your role as we talked about a mission here in this county -- just for the background here. You know, I guess we, because you don't fit on the right label sometimes -- it's election year and sometimes we take some hits here. There is always the politics and that kind of thing that comes on here. What all do you do around the state?"

Mr. Irwin responded, "Waggoner, Irwin, Scheele & Associates is a management and research consulting firm. We've been in business since 1979. We work principally with public sector employers. We've worked with over thirty counties and that many cities around Indiana. We've worked as far away as Los Angeles to the west and Bangor, Maine to the east with public employers for both job classification, compensation plan, personnel policies, etc. We've served as expert witnesses in employment cases, as well as I personally served on Governor Bayh's Transition Team, where we conducted an efficiency audit of some twelve (12) departments of state government. We likewise have done the same thing for the Attorney General's office since her election. We've evaluated programs that involve anything from community development to airport authorities to utility companies to corrections agencies and we've been fortunate in that my partner is from Ball State University and chairs the political science department there. He is active in public administration associations throughout the country. We often team with specialists in areas where we need additional support and staff and this is where we've looked at people like Steve Smith and Gary Webb, the Chair of that department -- who is also working with us on this project. Our work is extensive. Geographically we are primarily here in Indiana. Basically we've worked with public sector employers. Here in Evansville and Vanderburgh County over the last eight years we've conducted job classifications for both entities, including the Airport Authority, including the Water Utility. We've performed updates on those systems for both units of government. We've conducted Americans with Disability Act assessments for both the City Police & Fire Departments, a well as all departments of County government and most recently, as you know, we've been working with a group of volunteer elected officials and department heads here in the county to develop a Personnel Handbook which is currently under advisement by this Commission. Those are the same kind of services we perform and duplicate throughout the state. So in a big nutshell, I guess, that is kind of a description of what we do. I come out of City government and have a Master's Degree in Public Administration. We can go on, but I think that is essentially a description of our firm and what we do -- and we've been doing it since 1979."

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Commissioner Borries said, "Well, I appreciate that. And I think that is needed for our record just so people know that you and I -- or anyone else here -- we didn't casually meet on the street some day and we asked you to do this; that you have excellent credentials; you do have a statewide presence and this is your specialty."

Mr. Irwin stated, "It is our specialty. And I often say there is no Democrat or Republican way to write a job description. We work for employers who are all one party one way and all the other and some that are mixed. It is a matter of taking an independent look at jobs and policies, I think, and bringing the best to making improvements to those systems wherever possible."

Professor Smith approached the podium and stated, "Good evening, it is a pleasure to be here. It warmed up dramatically coming down from Muncie. Thank you very much. I nearly froze to death when I got in the car this morning."

Commissioner Borries stated, "Professor, when you get in this room, it always warms up!"

Professor Smith said, "Well, I noticed it was nice outside, too. As Kent mentioned, you have before you a copy of the American Correctional Association Standards for Accreditation. These are the national standards. These standards are put together by about a hundred practitioners in the field of community residential services. They sit down on a regular basis and go through these, establish three different levels -- mandatory standards, essential standards and important standards. It boils down that if the standard is in there, it is probably something you ought to be doing. But, again, these are practitioners and there are a lot of different ways different governmental entities handle the issues of community corrections. Some do it through a Community Corrections Board. Some contract to a private agency to do it. Some have it done by the Sheriff. Some have it done by the County Welfare Department. There are all different kind of ways that these things are done. And that is why these standards provide some flexibility. But they do give local elected officials and program operators a very good series of steps to review and to look at and to think about to assure that the program is effective. They break down. There is a large section on administration and organization and management, fiscal management issues, personnel issues -- and it is important to note that they don't tell an agency how to do it. They say you should have a policy that covers this. It is up to the local body to determine what their policy is regarding the different issues. But it does give some suggestions as to what needs to be in a personnel policy, etc. It looks at the facilities, the type of facilities -- does this meet the different kinds of standards related to contracting, the intake process -- how inmates are admitted into the facility; the record keeping, the food service, the security issues, safety precautions. It is the standard and around the country when issues come up, most courts assure that if an agency is doing these, then they are providing a quality level of service. So these are the standards we would look at and make recommendations on. I'll stop there, but would be glad to answer any questions that you might have. As far as my background goes -- to give you a little bit of information about me and why I am here -- I began my career in 1969 as a community corrections worker for the Human Resources Department of the county around Phoenix, Arizona. Counties there are almost like states here; we had a 9,226 square mile county with twenty cities and towns in it. I spent a number of years working for the county, providing consulting services to city governments, working with the county, developing community corrections programs. My area primarily was juveniles. I moved from the juveniles then into the program planning department at county government, was asked by the Meninges Foundation -- they brought in a community corrections program for the State of Arizona and Southern California and was hired by them to put those programs in place. We did a lot of work with planning and zoning boards to get conditional use permits and those kind of things. So I've been in meetings like this a long time. I finished that position at the same time I finished my Master's Degree and had the opportunity to go to Oklahoma State and work on my Doctorate. I finished my Doctorate at Oklahoma State in 1985 and came to Muncie and Ball State in August of 1985. Since that time I've attempted to be very active in the field of corrections. I like doing this kind of real world work. I'm not an academic that feels good sitting in an ivory tower. Fifteen years of working in the field -- I've got to keep my feet outside where the people are. I'm Past President of the Indiana Correctional Association. I'm currently on the Board of Delegates for the American Correctional Association, nationally

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elected as a delegate for higher education. I'm running for re-election for that this summer. I've been nominated to the Chair of the Professional Education Council for ACA. The past few years I've done a lot of work in Indiana. The past two years, in particular, I've chaired the Committee that has worked for the Department of Corrections, looking at the Juvenile Detention Standards for the State of Indiana. This is a group of twenty-four (24) Judges and County Commissioners and Practitioners and we have pounded out a set of standards for juvenile detention for the State of Indiana. I have probably worked in over forty (40) counties for the past five years in Indiana doing training for holdover home detention programs, providing technical assistance to juvenile courts, etc. So even though I am from the southwest, you know, I find I know where most of the cities are in Indiana and I've been able to find most of them. So I'm just tickled to be here and am looking forward to assisting the community in developing a high quality corrections program. That is my interest. I am a corrections person. That is what I do. And I'm just here trying to provide some assistance and see if I can help."

President Tuley entertained comments or questions of Professor Smith.

Commissioner Hunter said, "Let me react a little bit here. As minority member of this Board, as of January 1, 1993 my turf diminished in size considerably. However, I think that there is no problem with a turf battle. I've spoken with Judge Young and I think we've all spoken among ourselves and I feel quite honestly that everything we have done has been in harmony. When there is a turf battle, the only group that loses is the public and I think this group has worked very hard over the last fourteen or fifteen months to do things that will benefit the public. In fact, one reporter, I know, has quit using the words "Democrat" and "Republican" when reporting on some of the actions of this group. I was told by a reporter that the public has a right to know -- and I certainly agree with that. But I'm not sure at this point that any of the three of us are totally cognizant of what it is the public needs to know from the corrections center. And I think from my discussion with Judge Young last Friday morning you have no problem with the \$11,000 -- it's just simply a matter of how we can work out the agreement of paying this contract out. Now, let me kind of react to Kent Irwin. My first connection with Kent Irwin was when he was finishing up the job study program across the hall and since that time I've gotten to know him quite a bit better and while I do realize that one reporter reported the corrections institution as something like an Old Folks' Home for retired Democrats -- and I did have one disgruntled individual tell me that signing a contract with Waggoner, Irwin and Scheele was like putting the fox in the hen house on politics -- I don't agree with that. I quite honestly found Mr. Irwin to be very professional in his dealings with us -- particularly in the things he's done for us on the ADA -- and I don't think politics will enter into this in any way, shape or form -- and I also feel that I would be more comfortable with the use of an outside firm. Dr. Smith, I'm very pleased to have you here. I think we need to take a hard look at the whole program out there. We three are in total agreement that the corrections program is excellent. Judge Young feels the same way and all we want to do -- when I finish this in December, I would like to see some positive things moving in the direction of the correctional program. So if that is an endorsement of you and you ... that is what I am trying to say. Thank you."

Both Mr. Irwin and Professor Smith thanked Commissioner Hunter for his comments.

Commissioner Borries said, "Thank you, I appreciate it. I know that in my experience with you and also this facility, it is somewhat of a unique facility in the state and perhaps that may be part of our difficulty in understanding the rather broad based mission here of this -- and that is why I think we need to rely heavily on your expertise to see how we focus in on obtaining these standards. This program has worked here. As all programs have, it has had problems and it has changed. So that, again, is why I think we really need that direction. It is a unique one -- and it has also served this community and served it well, in my opinion. So I am asking you for that kind of guidance and I know that, as I say, we will really appreciate what we can find out from that angle -- it is a community need -- to make it better.

President Tuley entertained further comments. He noted that Mr. Dave Ellison just walked in. He asked if Mr. Ellison is here just to observe, or does he

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have something for the Commission. If there is someone who is not on the agenda, now is the time to come forward. So he is offering Mr. Ellison this opportunity.

Mr. Borries said he doesn't like for people to have to sit all through the meeting. Sometimes if they're mad they get a little madder. If they're hungry, the Board wants to get them out of here so they can eat.

RE: NISBET ROAD BRIDGE/DAVE ELLISON

Mr. Dave Ellison approached the podium, introduced himself and stated he lives at 2040 W. Baseline Road. He said he is President of the Big Creek Drainage Association, Inc. Continuing, he said, "I just want to comment on the bridge that we have on Nibet Rd. I've heard from the Contractor (Mr. Blankenberger) that we've got shims in that bridge and the shims have not been -- I guess they used to put -- what do you call the concrete that is...

Mr. Roger Lehman, who was seated in the audience said, "Grout."

Mr. Ellison continued, "Grout -- they used to grout them in. I was wondering since that has not been done, they say if these shims would come out we could lose maybe 25 years on the life of the bridge. I was just wondering if there is some possible way we could go ahead and complete that bridge, get it paved and go on. That's the only thing I wanted to suggest. I know it is going to cost some money, but"

Commissioner Hunter asked, "Was this part of the job that should have been done by the Contractor originally, Dave?"

Mr. Ellison responded, "He said not. He said he built the bridge by specs and that was not part of the specs. I just talked to him before I came down here."

Mr. Hunter said, "Of course, he would be just a little bit biased."

Mr. Ellison said, "Just a tad."

Mr. Borries interjected, "He got real defensive when the last bridge inspection group put on -- I remember the comment over the phone. I about dropped the phone. They said, "You know, that new bridge out there? That's really a shame. That thing's got a life of about five (5) years. I asked, "What? And I about knocked -- you know, we've spent a lot of money and I think Commissioner Hunter hit it right on the head here. I can't imagine how you could build a bridge and just not finish the job. I think we're going to need to look at what those specifications are and the design. I can't believe that."

Mr. Hunter said, "I'm not sure either -- on a bridge."

Mr. Ellison continued, "I mean, you folks might be right. All I'm asking is that you address the problem."

Commissioner Borries said, "Well said. Thank you."

Mr. Tuley entertained further questions.

Commissioner Borries said that perhaps the Board needs to take some action. He'd like to authorize or ask if the County Engineer could bring those specs for review. Maybe the Attorney could review those specs. What he means is that something here doesn't....

Commissioner Hunter said, "I think maybe he also needs to call Dave Savage. He' was the one who did the engineering on that, remember? And I have a feeling I'd like to see him brought in on this, too. It really wasn't John Stoll's bailiwick at that time."

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Commissioner Borries said he agrees.

Commissioner Tuley said, "Going back to your comment, I'd like to have John involved, too. Because David could be a little biased, too."

Mr. Hunter said if that is in the form of a motion, he would second.

Mr. Borries said it is in the form of a motion.

Mr. Tuley said it has been moved and seconded. So ordered.

It was the consensus of the Commissioners that both Messrs. Stoll and Savage should be called in.

Commissioner Hunter stated, "Certainly. David did the engineering on the bridge and I think it is his responsibility to support whatever he did."

The other Commissioners agreed.

RE: PURCHASING DEPARTMENT - LYNN ELLIS

Release of Bid Specs for Demolition of the Old Union Township School: Ms. Lynn Ellis of the Purchasing Department was recognized and stated this is the first item she has. This is for the school building only and the surrounding rubbish and removal of same. With the Board's approval she will send out bids and advertise on April 14th and April 21st. A pre-bid conference will be conducted on site and then the bids will be opened May 2nd.

Commissioner Borries said, "I wholeheartedly endorse this. I'm telling you, I've waited a long time for this one. I've been on the court stand on this. It was said we are harassing this individual. It is a disgrace to the county. It is one of those dilemmas unfortunately that when individual property owners don't maintain their own property for whatever reasons, as the last resort government has to move in. Frankly, even though we're going to have to spend some tax dollars on this, it is tax dollars well spent. It will literally improve the environment out there in that area. I mean, it is bad -- and I happily move to advertise for bids.

Seconded by Commissioner Hunter.

Commissioner Tuley said, "Before I say so ordered, just so we don't run into what we ran into -- where are the funds coming from? I mean I am wholeheartedly behind you on this, but I don't want to let a bid if there is not some funding for this."

Commissioner Borries said, "It was my understanding -- now, I don't know, the Judge may have taken off (referring to Judge Young, who was in the meeting earlier) -- it was going to be assessed to the property owner. And if this person couldn't pay, then that property was going to be put up on tax sale so....."

Mr. Tuley asked, "So it is to be a special assessment against the property?"

Mr. Borries responded, "Yes."

Commissioner Tuley said, "But I'm still in a quandary here -- that contractor -- if he/she doesn't want to wait until this is resolved in a tax sale....."

Mr. Borries interrupted, "Then I think we ought to take it out of Capital Improvements -- because this will be a capital improvement to the county, I'm telling you."

Attorney Kissinger stated, "Just as a point of clarification, we are going to have to pay the contractor and ultimately there will be a lien against the real estate and the lien will be in favor

of the County -- and there will be a period of time during which we will have to collect that lien and the owner will have to pay that lien. After that period of time, the County can foreclose on the lien. If it is for the entire value of the real estate the County will become the owner of the real estate."

Commissioner Tuley said, "I think based on the determination we got from the County Council's legal attorney during the last meeting we had, anything that is for public safety or health reasons or whatever -- Cumulative Capital Development Funds can be used for."

Attorney Kissinger stated, "I agree with that advice, yes. The Health Department could declare this an emergency."

Commissioner Borries said, "They surely could. I mean, when animals have died out there and have been mistreated -- when there is vermin and filth all around -- it is an obvious health threat to the community."

Commissioner Tuley said, "Then, having that all cleared up. There is a motion and a second." So ordered."

Attorney Kissinger said, "As Mark Abell pointed out originally, the original citation was from the Health Department ages ago."

Sale of Rolm Telephone Equipment: Ms. Ellis said the sale of the Rolm Telephone equipment is the next item. They're asking that it be awarded to Intelx (the high bidder), as they will be providing the County with the most funding -- in the amount of \$12,627.

Attorney Kissinger said, "Once again, as a point of clarification on that, there was another bidder. Mark Abell has contacted that other bidder. There were some irregularities and problems with that bid. That other bidder said they didn't really want to bid on it -- they didn't really want a lot of these things, so they basically asked to be excluded."

Ms. Ellis interjected, "No, Sir -- there were two (2) bids. So we do have competition. This would have been a third bidder -- but his bid had previously been thrown out, so there are two (2) good bids.

Motion to award the bid to Intelx in the amount of \$12,627; seconded by Commissioner Hunter. So ordered.

RE: DATA PROCESSING - RICHARD CAPPELLETTI

The meeting proceeded with Mr. Richard Cappelletti of Data Processing being recognized. He said, "I come to you tonight trying to gain a correction from a disqualification that was given the previous meeting for Low & Associates for the tax reassessment hardware and software and services. That bid was disqualified after discussing with Alan Kissinger, because that bid was received it was thought in an open condition -- in an unsealed condition. After that determination, I talked to the company and upon receiving information from them I subsequently continued my own investigation as to where it arrived and who opened it. And I must apologize to the Commissioners. That was opened by my secretary in mistake. So it was sealed; it was sent by Federal Express. It was sent to the office and you know a Federal Express package is sealed about four ways from Sunday. It was received in a sealed condition. I discussed this with Alan Kissinger. He advised I come before the Commissioners and ask that the bid be reinstated for normal consideration in the review process."

Attorney Kissinger stated, "Basically, what Mr. Cappelletti has said is accurate. If we don't reinstate the bid, then effectively the reason for us demanding that they be sealed -- or the reason for the statute demanding that they be sealed -- has been defeated and can be defeated anytime in the future by an inadvertent act of a secretary. So, yes, I agree with Mr. Cappelletti's

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recommendation that the bid be reinstated; it is totally in order and I recommend that you give that favorable consideration."

Commissioner Borries moved that the request to reinstate the bid be approved. Seconded by Commissioner Borries. So ordered.

Commissioner Borries asked, "So you will then report back to us, Cap, at some point -- having to now look at three (3) bids?"

Mr. Cappelletti responded, "Yes, we have three (3) qualified bids for normal review and that review is in process right now by the Committee."

RE: ORDINANCE AMENDING THE BUILDING CODE (FINAL READING)

Commissioner Tuley said this is the next item on the agenda and is something we've been working on for about three months.

Mr. Roger Lehman, Building Commissioner, humorously said that judging from the overwhelming turnout in the crowd today, there is much interest. He does have one minor alteration. That, again, will be one that will mate the City code that has been approved already - on Page 20, the Fee Schedule. "We attempted to simplify the Fee Schedule. In doing so we inadvertently raised some of these fees. Now, we did put a cap on the air conditioning fees of \$350, which is already in your copy. However, under (e) Air Conditioning Permit & Inspection Fees, No. 1(b) instead of \$1.00 per 1,000 BTUs, it should be \$6.00 per 12,000 BTUs. And that will resolve, to my knowledge, any glitches we've got in the fee schedule. Everything will remain as is on the copy that you have. There is one section that will come under review sometime in the future dealing with a license definition. But I am in the process of evaluating that and it will probably be a few months down the road before we come up with a suggestion on that. I've been in contact with the interested parties there and they are all aware it will be a while on that."

Commissioner Borries asked, "Would you consider this -- I'm only just trying to get some information here -- what do we call this? A change or an amendment, or what -- to this ordinance? What I'm getting at is we probably ought to make this a separate approval I guess."

Mr. Lehman replied, "I agree."

President Tuley asked, "Is that in the form of a motion then, for the change on Page 20?"

Commissioner Borries responded, "Yes. I move that the change on Page 20 described by Mr. Lehman be approved."

Seconded by Commissioner Hunter. So ordered.

President Tuley asked if there is anyone in the audience who wishes to address this ordinance before the Commission takes any further action to pass the ordinance. If so, now is the time to come forward. There being no response from the audience, Mr. Tuley entertained a motion.

Motion to approve the Ordinance, as amended, was made by Commissioner Borries, with a second from Commissioner Hunter.

President Tuley then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Borries, yes; and Commissioner Tuley. Ordinance, as amended, passed by unanimous affirmative roll call vote. So ordered.

Commissioner Hunter asked, "When will we be contacted -- because, as I recall, we were going to split with the City?"

Mr. Lehman replied, "Correct. That letter went out today with my recommendations -- so you will be receiving that tomorrow, I guess, in the inter office mail."

RE: VANDERBURGH AUDITORIUM - SANDRA TOTEN

Auditorium Parking: Ms. Toten was recognized and said, Well, I am back again, talking about parking spaces at the Auditorium. And I think we have a solution, I hope."

Commissioner Borries said, "As I say, we've put people on the moon, we've shot them into outer space, fixed the Hubble telescope, all of it -- but it's a continuing problem over there, I'm telling you. I sympathize with you."

Ms. Toten said, "Well, I'm going to quit talking about the parking lot. I'm now after the Auditorium drive. That is only ten (10) spaces. I figure I can beat that one. I did give each of the Commissioners a packet a couple of weeks ago with a lot of information. I have been working on this little project for two years and I would like this to be the day of celebration so I can back over to the celebration - so I can go back over to the Auditorium to work tonight at a banquet. Marsha Abell's office has been extremely supportive in trying to suggest and give input on the problems that we have on the Auditorium drive. And, again, for about two years she and I have been discussing the Auditorium Drive and its problems. We've come up with several ideas. The one that I presented last year to then President Borries is no longer good. I think the one that I am presenting now -- to install ten (10) parking meters will (I want to say this nicely) keep people from parking there that really don't have any business parking there. A very good example -- we went on sale in the box office today for CATS Broadway, plus three other shows coming into the Auditorium -- and that is where I worked all today with my box office manager, selling tickets. In standing in that box office you can look out those front windows and see those spaces. We probably had fifty people drive up today to buy tickets. Ticket money, which generates income for the County of \$1.00 per ticket -- one hundred percent revenue for the County. Probably out of those fifty people, there were half a dozen people who got parking tickets -- yes, they were in the wrong. They were either parking over on the gray line, parking out front and it took longer than thirty minutes -- or parking in our parking lot (for which they did not have a parking tag to park there). So now those people have paid the County \$1.00 for their ticket and now they also have to pay the city \$4.00 for a parking violation. A little unfair. If we can get those parking meters approved, what I have handed to you is something that Marsha's office came up with -- dug back in the regulations and ordinances and found there has been an ordinance on the books since 1986 -- talking about the Auditorium drive."

Commissioner Borries said, "Okay. So what is going to happen here -- I don't like to get tickets, but let's just use me, for example. I want to buy a ticket to CATS. So if this thing is going to work out, you're going to have meters on the drive, right? You'd have ten meters?"

Ms. Toten responded, "Right. Ten meters."

Mr. Borries continued, "So I want to buy tickets for CATS and I ought to be able to come in there and get a parking space. How much will I have to pay?"

Ms. Toten replied, "Twenty-five cents -- for fifteen minutes."

Mr. Tuley asked, "Is that a reasonable time for someone to come in and purchase a ticket?"

Ms. Toten replied, "Yes, it is. Now, as far as reasonable time to come in and book the facility, it is not. But I am working with Marsha's office in so far as doing what we do now if someone can get a parking space in front of the building -- and that is giving one of our Staff Visitor Tags, which allows them conduct their business; they don't get a violation; we ask for the tag back at the end of the session and they go on their merry way. What this will do is to stop the people who are stopping out there and parking for fifteen minutes, thirty minutes or an hour -- and there are people who work in this building who come and park in front of the

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building and run outside every thirty minutes and move their car. That will stop. They will feed the meters -- you will get money off of them."

Mr. Borries asked, "Will they enforce this every fifteen minutes?"

Ms. Toten replied, "They will enforce thirty minutes; that is about the time it takes them to come around."

Commissioner Tuley asked, "Will the meter go more than fifteen minutes or only fifteen minutes? Or do they have to pay a quarter for each fifteen minutes?"

Ms. Toten replied, "It will go up to thirty (30) minutes, with it costing 25 cents per fifteen minutes."

Mr. Tuley said, "So if someone puts in two (2) quarters, they are safe for thirty (30) minutes."

Ms. Toten said, "Right now they are parking there thirty minutes for nothing -- and longer than that most times; and most of those people ..."

Mr. Tuley, "You don't want an employee to keep running out there and feeding the meter quarters is your thought?"

Ms. Toten said, "Well, I've got enough work to keep my people busy and I don't think you want a Teamster standing out there in the street taking quarters."

Mr. Tuley said, "No, my point is -- not your employee, but whatever employee is parking over there and running out every thirty minutes moving their car -- if it's costing them 50 cents every time they run out, they probably aren't going to do it too often."

Ms. Toten said, "That's right. They can park on my lot for 75 cents per day. We get 25% of all revenues and 75% goes to the City per the 1991 Common Council Ordinance."

Mr. Tuley queried Ms. Toten concerning the cost of the installation of the parking meters.

Ms. Toten said the City will put those in at no charge to the County and they do have the meters available. They will also paint or curb and repaint the street stripes on the Auditorium drive for us.

Mr. Hunter asked, "We get 25% of the revenue from the meters; do we get 25% of the fines?"

Ms. Toten said, "No, according to the ordinance the City gets 100% of the fines."

Mr. Hunter asked "Do you see any down side to this?"

Ms. Toten responded, "Only the people who are abusing the thirty minute parking there now for nothing. And you will probably get some phone calls from different departments in this building."

Mr. Tuley said, "I'm not worrying about them. I just don't want the ticket buyers to start coming in and complaining. But if we don't do this, there is no place for them to park anyway -- so they'd end up getting a fine for parking on the gray line, etc."

Ms. Toten said, "Had I had the funds available to me at the Auditorium, I would have paid those parking violations today -- just as a sign of good will. I think that is terrible. That is the best way to discourage patrons."

Mr. Tuley asked, "Do you have people call ahead of time to inquire where you're located or ask how they go about it -- is there any way to incorporate in your speech that we have parking

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meters along there -- so bring some quarters with you -- or something? When people get there it would be nice if they had some change for the parking meter."

Ms. Toten said, "The ones we do talk to on the telephone -- right now we try to direct them; there is thirty minute parking in front of the building if they can find it."

Commissioner Hunter asked, "Approximately how many people do you have per week that want to take a look at the building that will obviously take more than thirty minutes?"

Ms. Toten said, "Well, we get approximately 80 or 90 calls per day from people for ticket information."

Mr. Hunter said, "What I was thinking about was the people who were going to be there longer than the thirty minutes -- because I'm sure it takes a lot longer than that to do business and look at the facility, etc."

Ms. Toten said, "We probably have a dozen or two dozen people come in per week. But we usually know about them up front and we let them know -- if they're going to park on the lot or park out front, to please come into the office and obtain a staff tag so they don't get a parking ticket."

Mr. Hunter said, "I think those are the people we want to look at, too -- because they obviously are bringing in some big bucks to us there."

Ms. Toten said, "Absolutely. Absolutely."

Commissioner Hunter said it sounds good to him.

Mr. Tuley said, "I'm like Rick -- I hate to put in meters. But I don't know how else you're going to free up the parking to get customers in there -- and that's who we're really after."

Ms. Toten said, "It's that -- or do we pay a County Deputy to sit out there all day five days a week or a City Policeman to ticket people and to run them off if they are not doing business. And I know for a fact that Marsha Abell has run people off when she's been going down Locust, knowing somebody is working over here in this building and they are parking on Auditorium Drive. She has gone over there and said, 'Out, you don't belong here.' Of course, that didn't move them either."

Motion to approve the request for installation of meters, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Collection of County Share of Revenue/Parking Meters on Auditorium Parking Lot:

Ms. Toten said, "Through discussions with Marsha Abell over the past two years on the meters and on the parking lot, there was a Common Council ordinance that was put in effect in July of 1991 for the split of revenue on those parking meters on the Auditorium parking lot. Through the discussions I had with Marsha as to how they collect that and how money is handled (75% goes to the City and 25% to the County) -- I was always told and her office was also under the impression that our 25% was deposited somehow directly into the General Fund. Because I could never find any records at the Auditorium where the City had paid us anything since 1991 - - so after all this work you have \$2,389 that I have deposited in the General Fund for the County from the City on back monies that were due." In response to query from Commissioner Tuley, Ms. Toten said, "They never did pay us. But they have now paid us all of 1992, 1993 and two months of 1994 (January and February) and they send me a yellow claim every month to fill out, which I sign to get the check."

Mr. Tuley said, "I guess it's shame on us for not asking for it."

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Ms. Toten continued, "Now, there are some outstanding months that are still due if you'd like to pursue those -- from July through December of 1991; but that has to be at your direction, I think. That is when the Common Council agreement went into effect."

Mr. Tuley asked, "So you don't know what revenue may or may not be out there?"

Ms. Toten said, "We don't know the dollars; it would just be July through December of 1991. But this is as far back as the City went -- to the beginning of 1992. And I will send a copy of these checks to the Council. And every month we will get out little check."

Commissioner Hunter said, "I think it is a good idea -- go ahead and pursue that six months. Every little bit helps."

Ms. Toten said she thinks it would be around \$500 or \$600.

Mr. Tuley said if she has the time -- go head and pursue it.

Ms. Toten said, "Well, I really don't have the time -- but I will do it."

Seconded by Commissioner Borries. So ordered.

Mr. Tuley said this year her efforts may help her get paid one week.

Ms. Toten said, "I'll do it."

(End of Side "A" of Tape)

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Acceptance of Check/Execution of Release: Attorney Kissinger said the check which the Commissioners asked him to make a determination on whether we should actually sign and the release -- they asked what we were releasing, etc. The check is in the amount of \$871.26 from Leader National Insurance Company and it came to us through Willis Corroon Administrative Services, who basically is the claims adjuster for our loss fund. This is a subrogation collection. In other words, there was some damage caused to the County and Mr. Dennis Feldhaus has advised me it was back when his employer was not the insurer for the County. But this check was collected based on damage suffered by the County at the instance of a particular individual who was insured by Leader National Insurance Company. As part of the service they perform for us, Willis Corroon went back and engaged in what is referred to as subrogation or went to collect from the individual who caused the damage and did collect from his insurance carrier. So the release should be signed by the President of the County Commissioners and then this check should be quietused back into the loss fund, which Dennis said he thought was Account 428.1. So, basically, this is money we paid out and money that was recovered for us.

Motion to sign the release and accept and endorse the check for deposit was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Mr. Abell stated that at last week's County Council meeting the Superintendent of the County Garage (Bill Morphew) mentioned to the Council that there were two vehicles which he considered to be unsafe that are at the garage. Mr. Abell said he thought it would be a good idea if Mr. Morphew were to be instructed to not use said vehicles until we have an independent expert look at those trucks to deem whether or not they are indeed safe. He has discussed this with Dennis Feldhaus, the County insurance agent, and he agreed and we will have a couple of independent truck people look at them to ascertain whether or not they are safe before they are used again. He thought this would protect us in any event.

Mr. Tuley asked if a fee will be involved.

Mr. Abell responded, "Not from - I've enlisted the aid of Mark Miller of Miller Trucking -- because in this business there is nobody that doesn't have an interest. Anybody that is an expert is probably going to have an interest, and we thought it would be best to use two people. I think Dennis is going to contact Jim Loeffler and both parties know the other person is looking at the trucks, so this should keep them honest -- I guess.

Mr. Tuley cautioned, "Careful, careful."

Commissioner Borries asked if these are new trucks.

Mr. Abell replied, "These are old -- these are 60's or 70's models -- and he was looking to replace them and he had a little confrontation with the Council on that."

Mr. Borries interjected, "In the form of 'no'."

Mr. Abell echoed Mr. Borries' comment, saying this is correct. However, he said Mr. Morphew did make the statement at the meeting that they were unsafe. He subsequently told Mr. Morphew not to use the trucks until we found out for sure.

RE: COUNTY HIGHWAY - FRED HOWARD

It was noted by President Tuley that the agenda says Bill Morphew. He doesn't see Mr. Morphew, but he does see Fred Howard here today.

Mr. Howard said he is filling in for Bill Morphew this week, who is on a well deserved vacation. He hopes Bill is catching a lot of fish by now. He went down to Tennessee.

Weekly Progress Report: Mr. Howard submitted copies of the Weekly Progress Report for period of April 1, 1994 thru April 7, 1994.....report received and filed.

St. Joe Avenue/Trash: Mr. Tuley said he noted the trash crew worked on St. Joe Avenue. This seems to be a road (because of BFI) that we're always getting calls -- is there any way we can work that in to a routine, so we don't have to wait to get a phone call or a letter from the one person who watches that road every day and either calls him or leaves a note. The individual lives out there and is very good about letting him know when it gets dirty.

Commissioner Borries stated, "I would think, too, that you could contact BFI. I don't think there is any resistance there. They've got drivers, too, who are moving to/from routes.

Mr. Howard said, "They've worked with us in the past quite well. But what it was, was some tires and stuff and they didn't feel like that came off the regular trash truck. They just called us back and told us to go out and get it. But as far as the trash, they will clean that up."

President Tuley again asked, "Can you go ahead and work that into your regular routine, though? And if BFI will help, that's good. She's a nice lady -- I know her well. She works here in the building -- and she lets me know."

Mr. Howard said, "Yes, I know we've had this discussion before. And, yes, we can work this into our regular routine -- that would be no problem at all."

Mr. Tuley said, "I did talk to Bill about this a couple of weeks ago and that is why I was glad to see this item on the progress report."

Unsafe Trucks: With regard to the unsafe trucks Mr. Abell was just discussing, they won't be used until someone does come out to look at them.

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Mr. Abell said, "Miller said he will be there tomorrow."

Mr. Howard said he believes these are trucks #9 and #32'; he's almost positive they are quite old trucks. One is a 1964 model. One is single axle and the other is a tandem truck.

Old Union Township School Clean-Up: Mr. Howard said he also wants to thank the Commissioners for getting this mess cleaned up. Not only will the residents enjoy that, but the County Highway will, too. He doesn't know how much money the County has spent on call-ins at night and stuff. Debris blows on the road -- they have to go down there and get it off.

Equipment: In response to query from Commissioner Hunter, Mr. Howard said County Council did approve the pothole machine and the crack sealer.

Mr. Hunter interjected, "But not the 4-wheel drive vehicle."

Mr. Howard reiterated, "Not the 4-wheel drive vehicle, which we could have used."

President Tuley said, "We knew the outcome of that before it ever got voted."

Mr. Borries said, "We wouldn't want the County Highway to have one of those types of things."

Flooding/Old Henderson Rd.: Commissioner Borries asked if we still have any roads barricaded.

Mr. Howard said, "The water went down; but it's coming back up real quick -- for the sixth time this year (I think this is a record). We have very severe damage on Old Henderson Rd. They've begun to temporarily get it back open and this last rise of the river washed out all the work they did. It's washed a lot of the rock into a farm field and when it dries up, we will go out there and get it and spread it back out on the road. But it's been a disaster. Hopefully, this will be the last time the river rises this year." All we've been able to do is get the debris off the road and open it up. There are people who live way down by the Old Dam and they have to get in and out -- and all we do is temporary repair it as best we can, but it's got to be safe. We don't want to leave anything where we could get sued. For instance, we had a dock that floated out on the road; a refrigerator, all kinds of things. It's amazing."

President Tuley entertained questions of Mr. Howard. There being none, the Commissioners expressed their appreciation to Mr. Howard for his report.

RE: COUNTY ENGINEER - JOHN STOLL

Supplemental Agreement with Bernardin-Lochmueller/Lynch Road Right-of-Way Services:

Mr. Stoll said this agreement is in the amount of \$1,848.44. This is for work that they've already completed in regard to a couple of condemnation suits.

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

Authorization to Advertise re Two Vacant Positions/County Engineer's Office: Mr. Stoll said he is seeking authorization to place a legal ad concerning two vacant positions in his office. He'd like to advertise those. He would also like to know whether the Commission wishes to advertise the Assistant County Engineer's position only in the local papers or whether they would want him to publish the ad in Indianapolis, Louisville or any other cities around this area.

Commissioner Hunter asked if these job descriptions conform to the descriptions written by the Job Study group.

Mr. Stoll said they do. That is where he got the information.

Mr. Hunter said his second question would be is Mr. Stoll comfortable that the job descriptions pretty well include everything he would like to have.

Mr. Stoll said he is.

Commissioner Borries asked, "John, are both positions -- the requirements for the Bachelor's or Associate Degree in Civil Engineering and four or more years' experience required for both positions?"

Mr. Stoll replied, "No, just for the Assistant County Engineer."

Mr. Borries said, "I don't know how you feel about that -- it's a tough job market. There may be some seasoned engineers or experienced engineers, I guess I should say, who would be interested in these positions -- but, you know, through I.U. or Purdue Placement Services (probably Purdue more than I.U.) Rose Hulman -- there may be some young engineers come out. I can't remember what the salary range would be on this, but you might want to touch base with the Placement Services at Purdue and Rose Hulman, the two engineering schools."

Mr. Hunter said, "Gary was making about \$27,000."

Mr. Tuley said, "Gary was making around \$30,000."

Mr. Stoll said, "I think the Assistant County Engineer really needs a degree and experience -- more practical experience rather than just the degree. I'd like to get someone with both the degree and the practical experience. Whether we can get that for the salaries we can offer, I don't yet know."

Mr. Borries said, "In other words, you want it with either the Bachelor's or the Associates, right?"

Mr. Stoll said, "Right. That is the way the job description reads."

Mr. Hunter said the ad doesn't read real smoothly. "The position requires a Bachelor's or Associates's Degree in Civil Engineering with a minimum of four years' practical experience.' Wouldn't and four years' practical experience -- isn't that better? From what you're saying, I think that is the way we need to word it."

Mr. Stoll asked, "You mean we should change the with four or more to and four or more?"

Messrs. Borries and Tuley said they think this would work.

Commissioner Borries asked, "What is an Associate Degree? Is that kind of something that is grandfathered?"

Mr. Hunter said, "A two year degree."

Mr. Borries asked, "Can you come out with an Associate's Degree in Civil Engineering?"

Mr. Stoll said, "I believe you can from Purdue."

Mr. Hunter said, "But I don't think you can go for your P.E. until you get your four year degree."

Mr. Stoll said, "They've changed all the rules on the registration, too, that I don't think you could ever get your P.E. now unless you have a Bachelor's Degree."

Motion to approve advertising, as amended with the "and" substituted for "with" was made by

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Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Mr. Stoll said, "As far as the Assistant County Engineer's position, I don't think the Assistant Construction Engineer position would justify advertising anyplace but locally, but the Assistant County Engineer's position...."

Mr. Hunter interjected, "Did we go ahead and give you approval to advertise in other places for the Assistant County Engineer?"

Mr. Stoll said, "That is what I was wondering -- how you wanted to approach that."

Mr. Hunter asked if we could send a letter to Purdue or Rose Hulman?

Mr. Stoll said we could just post it at their Placement offices.

Mr. Tuley asked if they're suggesting they might have someone with experience that they're still trying to find work?

Commissioner Hunter said, "Well, they may know somebody. Once you're in a placement file, alumni go back in there, too."

Mr. Stoll said, "With the salary ranges -- who knows what County Council will allow us?"

Mr. Hunter asked, "The funding is already in place for all of this, isn't it?"

Mr. Stoll said he believes the Assistant County Engineer's job is budgeted at something like \$26,000 -- but with Gary's experience and everything that put it up to \$33,000. So it will be a matter of getting the experience to kick the salary up to the same level that Gary had.

Mr. Tuley said he doesn't understand. He thought that was one of those Professional/Technical positions where you don't have that range based on experience. He thought the salary was just set like a Chief Deputy's.

Mr. Hunter asked "Is that classified or unclassified?"

Mr. Stoll said he can't answer that question right now.

Commissioner Hunter said, "I think we need to find out if it is classified or unclassified."

Mr. Stoll said, "If all I can get is \$25,000 -- then we'll be looking at new college graduates."

Mr. Hunter asked, "But the \$33,000 has been budgeted for that position?"

Mr. Stoll responded, "Right -- for Gary's position -- for this year."

Mr. Borries said, "Gary didn't have -- what did he have, an Associate Degree? I don't even think he ever finished.."

Mr. Hunter said, "He was trying to finish, but he didn't have his degree. He and I talked about this several times."

Mr. Borries asked, "What is budgeted in there now, \$26,000?"

Mr. Stoll said it is budgeted this year for \$33,000. But according to what Sandi Deig had said, without experience it would go back to \$26,000 roughly.

Mr. Hunter said, "I think you should have some flexibility there, too, to negotiate between \$26,000 and \$33,000."

Mr. Borries said, "It comes out of Cumulative Bridge -- and there should be adequate budget in there. It seems to me Council should be more concerned about General Fund monies than they would a specified fund here. So we ought to work with them.

Deputy Auditor Mayo said, "You need to request to meet with Job Study and have it unclassified."

Agreement Between INDOT & The County for Construction of Franklin Street Bridge: Mr. Stoll said these are Standard Agreements for Federal Funds. The State is supposed to send us some official notice by the end of the week as to whether or not we will be using bridge money or minimum allocation money, but this is on a May letting -- so this is just part of the paperwork that needs to be processed by INDOT in order for us to get our Federal funds. In any case we are funded.

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

Commissioner Borries said, "This is really important. We need to get this bridge done this year."

Stop Sign Ordinance/Revision: Mr. Stoll said he has another list of Stop Intersections -- we need to again revise the Stop Sign ordinance -- just what Alan (Kissinger) wants!

Attorney Kissinger said he does these in his sleep. He will prepare an ordinance to be advertised.

Motion to authorize the Attorney to add this list to the Stop Sign Ordinance was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Mr. Borries asked if we keep this on a computer disc?

Mr. Stoll said that since Alan started doing these, rather than revising the entire list, Alan just prepares an addition to the previous stop sign ordinance. His department has this on a disc and he is sure Alan's office does, too.

Attorney Kissinger said, "We just amend the previous ordinance and indicate this ordinance will have no effect on the previous ordinance. Otherwise, it becomes very confusing."

Commissioner Borries said "It does become confusing; this is, unfortunately, probably part of the problem that happened to those folks a long time ago with that other road -- Westchester Drive."

Westchester Drive: Mr. Stoll asked, "Did Area Plan send a copy of the Plat down here? The Plat does specifically state that the streets would not be accepted until the residents along the road brought it up to County standards."

Mr. Tuley said he has it -- and it does clearly state this.

Mr. Hunter said, "That was written then at the time that went in."

Mr. Borries asked, "He put it on the plat? They were sub-standard roads?"

Mr. Stoll responded, "It didn't say sub-standard, but..."

Commissioner Borries said, "Wait a minute -- maybe it's just some semantics here. In other words, the guy said that"

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Mr. Stoll interjected, "That the roads were not going to be accepted for maintenance by the County until the residents along the road bring the road up to County standards -- whatever County standards may be."

Mr. Borries said he can't remember ever seeing one like that. That's really crazy. He can't imagine the guy put it on the plat like that.

Attorney Kissinger said, "It's easy enough at that point -- because the road is in good condition and the residents don't worry about it. And when the road gets in a bad condition, a lot of those original people are gone. So it's a perfect ploy."

Commissioner Hunter said, "He knew exactly what was going to happen."

Mr. Stoll said, "One of the residents wants our assistance in determining what it would take to bring it up to County standards. I said that within the next couple of weeks we could probably let them know what they need."

Commissioner Borries noted Eddy Boyd was the land surveyor on the project.

Mr. Tuley said he was the land surveyor -- he may not have been the developer.

Commissioner Hunter looked at the plat and noted that Donald L. Stucki, President of Stucki Investments, was the developer.

Commissioner Hunter humorously noted, "I knew I shouldn't have brought that up. Maybe he was a Democrat way back then!"

Commissioner Borries said, "No, I guarantee he wasn't -- back then, because I know who was Mayor. But that is unusual. It says, 'Street, road and other minimum improvements have not been made and the public is notified that the County will not accept the same for maintenance until the owners of the various lots herein improve the same up to said minimum standards.' I don't think I've ever seen that before."

Mr. Stoll said, "Not on the plat. I've seen it on the road plans, but not on the plat."

President Tuley said he bets that whoever was selling those lots wasn't pointing it out.

In response to humorous query as to what year he was elected to office, Commissioner Borries said, "Not then -- not in 1968 I wasn't around."

President Tuley noted, "I was graduating from Harper Grade School then."

Commissioner Hunter said, "That's a real good example of how the players have changed and the rules have changed. And now we're taking the heat for this thing."

Mr. Stoll said, "The woman I talked to today said there is some support out there as far as some of the residents getting together and trying to bring it up to County standards -- something like 2,000 feet is the length of the road."

Mr. Borries said, "The thing is -- you know, it's the government and you really feel sorry for those people. Well, we don't live in a risk-free society -- that's an example of it. Somebody -- probably all of them -- should have read it at some point. But things have changed hands and people don't see things like that."

Mr. Tuley said, "I bet if somebody went out there and bought a house during the last five years that they've never had any reason to go pull those records to see. I mean you go in there believing it is a County road and the County is going to fix it."

Mr. Borries said, "And probably the realtor doesn't know it either. I don't know, I think at some point we need to ask for some participation -- but, frankly, those people out there aren't going to be able to bear the entire cost of that road. At some point, if you can get your staff to begin to look to see what it is going to cost to bring it up to standards. We're going to have to do something with it. Sooner or later we're going to have to help them."

Commissioner Hunter said, "And they have been paying taxes all those years under the assumption -- right or wrong -- that we were going to help them."

Mr. Stoll said the woman who called him today wanted to know whether it would have to be brought up to 1994 standards, 1972 standards or 1968 standards. But based on the width that is out there, he figured it would probably be good enough if the surface is brought up to good condition -- but even if that doesn't match today's standards, he figured that would be good enough. He means, not widening the road or anything, just replace what is there.

Mr. Borries said, "They have to have some help."

Mr. Hunter agreed, saying the biggest part of the families out there probably wouldn't have the money to participate. He asked if there is any money from any neighborhood branch or anything where they could collect and we could work with them or something? We have inner city kinds of programs that are designed to improve.

Commissioner Borries said he doesn't know of anything.

Mr. Stoll said he doesn't know of anything. He doesn't know whether DMD would be familiar with anything along those lines or not -- he could check with them to see.

Mr. Hunter said, "It is a private road at this point -- it is not ours."

Green River Rd./Spring Valley/Traffic Signal: Mr. Stoll said that Keith Lytton, the Project Engineer for the Green River Road Project, called him today and told him that the signal will start operating out there at Green River and Spring Valley on Wednesday -- so if the media could let people know about that. It is on flash now and will go to regular operation on Wednesday, April 13th. They don't know what time -- it is when the contractor can get there.

Mr. Tuley said he was at Bellemeade and Walnut one night at 6:00 p.m. and that light had been flashing all day long and....

Mr. Borries said, "There was a fatality at Bellemeade and Governor, because he knows the family well. They put a flasher in there. The guy had traveled that road for years - and he plowed right on through it the very first thing. That is really critical in terms of the time.

Commissioner Hunter echoed the request to the media to make people aware of the flashing light on Green River Rd. at Spring Valley Road.

CSX Railroad Crossings/Improvements: Mr. Stoll said he had a call from CSX this morning concerning this project which begins in May. The preliminary work will begin on Maryland Street next week and given there is no bridge abutment underneath the tracks underneath the Maryland Street crossing at Pigeon Creek, they are going to close that next Monday and they said it would probably be closed through May 16th. They said that given the crossing is always in poor condition, it always settles on them and they never can keep it in good shape. They didn't feel they could go in there and do their preliminary work and then turn around and do a temporary replacement of the crossing until their track replacement project comes through.

Mr. Tuley asked, "So you're saying the railroad tracks where it crosses Maryland Street at the bridge is going to be closed from tomorrow until May 16th?"

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Mr. Stoll replied, "Yes. I'm not sure of their timetables, but they're going to close all of the crossings starting next Monday."

Mr. Borries said it is good we got the Columbia-Delaware project done; it could get real interesting over there.

Mr. Hunter asked, "Are they going to do it right this time -- so it doesn't sink on them?"

Mr. Stoll replied, "That is their plan. I hope it works this time around."

Commissioner Borries said, "Good. Good."

Green River Rd. Ribbon Cutting: Mr. Stoll said this is the final item he has today. Mr. Hunter said he believes it is all set up. B.J. is going to contact Libby Culliver."

Mr. Stoll said he has already talked to her. The kids no longer go to Hebron, they go to Plaza. He's also talked to Shirley King out at Plaza and she said she thinks things can work out. It's just a matter of knowing what date to shoot for. He told her it could be April 18th or April 25th or the end of May -- just what works best for the Commissioners.

Commissioner Hunter said it is pretty wet out there right now and suggested we wait until May, when the weather gets better.

Commissioner Borries added, "And, if possible -- schedule it on a Monday. In terms of traveling and everything, you can usually catch all of the Commissioners on Monday."

Mr. Stoll said Keith Lytton told him that traffic is lowest around 10:00 a.m. The kids have a lunch hour which begins at 11:30 a.m. and they're out of school at 2:30 p.m.

Mr. Hunter said the school bus route will be finished -- so they could pick the kids up at 10:00 or 10:30 a.m. -- that wouldn't be a problem for the buses.

Mr. Borries said, "No problem for the busses -- just a matter of how we'd pay for them. We're talking some heavy duty stuff here."

Mr. Hunter said it's \$25.00, isn't it -- for the school bus? He believes 10:30 a.m. is the down time for the busses between the morning and afternoon routes.

Mr. Stoll said another thing that Shirley King at Plaza noted was that they'd have to get permission slips signed by all the parents. So there is that to contend with, too. By the time all this is said and done, he doesn't believe the ceremony could be next Monday. He thinks April 25th at the very earliest and probably the next week might be even a more realistic guess.

Mr. Hunter suggested we give them as much lead time as possible.

Mr. Stoll said he would try for April 25th or May 2nd.

Mr. Tuley said April 25th would be tough for him, but said May 2nd would be fine.

Mr. Hunter suggested Mr. Stoll try to schedule it on May 2nd and the other Commissioners concurred.

Assistant County Engineer's Position: Ms. Mayo said she called down to the Auditor's office and this position is a PAT VI -- so it is classified. She thinks they just did away with the Chief Deputy for the Auditor, the Recorder, the Clerk, the Treasurer and the four constitutional offices - all the rest are classified.

Mr. Hunter said, "We could have a problem with the Job Study with that. They may give us a hard time."

Mr. Borries said, "Again, the key to it is understanding this is not coming out of the General Fund; it will not impact the General Fund. This comes out of a dedicated fund and there is adequate budget there."

Commissioner Hunter said, "John, what you're going to have to do if you want to get this unclassified is to put something in with the Job Study and appear before them and give reasons why it should be unclassified. But I do know you will have some problems with it."

Commissioner Tuley said, "There are provisions that allow you to appeal if they won't unclassify it. But if someone has work experience -- which you're requiring four or more years' experience -- then they can start them off at a Level 3 or Level 5. Level 3 is a 5 year level, so that will help us a little bit."

Ms. Mayo said she thinks with the college degree and the experience that there shouldn't be any problem.

Mr. Hunter said he will try to help, too.

RE: COMPLAINT RE MILLERSBURG RD.-GREEN RIVER RD. INTERSECTION
CONCERNING GROWTH ON RIGHT-OF-WAY & DUST, ETC. ON HIGHWAY 57

Mr. Ron "Pee Wee" Melton of 5120 Millersburg Rd. was recognized. He said, "Don, you're familiar with some of the problems concerning Millersburg Rd. and Green River Rd., I'm sure. Okay, I called you at home one time -- about a year ago -- about going east -- not coming west -- off of Green River onto Millersburg, off of Millersburg Rd. turn left to right - those bushes that hang way over on Green River Rd. Coming east you have to pull out into Green River Rd...."

Mr. Hunter asked, "There by Ed Grammer's house?"

Mr. Melton replied, "Yeah, it's Grammer's house. I love flowers the same as he does, but it's getting worse all the time. We've had one fatality. It's getting to where you practically have to pull out into Green River Rd. to get across the street. Not because I live there -- but I try to avoid going that way. But it is getting to be a real serious matter, seriously -- else I wouldn't be here talking to you, okay?"

Mr. Hunter said, "I see Ed Grammer once or twice a week at lunch and I'll mention it to him."

Mr. Borries asked, "Are the bushes on his property?"

Mr. Hunter replied, "Yes, they are on his property and they're hanging off and growing further and further out into the right-of-way."

Mr. Melton said, "Ms. Zigenfus said that was not a bad intersection. There's been one fatality -- and one fatality is a bad intersection -- I don't care where's it at. And we've had numerous accidents there."

Mr. Hunter noted they've had four or five wrecks there during the last year or two. They talked about this at Area Plan.

Highway 57/Debris, Dust, etc.: Mr. Melton said, "Bad deal. Bad deal. Going west is not too bad; but coming east it is really bad. Now, Mr. Borries, you're next. Up on Highway 57 -- the coal mine (Shell Oil Company) sold out recently to another company..."

Mr. Melton mentioned an owner (inaudible to the secretary and on the tape), but Mr. Hunter said, "Turis. They just got their permit this week."

Mr. Melton said, "Well, it's changed hands a couple of times. When they first opened up that plant they were supposed to keep the roads cleaned, dusted down, etc. and keep tarps on top of the trucks. Not because I live in that district and go up and down that road -- but this pertains to everyone and everyone's life -- because in the summertime when it gets real dusty and those trucks pulling out of there with no tarps on them, rocks, coal, etc., get on the road. Well, you go through there sometimes and can't see the other side. It's not so bad now, but I'd say that within another month from now when it stops raining and the dust cannot be settled by rain we're going to have a serious problem there, because they are getting more traffic out there. I think they were supposed to wash it down -- but they have not, to my knowledge, washed it down that first time. If you have a new Cadillac or something like that and you're going down through there and you just washed that thing, you're going to feel embarrassed to pay \$10 or \$15 when it's dirty as hell when you go through there."

Mr. Hunter said, "The problem is more serious than that. What has happened to us there is the same thing that has happened to us out in Union Township where the build-up along the edge of the road is causing the water to pond on the road rather than draining off -- because I've been down there and looked at it. So it is something that really needs to be dealt with."

Commissioner Borries said, "We'll have a little bit different problem up there, Pee Wee, because that is a State highway and the State ought to...."

Mr. Melton interrupted, "Well, shall I confer with them?"

Mr. Borries said, "Yes -- oh, yes. And we can, too. But we'll be a little limited in what we can do there."

Mr. Melton said, "But the power of suggestion from you people wouldn't hurt though. I mean, you've got more pull than I would."

Commissioner Hunter reiterated, "They've just recently gotten their renewal on their permit -- because we just circulated it these last few days -- because I called a guy at Jasonville or wherever it was -- I was confused as to whether they were trying to slip surface mining in on us."

Mr. Borries interjected, "They can't have surface mining."

Mr. Melton stated, "Russell Lloyd passed a law in 1973 that they cannot strip in Vanderburgh County."

Mr. Hunter noted, "That won't mean they won't try it."

Mr. Melton said, "That's true. Well, anyway, I'd appreciate it if you would look at it in either way, shape or form."

Commissioner Hunter said, "I think you need to contact the State on that."

RE: CONSENT AGENDA

The meeting continued with President Tuley entertaining questions or comments concerning the Consent Agenda. There being none, a motion was entertained.

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

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RE: SCHEDULED MEETINGS

Mr. Tuley directed the group's attention to the list of scheduled meetings attached to the meeting agenda, noting there is an Executive Session at 4:00 p.m. next week, the regular Commission Meeting at 5:30 p.m. and Rezonings at 7:00 p.m.

Request for Input from Technical Committee re Infrastructure/Lloyd Expressway & I-164 Area/Hartmann Rezoning: Commissioner Borries said he would briefly indicate that tomorrow morning there is another meeting of the Technical Committee before the other Technical Committee meets to review rezonings. There is a rezoning matter coming before this Board next week. With this Board's permission, he had outlined this little map on the chalk board during their first meeting and no one has erased it. With the Board's approval, he thinks one of the things that he'd like to suggest this Technical Committee do tomorrow morning is perhaps give the Commissioners some advice and guidance in terms of infrastructure on this road. We're already starting to get some calls which are not too complimentary on the Burkhardt Rd. and the Lloyd Expressway on the west side of that road. He thinks he's had some calls as to when the Virginia Street Extension might be through as the K-Mart is about ready to open. And John Stoll had informed him that part of the County structure over that legal drain is going to go in around April 22nd. But, again, rain changes all of this and he is not sure what the other section's time frame is -- but it is not going to be open when the K-Mart opens. So there are going to be some traffic problems start immediately as this K-Mart opens. But, beyond that, in the long range what we envision this other part to do -- with your permission, we may want this group to give us some feeling about this."

Commissioner Hunter asked, "Who all is on that Technical Committee?"

Commissioner Borries replied, "Well, that was City, County -- there was a representative from the State Highway there, a representative from the City (Chris Schletzer), the City Engineer, the County Engineer, Water & Sewer Department, SIGECO..."

Mr. Hunter asked, "Is SCS on that committee or not?"

Mr. Borries said he doesn't know, but he'd be glad to have them be a part of that, too.

Mr. Hunter said, "Well, we've got one coming up (Windsor Place) that SCS is extremely concerned about."

Mr. Borries asked, "A rezoning?"

Mr. Hunter said, "Yes. Well, it's going to be the whole nine yards -- off Browning Rd. off Boonville-New Harmony (Windsor Place, I believe it is). I'd love for them to take a look at this. The Surveyor may already have the plans on it."

Mr. Borries continued, "Again, these rezonings get controversial. You know, a attorney is probably going to come in here and say, 'Well, we know it is going to go commercial -- like all of this is a foregone conclusion. But it sometimes is looking at the chicken and egg theory -- exactly what has to come first here. Merely because we approve a commercial rezoning does not automatically mean that the infrastructure is going to be there. I will tell you that what I am hearing I am disturbed about. From a planning standpoint, and understand I am going to get more information on this tomorrow -- because I am supposed to meet with a representative of one of the developers here -- but where this proposed rezoning is along the edge of the Lloyd Expressway and I-164, there is a small little access road which is now looked upon as the only way out of there. But the major problem is, since there is a road known as Center Point Boulevard that has a median in it, if that was the only access out, you will not be able to turn left to get onto the Lloyd Expressway. You will have to start making "U" Turns."

Mr. Hunter said, "That is just part of the problem, Rick. I had a meeting before spring break before the APC and this is one that we have to do right when we do it the first time -- because

we're not going to get a second chance."

Mr. Borries said, "You're right."

Mr. Hunter continued, "And this also, in fact -- it will impact the other entrance off the Lloyd (what is it called? Cross Pointe?) and the piece of land that the Petitioner wanted he is not going to get for his curly que and all we're going to have is a road that turns off the Lloyd, which was a farm access road originally and is totally unacceptable. And I suggested that they try to come up with some whole other plan. It's going to have to be done right the first time or we're going to be stuck.

Mr. Tuley said, "Why don't we give him permission to....."

Mr. Borries asked, "Is it all right to have them look at this thing tomorrow and give us some input?"

Both Commissioners Tuley and Hunter were in total agreement, saying there isn't much time left before that comes to a vote.

Mr. Borries continued, "And we've set precedent on this kind of thing before -- I mean, most developers, frankly, have produced plans."

Mr. Hunter noted, "And this is a 60 odd acre land area that we're talking about and that is a lot of land.

Mr. Borries thanked the other two Commissioners.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There was none.

RE: NEW BUSINESS

Employment Status Change: Commissioner Tuley entertained matters of New Business to come before the Board. He said he does have one employment status change that arrived in the Commission office too late to be included on the printed consent agenda. This is the appointment of Pat Tutt to the Treasurer's office on a part time basis at the rate of \$5.00 per hour for the tax season.

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

Notification to State Election Board re Handicapped Inaccessible Polling Sites: Mr. Tuley said that, by law, we are required to notify the State Election Board of any precincts where the polling location is handicapped inaccessible. We have about eleven (11) of them that need to be signed so B.J. can get these in the mail tomorrow.

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

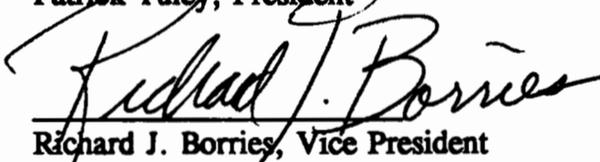
President Tuley entertained further matters of business to come before the Board. There being none, he stated the Drainage Board will convene immediately following a brief recess. The Commissioners have a lot of paperwork to be signed and initialed from this meeting. He then declared the Commission Meeting adjourned at 8:00 p.m.

PRESENT:

Patrick Tuley
Richard J. Borries
Don L. Hunter
Alan M. Kissinger
Cindy Mayo, Chief Deputy Auditor
Mark Abell, Supt./County Bldgs.
Fred Howard/Asst. County Highway Supt.
John Stoll, County Engineer
Roger Lehman/Building Commission
Eric Williams/Deputy Sheriff
Judge Richard Young/President, Community Corrections Advisory Board
Kent Irwin/Waggoner, Irwin, Scheele & Assoc.
Steve Smith/Waggoner, Irwin, Scheele & Assoc.
Sandra Toten/Auditorium
Richard Cappelletti/Computer Services
Lynn Ellis/Purchasing Department
David Ellison/Big Creek Drainage Assn.
Others (Unidentified)
Steve Burger/WIKY
Kyle Foster/Evansville Press

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President


Don L. Hunter, Member

**MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 18, 1994**

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Third & Final Reading)

Meeting Adjourned @ 7:20 p.m. 13

MINUTES
COUNTY COMMISSIONERS MEETING
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The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, April 18, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, apologized for the shortage of meeting agendas and said additional copies are being printed at this time. He then welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Buildings, Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo and Sunny Titzer, who was serving as Acting Recording Secretary in the absence of Joanne Matthews, who was out of town due to a family emergency). Commissioner Tuley then asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

It was noted there are no minutes for approval by the Commission this evening.

Commissioner Tuley asked if there are any groups or individuals who wish to address the Commission but do not find their particular item of interest listed on this evening's agenda. There was no response from the audience.

RE: COMMUNITY CORRECTIONS - HARRIS HOWERTON

Ordinance re Community Corrections Fund: Mr. Harris Howerton was recognized and stated the first item on the agenda is an Ordinance Concerning the Establishment and Funding of Community Corrections Fund. He knows all of the Commissioners received a copy of their request to again enter into an agreement with the Department of Correction of the State of Indiana our option to accept those funds for Vanderburgh County in the total amount of \$161,000. He has given the Commissioners a description of how we expect to spend those monies to a total sum of \$80,500. He thinks one of the Sheriff's Deputies is here.

Deputy Bob Beckham said he is here for the same reason. For whatever reason, he thinks the Sheriff has elected that each one should turn in half that amount to the Commissioners.

Commissioner Hunter asked, "So each of you is requesting \$80,500?"

Deputy Beckham said that is correct.

Mr. Howerton noted this was voted upon by the Vanderburgh Community Corrections Advisory Board and they wish for him to tell the Commissioners that is the way they wish the funds to be spent, as well.

Commissioner Tuley asked, "And this has been the past practice for several years now?"

Mr. Howerton responded, "Since 1986."

Deputy Beckham said that in the past Mr. Howerton has taken care of all of that, but this year they are splitting it up.

Commissioner Tuley said, "For the record, to make sure I understand, in the past it has been split down the middle, it is just that most of it has been applied for through the Community

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Corrections program and this year we're just saying to each one to apply for your own \$80,500?"

Both Messrs. Beckham and Howerton confirmed that this is correct.

President Tuley said since this is an Ordinance, he wants to confirm with Attorney Kissinger that the Board can hear this on First Reading tonight and the Second and Final Reading next week.

Attorney Kissinger said, "If it has been previously advertised, yes. If this meeting tonight was advertised..."

Mr. Tuley interjected, "Which it was."

Attorney Kissinger continued, "Yes. Then we can read it tonight and we can have the Second Reading next week and vote on it next week."

Commissioner Tuley said, "Now, the actual Grant Application -- before we move on to that item, I think we need to approve the Ordinance on First Reading so it can be voted on next week."

Motion to approve the Ordinance on First Reading was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Community Corrections Fund Grant Application: Mr. Howerton said he has left the Commissioners copies of the Grant draft. That was the first go around, which was sent to the Indiana Department of Corrections pursuant to final approval by the Community Corrections Advisory Board, which was done April 7th. He has a copy of the Final Edition of the Grant Application. All that has been changed are minor typos, etc., but it is for the same amount of money (\$262,469) and that is primarily used for personnel. There are not too many other line items in there. For the most part that money is used for personnel. Also, we have a commitment from the Indiana Department of Corrections for an additional \$230,000 which will be done in the form of an amendment. That is as the result of a shortfall in the Community Corrections Fund, as the Commissioners are all aware of. We started out at a shortfall of about \$280,000 and because of the money crunch and pursuant to the money crunch we worked real hard, sharpened our pencils and found ways to move some money around in the accounts and received monies from the Jobs Program, Inc. component and the Department of Corrections is going to help us with the balance. So the Community Corrections Program should be able to operate this year without coming in and asking for anything else.

Commissioner Borries asked, "Harris, on that Supplemental Grant, would that be administered and come at the same time as the other?"

Mr. Howerton replied, "We will do the same thing. We will have a meeting with the -- in fact, the Department of Corrections people are coming in this Wednesday and we'll sit down and discuss that. Joe Pfistervich, the controller for the Department of Correction, is the one who is going to have to figure out how they deliver those monies to us. But they are aware that those monies are needed in 1994 and he is going to be sure that they will be delivered."

Mr. Borries asked, "And you will keep us informed of how? Have you already applied for that?"

Mr. Howerton responded, "No, Sir. In fact, that will go through basically the same process, but not nearly as much paperwork. The amendment is a relatively simple format, but it does require the Community Corrections Advisory Board's approval and then, of course, your approval. So I will see you probably about a month from now."

Commissioner Tuley asked if a motion is needed. He is looking for a signature block.

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Mr. Howerton said what he has done is to prepare a letter, which basically tells the Commissioners the Community Corrections Advisory Board (a quorum) met and that they approved the grant amount and asked that the Commissioners approve the Grant Application.

Mr. Tuley asked, "The Board met and this was approved on what date?"

Mr. Howerton replied, "April 7th."

Mr. Borries asked, "In this Grant Application, there aren't any changes or significant changes, in your opinion, that are included that have not been in this previously? It is basically the same kind of grant you've applied for since 1985?"

Mr. Howerton replied, "Yes, Sir. In fact, since 1982. This is the eleventh or twelfth year. I think Vanderburgh County has long been a proponent of Community Corrections and has certainly done their fair share of helping pay the cost of Community Corrections. The Department of Correction recognizes that, I think, by now because they are willing to up their base to approximately \$1/2 million and I think that speaks for itself."

Mr. Tuley asked, "And, Harris, this is a standard Grant Application for this type money? And the answers respond strictly to our program?"

Mr. Howerton responded affirmatively.

President Tuley entertained further questions.

Mr. Howerton noted that he sees Commissioner Hunter is looking at the flow chart. In the Final Edition he will see that the Board of Commissioners of Vanderburgh County has been added at the very top.

Commissioner Hunter said that actually what he was looking at -- is this the list of the actual staff out at the Corrections Center? All of these people are on the payroll?

Mr. Howerton responded affirmatively.

Mr. Tuley asked, "Did I understand you correctly that this grant basically covers the salaries of these people?"

Mr. Howerton replied, "No. That is the entire organization and that does include post county monies and other sources of funding. In the grant application you put all the information -- not just as it has to do with grant monies. That is the entire program -- the plan, if you will."

Mr. Tuley said, "Basically, I think you told me at the time the Commissioners asked you for a whole lot of information, this pretty well spells out exactly what the program is all about."

Mr. Howerton responded, "Yes. That is one of the things about the grant. It is a pretty dynamic document in a lot of ways. It does include a lot of information and it brings us from year to year what, if any, changes are included in that grant."

Mr. Hunter said, "You mentioned there were some typos and spelling errors, etc. Are there any major changes from last year?"

Mr. Howerton replied, "No. There are no major changes at all."

There being no further discussion, a motion was entertained.

Motion to approve the Grant Application was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

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Community Corrections By-Laws: Mr. Howerton said the Community Corrections Advisory Board formed a committee (Beverly Corn, Magistrate/Circuit Court, Dave Davies/Lay Member and himself) and they worked on the By-Laws. On April 7, 1994 the Community Corrections Advisory Board voted to adopt Article V (an amendment to the By-Laws) and, of course, it now comes to the Commissioners for their approval. He thinks the Commissioners received a letter on April 8th from Beverly Corn.

President Tuley said that basically the only thing they've done to the By-Laws is they have added to the end of it the formation of these various sub committees, so to speak.

Mr. Howerton said that is correct.

Mr. Tuley said he bounced this off of Steve Smith, who was in here last week with Kent Irwin of Waggoner, Irwin & Scheele, and he said this is not only a good idea, but actually this is pretty common practice in other community corrections programs. He just wanted to make sure that it was pretty clear that whatever program or suggestions or whatever came out of these individual committees that they must be passed on to the Advisory Board as a whole unit for approval or whatever necessary changes and then on to the County Commissioners for final approval.

Mr. Howerton said that is correct -- that is exactly right.

Mr. Tuley said for the benefit of the other Commissioners, he did ask Steve -- and, again, with that stipulation - that everything comes through the Advisory Board as a whole -- that this is probably what we want to do. It is just the formation of the different sub committees (Personnel, Building Committee, Population Committee, etc.) It probably would be easier to get this stuff passed if you form committees like this.

Mr. Howerton said he thinks it will create a more thorough involvement by more of the members.

Mr. Tuley said, "Along with that involvement, I did talk with him, too -- probably whenever there are things that the Commissioners are aware of that are coming before the Advisory Board, with Alan's opinion as to the Commissioners' role and the Advisory Board's role it probably would be not only be okay but probably a good idea, as well, that the County Commissioners also take it upon themselves to mail out to the Advisory Board members that information. It doesn't sound like it is going to be an ongoingbut it's going to be a case where his opinion probably should come directly from us to the Advisory Board. The proposal that was submitted by Waggoner, Irwin & Scheele -- probably while I am President I will take it upon myself to go ahead and submit those to the Board, which I do appreciate the fact you updated this and gave us the listing of the Advisory Board members, the dates of their employment, the dates of their expiration as a Board Member and the capacity they are filling - I got that today. I appreciate your getting that to us."

Mr. Howerton said no problem. He agrees with Commissioner Tuley -- he thinks it would be a good idea for the Commissioners to have direct contact with the Advisory Board members, so they are appraised of every issue.

President Tuley entertained a motion to approve the By-Laws, as amended.

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

Request from Benita Culver re Appointment to Community Corrections Advisory Board: Mr. Howerton said the only other thing he has is a letter addressed to the Community Corrections Advisory Board and opened by the President of the Board from a lady named Benita Culver, who asked that she be considered for a board position. All of the positions are currently filled, but the Board asked him to deliver the letter to the Commissioners. Perhaps they can keep it

in their file for consideration in the future.

RE: REQUEST FOR PROPERTY TO BE TURNED OVER TO THE EVANSVILLE
REDEVELOPMENT COMMISSION

Commissioner Tuley said he received the following letter from the Redevelopment Commission:

Re: Surplus Tax Sale Property - Jacobsville Redevelopment Area

Dear Mr. Tuley,

Per your conversation of April 4, 1994 with Mariann Kolb, Executive Director of the Department of Metropolitan Development, you agree to sell to the Evansville Redevelopment Commission the four (4) Class B properties outlined in Ms. Kolb's letter of March 22, 1994.

I have attached, for the Board of Commissioners' approval, a Resolution approving the transfer of these properties for \$1.00 each. (Note corrected short legal for 112 W. Illinois.) Upon receipt of your signed resolution, we will present our resolution to the Redevelopment Commission.

Thank you for your cooperation.

Sincerely,

Jean A. Isiniger
Redevelopment Specialist

Mr. Tuley said what he told them was that they may submit a request before the Commissioners and he, personally, doesn't have a problem with it. But he doesn't have any authority to grant the request. These are apparently properties that have been deeded to the County.

Attorney Kissinger said, "I think it would be most appropriate to make a preliminary inquiry and make a determination as to whether the preliminary notices have been sent to the previous property owners and delinquent taxpayers. If all the notices are in order, then there is no problem. We certainly have the statutory authority to make those transfers from one governmental entity to another without going through the normal transfer procedure."

Mr. Tuley said, "Okay. So until that information has been verified, it would probably be prudent to table this?"

Attorney Kissinger responded that is correct.

Mr. Tuley said this matter is tabled until April 25th, until such time as that information has been verified.

Deputy Auditor Cindy Mayo said she thinks those notices were sent via Certified Mail. By the next meeting we should be able to have return receipts to the Commissioners.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Surplus Properties: Attorney Kissinger said he thinks that next week we're supposed to have the Public Hearing at which the non-profit organizations are going to be present to ask that they be considered as transferees of certain County Surplus Real Estate. He received a letter from

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Jack Schroeder, who is the pre-eminent property lawyer in Vanderburgh County and maybe the entire state. Jack was kind enough to call to his attention and the attention of some other people a case that came out of the Indiana Court of Appeals quite recently (in fact, in January of this year) regarding notices. He is going to check with the Auditor's office in reference to those notices, as well, to make sure we do have certified receipts for the notices to the taxpayers prior to the time that these deeds were made to the Vanderburgh County Commissioners. Assuming that has been done, he thinks Mr. Schroeder's questions will be answered and he is communicating with him and is happy to announce that he isn't asking to be paid for his services -- and he doesn't think he will.

Proposed Contract with Employees of Vanderburgh County Prosecutor's Office: Attorney Kissinger said he will be bringing this contract to the Commissioners next week concerning their off time -- when they are not otherwise working for the Prosecuting Attorney to make certain computer transfers for IV-D -- information on Title IV-D recipients, payors and payees. Under this program the Prosecutor is paid for the service of making these computer entries. The Prosecutor has asked for permission to be use his employees on their off time to make those entries. Attorney Kissinger said that he will, hopefully, have a form of contract and will probably recommend that the Commissioners give favorable consideration to approving authorizing the Prosecutor to enter into that limited employment contract with his employees.

President Tuley asked, "Just for the record, you did say that this would be a sub-contract so to speak, between the Prosecutor's office and those individuals and the work would be done on non-county work hours?"

Attorney Kissinger said that this is correct.

Alexander Ambulance Service Contract: Attorney Kissinger said he has completed his review of this contract and will bring same to the Commissioners next week. Once again, he believes he will be recommending that the Commissioners give favorable consideration to approving that contract, as well.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Acceptance of Checks: Mr. Abell said he has one check he needs signatures on from the Northland Insurance Companies in the amount of \$431.76, to be quietused into the loss control fund (Acct. 428.1).

Motion to accept the check and quietus in, as indicated, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Mr. Abell said he would also note that Koester has made a rent payment of \$200, which has already been quietused in.

RE: COUNTY HIGHWAY DEPARTMENT

In response to query from Commissioner Tuley, Mr. Abell said that Bill Morphey is in North Carolina. Fred Howard was to come by, but he is ill and advises he has taken a turn for the worse. Mr. Howard did, however, have Andy bring the written Weekly Progress Report and the Commissioners have copies of same.....report received and filed.

It was noted by Commissioner Borries that the crews have spent a great deal of time removing and putting up barricades due to the high water -- for about the seventh time.

RE: REZONING PETITIONS/CORRECTION

It was noted by Commissioner Borries that the agenda is incorrect with regard to the Rezoning Petitions which are indicated as "Second Readings". That is not correct. He has talked with B.J. about that. The **First Reading** is kind of an informal introduction, which takes place before

the Commission. The **Second Reading** is done by the Area Plan Commission, which is the recommending body. The **Third and Final Reading** is before the Board of Commissioners. It is the second time the petitions are heard by the Commissioners, but it is actually the **Third and Final Reading**.

RE: COUNTY ENGINEER - JOHN STOLL

Travel Requests: Mr. Stoll said he has a couple of travel requests. The first is for David Franklin and Valerie Harry to go to HERPICC Seminar on Stream Stability and Scour on May 24th. Registration Fee is \$10.00 and there is no overnight stay required. They will be taking a County car (probably his).

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

Mr. Stoll said the next travel request is for David Franklin to go to Nashville, TN for a Radiation Safety Officer Training Course for Nuclear Density Gauge. Gary Kercher was the Radiation Safety Officer. Now that he has quit, we need somebody else to get certified in this area. He will be taking his own vehicle and the certification will take place on a Friday. In response to query from Commissioner Hunter as to whether we will be paying him mileage, Mr. Stoll said we will just pay for the gasoline. But this is an overnight stay, because it starts at 8:00 a.m. In response to query from Commissioner Tuley as to whether this comes out of the Commissioners' Travel or the County Engineer's budget, Mr. Stoll said, "Either way".

Mr. Tuley said, "Yours. If you have funds available, we'd rather use yours."

Mr. Stoll said they were going to pay the registration fees. The course cost \$300 or \$375 and they were going to pay that out of the Cumulative Bridge contractual. They can also cover his lodging from another line item.

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

Commissioner Borries noted he read with much interest about a spill that occurred on the Lloyd Expressway this past week. He thinks there were some concerns voiced about what the Commissioners originally tried to do here as a Board last year in relation to designating certain routes as hazardous cargo routes -- and some haulers had concerns that they were going to be out of their way. But we haven't seen the last of these accidents on the Lloyd Expressway, as the traffic is going to get worse. And we probably haven't seen the last of them on Highway 41. He thinks this is something we may still want to consider. Again, he doesn't know how it is done in Marion County, but you can sure see them right there on Highway 465 by the airport. Yes, it does cause haulers inconvenience. Yes, it is more expensive -- but in relation to this kind of training Dave Franklin is going to have, he is just saying it is something the Commissioners need to look at carefully.

Request to Go On Council Call/Transfers: Mr. Stoll said he has a request to transfer \$371.00 from rent line item to telephone account. They budgeted \$7,500 for rent this year, but are only paying half that amount due to the improvements we made to the offices last year -- so that is why he has extra money in his rent line item and he needs to transfer funds to cover the installation costs of the new phone system. They originally had several single line phones and these were changed to multi-line phones.

Mr. Tuley asked if he has monies available other than the extra \$371.

Mr. Stoll said that is Cumulative Bridge and he can't do anything with that.

Mr. Tuley said he just thought he'd ask.

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Green River Rd. Ribbon Cutting Ceremony: Mr. Stoll said he finally has this worked out. The Ceremony will be at 11:00 a.m. on May 2nd. The Schools are taking care of permission slips for the students to be able to go. He's talked with Charlie Johnson and he will get a school bus. United Consulting has agreed to buy the kids' lunch.

Mr. Hunter said all of the kids are supposed to have a pair of scissors so they can all cut the ribbon on the count of three. He wants to see every little kid with a pair of scissors stretched across the ribbon and when somebody drops the flag or whatever it is, they all cut that ribbon at the same time. Maybe they can have plastic scissors with a blunt end.

Mr. Stoll said we're trying to hold the ceremony on the south end of the project. Keith Lytton is checking to see if it is okay to park the school bus where Silo is located -- just off Morgan Avenue. That is the only detail to be ironed out.

Commissioner Hunter said he ran into Libby Culliver Saturday night and she is so excited about the whole thing. The kids think it is the greatest thing in the world -- to be able to follow through on something they did. He thinks it is going to be great fun.

Commissioner Borries asked if we're going to also ask some of the residents along there. Mr. Hirsch is one of the gentlemen who has really seen the whole thing. The whole purpose of the book prepared by the kids shows the change of Green River Rd., of which this is the most recent change -- and Mr. Hirsch has a barn just off the northern part and he took the kids back there. He is about 90 years of age. He is remarkable and very spry. Maybe we can inform those residents out there and have some of them come down.

Mr. Hunter said he thinks that would be a neat idea.

Mr. Stoll said if there is anyone specific the Commissioners want him to invite, let him know and he'll take care of it.

Mr. Borries said there are several business owners on the south part of the project he'd like to have out there, too -- especially since they caused us a lot of grief in making sure we didn't put the median in there. We do have the project done on time, their businesses have survived and they are going to thrive.

Elpers Rezoning: Commissioner Hunter said this rezoning is coming up tonight on First Reading. He asked Mr. Stoll if he will check to see if he can find out why the Letter of Credit has been extended and why the sewer has not been accepted. Mr. Elpers called him last week. He was very nice, but he has concerns as to why that sewer has not been accepted out there and why the Letter of Credit was extended again after five years. Before the Commissioners can act on the rezoning they need to know more about that.

Mr. Stoll said he will check on this.

Virginia Avenue Route: Commissioner Borries said he again had a call from a business owner on the Virginia Avenue route. He told him the information Mr. Stoll gave him -- that the component we're going to have -- the concrete bridge would be in on the 22nd.

Mr. Stoll said that because of the weather we've had to push that back a bit. With three days of bad weather and a weekend involved in there, he believes we're now to the 27th.

Mr. Borries asked if Mr. Stoll has received any information from the Metro Group or others concerning their time frame.

Mr. Stoll said they told him last week that some of the dirt they needed to bring the road up was used for fill above the sewers that another contractor installed out there. They said they were going to have to bring in some dirt in order to bring the road up to grade -- so that is the problem out there. Originally he'd heard their intent was to get it all paved at the same time.

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They said that is what they are shooting for - but that remains to be seen, he guesses. There was no specific deadline between Metro and Concrete Pavers, so there is nothing really he can do to push them to do it. He did tell them we've all been taking a lot of heat, knowing of the increase in traffic because of the K-Mart -- but they didn't really give him a specific time frame.

Commissioner Borries requested that Mr. Stoll continue monitoring this and push it along. Hopefully, we'll have a good week.

Commissioner Hunter said he thought there was something in the minutes or somewhere indicating that would be completed by the time the K-Mart opened. That there was an agreement that that would be completed in time for the opening of the Super K.

Mr. Borries said anytime you get in bad weather -- particularly with soils -- he doesn't know how you resolve that -- but we've got to be close.

Mr. Stoll said the problem with that section in Metro is that it is not a County project. There are no work days being counted and no liquidated damages or anything like that that would provide an incentive.

Westchester Drive: Commissioner Borries said he had the opportunity to drive up Westchester Drive. It is like a big horseshoe that goes around to Whitman. Has Whitman been accepted?

Mr. Stoll said that neither of these streets has been accepted.

Mr. Borries said it is a mess out there -- it's not good.

Mr. Stoll said it is even in a lot worse condition than it was this time last year. He was surprised.

Mr. Borries said we haven't heard from anybody on Whitman, but you really can't miss Whitman as well as you can the other. In response to query from Commissioner Hunter, Mr. Borries said it is the same developer. Again, if we could get information forwarded from the County Engineer or the County Highway.

Commissioner Hunter said he did talk to DMD and since that had not been accepted, since the socioeconomic situation out there is not that great, they indicated there were some funds that might be available to that neighborhood. Matching funds -- if we could come up with some money. She immediately wanted to know who it was and said she'd be glad to talk to some of those people out there -- but there was a strong possibility some funding would be available. Wasn't Dixie kind of the leader that night?

Mr. Stoll said he has been in contact with one lady out there and sent her the street standards and she was going to take a look at those. He told her we'd have one of our inspectors take a look at the streets to get an idea of what would be required to bring it up to County standards.

Mr. Hunter suggested Mr. Stoll have her talk to Mariann in DMD. She indicated she'd be glad to speak with her. He hasn't driven the road yet -- he's waiting for the county to get a 4-wheel vehicle he can drive.

RE: CONSENT AGENDA

Veterans Service/Travel Request: Commissioner Tuley said he spoke with Mark Acker about the request for travel. That is part of the requirement for the Service Officer to be certified. They have to go through this training, take a test and be certified. Mr. Acker tried to get them to mail the test and they won't do it. He also told Mr. Tuley there is no requirement for the Assistant Veterans Service Officer to be certified, like there is for the Service Officer. So we could cut down some expense by sending Mark only and not sending Ron Brown, as well. This was, in fact, Mr. Acker's recommendation. Maybe we could send them both next year. Mr.

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Acker received a letter telling him to plan on being there or not being certified -- because there was too much information.

EMA/Travel: Deputy Auditor Cindy Mayo said EMA is a joint department and we pay the City back a share -- but we don't bill the City for emergency management. Is the County paying the full travel on this?

Mr. Borries said he believes this is only for our information.

Mr. Tuley said that during Department Head Meetings they were told to let the Commissioners know they are traveling -- so that might be part of it. But this is just a copy of a letter sent to the Mayor.

Medical Leave/Auditorium Employee: Mr. Tuley asked if the request for a Medical Leave of Absence for an employee at the Vanderburgh Auditorium (Kimberly Freudenberg) is attached to the meeting agenda.

Commissioner Borries said that it is -- at the very back. There is also a Doctor's statement.

Mr. Tuley said Sandy Toten talked to him about this and she wanted to make sure there is no problem with this. He thinks what she is actually requesting is that she be placed on medical leave with her insurance benefits kept intact as long as she pays her share. She is a county employee; we have done this in the past and he sees no problem in doing it for her.

Motion to approve the items on the Consent Agenda, with the exception of travel for Ron Brown, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

The meeting continued with Commissioner Tuley directing the Board's attention to the various scheduled meetings. There is an Insurance Meeting in the morning; the Steering Committee on April 21st at 9:00 a.m. and the Pigeon Creek Committee meets at 5:00 p.m. There will be an Executive Session at 4:00 p.m. next Monday followed by the Commission Meeting and a Drainage Board Meeting. There is also a Personnel & Finance Meeting on April 27th.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board.

Pigeon Creek Committee Meeting: Commissioner Hunter said he attended a meeting of this committee at the Evansville Day School which was kind of interesting. There were about 30 people there, representing three counties, Indianapolis -- and there were also some Federal people there -- and their purpose is to try to come up with some kind of plan for Pigeon Creek period. It was agreed they will probably meet again in two months. In any event, it was a very worthwhile meeting and the SCS people were there and made some presentations and suggestions on how the three counties should organize. It was basically a thread that would kind of work with the three counties -- the SCS office. One of the counties immediately brought up the levee along Pigeon Creek in Vanderburgh County as creating a lot of problems for them -- in Warrick and Gibson County. He thinks we need to have some kind of consensus on whatever we do and we need to be cognizant of the problems being created for other areas.

Commissioner Borries asked if Representative Don Hume was at that meeting.

Commissioner Hunter said he was not.

Commissioner Borries said he had an opportunity to talk with him up at the Legislature and he was very interested in it because of that -- because a portion of his district goes into Warrick and

Gibson and he was employed here in the Evansville system as a teacher for many years and he was very perceptive and also looking at a way in which he felt there maybe could be a state network set up -- a lot like what happened with Patoka lake. And he thinks he was willing to work with us. Maybe we need to invite him to the next meeting, because he might want to introduce some kind of legislation that might begin to move that thing to give us some State assistance. The other thing he brought out, which is very interesting, is that almost the opposite could be true. You know, when we get into some high water conditions such as we're in right now and get a hard rain upcreek (up in Gibson County) we could get impacted down here in the same high water situation we're in right now and the water simply wouldn't have anywhere to go.

Mr. Hunter said there has also been a lot of spilling from the banks and he thinks Warrick County has done some dredging -- to get it in as quickly and out as quickly as possible.

Mr. Borries said that Representative Hume saw a model when Patoka Lake, etc., was created that could be formed to address a lot of the multi-county issues on Pigeon Creek. He would urge that Representative Hume be included in the meetings.

Commissioner Hunter asked if the media was aware of the meeting last week. Were they contacted in any way, shape or form? He was disappointed that no one from any of the media was there.

Ms. Kyle Foster said she received no formal letter.

Mr. Hunter said he is not sure, but he thinks there was a formal letter. But he was really disappointed that no one from the news media was there and then suddenly he realized that perhaps other than the Commission Meeting there had been no notice. They finally decided they'd wait about two months before the next meeting. A lot of people involved in this committee are in agriculture and right now they are involved in planting. He does want to see that the media is advised with regard to the next meeting. He thinks it was just an oversight. But a lot of good information was provided and the thing now is to take all of this information and in some way make it mesh and then come up with a consensus from the three counties. But the State people seemed very excited that three counties are even considering trying to work together to create something. He will see to it somehow that the media knows about the next meeting. The notice came from the SCS office and, again, he thinks the lack of notification to the media was just an oversight.

RE: NEW BUSINESS

President Tuley entertained matters of New Business to come before the Board.

Mr. Tuley said that Joyce Moers from Burdette Park brought him a copy of the \$10,000 check they received from Bristol-Myers, where they donated to their sponsorship of the Summer Science Day Camp Program.

There being no further business to come before the Board at this time, at 6:30 p.m. President Tuley declared the meeting recessed until 7:00 p.m., at which time the Board will reconvene to hear the Rezoning Petitions.

REZONING PETITIONS

The Board of Commissioners reconvened at 7:00 p.m. for purposes of hearing Rezoning Petitions.

First Readings:

VC-3-94/Petitioner, Daylight Engineering, Inc.: President Tuley said this is the first petition to be heard this evening. The common known address is Seven Hills Road and the request is from AG to C-4. He would entertain a motion to forward the petition to the APC.

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

VC-4-94/Petitioner, Wolf's Evansville Auto Auction, Inc.: Common known address is 5147 Coal Mine Road and the request is from AG to C-4. Again, this is a First Reading and approval is needed to forward to the Area Plan Commission.

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

VC-5-94/Petitioner, John J. Elpers, Jr.: Common known address is 8981 Heddon Rd and request is from AG to R-1.

Motion to approve the Petition for forwarding to the Area Plan Commission was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Third Readings:

It was noted by President Tuley that the agenda incorrectly reflects **Second Readings**. This should be **Third Readings**.

VC-29-93/Petitioner, Hartman: This matter has been continued until the May meeting.

VC-1-94/Petitioner, Caring Friends, Inc.: President Tuley said the common known address is 2216 S. Green River Rd. Request is from AG to CO-1. He asked if there is anyone present to speak to this petition.

Attorney Ed Johnson was recognized and said, "President Tuley and members of the County Commissioners, I am Edward Johnson. Harold Bender is to my left. Harold is with the Petitioner, Caring Friends, Inc. The property is at 2216 S. Green River Rd. (at the corner of Earl and Green River Rd.). Caring Friends, Inc. is an Indiana Corporation; it is a not-for-profit corporation. It runs a day care center type facility at that particular location. The property was originally built and used as a church. We can go back to the mid-40's during World War II to show where the property was first conveyed to a church. It was operated as a church off and on, if not continuously, until the early 1990's, at which time it was sold -- or rather given -- to Caring Friends. The property itself is the old church building and what we believe was the parsonage, which is attached to it. Then there is an area in the front that is fenced in, with a playground. The property is still zoned agricultural, because there was no need for it to be rezoned when the church was there. Now that Caring Friends, Inc., a not-for-profit corporation owns it, it needs a zoning of a CO-1. All ingress and egress will be off Earl Avenue as it is. There will be nothing off Green River Rd. We believe that it is sound land use because it's a buffer between a very heavy commercial at the intersection of Green River Rd. and Pollack Avenue, where you will see a service station on one corner and property that would be contiguous to this property really, except for a small vacant lot that has a video rental store -- which is a fairly high commercial use. There is an area behind it that is for high commercial use. So you go from that corner of Pollack on the east side of Green River with some heavy commercial and then you blend down into the residents -- and this makes for a good buffer in between that. Caring Friends, Inc. has done a good job of maintaining the property. It doesn't look quite as good in the back as it should, because they just widened Earl Avenue there, where Earl goes into Green River -- so they haven't had a chance to plant as much green as they would like to. It is great for a daycare center because they are not at capacity. It has a fenced-in front

yard with playground materials and these folks do something for this community that only one other private enterprise does -- and that is have a handicapped daycare center facility where they try to integrate the handicapped students in with what we could call the non-handicapped students or the normal students. And that is really the way you're supposed to deal with handicapped kids -- you're not supposed to segregate them and call them all handicapped, because they tend to think they are different. So this is a facility that is able to integrate non-handicapped with handicapped. They take not only physically handicapped, but mentally handicapped children. Some are there for a pre-school type function. And then, if that weren't enough (which it is) - it also provides a real advantage to the neighborhood, because the neighbors can use this as a drop-off as long as they are pre-registered with the facility; and many do -- on an as-needed basis. In other words, a lot of kids go to school every day, but they have a snow day. They call and space is available -- which it usually is -- and they can drop their kids off. It is a working class neighborhood and it's a real advantage to have that there. Area Plan voted unanimously to approve the request and there were no remonstrators there. He notes there are no remonstrators in the audience this evening. If the Commissioners have questions, Mr. Bender is with the corporation and would be glad to answer them. Otherwise, they would request the Commissioners' approval for a CO-1 zoning classification.

President Tuley said he thinks it's great -- to get the kids with different problems and integrate them in with the other kids; that is where they need to be.

Mr. Hunter said they might need to be at the E.A.R.C., but that location is rather inconvenient to the people living on the south side of Evansville. They also tell him that their rates are competitively as low or lower than E.A.R.C.

Mr. Tuley said he has no problems with this whatsoever.

Commissioner Borries said he doesn't either. He then asked how many children they currently have.

Mr. Bender said they have about 4 pre-school; 10 pre-school daycare and about 9 after school. They do have some additional capacity.

President Tuley entertained a motion.

Motion to approve the petition was made by Commissioner Hunter, with a second from Commissioner Borries.

President Tuley asked for a roll call vote: Commissioner Hunter, yes; Commissioner Borries, yes; and Commissioner Tuley, yes. Petition approved by unanimous affirmative vote. So ordered.

Attorney Johnson and Mr. Bender expressed their appreciation to the Board.

There being no further business to come before the Board at this time, President Tuley declared the meeting adjourned at 7:20 p.m.

PRESENT:

Patrick Tuley
Richard J. Borries
Don H. Hunter
Alan M. Kissinger, County Attorney
Cindy Mayo, chief Deputy Auditor
Mark Abell, Supt./County Buildings
Harris Howerton/Community Corrections
Deputy Bob Beckham/Sheriff's Department

COUNTY COMMISSIONERS

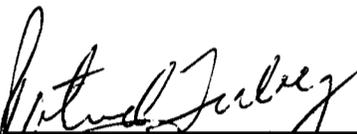
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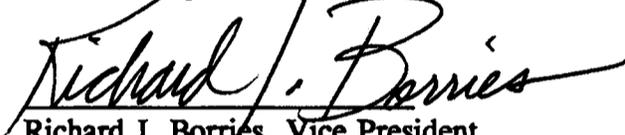
John Stoll/County Engineer
Bev Behmne, Area Plan Commission
Edward Johnson, Attorney
Harold Bender/Caring Friends, Inc.
Others (Unidentified)
News Media

ACTING RECORDING SECRETARY: Sunny Titzer

TRANSCRIBED BY RECORDING SECRETARY: Joanne A. Matthews



Patrick Tuley, President



Richard J. Borries, Vice President



Don Hunter, Member



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

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

April 18, 1994

5:30 P.M.

FINAL

1. CALL TO ORDER

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

A. Approval of Commissioner Minutes

B. Any group/individual wishing to address the commission

C. Harris Howerton/Community Corrections

**1. Ordinance Concerning Establishment and Funding of Community
Corrections Fund**

re: First Reading

2. Grant Application

D. Sheriff Hamner

re: Community Corections Fund

E. Resolution

re: Surplus Tax Sale Property--Jacobsville Redevelopment Area

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney

Mark Abell ----- Superintendent of County Buildings

Bill Morphew ----- County Garage

John Stoll ----- County Engineer(See attached requests)

6. CONSENT ITEMS

- A. Travel/Education
Health (5)
Veterans (1 or 2)
EMA (2)
- B. Employment Changes
see attached lists

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

REZONINGS AT 7:00 PM

First Reading:

- VC-3-94 Petitioner: Daylight Engineering Inc.
 Address: Seven Hill Road
 Request: AG to C-4
- VC-4-94 Petitioner: Wolf's Evansville Auto Auction, Inc.
 Address: 5147 Coal Mine Road
 Request: AG to C-4
- VC-5-94 Petitioner: John J. Elpers, Jr.
 Address: 8801 Hedden Road
 Request: AG to R-1

Second Readings:

- VC-29-93 Petitioner: Hartman (continued until May)
- VC-1-94 Petitioner: Caring Friends, Inc.
 Address: 2216 S. Green River Road
 Request: AG to C0-1

April 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

					1 91/274 April Fools Day Good Friday	2 92/273
3 93/272 Daylight Savings—set ahead 1 hour Easter	4 94/271 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners 5:30pm Road Hearing	5 95/270	6 96/269 3:30pm County Council	7 97/268	8 98/267 Pay Day	9 99/266
10 100/265	11 101/264 4:30pm Solid Waste 5:30pm Commissioners	12 102/263	13 103/262	14 104/261	15 105/260	16 106/259
17 107/258	18 108/257 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Meetings	19 109/256 9:00am Insurance Comm.	20 110/255	21 111/254 9:00am Steering Comm. 5:00pm Pigeon Creek	22 112/253 Pay Day	23 113/252
24 114/251	25 115/250 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Bd.	26 116/249	27 117/248 3:30pm Personnel & Finance	28 118/247	29 119/246	30 120/245

March

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

COUNTY ENGINEER'S

CONSENT AGENDA

APRIL 18, 1994

1. **CLAIMS:**

BRIDGE INSPECTION - PHASE 1 203-3540 United Consulting (Inv. #5/Final)	\$ 3,408.00
COLUMBIA/DELAWARE BR. #1C 203-4353 United Consulting (Inv. #17/Final)	\$ 181.65
LYNCH ROAD EXTENSION 216-4827 Southern Indiana Reporting (Bauer/Inv. #1568)	\$ 39.00
Indiana Dept. of Enviro. Mgmt. (Permit)	\$ 100.00
Lant Farms (Crop damage)	\$ 77.36
GREEN RIVER ROAD NORTH 216-4910 Appraisal Company (Adams Parcel)	\$ 150.00
GREEN RIVER ROAD SOUTH 216-4927 City of Evansville (Claim #1 Eng Svcs)	\$16,877.68
City of Evansville (Claim #6 R/W)	\$19,237.00
ENGINEERING EQUIPMENT 203-4429 A.A.S.H.T.O. (Manuals/PO #001933172)	\$ 442.00

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105111300329	Jason Ashworth		Correction Officer	9 8144 20414 00	4-11-94 ✓
10511750	" "		Cleaning Allow Other		4-11-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Ray Homme*

DATE 4/14/94

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
27813602780	Sandra Montgomery		Correction Officer	9 5740 19914 00	4-4-94 ✓
27801750	" "		Cleaning Allow Other		4-4-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
27813602780	Jason Ashworth		Correction Officer	9 8144 20414 00	4-10-94 ✓
7801750	Jason Ashworth		Cleaning Allowance		4-10-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Ray Homme*

DATE 4/14/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR *rn*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
111-199	CHASE, SHIRLEEN	6010 ROCKFORD DR	PART-TIME DEPUTY	PER HR \$5.00	4-5-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 4-4-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor's Office - 108 *rn*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10801200108	Lauren I.L. Kincaid	6109 Brighton Drive	Admin. Asst.	23,399 00	5-18-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10801200108	Sandra Millard	2251 E. Franklin	Admin. Asst.	27,506 00	5-18-94
10801310108	Lauren I.L. Kincaid	6109 Brighton Drive	Paralegal	20,158 00	5-18-94
10801210108	David L. Jackson	4611 Chapel Court	Investigator	25,742 00	4-20-94
10811990	Barbara K. Reynolds	2003 Harding Ave	Temp. Part-Time	\$5/hour	4-8-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 13 April 1994

Stanley M. Levco
Prosecutor

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knights Township Assessor

sd

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-1990 Mark Bassemier	863 Sycamore Lake Dr	Deputy	7.00 per hr	8/28/94
2490-1130-1990 Hurshel Cobb	2216 E. Tennessee	Deputy	7.00 per hr	8/28/94
2490-1130-1990 Tim Hofmann	916 N. Alvord Blvd	Deputy	7.00 per hr	8/28/94
2490-1130-1990 Gilbert R. Cook	5910 Maggie Valley Rd	Deputy	7.00 per hr	8/28/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Shirley Reader*
Chief Deputy
Knights Twp

DATE April 14, 1994

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department ELECTION OFFICE

sd

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
121-121 ELMER TERNATTA	5046 GREAT LAKE LN NORTH	BALLOT AID	6.00	4-18-94
121-121 JOHN JONES	820 S. GOVERNOR	BALLOT AID	6.00	4-18-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Alberta Mallock*

DATE 4-18-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	WILLIAM JONES	EMP.#05538	PART-TIME CORRECTION OFFICER	\$7.00	HR	3-27-94 ✓
136.1-1990	ERIK CHANDLER	EMP.#05539	PART-TIME CORRECTION OFFICER	\$7.00	HR	3-27-94 ✓
136.1-1990	RICKY DIXON	EMP.#05537	PART-TIME CORRECTION OFFICER	\$7.00	HR	3-27-94 ✓
505.0136Z 1250	WILLIAM MILLER	EMP.#05503	FULL-TIME CORRECTION OFFICER	9,2028 / HR 19,142	AN	4-10-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	WILLIAM JONES	EMP.#05538	PART-TIME CORRECTION OFFICER	\$5.00	HR	3-26-94 ✓
136.1-1990	ERIK CHANDLER	EMP.#05539	PART-TIME CORRECTION OFFICER	\$5.00	HR	3-26-94 ✓
136.1-1990	RICKY DIXON	EMP.#05537	PART-TIME CORRECTION OFFICER	\$5.00	HR	3-26-94 ✓
505.0136Z 1250	WILLIAM MILLER	EMP.#05503	FULL-TIME CORRECTION OFFICER	8,7644 / HR 18,230	AN	4-9-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE Apr. 13, 94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1220	MARAYLN WEST	EMP.#05507	FULL-TIME CORRECTION OFFICER	9,2028 / HR 19,142	AN	4-10-94 ✓
136.1-1980	JAMES W. WARD		INTERN	\$5.00	HR	4-4-94
136-1990	SUZANNE HEBERT-HAMILTON		INTERN	\$4.75	HR	3-28-94
136.1-1330	MARVIN D. BRYANT	EMP.#05318	FULL-TIME CORRECTION OFFICER	18,230	AN	4-26-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1220	MARAYLN WEST	EMP.#05507	FULL-TIME CORRECTION OFFICER	8,7644 / HR 18,230	AN	4-9-94 ✓
136.1-1330	JEFFREY M. STECKLER	EMP.#05228	FULL-TIME CORRECTION OFFICER	19,142	AN	4-25-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE Apr 13, 94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Juvenile Court *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
13701312	Elmer R. Shelton, Jr	2021 S. Vann Evansville, IN	Bailiff/ Transportation	\$7,000	00 4658 hr	4-11-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Bony

DATE

4/11/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

Vanderburgh Auditorium

1750 clothing allowance *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1401750	<i>Paul Payne</i>	5304 Warren Dr. Evansville, IN 47710	retired	708	00	9-16-93

(Clothing allowance)

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM.

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Jan [Signature]

DATE

4-11-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JASON WERNER		GRND. CREW	4 25	4-1-94 ✓
1180	SANDIE FERGUSON		OFFICE	4 25	4-1-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Mark T. [Signature]*

DATE 4-12-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

Vanderburgh Auditorium

1750 clothing allowance

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
<i>141901750</i>	<i>Kim Freuderberg</i>	<i>614 Park St. Mendota, Ind 47160 (ALREADY ON P.K. FOR C.A.)</i>	<i>custodian</i>	<i>708 00</i>	<i>8-3-92</i>
		<i>clothing allowance</i>			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 4-11-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 20101750 VANDERBURGH COUNTY HWY. DEPT.

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101750	DESIREE RIAT	6615 KRATZVILLE RD.	SECRETARY	708 00	ANNUAL ✓
20101750	CAROL L. GORMAN	14640 DARMSTADT. RD	BOOKKEEPER	708 00	ANNUAL ✓
	CLOTHING ALLOWANCE PER UNION AGREEMENT				
	EFFECTIVE 1-1-94				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY William F. Murphy DATE 4-11-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1750	LAURAL BERRY		CLOTHING ALLOWANCE	708 00	4-8-94 ✓
1750	SARAH EMBRY		CLOTHING ALLOWANCE	708 00	4-8-94 ✓
	per union Contract 4-94				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley DATE April 11, 94

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department Surveyor Corner Perpetuation Account # 265

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2650-1210	James Q. Morley	8311 Remington Dr.	Special Deputy	2,956.11L \$4,359.00	April 11, 94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Robert Wilson*

DATE 4-13-94

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department VANDBURGH AUDITORIUM

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1440-5167	KIM FREUDENBERG	514 Polk St. Newburgh	Custodial	11 3841/hr	9-26-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1440-5167	KIM FREUDENBERG	514 Polk St. Newburgh	CUSTODIAL	11 3841/hr	4-13-94
	Medical leave due to pregnancy problems per letter attached.				
	With insurance.				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Sandra Toton*

Sandra Toton, Gen. Mgr.

DATE April 13, 1994

William B. Skaggs, M.D., F.A.C.O.G.

OBSTETRICS AND GYNECOLOGY

801 ST. MARY'S DRIVE, SUITE 410 • EVANSVILLE, INDIANA 47714-0558 • TELEPHONE (812) 476-3000

April 12, 1994

Ms. Sandy Toton
Vanderburgh County Auditorium
Evansville, IN

Dear Ms. Toton:

Kimberly Freudenberg is a 30 year old obstetrical patient whose estimated date of delivery is 8-12-94. This is Kimberly's first pregnancy and she is experiencing several problems which have caused me to recommend that she no longer work at her current employment at the Vanderburgh County Auditorium.

Kimberly's first episode of syncope occurred while working at the Auditorium on 3-14-94. Apparently this occurred very suddenly and without any warning. The patient was found on the floor of the auditorium and brought to the Emergency Room at St. Mary's and referred to my care by her family physician Dr. Mindy Jackson.

Her first visit in my office was on 3-22-94 and I found her to be very cooperative and concerned about her medical condition. After Kimberly's first episode of syncope she was given two weeks of sick leave during which she did not have a recurrence of the problem. She returned to work and had a syncopal attack today while cleaning the bathroom. She came to my office where she was completely examined and found to have recovered from the episode with stable vital signs. I have performed several blood tests and ultrasounds on this patient and feel that the cause of her syncopal attacks is related to her pregnancy.

Because of this I feel that the occupation in which she is currently employed is dangerous to herself and her pregnancy. In addition, she is exposed to different cleaning chemicals which could be hazardous to her fetus. I must therefore recommend that Kimberly Freudenberg take a maternity leave of absence from her current employment. Any questions regarding this decision may be brought to my attention.

Sincerely,



William B Skaggs, M.D.

WBS/sgb

VANDEBURGH COUNTY CORRECTION COMPLEX

1505 N. THIRD AVENUE
PHONE (812) 435-5429 • FAX (812) 435-5462
EVANSVILLE, INDIANA 47710

RICHARD L. YOUNG, JUDGE
VANDEBURGH CIRCUIT COURT

HARRIS R. HOWERTON
DIRECTOR OF COURT SERVICES

DEBORAH MOWBRAY
DIRECTOR OF HUMAN SERVICES

JERRY STECKLER, SR.
ASSISTANT DIRECTOR

KAREN L. ANGERMEIER
EXECUTIVE ASSISTANT

ROBERT L. HART, JR.
ASSISTANT DIRECTOR

DARREN J. NEWMAN
ADMINISTRATIVE ASSISTANT

March 16, 1994

Pat Tuley, President
Board of County Commissioners, Vanderburgh County
Room 305 Administration Building
Civic Center Complex
Evansville, Indiana 47708

Dear Pat:

According to Indiana Code 11-12-6, the County Legislative bodies desiring to participate in the "County Correction Fund", must adopt a county ordinance signifying their intent prior to May 1st of each year. In order to receive these funds (in the amount of \$161,000). The ordinance must be enacted and filed with the Secretary of State prior to May 1, 1994.

For your convenience, I have enclosed a copy of the ordinance that has been adopted since 1986. According to the statute, two (2) copies of the ordinance need to be provided to the Secretary of State. It is recommended (by H. Christian DeBruyn, Commissioner, Indiana Department of Correction) that you send these copies to the attention of John Koenig, Secretary of State's Office. I have also enclosed an itemized list of how our department utilizes it's share of the monies.

I have been placed on the Monday, March 21, 1994, Agenda (Commissioners Meeting) to present this issue.

If you have any questions, please call me at 435-5423. Thank you.

In service to the community,



Harris Howerton
Director of Court Services

HH/al
Enclosure

cc: Richard L. Young, Judge, Vanderburgh Circuit Court and President, Vanderburgh County Correction Advisory Board

Ray Hamner, Sheriff, Vanderburgh County

VANDERBURGH COUNTY CORRECTION COMPLEX

1505 N. THIRD AVENUE
PHONE (812) 435-5429 • FAX (812) 435-5462
EVANSVILLE, INDIANA 47710

RICHARD L. YOUNG, JUDGE
VANDERBURGH CIRCUIT COURT

HARRIS R. HOWERTON
DIRECTOR OF COURT SERVICES

JERRY STECKLER, SR.
ASSISTANT DIRECTOR

ROBERT L. HART, JR.
ASSISTANT DIRECTOR

DEBORAH MOWBRAY
DIRECTOR OF HUMAN SERVICES

KAREN L. ANGERMEIER
EXECUTIVE ASSISTANT

DARREN J. NEWMAN
ADMINISTRATIVE ASSISTANT

1994 MISDEMEANOR OFFENDER FUND 276
(COUNTY CORRECTION FUND I.C. 11-12-6)

VANDERBURGH COUNTY CORRECTION COMPLEX

COOK	21,573
GUARD	19,530
EXTRA HELP	15,000
F. I. C. A.	4,292
PERF	2,774
INSURANCE	9,660
FOOD	7,671

SUBTOTAL: \$80,500

SHERIFF DEPARTMENT

SUBTOTAL: \$80,500

TOTAL: \$161,000

ORDINANCE NO. _____

ORDINANCE CONCERNING ESTABLISHMENT AND FUNDING OF
COUNTY CORRECTIONS FUND

WHEREAS, Senate Enrolled Act No. 395 added a new Chapter 6 to Indiana Code 11-12, which new Chapter 6 provides for the establishment and funding of a County Corrections Fund; and

WHEREAS, I.C. 11-12-6 provides that a County Legislative Body may adopt an ordinance before May 1 of each year to elect to receive deposits from the Indiana Department of Correction and to establish a County Corrections Fund; and

WHEREAS, the County Corrections Fund may be used only for funding the operation of the county's jail, jail program or other local correctional facilities; and

WHEREAS, the County Legislative Body shall designate either Level 1, Level 2 or Level 3 funding as defined in I.C. 11-12-6 with respect to deposits to be received thereunder; and

WHEREAS, Level 3 funding is the most appropriate level of participation for Vanderburgh County, Indiana;

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

1. The Board of Commissioners of Vanderburgh County, Indiana elects to receive deposits from the Indiana Department of Correction (the "Department") in accordance with Senate Enrolled Act 395, I.C. 11-12-6 (the "Act").

2. The Board designates Level 3 funding, as defined in the Act, with respect to all deposits to be received by Vanderburgh County under the Act and this Ordinance.

3. A fund, to be known as the "County Corrections Fund", is established. The County Corrections Fund shall consist of deposits made by the Department in accordance with the Act. Such Fund shall be administered by the County Fiscal Body.

4. The County Corrections Fund shall be used for any purpose authorized by the Act. Any money remaining in the County Corrections Fund at the end of the year does not revert to any other fund, but remains in the County Corrections Fund.

5. This Ordinance shall be in full force and effect upon adoption.

PASSED by the Board of Commissioners of Vanderburgh County, Indiana on the ____ day of _____, 1994 and upon that day signed and executed by the members of the Board as appears by their respective signatures and all attested to by the Auditor of Vanderburgh County, Indiana.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Patrick Tuley, President

Richard J. Borries, Vice President

Don L. Hunter, Member

ATTEST:

Sam Humphrey, Auditor
Vanderburgh County

APPROVED AS TO LEGAL FORM:

Alan M. Kissinger
County Attorney

Two copies of the foregoing Ordinance filed this ____ day
of _____, 1994 at _____(time), and one copy has been
forwarded to the Commissioner of Correction, all in accordance
with I.C. 11-12-6-9 (a) (2), (b).

INDIANA SECRETARY OF STATE

By: _____

File Copy

COMMUNITY CORRECTION ADVISORY BOARD

1.) JOHN BROWNING, EXECUTIVE DIRECTOR
SOUTHWESTERN INDIANA MENTAL HEALTH CENTER
415 MULBERRY STREET
EVANSVILLE, IN 47710
WORK PHONE (812) 423-7791
(MENTAL HEALTH ADMINISTRATOR)
DATE OF APPOINTMENT: 02-24-94
DATE OF EXPIRATION: 12-31-97

2.) WILLIAM BUCKMAN, DIRECTOR
VANDERBURGH COUNTY WELFARE DEPARTMENT
DIVISION OF FAMILY AND CHILDREN
100 E. SYCAMORE STREET
EVANSVILLE, IN 47708
WORK PHONE (812) 421-5500

HOME ADDRESS:
1817 12TH STREET
TELL CITY, IN 47586
PHONE (812) 547-7369
(DIRECTOR OF WELFARE DEPARTMENT)
DATE OF APPOINTMENT: 02-16-94
DATE OF EXPIRATION: 12-31-97

3.) BEVERLY K. CORN, MAGISTRATE
VANDERBURGH CIRCUIT COURT
ROOM 210, COURTS BUILDING
CIVIC CENTER COMPLEX
825 SYCAMORE STREET
EVANSVILLE, IN 47708
WORK PHONE (812) 435-5417
(1 JUDGE HAVING CRIMINAL JURISDICTION)
DATE OF APPOINTMENT: 08-01-92
DATE OF EXPIRATION: 08-01-96

4.) DAVID DAVIES, ENGINEER
ELECTRONICS RESEARCH INC.
5011 KRATZVILLE ROAD
EVANSVILLE, IN
WORK PHONE (812) 925-6000
HOME PHONE (812) 464-2396
(1 OF THE 4 LAY PERSONS)
DATE OF APPOINTMENT: 02-01-91
DATE OF EXPIRATION: 12-31-95

5.) FLOYD EDWARDS, EXECUTIVE
DIRECTOR OF HUMAN RELATIONS COMMISSION
ROOM 133, ADMINISTRATION BLDG.
CIVIC CENTER COMPLEX
15 N. MARTIN LUTHER KING BLVD.
WORK PHONE (812) 426-5474
HOME PHONE (812) 428-6399

HOME ADDRESS:
961 E. POWELL AVENUE
EVANSVILLE, IN 47713
(1 OF THE 4 LAY PERSONS)
DATE OF APPOINTMENT: 03-21-94
DATE OF EXPIRATION: 12-31-97

6.) RAY HAMNER, SHERIFF
ROOM 101, ADMINISTRATION BLDG.
CIVIC CENTER COMPLEX
15 MARTIN LUTHER KING BLVD.
EVANSVILLE, IN 47708
WORK PHONE (812) 435-5303
(COUNTY SHERIFF)
WHILE IN OFFICE SERVES

7.) K. ALLAN HENSON, CHIEF
PROBATION OFFICER
VANDERBURGH CIRCUIT COURT
ROOM 210, COURTS BUILDING
CIVIC CENTER COMPLEX
825 SYCAMORE STREET
EVANSVILLE, IN 47708
WORK PHONE (812) 435-5192
(PROBATION OFFICER)
DATE OF APPOINTMENT: 02-16-94
DATE OF EXPIRATION: 12-31-97

8.) PHIL HOY, PRESIDENT
COUNTY COUNCIL & EXECUTIVE
DIRECTOR TRI-STATE FOOD BANK
217 CHERRY STREET
EVANSVILLE, IN 47713
WORK PHONE (812) 425-0775
FAX (812) 425-0776
HOME (812) 423-2517
(COUNTY COUNCIL)
DATE OF APPOINTMENT: 04-06-94
DATE OF EXPIRATION: 12-31-97

- 9.) KEN JONES
BRISTOL-MEYER'S SQUIBB
2400 LLOYD EXPRESSWAY
EVANSVILLE, IN 47712
WORK PHONE (812) 429-5000
(1 OF 4 LAY PERSONS, WHOM IS A MEMBER OF A MINORITY RACE)
DATE OF APPOINTMENT: 02-16-94
DATE OF EXPIRATION: 12-31-97
- 10.) ROBERT LENSING, JUVENILE JUDGE
OF VANDERBURGH SUPERIOR COURT
ROOM 114, COURTS BUILDING
CIVIC CENTER COMPLEX
825 SYCAMORE STREET
EVANSVILLE, IN 47708
WORK PHONE (812) 435-5126
(1 JUDGE HAVING JUVENILE JURISDICTION)
WHILE IN OFFICE SERVES
- 11.) STANLEY LEVCO, PROSECUTOR
OF VANDERBURGH COUNTY
ROOM 108, ADMINISTRATION BLDG.
CIVIC CENTER COMPLEX
15 MARTIN LUTHER KING BLVD.
EVANSVILLE, IN 47708
WORK PHONE (812) 435-5150
(PROSECUTING ATTORNEY)
WHILE IN OFFICE SERVES
- 12.) JOHN MCCULLOUGH
PROPRIETOR OF FRONTIER LIQUOR STORES
2300 BOONVILLE-NEW HARMONY ROAD
EVANSVILLE, IN 47711
WORK PHONE (812) 477-4107
(1 OF 4 LAY PERSONS)
DATE OF APPOINTMENT: 02-16-94
DATE OF EXPIRATION: 12-31-97
- 13.) FRANK MCDONALD II, MAYOR
CITY OF EVANSVILLE
ROOM 302, ADMINISTRATION BLDG.
CIVIC CENTER COMPLEX
15 MARTIN LUTHER KING BLVD.
EVANSVILLE, IN 47708
WORK PHONE (812) 426-5581
(MAYOR OF EVANSVILLE)
WHILE IN OFFICE SERVES

- 14.) BOBBY OGBURN, EXECUTIVE
DIRECTOR OF EVANSVILLE BLACK COALITION
720 LINCOLN AVENUE
EVANSVILLE, IN 47713
WORK PHONE (812) 423-5291
HOME PHONE (812) 464-5408
- HOME ADDRESS:
711 BELLEMEADE AVENUE
EVANSVILLE, IN 47713
(1 OF 4 LAY PERSONS)
DATE OF APPOINTMENT: 04-06-94
DATE OF EXPIRATION: 12-31-97
- 15.) JAMES TRADER
OFFICE OF STUDENT SERVICES
VANDERBURGH SCHOOL CORPORATION
1 S.E. NINTH STREET
EVANSVILLE, IN 47708
WORK PHONE (812) 435-8468)
(EDUCATIONAL ADMINISTRATOR)
DATE OF APPOINTMENT: 03-21-94
DATE OF EXPIRATION: 12-31-97
- 16.) ROY WEIGHTMAN
MAINTENANCE SUPERVISOR
VANDERBURGH COUNTY CORRECTION COMPLEX
1505 N. THIRD AVENUE
EVANSVILLE, IN 47710
WORK PHONE (812) 435-5465
HOME PHONE (812) 423-3514
- HOME ADDRESS:
4201 LONGFIELD DRIVE
EVANSVILLE, IN 47710
(EX-OFFENDER)
DATE OF APPOINTMENT: 02-16-94
DATE OF EXPIRATION: 12-31-97
- 17.) RUSSELL WOODSON, ATTORNEY
609 MAIN STREET
EVANSVILLE, IN 47708
WORK PHONE (423-6555)
(1 ATTORNEY WITH A SUBSTANTIAL CRIMINAL DEFENSE PRACTICE)
DATE OF APPOINTMENT: 02-16-94
DATE OF EXPIRATION: 12-31-97

18.) RICHARD L. YOUNG, JUDGE
VANDERBURGH CIRCUIT COURT
ROOM 210, COURTS BUILDING
CIVIC CENTER COMPLEX
825 SYCAMORE STREET
EVANSVILLE, IN 47708
WORK PHONE (812) 435-5195
HOME PHONE (812) 476-4420
(CIRCUIT COURT JUDGE)
WHILE IN OFFICE SERVES

April 8, 1994

Dear Commissioners:

Attached is a copy of the By-Laws of the Vanderburgh County Community Corrections Advisory Board. Articles I-IV and VI were adopted in either 1981 or 1982 and was approved by the Commissioners. There was no Article V. The Board decided some time ago to amend the By-Laws to allow for Committees which would broaden those responsible for the decision making responsibilities for Community Corrections.

Article V is attached to the end of the now existing By-Laws. The By-Laws Committee would ask you to review Article V and let us know if you will be inclined to accept these once accepted by the Board. The Committee will be presenting this to the entire Board at our next meeting (this summer) for vote. We would like your informal input at this time because if you are not inclined to accept these, we need to start over.

Once the Board has adopted the amendment/addition of Article V, we will formally present the same to you.

Should you have any questions or wish to talk to me about this or any matter, please contact me at 435-5417.

Sincerely,

Beverly K. Corn
Beverly K. Corn

BY-LAWS
OF
VANDERBURGH COUNTY COMMUNITY
CORRECTIONS ADVISORY BOARD

ARTICLE I
NAME AND PURPOSE

Section 1. Name: The name of the organization is the Vanderburgh County Community Corrections Advisory Board.

Section 2: Purposes: The purposes of the Advisory Board shall be those prescribed by Statute.

ARTICLE II
MEMBERSHIP

The membership of the Advisory Board is as designated by Statute within the State of Indiana.

ARTICLE III
MEETINGS

Section 1. Meetings: The meetings of the Advisory Board shall be those as designated by the Chairman or by the group at any previous meeting. The number of meetings held by the Advisory Board shall be those prescribed by the Board itself and any further advisement as prescribed by Statute.

Section 2. Voting: Each Advisory Board member shall be entitled to one (1) vote. A member may vote by proxy if said proxy is properly notarized and submitted to the Chairman of the Board prior to the conduct of the actual meeting.

Section 3. Quorum: A Quorum for the purposes of conducting meetings of the Advisory Board shall be the presence of at least fifty-one percent (51%) of the voting members of the Advisory Board. Quorum requirements may not be fulfilled or exercised by proxy or in any other manner other than personal attendance at the meetings.

ARTICLE IV
OFFICERS

Section 1. Election: Election and number of Officers of the Advisory Board shall be elected by the Advisory Board from among their number at the meeting of the Advisory Board during the month of April of each year and shall consist of a President, Vice-President, Secretary-Treasurer and any other officers determined by the President necessary to conduct the business of the Advisory Board.

Section 2. Term: Each officer shall hold office for a period of one (1) year or until his successor is elected and qualified

Section 3. Vacancies: Whenever any vacancies shall occur in any office, by any means, replacement will occur at the next meeting.

Section 5. Duties:

- A. President. The President shall preside at all meetings of the Advisory Board and the Executive Committee and shall coordinate the work of the officers and committees and shall perform such other duties as the By-Laws or the Advisory Board may prescribe.
- B. Vice-President. The Vice-President shall perform the duties of President in the absence of the President and shall perform such other duties as the By-Laws or the Advisory Board may prescribe.
- C. Secretary-Treasurer. The Secretary-Treasurer shall keep the records of the proceedings of the meetings of the members of the advisory Board and shall perform such other duties as the By-Laws or the Advisory Board shall prescribe and in addition his duties shall include the receiving and deposit of all monies of the Advisory Board and shall keep an accurate record of all receipts and expenditures. The Secretary-Treasurer shall present a financial statement of the Advisory Board as requested by the Board and shall perform such other duties as the By-Laws and the Board may prescribe.

ARTICLE VI

AMENDMENTS

Section 1. Amendments: The By-Laws of the Advisory Board may be amended by any member proposing to the Board in written form

to the Secretary at least ten (10) days prior to any meetings and shall include a brief statement of the proposed amendments. Said amendments must be approved by two-thirds (2/3) of the Advisory Board who are members and present at the meeting and not by only two-thirds (2/3) of the members present, but two-thirds (2/3) of the outstanding membership of the Advisory Board.

ARTICLE VII

PARLIAMENTARY AUTHORITY

Rules contained Roberts Rules of Order, as revised, shall govern the Advisory Board in all cases in which they are applicable and are not inconsistent with the law of the State of Indiana or these By-Laws.

VANDERBURGH COUNTY COMMUNITY
CORRECTIONS ADVISORY BOARD

Adopted

ARTICLE V

SECTION 1. PERMANENT COMMITTEES: The executive committee is hereby created as a permanent committee.

SECTION 2. EXECUTIVE COMMITTEE: The general areas of responsibility of the Executive Committee include the review of reports from the Special Committees and make recommendations to the Board regarding same. Executive shall meet at a time convenient to its members, but at least during an occasion separate from the regular Board meeting. The Executive Committee shall consist of the President, Vice-President, Secretary/Treasurer and the Chairman of the Special Committees. In the event the Secretary/Treasurer is not a Board member, then another Board member shall be appointed.

SECTION 3. SPECIAL COMMITTEES: The Executive Committee shall appoint Board members to serve on Special Committees. Special Committees will be responsible for setting meeting times separate from the regularly scheduled Board meetings. The general areas of responsibility of each Special Committee shall include the formulation of policies or guidelines relating to the Community Corrections Program and to present said policies or guidelines to the Executive committee for review prior to presenting same to the Board for approval. The Special Committees may, at times, meet more or less frequently depending on the necessity of Committee action. The Special Committees designated are:

A. PERSONNEL COMMITTEE: The general areas of "Personnel" include review and development of personnel policies or guidelines pertaining to recruitment, selection, training, promotions and termination of staff.

B. BUILDING COMMITTEE: The general areas of "Building" include the review of the present facility and development of capital improvements to meet the needs of the population, employees and statutory standards.

C. POPULATION COMMITTEE: The general areas of responsibility of "Population" include the review and development of policies or guidelines pertaining to the population physically housed at the Corrections Complex.

D. FINANCE COMMITTEE: The general areas of "Finance" include the review and revision of all budget and grant information and applications.

E. OTHER COMMITTEES: From time to time the President, Executive Committee and/or Board may deem necessary the formulation of other committees for special projects. The President may appoint such committees and outline the general areas of responsibility for same.

SECTION 4: COMMITTEE MEMBERS: The President of the Board shall appoint the members of the permanent committees and shall also designate a member to serve as committee chairperson. Committee members shall be appointed for one-year terms; however, committee members and committee chairpersons may serve an unlimited number of terms. The Director of Community Corrections or his designee shall be a nonvoting member of each committee formed pursuant to this Article.

March 28, 1994

Harris Howerton
1505 North Third Ave.
Evansville, In 47710

Mr. Howerton,

I am Bonita (Bonnie) Culver and am very interested in a position on the Correction Complex Board.

This position is something that is close to myself and family, because of the fact we are victims of a violent crime. Our father, Amiel L. Culver was murdered in 1968.

I have become very familiar with the judicial system from the victims side. From the pain and loss, local parole hearings, and going to the extent of appearing at the Michigan City Prison for the criminals parole hearing, etc. I have been thru many facets of the correction process from this experience.

I am a very concerned person and believe some good must come from my experiences. I also feel I can be open minded and fair with each individual case.

I am looking forward to a meeting with you and discussing the possibility of becoming a member of the Correction Complex Board.

Regards,

Bonnie Culver

Bonnie Culver
2185 Maxwell Ave
Evansville, In 47711
Home 812-479-7559
Work 812-479-4634

cc: Correction Complex Board

RESUME FOR BONITA L. CULVER

BONITA L. CULVER
2185 MAXWELL AVE.
EVANSVILLE, IN 47711
HOME 812-479-7559
WORK 812-479-4634

DATE OF BIRTH - MARCH 24, 1955

EDUCATION - BOSSE -Graduated 1973

- LOCKYEAR - 1 Year

- USI - Currently enrolling

EMPLOYMENT - St. Mary's Medical Center - 1982 TO Current
Work experience at St. Mary's has been in all
phases of the Business Office. My current
position is in Home Health Care Agency. In
this position, brought accounts receivable
under control, incorporated billing
procedures. I am relaxed working with people
and am accustom to attending various
meetings.



CITY OF EVANSVILLE
Evansville Redevelopment Commission

304 Civic Center Complex, One N.W. Martin Luther King, Jr. Blvd.
Evansville, Indiana 47708-1833
(812) 426-5380 / FAX (812) 426-5399

Frank F. McDonald II
Mayor

April 7, 1994

Patrick Tuley, President
Board of Commissioners
Vanderburgh County
1 N.W. ML King Blvd., Room 305
Evansville, IN 47708

Re: Surplus Tax Sale Property - Jacobsville
Redevelopment Area

Dear Mr. Tuley:

Per your conversation of April 4, 1994 with Mariann Kolb, Executive Director of the Department of Metropolitan Development, you agree to sell to the Evansville Redevelopment Commission the four (4) Class B properties outlined in Ms. Kolb's letter of March 22, 1994.

I have attached, for the Board of Commissioners approval, a resolution approving the transfer of these properties for \$1.00 each. (Note corrected short legal for 112 W. Illinois.) Upon receipt of your signed resolution, we will present our resolution to the Redevelopment Commission.

Thank you for your cooperation.

Sincerely,

Jean A. Isininger
Redevelopment Specialist

JAI/jy
Attachment

RESOLUTION BY THE BOARD OF
COMMISSIONERS OF VANDERBURGH COUNTY TO
SELL AND CONVEY TO THE CITY OF EVANSVILLE,
A MUNICIPAL CORPORATION, FOR THE USE AND BENEFIT
OF ITS DEPARTMENT OF REDEVELOPMENT, SURPLUS PROPERTIES
LOCATED IN THE JACOBSVILLE REDEVELOPMENT PROJECT AREA

WHEREAS, I.C. 6-1.1-25-9 provides that the Board of Commissioners may dispose of real property acquired by the county through tax sale under I.C. 36-1-11,

WHEREAS, I.C. 36-1-11-8 provides that the Board of Commissioners may transfer or exchange property with a government entity upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity for any amount of real property, cash, or other personal property, as agreed by the entities,

WHEREAS, the City of Evansville, Department of Redevelopment, requests the purchase of the following properties located within the Jacobsville Redevelopment Project Area from the Board of Commissioners of Vanderburgh County,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Vanderburgh County that they will convey fee simple title on the following properties to the City of Evansville, a Municipal Corporation, for the use and benefit of its Department of Redevelopment:

<u>Tax Code</u>	<u>Address</u>	<u>Legal Description</u>	<u>Price</u>
11-410-26-015-028	105 Harriett St.	Sharpes Enl., 24 ft. L 16, Blk 5	\$1.00
11-430-26-036-004	107 Read St.	Brinkmeyer Enl., L. 17, Blk 1	\$1.00
11-430-26-037-013	112 W. Illinois St.	Northern Enl., 20 ft. E. L. 15, Blk 3	\$1.00
11-430-26-039-007	105 W. Illinois	Northern Enl., 20 ft. L7, Blk 6	\$1.00

ADOPTED THIS _____ DAY OF _____, 1994.

Patrick Tuley, President

Rick Borries, Vice-President

Don Hunter, Member



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for April 18, 1994

1. Travel request for Valerie Harry and David Franklin to attend the Stream Stability and Scour at Highway Bridges seminar by HERPICC in Bedford, IN on 5/24/94
2. Travel request for David Franklin to attend a Radiation Safety Officer training in Nashville, TN on 6/17/94
3. Council call request to transfer \$371 from 209-3600 Rent to 203-3140 Telephones to cover the cost of new phones

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4/18/94 DEPARTMENT: Co. ENGINEERING DEPT.

EMPLOYEE (S): VALERIE HARRY

DAVID FRANKLIN

DATES OF TRAVEL: 5/24/94

DESTINATION: BEDFORD, IN

PURPOSE: STREAM STABILITY AND SCOUR AT HIGHWAY BRIDGES SEMINAR

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

LODGING REQUIRED: N/A

MEANS OF TRAVEL COUNTY VEHICLES NUMBER: 90

OTHER: _____

REIMBURSEMENT CLAIMED:

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

APPROVED: John Stoll
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of April, 19 94.

Patrick Tulcy
Patrick Tulcy, President

Richard J. Borries
Richard J. Borries, Vice-President

Don L. Hunter
Don L. Hunter, Member

Stream Stability and Scour at Highway Bridges

Tuesday, May 10

Elks Club, 122 N. Broadway
Peru, Indiana

(7th and Broadway, three blocks north of County Courthouse)

Tuesday, May 24

Hickory Hills Restaurant
Bedford, Indiana

(East side of S.R. 37 in Bedford)

Presented by HERPICC

In cooperation with the Indiana Department of Transportation and the Federal Highway Administration

Course Description

Participants will be introduced to the current procedures for designing bridges to resist scour, and the requirements for inspecting existing bridges for scour. Countermeasures against scour and stream instability will be discussed, and INDOT's program to screen and evaluate existing bridges for scour in accordance with the National Bridge Inventory requirements will be presented. Calculators are required for pier and abutment scour computations and riprap design.

Who Should attend

These seminars should be of interest to state, county, and consultant bridge engineers, inspectors, and personnel responsible for the design, inspection, maintenance, and repair of highway bridges.

Instructors

Instructors for the course will be Merrill Dougherty, INDOT Hydraulics Engineer, David Finley, INDOT Hydraulics Engineer, Thomas Saad, FHWA Division Bridge Engineer, and Larry O'Donnell, FHWA Assistant Bridge Engineer

Course Outline

Morning

8:30 Registration (Coffee and Rolls provided)

9:00 Scour at Highway Bridges

9:45 Case Study

10:15 Break

10:45 Estimating Scour

11:15 Design Considerations/Riprap Design

11:45 Lunch (provided)

Afternoon

1:00 Scour Screening and Evaluation

1:30 Stream Stability/Case Study

2:00 Countermeasures against Scour Damage

2:30 Break

2:45 Inspection Requirements

3:15 Questions and Answers

3:30 Closing

Registration Information

There will be a nominal \$15 registration fee for these seminars to help cover the cost of refreshments, lunches, etc. If you pre-register up to one week in advance of the seminar (May 3 for the Peru seminar and May 17 for the Bedford Seminar), the registration fee is only \$10.

Registration Form

Stream Stability and Scour at Highway Bridges

I wish to attend: Peru — May 10
(Pre-register before May 3)

Bedford — May 24
(Pre-register before May 17)

Name: VALERIE HARRY, DAVID FRANKLIN Agency: VAN DER BURG CIVIL ENGINEERING DEPT.

Address: 201 NW 4th ST. RM. 307
EVANSVILLE IN 47708

Phone: 812-435-5773

Return this form with check or claim form to:
(Duplicate this form for additional registrants)

HERPICC
Purdue University
1284 Civil Engineering Bldg
West Lafayette, IN 47907-1284
Phone: (317) 494-2164
Fax: (317) 496-1176

Make checks payable to
Purdue Research Foundation — HERPICC



**EMERGENCY MANAGEMENT AGENCY
EVANSVILLE, VANDERBURGH COUNTY**

Sherman G. Greer, Director
Room 18, Civic Center Complex
1 NW Martin Luther King, Jr. Boulevard
Evansville, Indiana 47708-1839
Telephone (812) 426-5602
Fax (812) 426-5606
TDD/Hearing Impaired (812) 426-5483



Jane Snelling
Assistant Director

Lisa Patterson
Administrative Assistant

MEMORANDUM

TO: MAYOR FRANK F. McDONALD II
FROM: SHERMAN G. GREER, EMA DIRECTOR *SGG*
DATE: MARCH 17, 1994
RE: OUT OF TOWN TRAVEL, MAY 20 - May 22, 1994

I request your approval for out of town travel for Lisa Patterson to Bedford, Indiana to attend an Instructional Techniques Course. This two day course covers preparation, presentation, application and testing for instructional classes.

There will be no travel expenses incurred for the City of Evansville. However, employees will be reimbursed by the SEMA for their out of pocket expenses (lodging, travel, and meals). The EMA Advisory Council approved travel at the April 11, 1994 meeting.

With your approval Lisa will be leaving the afternoon of May 20 and will return the evening of May 22.

Thank You.

SGG/lp

cc: Pat Tuley, President County Commissioners
Roger Lehman, Building Commissioner
file



**EMERGENCY MANAGEMENT AGENCY
EVANSVILLE, VANDERBURGH COUNTY**

Sherman G. Greer, Director
Room 18, Civic Center Complex
1 NW Martin Luther King, Jr. Boulevard
Evansville, Indiana 47708-1839
Telephone (812) 426-5602
Fax (812) 426-5606
TDD/Hearing Impaired (812) 426-5483



Jane Snelling
Assistant Director

Lisa Patterson
Administrative Assistant

MEMORANDUM

TO: MAYOR FRANK F. McDONALD II
FROM: SHERMAN G. GREER, EMA DIRECTOR 
DATE: MARCH 17, 1994
RE: OUT OF TOWN TRAVEL, APRIL 29-May 1, 1994

I request your approval for out of town travel to Indianapolis, Indiana to attend the 1994 Indiana Emergency Management Agency Spring Conference. I have been asked to speak at the conference April 30 at 10:00 A.M. about the Forward Response Team.

Travel expenses will be incurred that includes gas, food, hotel, and registration fee. The EMA Advisory Council approved travel at the April 11, 1994 meeting.

With your approval I will be leaving Evansville the afternoon of April 29 and returning the evening of May 1.

Thank You.

SGG/lp

enc.: (1)

cc: Pat Tuley, President County Commissioners
Roger Lehman, Building Commissioner
file



NOFFSINGER, PRICE, BRADLEY & SHIVELY

Attorneys at Law

1 RIVERFRONT PLACE, SUITE 508
EVANSVILLE, INDIANA 47708
TEL. (812) 424-1234 • FAX (812) 423-1110

TERRY NOFFSINGER
DAVID E. PRICE
STEVEN C. BRADLEY
LESLIE C. SHIVELY
LAWRENCE L. GRIMES

JASPER OFFICE
4201-N MANNHEIM ROAD
DER BÜRO KOMPLEX
JASPER, INDIANA 47546
TEL. (812) 482-6644 • FAX (812) 482-6460

MARY B. PERDUE
KAREN M. HEARD
DENNIS L. VOELKEL

March 14, 1994

Mr. Patrick Tuley, President
Vanderburgh County Commissioners
Civic Center Complex
Evansville, IN 47708

Re: Nurrenbern Commerce Center
Petitioner: Hartman Farms

Dear Mr. Tuley:

The undersigned, as counsel for the Joe Hartman, et al, who are the owners of real estate at 7800 E. Lloyd Expressway, respectfully requests that the above rezoning petition be continued until the April 18, 1994 meeting of the County Commissioners.

This request is being sought due to the scheduling conflicts among the principals and representatives of the Petitioners.

Thank you for your understanding and cooperation. If you should have any questions, please feel free to contact me at your convenience.

Very truly yours,

NOFFSINGER, PRICE, BRADLEY
& SHIVELY

Leslie C. Shively

LCS/djr

cc: Mr. Joe Hartman

*Per phone request - Mr. Shively
asked for continuance until
May meeting.*

Warrant No. _____

Claim No. _____

Date _____

CITY OF EVANSVILLE
BOARD OF PUBLIC WORKS

Vendor No. 949

\$ 16,877.68

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name SOUTH GA. RIVER

Account No. 216-4927

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
Richard J. Barnes

Board of Commissioners

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

April 15, 1994

John Steel
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>claim #1</u>	<u>-</u>	<u>11/17/93</u>	<u>216-4927</u>	<u>16,877.68</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 16,877.68

Warrant No. _____

Claim No. _____

Date _____

UNITED CONSULTING

Vendor No. 1262

\$ 3408.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name BRIDGE Insp. Pt 1

Account No. 203-3540

Allowed _____ 19 _____

In the sum of \$ _____

Patrick Julez
Richard J. Bonies

Board of Commissioners

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

April 15, 1994

John Hill
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#5</u>	<u>-</u>	<u>4/1/94</u>	<u>203-3540</u>	<u>3408.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 3408.00

Warrant No. _____

Claim No. _____

Date _____

A. A. S. H. T. O.

Vendor No. 3014

\$ 442.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name ENG. EQUIP.

Account No. 203-4429

Allowed _____ 19____

In the sum of \$ _____

Richard J. Forness

Board of Commissioners

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

April 15, 1994

John Stoll
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#1</u>	<u>ED1933172</u>	<u>3/30/94</u>	<u>203-4429</u>	<u>442.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 442.00

Warrant No. _____

Claim No. _____

Date _____

LANT FARMS

Vendor No. 4538

\$ 77.36

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Lynch Co.

Account No. 216-4827

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
Richard J. Barnes

Board of Commissioners

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

April 15, 1994

John Stoll
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>*1</u>	<u>—</u>	<u>4/12/94</u>	<u>216-4827</u>	<u>77.36</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 77.36

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW.

Northfield Insurance Company

No. 732733

75-48
918

CHECK DATE

CHECK NUMBER

MARCH 31, 1994

732733

CHECK AMOUNT

*****\$491.78

VOID IF NOT CASHED WITHIN 60 DAYS

PAY **FOUR HUNDRED NINETY ONE DOLLARS AND 78 CENTS**

**BOARD OF COUNTY COMMISSIONERS
305 ADMINISTRATION BUILDING
EVANSVILLE IN 47708**

VOID OVER \$491.78



TO THE
ORDER
OF

**NORTHWEST BANK RED WING N.A.
RED WING, MINNESOTA**

⑆ 732733⑆ ⑆ 091900465⑆

20-925⑆

RECORDED BY STATE BOARD OF ACCOUNTS

MAR 31 1994

OFFICE OF COUNTY CLERK
ANDERSON COUNTY, INDIANA

EVANSVILLE, INDIANA

FUND 428.1

I HEREBY CERTIFY THAT: NORTHLAND INSURANCE COMPANY

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF ANDERSON COUNTY, IN,
IN THE SUM OF \$491.78 DOLLARS

ON ACCOUNT OF FIRE LOSS 11/6/92 RECOVERY FROM
EXCESS CARRIER

AUDITOR ANDERSON COUNTY, INDIANA



KOESTER

CONTRACTING CORP.

14848 HIGHWAY 41 NORTH EVANSVILLE, INDIANA 47711



71-1
883

DATE	CHECK NO.
04/14/94	042121

42121

CHECK AMOUNT
*****200.00

PAY TWO HUNDRED AND NO/100 DOLLARS

TO THE ORDER OF BOARD OF COMMISSIONERS
305 ADMINISTRATION BLDG
CIVIC CENTER COMPLEX
EVANSVILLE, IN 47708

NOT VALID WITHOUT TWO SIGNATURES OVER \$50,000

⑆042121⑆ ⑆086300012⑆ ⑆410⑉00074 4⑈



TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4/18/94 DEPARTMENT: CO. ENGINEERING DEPT.

EMPLOYEE (S): DAVID FRANKLIN

DATES OF TRAVEL: 6/17/94

DESTINATION: NASHVILLE, TN

PURPOSE: RADIATION SAFETY OFFICER TRAINING FOR THE OPERATION OF THE
COUNTY ENGINEERING DEPT.'S NUCLEAR DENSITY GAUGE
Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: YES

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

REIMBURSEMENT CLAIMED: _____ Mileage _____ Parking
_____ Per Diem _____ Registration
_____ Air Fare _____ Other

APPROVED: John Stoll
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of April, 19 94.

Patrick Tuley
Patrick Tuley, President

Richard J. Borries
Richard J. Borries, Vice-President

Don L. Hunter
Don L. Hunter, Member

RSO TRAINING

Troxler Electronic Laboratories, Inc. also offers advanced training for the Corporate Radiation Safety Officer at a variety of locations. Based on current U.S. Nuclear Regulatory Commission and U.S. Department of Transportation regulations, this course is directed toward the individual responsible for radiation safety and regulation implementation in your organization. This one day course offers comprehensive coverage of radiological practices, regulations, licensing, leak testing, transportation, personnel monitoring, record keeping and accident response. A complete manual will be provided for course work and future reference along with certification of course attendance.

Attendees should have completed a certified Nuclear Gauge Safety Training Course.

Cost is \$375.00 per person.

Please use the registration form provided for both the RSO Training and Nuclear Gauge Safety Training courses.

Registration Form



MAIL/FAX TO:
Troxler Electronic Laboratories, Inc
3008 Cornwallis Road, P. O. Box 13087
Research Triangle Park, NC 27708
Tel: 919/849-8061 Fax: 919/849-0761

Course Location: NASHVILLE, TN (Operator Course @ \$135): (RSO Course @ \$375): Date: JUNE 17, 1994
Company Name: VANDERBURGH COUNTY ENGINEERS Contact Person: DAVID FRANKLIN
Phone: (812) 435-5773
Participant(s): DAVID FRANKLIN
Mailing/Billing Address: OLD VANDERBURGH COUNTY COURTHOUSE
ROOM # 301
201 N.W. 4TH ST.
EVANSVILLE, IN 47708
Payment: Check Purchase Order Credit from Previous Class
 Visa/Mastercard# _____ (Expiration Date) _____ Card Member Name _____

*Please be sure to see our Radiation Safety Officer Course offerings on the back of this page.

* PLEASE SEND ME ADDITIONAL INFO, FAX # (812) 435-5676
NOT INCLUDED ON BACK OF THIS FAX.

Thank you,
David Franklin



AGENDA REQUEST

NAME OF REQUESTOR: Mark D. Acker
~~Ron Brown~~

REQUESTOR TITLE: Service Officer
Assistant Service Officer

DEPARTMENT: Vanderburgh County Service Office

REQUEST(S) BEING MADE:

To attend the 49th annual Indiana Department of Veterans Affairs
Training Conference, which will be held in Columbus, IN

Mark D. Acker

DATE TO BE PLACED ON AGENDA: April 18, 1994

ACTION _____ CONSENT x OTHER _____

original

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: April 12, 1994 DEPARTMENT: Vand.Co. Veterans Services

EMPLOYEE(S): Mark D. Acker, Service Officer (Mandatory)
Ron Brown, Assistant Service Officer (Optional)

DATE(S) OF TRAVEL: May 15th thru 19th, 1994

DESTINATION: Columbus, IN

PURPOSE: 49th annual Indiana Department of Veterans Affairs
Training Conference

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

LODGING REQUIRED: 4 nights

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____
OTHER: Private Vehicle

REIMBURSEMENT CLAIMED
(per person)

<input checked="" type="checkbox"/> Mileage	<input type="checkbox"/> Parking
\$24 per day Per diem	\$30 Registration
<input type="checkbox"/> Air fare	\$54 per day Other (Room)

APPROVED: Mark D. Acker, Service Officer
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of Apr 1994

Pat Tuley
Pat Tuley, President
Richard J. Barnes
Richard J. Barnes, Vice President
Don Hunter
Don Hunter, Member

*App'd.
Travel for
Mark Acker only
J.M.*

STATE OF INDIANA

DEPARTMENT OF VETERANS AFFAIRS
302 W. WASHINGTON ROOM E-120
INDIANAPOLIS, 46204-2738

Telephone (317) 232-3910
Fax Number (317) 232-7721



EVAN BAYH, GOVERNOR

GERALD L. "Dutch" BOLE, DIRECTOR

March 23, 1994

Dear County Service Officer:

The 49th annual Indiana Department of Veterans Affairs Training Conference will be held on May 16 - 19, 1994 at the Holiday Inn Conference Center in Columbus. The Holiday Inn is on Indiana Highway 46 east on I-65. For reservations return the Holiday Inn card **NO LATER THAN APRIL 16, 1994.**

The registration cost for the Training Conference is \$30 for each attendee, which includes the banquet. For those attending only the banquet, banquet tickets are \$20 each. The banquet will be held on Tuesday, May 17.

Please complete the conference registration form and return with a check made payable to the **STATE OF INDIANA, NO LATER THAN APRIL 29, 1994.**

Our staff looks forward to another successful training conference and the opportunity to meet with so many of Indiana's veterans' advocates. Should you have any questions, please call me at 317/232-3910.

Sincerely,

Gerald L. "Dutch" Bole
Director

CONFERENCE REGISTRATION FORM

Complete and return with check made payable to the State of Indiana.
Return NLT April 29, 1994 to IDVA, Room B120, 302 W. Washington Street,
Indianapolis, IN 46204-2738.

Conference attendees _____ (\$30)
_____ (\$30)
_____ (\$30)

Number of banquet guests (\$20 each) _____ Total enclosed _____

Menu choices (specify number): New York Strip Steak _____
Chicken Breast Teriyaki _____

IDVA COMMISSIONERS: WILLIAM N. HEDGE, DONALD PEER JR., JOSEPH A. HILEY, DONALD ROSS

49TH ANNUAL I.D.V.A. CONFERENCE AGENDA, 1994

<u>DATE</u>	<u>TIME</u>	<u>ACTIVITY</u>
<u>MAY 16</u> <u>MONDAY</u>	11:00- 4:30 12:00- 4:30	REGISTRATION 4TH ANNUAL IDVA OPEN TEETIME
<u>MAY 17</u> <u>TUESDAY</u>	8:00- 8:50 9:00- 9:50 10:00-10:50 11:00-11:50 11:50- 1:30 1:30- 2:20 2:30- 3:20 3:30- 4:00 4:00- 4:20 4:20- 6:00 6:00- 7:00 7:00- 9:00	OPENING CEREMONIES AMERICANS WITH DISABILITIES ACT (ADA) AMERICANS WITH DISABILITIES ACT (CON'T) COUNTY VETERANS' SERVICE ORGANIZATION LUNCH VETERANS' SVC ORG. STATE COMMANDERS & SERVICE OFFICERS VETERANS' SVC ORG. SERVICE OFFICERS (CON'T) KNIGHTSTOWN S.S.C.H. INDIANA VETERANS' HOME OPEN CASH BAR C.S.O. ASSOCIATION BANQUET
<u>MAY 18</u> <u>WEDNESDAY</u>	8:00- 8:50 9:00- 9:50 10:00-10:50 11:00-11:50 11:50- 1:30 1:30- 2:20 2:30- 3:20 3:30- 4:20	WORKFORCE DEVELOPMENT AGENT ORANGE/POST TRAUMATIC STRESS DISORDER VA ADJUDICATION/RATINGS VA HEARINGS LUNCH VETERANS CENTER VA INSURANCE CENTER INDIANA NETWORK FOR EMPLOYMENT TRAINING
<u>MAY 19</u> <u>THURSDAY</u>	8:00- 8:50 9:00- 9:50 10:00-10:50 11:00-12:30	IDVA MARION COUNTY AUDITORS COUNTY VETERANS' SERVICE ORGANIZATION TEST/REVIEW/CRITIQUE

Location: Holiday inn conference center, columbus, indiana. located at i-65 a
indiana Highway 46.

F49th Annual IDVA Conference?

NAME OF GROUP _____
 CONFERENCE DATES May 15th thru 19th, 1994 * RESERVATION DEADLINE: April 16, 1994

SPECIAL CONFERENCE RATES:

	QUEEN	KING/SOFA	DOUBLE/DOUBLE	HOLIDOME DBL/DBL	SUITES
One person	---	\$54.00	\$54.00	\$54.00	Parlor w/bedroom ---
Two persons	---	\$54.00	\$54.00	\$54.00	w/2 bedrooms ---
Triple	---	\$54.00	\$54.00	\$54.00	
Quad	---	\$54.00	\$54.00	\$54.00	

TYPE OF ACCOMMODATIONS REQUESTED _____
 NUMBER OF ROOMS REQUESTED _____ * EXTRA BEDS AVAILABLE AT \$7.00 PER NIGHT

LAST NAME _____ FIRST _____ MIDDLE _____
 COMPANY NAME _____ COMPANY PHONE _____

ADDRESS _____
 CITY _____ STATE _____ ZIP _____

HOME ADDRESS _____ HOME PHONE _____
 CITY _____ STATE _____ ZIP _____

SHARING WITH: LAST NAME _____ FIRST _____ MIDDLE _____
 ARRIVAL DATE _____ ARRIVAL TIME _____ DEPARTURE DATE _____

DEPOSIT _____ AMEX _____ VISA/MC _____ DC/CC _____ OTHER _____
 CREDIT CARD No. _____ EXP. DATE _____

SIGNATURE _____ Phone 812-372-1541 or 1-800-HOLIDAY, Group Code VET

6% Sales Tax and 5% Bed Tax Are Not Included In The Above Rates. * All Reservations Must Be Guaranteed In Advance by a Major Credit Card or Deposit

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4-12-94 DEPARTMENT: HEALTH

EMPLOYEE(S): DWAYNE CALDWELL, CHRIS BOROWIECKI, & BRET TOWNSEND

DATE(S) OF TRAVEL: 5-17-94

DESTINATION: ISDH, INDIANAPOLIS, IN.

PURPOSE: PUBLIC SWIMMING POOL-SPA-HOT TUB SEMINAR

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

LODGING REQUIRED: NO

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: 871
OTHER: _____

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

APPROVED: *Sam Elder*
Department Head

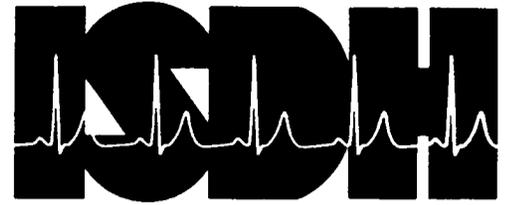
APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 18th day of April, 1994

Patrick Tuley
PATRICK TULEY, PRESIDENT
Richard J. Horries
RICHARD J. HORRIES, VICE PRESIDENT
Don L. Hunter
DON L. HUNTER, MEMBER

Evan Bayh, Governor
John C. Bailey, M.D., State Health Commissioner

Indiana State Department of Health
1330 West Michigan Street
P.O. Box 1964
Indianapolis, IN 46206-1964
317/633-0100 Fax: 317/633-0776



Indiana State Department of Health

TENTATIVE PROGRAM

An Equal Opportunity Employer

**PUBLIC SWIMMING POOL - SPA - HOT TUB
SEMINAR
FOR PUBLIC HEALTH OFFICIALS
INDIANA STATE DEPARTMENT OF HEALTH
RICE AUDITORIUM
MAY 17, 1994**

8:30	to	9:00 a.m.	Registration	
9:00	to	9:15 a.m.	Introduction	
9:15	to	10:00 a.m.	Pool and Spa Rules	Jim Berry
10:00	to	12:00 noon	Pool and Spa Operation, Safety, Chemical Storage and Handling	John Wingfield
*				
12:00	to	1:00 p.m.	Lunch	
1:00	to	2:00 p.m.	Pool and Spa Inspection Techniques	Liana Retzner
2:00	to	2:30 p.m.	The Unsatisfactory Bacteriological Water Sample	Jim Berry
2:30	to	3:00 p.m.	Testing Pool and Spa Water	Liana Retzner
*				
3:00	to	3:15 p.m.	ISDH Assistance Available to Local Health Departments	Jim Berry
3:15	to	3:30 p.m.	Suggestions, Comments and Questions from Attendees	

* Break to be injected as appropriate

*"The health of the people is really the foundation upon which all their happiness and all their powers as a state depend."
Disraeli*

TRAVEL REQUEST FORM FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4-8-94 DEPARTMENT: Health

EMPLOYEE(S): Walter Corbitt

DATE(S) OF TRAVEL: 4-14-94

DESTINATION: Indpls - ISDH

PURPOSE: Board Meeting - Indiana Public Health Association

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

LODGING REQUIRED: NONE

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: _____

OTHER: —

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
_____ Per Diem	_____ Registration
_____ Air Fare	_____ Other

APPROVED: Sam Elder
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of April, 1994.

Richard J. Borries
Richard J. Borries, President Vice

Patrick Tuley
Patrick Tuley, vice President

Don Hunter
Don Hunter, Member



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

RICHARD J. BORR

DON L. HUNTER

PATRICK R. TULE

AGENDA REQUEST

NAME OF REQUESTOR: J. Kossow

REQUESTOR TITLE: Env.

DEPARTMENT: Health

REQUEST(S) BEING MADE:
see attached

DATE TO BE PLACED ON AGENDA: next available date

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

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4-6-94 **DEPARTMENT:** HEALTH/NURSING

EMPLOYEE(S): DENNIS MYERS

DATE(S) OF TRAVEL: THURS. 4-14-94

DESTINATION: INDIANAPOLIS, IND.

PURPOSE: IPHA BOARD MEETING- TO ESTABLISH PLATFORM FOR HEALTH CARE

REFORM; TO PLAN IMPLEMENT CHANGES IN IPHA FORMAT.
Proof (Copy of brochure or letter) must be attached. FUTURE MEETINGS TO BE
EVERY OTHER MONTH.

LODGING REQUIRED: NO.

MEANS OF TRAVEL **COUNTY VEHICLE NUMBER:** 873
OTHER: _____

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

APPROVED: *Sam Elder*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDEBURGH COUNTY COMMISSIONERS this 18th day of April, 1994

Patrick Tully
PATRICK TULLY, PRESIDENT
Richard J. Horries
RICHARD J. HORRIES, VICE PRESIDENT
Don L. Hunter
DON L. HUNTER, MEMBER

**MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 25, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:40 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes (April 18th)	1
Old Union Township School/Property Clean-Up & Demolition ... (Authorized 40 days rather than initial 20 days)	1
County Surplus Properties/Transfers & Sale Deferred.....	2
Public Hearings/Transfer of Real Estate to Non-Profit Corporations & Resolution Regarding Surplus Tax Sale Property/Jacobsville Redevelopment Area (Deferred)	4
Ordinance re Establishment of Community Corrections Fund/Second & Final Reading (approved)	5
Renewal Contract/Alexander Ambulance (Mercy Ambulance)	5
(Total contract for 1994 budgeted for \$185,000)	
Indemnity Agreement/Citizens Bank	8
Prosecutor/Service Contract	8
Superintendent of County Buildings	9
Closing of County Offices/Nixon Funeral (Denied) Request for Smoking/Non-Smoking Restrooms	
County Highway/Bill Morphey	10
Weekly Progress Report Flooding Road Paving Program Grass Cutting Barton Rd.	
County Engineer/John Stoll	10
Change Order/Virginia Street Project (+ \$4,132.91) Extension of Cross Pointe Blvd./Plans (approved) Green River Rd. Section "C"/Authorization to Purchase Five (5) Additional Parcels of Right-of-Way Agreement Between County & CSX R.R. for Federal Aid R.R. Crossing Improvement on Mill Rd. Notice to Bidders/Replacement of Two Culverts on Old Petersburg Rd. Supplemental Agreement for Construction Engineering on Green River Rd., Section "A" Green River Rd. Ribbon Cutting Ceremony	
Consent Agenda	12
(Approved with exception of travel request for County Assessor; travel request for Health Dept. also to be checked) Employment Status Form/Health Dept. Employee Stanton	
Teamsters Contract/Corrected Addendum.. (approved)	13
Scheduled Meetings	13
Request for Executive Sessions at 4:00 p.m. on May 2, 16, 23 and May 31	
Old Business	13

New Business	14
Meeting Adjourned @ 7:47 p.m.	14

MINUTES
COUNTY COMMISSIONERS MEETING
APRIL 25, 1994

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, April 25, 1994 in the Commissioners Hearing Room with President Patrick Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff, B. J. Farrell/ Commission Office, Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, Deputy Auditor Cindy Mayo and Joanne Matthews, the official recording secretary). He then asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

It was noted by Commissioner Tuley that the Board has had copies of the April 18th minutes in advance for their review. He said he had read through them and saw no error. He then entertained comments or a motion for approval.

Upon motion made by Commissioner Borries and seconded by Commissioner Hunter the minutes were approved, as presented. So ordered.

Commissioner Tuley asked if there are any groups/individuals who wish to address the Commission but do not find their topic nor their name on this evening's agenda. Now is the time to come forward. He has been made aware that Lynn Ellis, the Director of Purchasing, has something she would like to discuss with the Commissioners.

RE: OLD UNION TOWNSHIP SCHOOL/PROPERTY DEMOLITION

Ms. Ellis approached the podium and said they had the pre-bid meeting this morning at the old Union Township School. They had one (1) bidder show up for the bid and she'd only had one (1) bidder pick up specs. She sent out 70 invitations in the mail and also advertised twice, as required by the Indiana Statute. The bidder who showed up said the twenty (20) days that are provided for in the bid document would not be sufficient for both phases -- demolishing and removal of the debris. She would agree -- with the amount of material on that property she would definitely agree. It was originally intended that there would be two separate contracts. Should one vendor be awarded both contracts, she would like to request that those days be run consecutively as opposed to concurrently -- so that it could expand over a 40 day period as opposed to just a twenty day period. If the Commissioners could take action on this, then she will issue an addendum tomorrow morning to address that in the bid document.

Commissioner Tuley said by Ms. Ellis saying there was only one person to come in, he would assume we're going to have one person do both jobs. It is going to be hard for them to do both jobs at the same time. Also, just for the record because it is noted on his agenda -- this is not Lynn's normal attire for work. But she was down in Union Township today. Anyone who has ever been down there will understand she is probably even over dressed for being down at the particular site where she was today.

Ms. Ellis said, "Yes, I actually would have preferred to have gone home and taken a shower after leaving there -- but I wouldn't recommend getting very close to me right now."

Commissioner Borries asked, "About this bid. Is this bid going to be within the guidelines --

or at least the amount that we anticipate here? Are we going to have to appropriate some money for this?"

Ms. Ellis said that was addressed when the Commission approved the specs. Next Monday, on May 2nd, we will receive bids.

Mr. Tuley said Ms. Ellis is basically wanting to amend the original time frame -- to give the contractor on this 40 days rather than the 20 days for the first phase and 20 days for the second phase, assuming the same person may perform both phases. There were issues raised today regarding what materials would be left. There are a number of vehicles -- at least two boats with trailers, a number of motorcycles, a bus -- that are all on this property. Those, of course, will be maintained by the County and turned over in accordance with the legal requirements for declaring as surplus property and those would have to be advertised separately -- provided no one claims them when advertised.

Mr. Tuley asked, "Do you think that just because other bidders didn't show up at the pre-bid conference that they may still bid?"

Ms. Ellis said she has had only one call from another contractor and that was from Cincinnati - inquiring as to the bid document. They cannot bid without getting this bid document -- so right now it is very questionable.

Mr. Tuley entertained a motion to approve the request for the 40 day time frame as opposed to the 20 day time frame indicated in the initial specs.

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

Mr. Tuley asked if there is anyone else who wishes to address the Commission who does not find their item of interest or their name.

RE: COUNTY SURPLUS PROPERTIES

Ms. Peggy Piper was recognized and introduced herself. She said the only other time she has been to one of these proceedings is when she bought a piece of property, so she is not sure whether she is in order or out of order. If what she has to say needs to come later, just let her know. She said, "I purchased a piece of surplus property some time ago and am in the process of reselling. I am here for two different reasons and this is one of them. In the process of reselling the piece of property that I purchased -- in the process of all the legalities, there was a lien against the property. This was surplus County property -- and somewhere in the course of all I've been doing during the last couple of weeks, someone said I needed to come back and let you all know that this has happened to me. So it may be something you may want to address with the City. There was a \$1,600 demolition fee attached to this lot that I bought. And when they did the title check for liens, etc., etc., that came up. Now, I went to the office (I forget which one it was in this building) and the man said, 'Yes, but that fee goes with the property'. It doesn't. I mean, I'm not responsible for that and the organization that is buying the property worked out whatever it was -- but the City is still trying to collect those monies on this property and, obviously, something needs to be done."

Mr. Tuley asked, "Now, to make sure I understand -- you bought it from the Commissioners or you bought it in a tax sale?"

Ms. Piper responded, "I bought it here -- from the Commissioners -- a lot in the inner City about a year and a half to two years ago. And when they did the title check that came up."

Mr. Tuley asked, "So basically, you'd like us to serve notice on the City to stop doing that?"

Ms. Piper responded, "Yes, that would be nice. When I inquired, it was like 'you're really not

April 25, 1994

responsible' -- but the City still tries to get their money and people don't really know and when they try to unload something quickly they go ahead and pay it just to be done with it -- and I said, 'I don't think so'. I wasn't getting enough for the property to pay the demolition fee.

The other issue deals with non-profit organizations. Do I want to give my opinion now or later?"

Mr. Tuley said, "It is next on the agenda, so you might as well go ahead since you are there."

Ms. Piper said, "If I understand correctly, the Commission is contemplating giving surplus properties to non-profit organizations -- it's in a thought stage at this point? Is that right?"

Mr. Tuley responded affirmatively.

Ms. Piper continued, "I think it's an admirable gesture. I think, however, that the organizations need to be allowed to bid on properties just as I would initially. I'm told that if there is anything left over that is truly excess surplus then the Commission should look toward dividing it up as fairly as possible. I see problems with giving it away. I see a problem with me if you give it away before I have a chance to bid on it. But I see other problems in so far as being fair. You know, if Habitat wants 708 Line Street, okay? -- and Echo wants 708 Line Street, how do you determine who gets it? Do you put all the names in a hat and draw them?"

Mr. Tuley said, "This hasn't been formalized yet, but just individual discussions and my thought process on this is that number one, through Mark Able (our Building Superintendent) we've asked them to provide the Commissioners with a list and where there are more than who want the same property, we've asked them to work it out amongst themselves if possible. Now, from that point on my suggestion to the other Commissioners is going to be this -- if they both show up whenever this comes about -- if it comes about -- still in conflict, then what I'd like to see done is that each one of them compare what they plan to do with that property once they get it and compare and then basically try to weigh it out as to what is in the best interest of this community as a whole and that will, hopefully, shed some light and make a difference. That is going to be hard to do."

Ms. Piper said, "Okay. And I see where you would have trouble with that, too. But the bottom line, in my opinion, is that after the auction is held -- whatever is actually left over -- then, yes, they should be allowed to deal with it. But I would not like to see it given away before the community has an opportunity to buy it."

Commissioner Tuley entertained comments.

Commissioner Borries said, "Ms. Piper, I don't want to debate your feelings on that -- and certainly respect that. I guess a response I might have to that is that this property in and of its nature has, for whatever reason, been abandoned by someone. It literally has been taken off the tax rolls and I would concur that if we, in fact, would be able to get individuals such as yourself or others who would be willing to pay what some of the back taxes were that were owed on these properties instead of \$1.00, then I could see some clear cut differences between what you say and what the not-for-profits have agreed to do. For example, Habitat has agreed to build houses on those, allow people to live in those, and thereby put those back on a full tax ratio, where there are tax monies and revenue coming back into the government. So I think that is certainly a very good plan, rather than to sell to someone for \$1.00 and then not be assured that anything is going to happen to that property -- because the long range usefulness of the property to the people who will live in it and who desperately need housing would far outweigh the \$1.00, in my opinion."

Ms. Piper asked, "Does the City or the County -- whoever this property belongs to -- benefit more from giving it to a non-profit organization? Do you get to write that off on taxes or anything as opposed to an individual buying it?":

Mr. Borries responded, "No."

Ms. Piper said, "And the other thing -- my common response to what you said about an organization getting it ready for the homeless or whatever is fine -- what does the book say? What does it say -- and you don't have to tell me, but I'd like to be able to see it. It is fine for you to sit there and tell me that, but if it says in the book that it has to be given to the community first then, you know, that kind of doesn't hold water with me."

Attorney Kissinger interjected, "If I may -- Ms. Piper, in reference to the law, we are allowed with two different entities to treat these properties differently. Number one, in reference to another government entity, the School Corporation, for example, we could transfer it with no charge to the School Corporation if it was going to be used for educational purposes, etc., or some other government entity -- perhaps to the City. We could just transfer the property without any further consideration and without any priority list of saying general members of the community get the first opportunity. The second exception is non-profit organizations -- and there are specific statutory references for this. No, it doesn't require us to prioritize those properties. It does not require us to make them available to the general public prior to making them available to either other government entities or non-profit corporations."

Ms. Piper asked, "Those statutes you are referring to are open to the public and I could come in or call you and ask you where they can be found, right?"

Attorney Kissinger responded, "Oh, positively. As a matter of fact, I will be happy to do it for you. And just recently we passed a specific ordinance in reference to non-profit corporations and the one thing that you need to understand is that in most of these cases these are going to be -- as Mr. Borries indicated -- these are going to become revenue producing properties for the county. In some cases they won't. If they are going to be used by the non-profit corporation they may get a break there. But in most cases or 99% of these cases, they are going to become tax producing properties and, hopefully, will not show up on the surplus property list again."

Ms. Piper said, "You made reference to paying taxes -- my understanding was that these properties offered for sale -- there were no taxes that I would have to pay or that other people here would have to pay."

Attorney Kissinger said, "That is not the case. What I am talking about is the future taxes. It is true that the taxes that are owed on these properties that caused them to become surplus properties are forgiven -- just like your lien from the City."

Ms. Piper said, "I thought I understood him to say that someone would get it and pay for those taxes -- but he didn't. I misunderstood him."

Mr. Borries said, "No, what I meant was -- \$1,600 or whatever on back taxes, frankly we are not in the profit business. You know, this local government -- simply, we got these properties not because we solicited them or there is some kind of grand plan for them. They were, for whatever reason, decided by other owners as just being surplus. So I guess our intent is to get rid of them as quickly as we possibly can to return them to the most productive use possible."

Ms. Piper said, "I understand. I don't necessarily agree, but I understand. Thanks."

Mr. Borries said, "Thanks for coming up. I think it's good that you do that."

RE: PUBLIC HEARING/TRANSFER OF REAL ESTATE TO NON-PROFIT CORPORATIONS AND RESOLUTION REGARDING SURPLUS TAX SALE PROPERTY/JACOBSTOWN REDEVELOPMENT AREA

The meeting continued with President Tuley directing the group's attention to items (4-C) and (4-F), those are being deferred until a later date -- which will be announced later. Basically, what we are trying to do before we transfer any properties -- we want to make sure all our t's

are crossed and or i's are dotted and there is a good transfer of those properties. So these will be deferred until a later date. So we're not taking any action on items 4-C or 4-F. Or, that would be his recommendation to the other Commissioners -- if they would like to put that in the form of a motion and vote on that.

Commissioner Borries moved that these items be deferred, with a second from Commissioner Hunter. So ordered.

RE: ORDINANCE RE ESTABLISHMENT OF COMMUNITY CORRECTIONS FUND

Mr. Tuley said this has been advertised and the Board has the Second and Final Reading tonight. As explained last week, this is being asked for by the Sheriff's Department and the Community Corrections Program itself, whereas in the past there has always been one application and the money was split. For whatever reason, the Sheriff and the Courts have decided that each should file for their one half of that money separately. We have an Ordinance to do such. We had Bobby Beckham up here from the Sheriff's Department and Harris Howerton was here from Community Corrections. It is his understanding this would call for a roll call vote and if there is a unanimous vote, the Commissioners can sign this on Second and Final Reading tonight and it can be forwarded to the State. It is his understanding this has to be done by May 1st.

Motion to approve the Ordinance on Second and Final Reading for Community Corrections was made by Commissioner Borries, with a second from Commissioner Hunter -- with the acknowledgment here that there are two requests -- essentially for the same amounts (\$80,500 each) for a total of \$161,000.

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

Mr. Tuley said for purposes of clarification, they will go back and approve the Ordinance for the Sheriff's Department, as well.

Motion to approve the Ordinance for the Sheriff's Department was made by Commissioner Hunter, with a second from Commissioner Borries.

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

RE: RENEWAL CONTRACT/ALEXANDER AMBULANCE (MERCY AMBULANCE)

Attorney Kissinger said this is the only item he has. He has reviewed the agreement and basically it is the same as it was last year. There are some minor changes in four different places; but they are changes in form more so than substance. There is basically no change from last year's contract. He recommends that the Commissioners give favorable consideration to approving and executing this contract.

Motion to approve the contract for current year 1994 was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Commissioner Borries said, "Having done that, Mr. President, I would want to request from them information, I guess, that the City of Evansville is provided. I don't know if that is something that is not contained in this contract, but what it is -- B.J. may know if we receive some of this information in the office -- just some documentation of the runs in which these units are involved in the County so that perhaps as we look ahead to 1995 we could review some of this documentation."

Ms. Farrell said they have provided some of that at the Commission's request, but not on a regular basis.

Mr. Tuley said he thinks a representative from Mercy Ambulance is here today. He then asked if it is possible to have it on a monthly basis or quarterly basis -- it may be easier on a quarterly basis?

Mr. Bill Waller, Systems Manager identified himself and said, "Now, our reporting is quarterly."

Mr. Tuley asked, "Why not keep it that way then?"

Mr. Borries asked, "What do you do with the City of Evansville?"

Mr. Hunter asked, "Is there any reason we couldn't have it on a monthly basis?"

Mr. Waller responded, "No, Sir."

Attorney Kissinger said, "I would note that one of the changes in the contract was to move from a 30 day reporting to a 45 day reporting; so you might want to consider that."

Mr. Borries said, "As long as all those runs would be on there I don't have a problem with that. That is in the contract?"

Attorney Kissinger responded affirmatively. There is a continuous period of 90 days with one statement being sent each 30 days. Something changed to 45 days, he's still trying to find that. They changed it from 30 days to 45 days for the close of each calendar quarter. Forget he said anything.

Mr. Borries said, "If it would not be out of the contract, he'd just like to have that information on file in this office so if we had the opportunity to review it we could do it perhaps on a more timely basis."

Mr. Waller said, "They are monthly."

Mr. Hunter offered a comment which was inaudible and Mr. Borries said, "Well, I think essentially just a list of the runs in the County, the time responses, etc."

Mr. Waller asked, "So your request is just a list -- the number of runs..."

Mr. Borries interjected, "Well, the information that you provide -- what do you provide to the City of Evansville?"

Mr. Waller said, "I think what your question may be is the extended responses that we have in Vanderburgh County. We provide a list to the City of Evansville and to the County of the runs that exceed 13 minutes length in response time."

Ms. Farrell said, "If I may, I believe past reports have shown destination, response time, and any penalties they may incur by not reaching that destination within the designated period of time. Am I right?"

Mr. Waller said that is correct.

Mr. Borries said, "I'll tell you where I am headed with this. I've always had some ongoing concerns that if there is one contract that now provides for the entire County that, in effect, and in the future I realize that the City has signed a contract that will last for approximately how

many more years with you?"

Mr. Waller responded, "There are approximately four more years left."

Mr. Borries continued, "And at the time we just weren't able to communicate, I guess, with the City in relation to joining those talks. But it is my concern that as we look at the future of this that, in effect, I want to see perhaps a joint department created between the City and the County to end some of the confusion about who is billing who and where those runs occur. So that is where I am headed with t."

Mr. Waller commented, "We'll certainly do what we can. Maybe B.J. can let us know exactly what you want to see in a reporting format."

Mr. Borries said, "Thank you."

Commissioner Hunter asked, "Just exactly what do you provide to the City each month?"

Mr. Waller replied, "Each month we provide them with a list of the runs that we made through the Central Dispatch Center, which entails the pick-up location, the destination of that patient, the response time, and a list of extended responses. And, in their case, anything over eight (8) minutes is on a separate list, which indicates the times and penalties for those."

Mr. Hunter asked, "And you're going to provide us with the same information?"

Mr. Tuley said, "Basically, he is saying give him guidance for what we want and he'll respond accordingly. Is that what I am understanding you to say?" Do we have a penalty on ours as well?

Mr. Waller responded, "Yes, Sir."

Mr. Tuley asked, "More than twelve (12) minutes?"

Mr. Waller replied, "Thirteen (13) minutes."

Mr. Tuley said, "I don't know why we couldn't ask for the same information. It would be easier for you guys since you already have the program set up to print it out obviously. But we'll direct B.J. and be in contact with you. Anything else?"

Mr. Waller responded negatively.

Attorney Kissinger said that B.J. has brought up something in reference to this. "Mr. Waller, just basically an administrative question here. Is it your understanding here that this contract is budgeted for \$185,000 this year?"

Mr. Waller said he is not sure what the dollar amount is.

Attorney Kissinger said, "We just wanted to make sure that everyone was on the same page in reference to what we had budgeted and what had been agreed on. I note here on Page 16 that there is provision for the possibility of an operating loss by your organization with respect to the services rendered to the County, in which case in the event a quarterly statement reveals an operating loss by the provider with respect to services, etc., the Board shall thereupon reimburse the provider for said operating loss provided that the Board's obligation to reimburse for the loss shall be limited to a total reimbursement during the year of 1994 to \$197,977.90. I know that is based on last year's figure, but the total contract price, as I understand it -- and I want to be sure that your organization understands -- was only budgeted this year for \$185,000."

Mr. Waller said, "Okay. I'll pass it along."

Attorney Kissinger said, "Other than that, we have no dollar amount included here that I find."

So to make a long story short, if you want more money than that, there is none in the till."

The Commissioners thanked Mr. Waller.

RE: INDEMNITY AGREEMENT/CITIZEN'S BANK

Attorney Kissinger continued, "I was given by Commissioner Tuley last week an indemnity agreement from Citizen's Bank to review. This indemnity agreement arises out of the fact that there was apparently a Certified Check lost, misplaced or otherwise. Citizen's Bank has agreed to reissue that Cashier's Check and they have asked to sign this indemnity agreement. Basically, the reason for that is if the other one shows up and someone mistakenly cashes it, Citizen's doesn't want to pay twice on that check. So I think it is totally appropriate to sign the indemnity agreement and allow them to go ahead and issue another Cashier's Check to us."

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

RE: PROSECUTOR/SERVICE CONTRACT WITH EMPLOYEES

Attorney Kissinger said that the Prosecutor has requested that he be allowed to enter into basically what he would refer to as a Service Contract with his employees. He doesn't think he meant to be biased on this, but all of the employees who will be doing this work are females. They are the ladies in the Prosecutor's Office who make the entries into the computer for the various Title IV support programs, etc., that the Prosecutor is involved in. There is an agreement -- or perhaps it is a matter of Federal Law, he's not certain -- that the Federal Government will pay the State, and the State will pay the County at the rate of \$1.75 per entry made. Mr. Levco wants to enter into contracts with his employees -- the girls who normally make other entries on a daily basis -- to make these entries on their off time -- not on Prosecutor's Office time -- in return for the \$1.75 that the State will pay to the County. He has reviewed their contract and it seems to be in order. They are not requesting any benefits for this time. They are not requesting that they be paid overtime or that workmen's comp be paid for them or anything such as that during that period of time. Mr. Levco is basically just going to transfer the money his office would be paid to his employees. If he is going to enter into this type of contract with his employees then he must be authorized to do so by the Vanderburgh County Commissioners because, as pointed out in the past, no officeholder or department head can commit the County on a contract unless he has the prior authority of the Commissioners. He would request that the Commissioners give favorable consideration to allowing Mr. Levco to enter into these contracts. If they decide to do so, Attorney Kissinger requests that he be given permission to send Mr. Levco a letter advising him he is so authorized.

Commissioner Tuley asked, "Alan, I just want to make sure they are treated like any other contract employee? We're not liable for anything?"

Attorney Kissinger responded, "No, after their regular working hours they become independent contractors."

Mr. Tuley said, "That is what I want to hear."

Commissioner Borries asked, "And, Alan, there is some money available for this?"

Attorney Kissinger replied, "Yes. It's a one for one. In other words, for every dollar paid to the County, Mr. Levco is going to pay to these contract employees and it goes into his -- I'm not certain, I think it goes into his discretionary fund or his incentive fund."

Deputy Auditor Mayo asked, "Will these ladies be paid on payroll or will it be a blue claim?"

Attorney Kissinger said, "No. It will be invoiced and I assumed blue claimed with the company invoices."

President Tuley entertained a motion authorizing Attorney Kissinger to write the letter to give the Prosecutor permission to enter into the contract.

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

RE: SUPERINTENDENT OF COUNTY BUILDINGS

It was noted by Commissioner Tuley that Mr. Mark Abell is on vacation. He then asked if Mr. Abell left anything for Ms. Farrell to report.

Ms. Farrell said he did leave a couple of things.

Closing of County Offices/Nixon Funeral: Ms. Farrell said the Commission Office received calls today and they've talked to Gibson, Posey and Warrick County about the President declaring Wednesday a National Day of Mourning or National Holiday or whatever you wish to call it. We did get responses from Gibson and Posey. They are not going to close their offices for the day. Warrick County is waiting to see what we do. They have asked that when we render this decision if we'd pass that information on to them -- as to whether we will remain open or close on Wednesday. And that is in regard to Mr. Nixon's death.

Commissioner Tuley said, "With all due respect, if he were in office I think I'd understand a little more about closing down the Civic Center. But since he is not in office and has been out of office for some time I, personally, don't see the need to shut down the Civic Center."

Commissioner Hunter said, "The minority member concurs."

Ms. Farrell asked, "Do I then have your permission to call Warrick County tomorrow and tell them we are going to remain open?"

Mr. Tuley replied, "As far as I am concerned."

Request for Smoking/Non-Smoking Restrooms: Ms. Farrell said the Employee Steering Committee met last Thursday and she's talked to Commissioner Tuley about this and they realize the smoking issue is a very touchy issue in this building. However, it has been brought to the Steering Committee so many times that a letter has been addressed and sent to the Commissioners. The question has been raised that since there are two (2) restrooms on each floor, would the Commission be willing to entertain the possibility of a non-smoking and a smoking restroom. Since there are two on each floor, the Committee wanted to know if the Commissioners would take this under advisement and then inform them of their decision as to how they wish to proceed. The way it is now, if you go into this bathroom here, the first section is a non-smoking section. The second bathroom is a smoking and then a non-smoking lounge. Further down the hall is a bathroom that employees smoke in. They are simply asking that one (1) bathroom on each floor be totally non smoking and one bathroom be smoking.

Commissioner Tuley said he, personally, thinks it is a good idea. He guesses the Board has to, by motion or letter, convey to the Building Authority that is our wish. I assume if they so agree with us they can do this. He doesn't know that we can make them do it.

Attorney Kissinger said he doesn't think we can order them to do it, but he thinks we can certainly make our intentions known.

President Tuley entertained discussion.

Commissioner Borries said he thinks it is a reasonable request.

Ms. Farrell said she would like to make one comment. The question was raised as to which bathroom will be which. The Committee did say they don't care -- as long as one of them is

non smoking. They don't care as long as there is a non smoking bathroom on each floor. They are not going to fight over which is which, as long as they get one.

Commissioner Borries said, "I guess this is a silly question. It's something I never really thought about. Is one bigger than the other?"

Ms. Farrell said "This bathroom on this end is bigger. The other one is much smaller. I would say from personal observation that the smokers in this building are not as many as the non smokers. But that is such a tiny bathroom they are afraid that if that turns into a smoking bathroom that they will all pass out when they are down there. Plus, the bathroom on this end is used for the general public and they didn't feel they had the right to make the general public bathroom a non smoking bathroom. They don't care if they get the one at the end of the hall - just as long as they get one."

Commissioner Tuley asked, "B.J., is there a particular -- I mean I can write a letter -- or, if they want actual minutes. I don't understand. If the Commissioners write a letter that we agree with you -- the Building Authority can have a copy."

Ms. Farrell said, "I was just going to copy a little section they passed to me for review. A copy of the letter, I think, would be quite enough. They'd be very satisfied with that."

Mr. Tuley said, "Okay, I'll write a letter and you guys can get a copy to Steve Utley."

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

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted copies of his Weekly Report for period of April 15, 1994 thru April 21, 1994.....report received and filed.

Flooding: Mr. Morphey said the water is receding again -- for about the sixth time.

Road Paving Program: Commissioner Borries asked if Messrs. Morphey and Stoll are in the process of putting together their final road paving list, available monies, etc.

Mr. Morphey responded affirmatively. He said he was speaking with John a few minutes ago and they're going to get together tomorrow and compare lists of roads to be resurfaced this year and repair of other roads. They can probably come back with a synopsis.

Grass Cutting: Mr. Tuley noted it looks as though they've started their grass cutting crews.

Mr. Morphey acknowledged they have, trying to get a jump on it this year.

Mr. Tuley said he's already cut his twice.

Barton Rd.: Commissioner Borries said he had a call today from a motorist today who travels Barton Rd., where probably the bridge crew installed a pipe or culvert and apparently a portion of it is dropped and another portion of it -- he guesses the asphalt was laid a little high, so there is a bit of a dip in there. Perhaps Mr. Muensterman or whoever Mr. Morphey would suggest could go out there and look at that particular spot.

Mr. Morphey said that was a very deep culvert and it was a large patch. Some of it may have settled. It was relatively wet and the place where the road started caving in at that point. They knew it would start settling somewhere. They are going to go back over that and patch.

RE: COUNTY ENGINEER - JOHN STOLL

Change Order/Virginia Street Project: Mr. Stoll said this change order is in the amount of \$4,132.91. The head walls were mistakenly omitted from the contract where there was a 48 inch pipe and an 18 inch pipe out letting into the ditch. In order to install the flap gates they need the head walls. There was also a small amount of additional pavement required. The head walls were \$3,800 and the concrete is \$332.91. It is his recommendation that the change order be approved.

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

Commissioner Borries asked if our portion is now completed.

Mr. Stoll said they poured the street last Friday. They got it all taken care of. They got all the pavement down. It still isn't all the way through, but they were doing the dirt work on the section between Royal Avenue and Metro Avenue. We've got some idiots who are driving across it already and they went up and moved the barricades. It didn't damage the road, but it could have.

Mr. Borries asked if the entire road is now completely paved.

Mr. Stoll said it is not. There is still the segment between Royal Avenue and Metro Avenue that is not done. They are working on bringing that up to grade. They had a small amount of fill they had to bring in to get that ready to go. Hopefully, they will get on that real soon.

Extension of Cross Pointe Boulevard/Plans: Mr. Stoll submitted the plans for the extension of Cross Pointe Boulevard along Builder's Square. Basically it is going to be a 5-lane section, with two left turn lanes. The only revision this time around was an added median and left turn lane. The previous plan had a median with no left turn lane. This takes it to just north of Builder's Square's property line.

Mr. Hunter asked what would be the next cross street.

Mr. Stoll said the next cross street would be Virginia Street.

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

Green River Rd., Section "C"/Authorization to Purchase Right-of-Way: Mr. Stoll said he has a letter from United Consulting concerning Green River Rd., Section "C". He needs the Commissioners signatures in order to authorize purchase of five (5) additional parcels of right-of-way. The total amount is \$27,570.

Commissioner Borries asked if this is the last property that Mr. Stoll is aware of that we will have to purchase in that particular section?

Mr. Stoll said this is it.

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

Agreement between County & CSX Railroad for Federal Aid Railroad Crossing Improvement on Mill Rd.: It was noted by Mr. Stoll that this crossing is just east of the County Garage. This will result in the installation of gates and a signal at that railroad crossing.

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

Notice to Bidders/Replacement of Two Culverts on Old Petersburg Rd.": Mr. Stoll said these are just south of the timber bridge that was built last year. He would like to put them out for bid next Monday and he needs signatures on the Notice to Bidders.

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

Supplemental Agreement for Construction Engineering on Green River Rd., Section "A": Mr. Stoll said this is in the amount of \$33,000 which was discussed a couple of weeks ago. The agreements have all now been approved by INDOT and copies of the agreement are ready for the Commissioners' signatures.

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

Green River Rd. Ribbon Cutting Ceremony: This event is scheduled at 11:00 a.m. next Monday. They will meet at the shopping center where the Silo store used to be.

Mr. Borries asked if we have the scissors for the students.

Mr. Hunter said, "Thirty-seven pairs of scissors. By the way, I ran into the teacher in charge and she has requested that the Commissioners have lunch with the children at McDonald's. United Consulting Engineering is treating the students to lunch at McDonald's and she would love to have the Commissioners. So, the Commissioners should look forward to a quiet lunch."

The Commissioners said they would look forward to that event.

Mr. Tuley said they will meet Mr. Stoll a few minutes before 11:00 a.m. at the old Silo location on the east side of Green River Rd.

RE: CONSENT AGENDA

Travel Account: Mr. Tuley asked how much money is left in the travel account and Ms. Farrell said there is less than \$2,000. The Health Department travel is paid from their own account. Mr. Hunter said he noted that both per diem and subsistence were checked on the request for Jill Sinclair and he was wondering why both were checked. Ms. Farrell said she doesn't know. Sometimes when Terri Robbins isn't there someone else fills out the form and they check things they shouldn't. Mr. Tuley asked that Ms. Farrell call them and check on this, make sure we're not double dipping. Mr. Tuley said because we are limited on funds this year, when someone attends a meeting (he doesn't want to pick on Jim Angermeier, but this just caught his eye) he thinks it is important for each of the elected officials to be active in their associations -- but he really wishes that if we want to continue to travel to Indianapolis for meetings that are not State-called meetings -- but are going, by choice, because we want to be involved in the association - - but in view of the county's finances, maybe we can pay actual gas rather than mileage. He is going to suggest that the committee develop a policy on travel. It's April and we only have less than \$2,000 left. Maybe the associations would like to pay for that. But every time we go to Indianapolis and back it's about 400 miles times 28 cents per mile.

Attorney Kissinger said, "If we, in advance, approve the travel -- then the mileage becomes statutory. So if they choose to waive that mileage, fine. But if they become insistent, then we must pay them by the statute unless they choose to waive it."

Mr. Tuley said, "Okay. So much for my idea."

Mr. Hunter said if they would not check "mileage" and check "Other", then he thinks we could pay them actual out-of-pocket gasoline. He doesn't see anything wrong with that.

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Mr. Tuley said it is not that much money, but when you're out of money it's a lot. But this isn't a State-called meeting; it is an association meeting.

Mr. Borries said that Mr. Angermeier is a board member.

Ms. Hunter said we did start with \$10,000 and we have less than \$2,000 to run the rest of the year.

Mr. Tuley suggested this request be deferred and, by letter, he will send a request to all officeholders that if they're going to attend these kinds of meetings that they be reimbursed for actual gas only in addition to their per diem.

Mr. Hunter said he wonders if that isn't what Sam Elder is doing. They're going to Indianapolis and they're not requesting mileage.

Mr. Tuley said they're using a County vehicle and we're paying for their actual gas through their budget. He doesn't know that this needs to be the policy forever, but at least through the end of 1994 we'd better do it.

President Tuley then entertained further comments or questions with regard to the items listed on the Consent Agenda. There being none, a motion was entertained.

Motion to approve -- with the exception that the request for May 12th by the Assessor's office be put on hold and Ms. Farrell to check into the Health Department Request -- was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Employee Status Form/Stanton: Ms. Farrell said an employee by the name of Stanton in the Health Department will be calling Ms. Matthews tomorrow. She needs a copy of the employee status form with the Commissioners' signature. She is going to a seminar and doesn't have her County I.D tag. They need something from us showing that she is an employee of our county. Ms. Farrell told her to call Ms. Matthew, as she will have the signed form.

RE: CORRECTED ADDENDUM TO AGREEMENT WITH TEAMSTERS UNION:

President Tuley said there is a Corrected Addendum to the Agreement with the Teamsters Union.

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

RE: REQUEST FOR EXECUTIVE SESSIONS

Commissioner Borries said he would request approval of Executive Sessions at 4:00 p.m. on Mondays of May 2nd, May 16th and May 23rd and on Tuesday, May 31st, for purposes of discussing Possible & Pending Litigation and Personnel Matters.

Motion seconded by Commissioner Hunter. So ordered.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board, saying the only thing he has is the Board approved a Loan Agreement with Metro Small Business with reference to Collis Corporation which was approved by the Commissioners on April 4, 1994. DMD has returned a fully executed copy for the record.

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RE: NEW BUSINESS

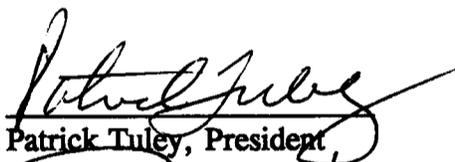
President Tuley entertained matters of New Business to come before the Board. There were none.

There being no further business to come before the Board at this time, President Tuley said the Drainage Board will convene immediately following a brief recess. He then declared the Commission Meeting adjourned at 7:47 p.m.

PRESENT:

Patrick Tuley
Richard J. Borries
Don L. Hunter
Alan M. Kissinger
Cindy Mayo, Chief Deputy Auditor
John Stoll/County Engineer
Lynn Ellis/Purchasing
Jeff Hatfield/Hatfield Bros., Inc.
Laura & Tony Ambrose
Len Will
Michael Turner
Steve Pokorney
Bill Waller/Mercy Ambulance
Peggy Piper/Surplus Properties
Eric Williams/Sheriff's Dept.
B. J. Farrell/Commission Office
Others (Unidentified)
Kyle Foster/Evansville Press
Hamilton Northcutt/WFIE-TV
Jim Beck/Evansville Courier
Steve Burger/WIKY

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President


Don L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

April 25, 1994

5:30 P.M.

1. CALL TO ORDER

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

A. Approval of Commissioner Minutes

B. Any group/individual wishing to address the commission

C. Public Hearing

re: transfer of real estate to nonprofit corporations
*****DEFERRED*****

D. Harris Howerton/Community Corrections

1. Ordinance Concerning Establishment and Funding of Community
Corrections Fund
re: Second/Final Reading

E. Sheriff Hamner

re: Community Corrections Fund

F. Resolution

re: Surplus Tax Sale Property--Jacobsville Redevelopment Area
(deferred from 4/18/94 Meeting)

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney

Mark Abell ----- Superintendent of County Buildings

Bill Morphew ----- County Garage

John Stoll ----- County Engineer(See attached requests)

FINAL

6. CONSENT ITEMS

A. Travel/Education

Health (1) County Assessor (1)

B. County Treasurers Report for March 1994

**C. Southwestern Indiana Mental Health Center, Inc.
Employee Assistance Program Contract for 1994
*Needs signatures/funding is in account**

**D. Hillcrest Washington Youth Home check # 15604.....162,837.99
Quietus # 13785 1st Quarter/for acceptance

Kevin Bryant check # 518.....1,273.20
Quietus # 13813/for acceptance**

**E. Employment Changes
see attached lists**

F. Council Call/County Commissioners

1)	1300-3290	Transfer of Tuition	10,500.00
2)	1300-3050	Patient & Inmate	6,665.00
			185,350.00
			8,804.00
3)	1300-3530	Contractual Services	74,720.00
4)	1300-3610	Legal Services	2,501.00

G. Claim for payment:

1) Kevin Bryant 1,236.32
* attorney fees

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

DRAINAGE BOARD IMMEDIATELY FOLLOWING

COUNTY ENGINEER'S

CONSENT AGENDA

APRIL 25, 1994

1. CLAIMS:

CONTRACTUAL SERVICES 203-3930

Van Ausdall & Farrar (Inv. #4040500012) \$ 11.88

OHIO STREET BRIDGE #3C

Bernardin Lochaueller (Inv. #93-073-5(4)) \$ 200.00

Bernardin Lochaueller (Inv. #91-068-1(22)) \$ 4,950.04

USI & SR 62 430 BOND

Blankenberger Brothers R-20697(Est #16) \$45,908.55

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health/AIDS 213.6

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.6 112	Sarah Stanton	5029 Crossview Terrace Evansville, IN 47715	AIDS DIS	10,991.3 / HR 22,862.00	4/20/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature]

DATE 4-18-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department IVD Child Support Division - Prosecutor's Office

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1081199	Shannon Lynch	3911 Terra Trace Evansville, IN 47715	Temp. part-time Clerical	\$5.00 per hour	04-10-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature]

DATE 20 April 1994

May 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1 121 / 244	2 122 / 243 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners	3 123 / 242 Primary Election	4 124 / 241 3:30pm County Council	5 125 / 240	6 126 / 239 Pay Day	7 127 / 238
8 128 / 237 Mother's Day	9 129 / 236 4:30pm Solid Waste 5:30pm Commissioners	10 130 / 235	11 131 / 234	12 132 / 233	13 133 / 232	14 134 / 231
15 135 / 230	16 136 / 229 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Rezoning	17 137 / 228 9:00am Insurance Comm.	18 138 / 227	19 139 / 226 9:00am Steering Comm. 5:00pm Pigeon Creek	20 140 / 225 Pay Day	21 141 / 224 Armed Forces Day
22 142 / 223	23 143 / 222 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Brd.	24 144 / 221	25 145 / 220 3:30pm Personnel & Finance	26 146 / 219	27 147 / 218	28 148 / 217
29 149 / 216	30 150 / 215 Memorial Day (Observed)	31 151 / 214 4:00pm Exec. Session 5:30pm County Commissioners				

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

ORDINANCE NO. 36.20

ORDINANCE CONCERNING ESTABLISHMENT AND FUNDING OF
COUNTY CORRECTIONS FUND

WHEREAS, Senate Enrolled Act No. 395 added a new Chapter 6 to Indiana Code 11-12, which new Chapter 6 provides for the establishment and funding of a County Corrections Fund; and

WHEREAS, I.C. 11-12-6 provides that a County Legislative Body may adopt an ordinance before May 1 of each year to elect to receive deposits from the Indiana Department of Correction and to establish a County Corrections Fund; and

WHEREAS, the County Corrections Fund may be used only for funding the operation of the county's jail, jail program or other local correctional facilities; and

WHEREAS, the County Legislative Body shall designate either Level 1, Level 2 or Level 3 funding as defined in I.C. 11-12-6 with respect to deposits to be received thereunder; and

WHEREAS, Level 3 funding is the most appropriate level of participation for Vanderburgh County, Indiana;

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

1. The Board of Commissioners of Vanderburgh County, Indiana elects to receive deposits from the Indiana Department of Correction (the "Department") in accordance with Senate Enrolled Act 395, I.C. 11-12-6 (the "Act").

2. The Board designates Level 3 funding, as defined in the Act, with respect to all deposits to be received by Vanderburgh County under the Act and this Ordinance.

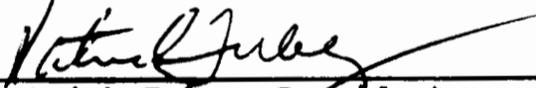
3. A fund, to be known as the "County Corrections Fund", is established. The County Corrections Fund shall consist of deposits made by the Department in accordance with the Act. Such Fund shall be administered by the County Fiscal Body.

4. The County Corrections Fund shall be used for any purpose authorized by the Act. Any money remaining in the County Corrections Fund at the end of the year does not revert to any other fund, but remains in the County Corrections Fund.

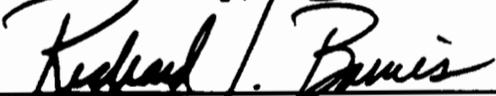
5. This Ordinance shall be in full force and effect upon adoption.

PASSED by the Board of Commissioners of Vanderburgh County, Indiana on the 25th day of April, 1994 and upon that day signed and executed by the members of the Board as appears by their respective signatures and all attested to by the Auditor of Vanderburgh County, Indiana.

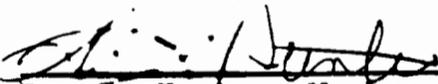
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA



Patrick Tuley, President



Richard J. Borries, Vice President



Don L. Hunter, Member

ATTEST:

Sam Humphrey cm
Sam Humphrey, Auditor
Vanderburgh County

APPROVED AS TO LEGAL FORM:

Alan M. Kissinger
Alan M. Kissinger
County Attorney

Two copies of the foregoing Ordinance filed this ____ day
of _____, 1994 at _____(time), and one copy has been
forwarded to the Commissioner of Correction, all in accordance
with I.C. 11-12-6-9 (a) (2), (b).

INDIANA SECRETARY OF STATE

By: _____

COPY

**Renewal Contract For
Paramedic Ambulance Services**

County of Vanderburgh

1994

Agreement to Provide Services

This agreement is made and entered into effective the First (1st) day of January, 1994, notwithstanding the date executed by and between the Board of Commissioners of Vanderburgh County, Indiana (hereinafter referred to as the "Board"), and Alexander Ambulance, an Indiana Corporation with its principal place of business located at 522 Northwest First Street, Evansville, Indiana (hereinafter referred to as the "Provider").

RECITATIONS

1. The Board finds it to be in the best interest of the citizens of those areas of Vanderburgh County lying outside the corporate limits of the City of Evansville (hereinafter referred to as the "Service Area") to provide the availability of Emergency Medical Services (hereinafter referred to as "EMS") as defined by I.C. 16-1-39-2 to residents in the Service Area.

2. The Board believes that the availability of EMS be Advanced Life Support ("ALS") as defined by the Indiana State Emergency Medical Services Commission and the Community Advanced Life Support Consortium established by Deaconess Hospital, St. Mary's Medical Center, and Welborn Baptist Hospital of Vanderburgh County, Indiana.

AGREEMENTS

NOW THEREFORE, in consideration of the foregoing, and in consideration of the mutual promises and covenants hereinafter contained, the parties agree as follows:

1. The term of this agreement shall be from 12:01 a.m. on January 1, 1994 until 11:59 p.m. on December 31, 1994, provided that the Board shall have the right, if just cause exists, to terminate this agreement by written notification to the Provider, which termination shall be effective ninety (90) days after the date of such written notification. For the purposes of the agreement, "just cause" shall exist in favor of the Board if the Provider fails or refuses to perform the services which are the subject of this agreement with reasonable speed or professionalism or in the event the Provider breaches any term of the agreement.

Just cause shall also exist in favor of the Board if the Provider, or any employees of the Provider, in the course of providing the services contemplated herein, violates any of the laws of the State of Indiana or any political subdivision thereof, or in the event the Provider, or any employee thereof, commits any deceitful, fraudulent, or otherwise unlawful act.

Just cause shall exist in favor of the Provider in the event the Board fails to meet its monetary commitments herein made and in the event that the Provider has notified the Board of such failure and given thirty (30) days written notice to the Board,

during which thirty (30) days the Board shall have the right to cure any such failure or default.

In the event Provider fails to perform the covenants and conditions of this agreement, the Board shall have the right to give written notice of such default. If Provider does not cure the default within thirty (30) days after the written notice, the Board shall be entitled to cancel this agreement and shall have all other rights and remedies available to it at law or in equity.

In the event this agreement is referred to attorneys for enforcement, the prevailing party in any litigation, by judgement, settlement or otherwise, shall be entitled to recover its attorneys' fees and cost. Any dispute which arises under or by virtue of this agreement shall be determined according to the laws of the State of Indiana. The Vanderburgh Circuit and Superior Courts shall have the sole jurisdiction to hear and determine any such dispute.

2. The Provider agrees that during the term of this agreement:

A. Provider will furnish emergency paramedic ambulance services for residents of and visitors within the service area, operating seven (7) days a week, twenty-four (24) hours a day without interruption.

B. Provider shall respond to requests for service originating in the service area coming from the Evansville-Vanderburgh Central Dispatch through the 911 system. An ALS

ambulance shall arrive on the scene of each emergency call within thirteen (13) minutes of the dispatch of the unit by the Provider in ninety percent (90%) of the calls. The ninety percent (90%) test will be applied on a quarterly basis.

No requests for ambulance service shall be exempt from response time compliance calculations, or from late-run penalty deductions, except as follows:

1. Requests not resulting in a patient transport.
2. Requests during a period of unusually-severe weather conditions, such that response time compliance is either impossible or could be achieved only at a greater risk to the public than would result from delayed response;
3. Late runs resulting as a consequence of inaccurate or incomplete information obtained by Provider communication center, or by information relayed by Evansville-Vanderburgh County Central Dispatch to the Provider, during telephone questioning of a caller.
4. Requests during a declared disaster, locally or in neighboring jurisdiction, in which the Provider is rendering assistance. During such periods, the Provider shall use best efforts to simultaneously maintain coverage within the City of Evansville and Vanderburgh County as well as provide disaster assistance.
5. In cases where multiple paramedic-capable units are dispatched to a single incident, the first-arriving

paramedic unit shall "stop the clock," and response times of later-arriving units shall be excluded from response time statistics and late run penalties.

If the provider feels that a run or group of runs should be exempt from the response time stated above, Provider may state same in writing to the Board explaining its reasons for requesting such a waiver.

The Board shall have the final determination whether a run or group of runs shall be exempt from the response time standard.

No other causes of late response (e.g. equipment failure, vehicle accident regardless of origin, or other causes within Provider's reasonable control) shall serve to justify exemption from response time requirements. Representatives from Vanderburgh County or their designates, may periodically verify (by sampling technique) the accuracy of the Provider's response time reporting.

Failure to meet maximum response time on a per run basis will result in a penalty of \$10.00 per minute in excess of thirteen (13) minutes to a maximum of \$100.00 penalty per run.

Failure to meet the maximum response time 90% of the time in a given quarter will result in a \$5,000.00 reduction of that quarter's subsidy payment.

The Provider shall deduct all appropriate penalties from the quarterly invoice to the Board. The Provider shall provide the Board with a summary report of all penalties incurred for that quarter.

C. The Provider shall be entirely responsible for the furnishing and maintenance of its vehicles and on-board equipment, including, but not limited to, mobile radios and expendable supplies.

Provider shall have a communications system meeting all requirements of the law. Further, its ambulances shall meet the requirements set forth by law and State regulation, including, but not limited to, those requirements regarding sirens and warning lights.

Provider shall obtain all proper licenses and certifications as an "ambulance service provider" and shall also obtain proper licenses and certifications for each individual ambulance unit.

D. The Provider will use said equipment and personnel for the purpose of responding to calls for Emergency Medical Service by any person then located in the Service Area through any of the following sources:

1. Evansville-Vanderburgh County Central Dispatch;
2. The Indiana State Police;
3. The Sheriff's Department of Vanderburgh County, Indiana;

4. The Police Department of the City of Evansville, Indiana;
5. The Fire Department of the City of Evansville, Indiana;
6. Any Suburban Volunteer Fire Department for any Township in Vanderburgh County, Indiana;
7. The Emergency Management Agency of Vanderburgh County, Indiana.

The parties to this Agreement concur that Provider is to be given the exclusive 911 contract for the provision of Advanced Life Support ambulance services within the Service Area of the Board. This Agreement, however, is not intended to address non-emergency convalescent runs or runs requested through a seven digit telephone number to another provider.

All 911 calls are received by Evansville-Vanderburgh Central Dispatch and if the call requires ambulance response, it will be trunked to the Provider's Communication Center. Direct dispatching of all 911 calls to the ambulance will be the responsibility of the Provider.

This Agreement hereby establishes that the Medical Priority Dispatch System's (MPDS) Dispatch Life Support (DLS) is the standard of care for the communication center directly responsible for ambulance dispatching in Vanderburgh County for 911 calls.

Therefore, all personnel functioning in the Provider's Communication Center as System Status Controllers shall be

certified and possess field experience as an EMT or Paramedic in addition to Advanced Emergency Medical Dispatcher (EMD) and System Status Management (SSM).

To initiate pre-hospital care at the time the call is received and to assure a rapid dispatch of the appropriate resources the Provider shall utilize Pre-Arrival Instructions (PAI) to 911 callers, when appropriate, employing Medical Priority Dispatching Protocols, as promulgated by the NAEMD.

E. The Provider shall provide for all personnel, manpower, and supervision for advanced life support service and maintenance and repair service provision. Provider shall utilize peak-load staffing schedules in order to keep the cost of operations to a minimum. All personnel will meet certification requirements as required for certification by both the Indiana State Emergency Medical Services Commission and the Community Advanced Life Support Consortium of Vanderburgh County, Indiana.

Provider shall be entirely responsible for staffing needs, shift scheduling, hiring, firing, and disciplining of employees, wages and compensation of employees, including fringe benefits, any and all withholdings, payroll and corporation taxes, and other aspects of the company business.

Provider's employees shall perform in a professional and courteous manner. These employees shall follow the medical protocol as drafted by Consortium, including, but not limited to, "Algorithms for Evaluation of Pre-Hospital Care."

Provider shall institute a program of medical audit and quality assurance in conjunction with the Consortium. The quality assurance program will include, but not be limited to, routine and random audits by the Chief Medical Officer for review and recommendation on problem trends in paramedic skills, monthly meetings to receive findings and decisions from the Chief Medical Officer, Chief Medical Officer approval of in-service training schedules, new employee orientation requirements of 40 hours of classroom training and 40 hours of hands-on training on the ambulance, and recognized medical priority dispatch protocols.

Provider shall institute a program of continued medical education and in-service training in conjunction with the Consortium. Provider shall make all efforts to provide such training during employees scheduled work hours, in order to keep operational costs down.

Provider shall require the following minimum number of hours for continuing education per year for each level of medical training:

EMT	24 Hours
Paramedic	60 Hours
Emergency Medical Dispatcher .	16 Hours

Provider shall also require annual completion of OSHA-required programs, including but not limited to hazardous materials and infection control, and an annual CPR recertification from a nationally recognized program.

Provider shall require the following paramedic skill levels to be in effect by the dates set out below. Provider agrees, to meet any new clinical credential that is established during the term of this Agreement, without any additional cost to the Board.

July 1994	Pediatric Advanced Life Support
July 1994	above, plus All-Safe Driver Training
July 1996	above, plus National Registry of EMT-Paramedics

It is understood that each ambulance will be staffed at a minimum with a State certified Paramedic with Basic Trauma Life Support and Advanced Cardiac Life Support certifications and a state certified Emergency Medical Technician for providing routine coverage under the provisions of this agreement.

Provider system status controllers shall be certified at a minimum as Advanced Emergency Medical Dispatchers and System Status Managers. Provider agrees to meet any new credential that is established during the term of this Agreement, without any additional cost to the Board.

F. Professional and courteous conduct shall be required by the Provider and its officers and agents at all times. Provider agrees to take appropriate disciplinary actions against its agents, employees, and ride-alongs upon receipt of complaints received by the Provider or the Board. Provider agrees that Vanderburgh County Sheriff's deputies and fire fighters, who are

often on the scene of an emergency situation as first responders, will be treated in a professional and courteous manner.

3. It is understood and agreed that the Provider enters into this agreement as an independent contractor of the Board and shall in no way or manner represent or cause others to believe that the Provider is an agent of the Board or an officer, employee or official of Vanderburgh County.

4. For the purposes of this Agreement, it is presumed that Provider may have on the ambulance, or at its place of business, persons who are not agents or employees. These persons shall be designated as ride-alongs.

5. The Provider will have in effect at all times a binding agreement, a copy of which will be provided to the Board, with the Community Advanced Life Support Consortium of Vanderburgh County, Indiana or an appropriate supervising and sponsoring hospital approved by the Indiana State Emergency Medical Services Commission.

6. Maintain in effect and in full force during the term of this agreement or any extension or renewal thereof, insurance coverage in the types and amounts required by laws of the State of Indiana and/or the rules and regulations of the State of Indiana Emergency Medical Services Commission. Provider shall, within

thirty (30) days of this agreement, and thereafter upon the reasonable request of the Auditor of Vanderburgh County, provide documentation which establishes compliancy with this paragraph.

In addition, Provider shall hold the County of Vanderburgh, the Board, and all elected and appointed officials and employees of Vanderburgh County, and all of their agents, officers, attorneys, designates, heirs, and assigns, harmless from, and indemnify them for, any and all losses or damages recovered by judgement or compromise with respect to any person or property due to accidents, injuries, or damages suffered by such persons or properties due to the negligence, willful, or wanton misconduct or lack due care of the Provider or any of the Provider's employees in the course of providing services which are subject of this agreement.

7. At any time when the Provider is rendering services contemplated by this agreement, Provider shall be subject to the jurisdiction and direction of the Sheriff of Vanderburgh County, Indiana, and his duly appointed deputies if the Provider arrives at a site where said Sheriff or his duly appointed deputies are acting in an official capacity; provided, however, that Provider shall have the unrestricted discretion and authority in caring for sick or injured persons and the unrestricted discretion in determining the order of removal of such sick or injured persons from the scene.

8. For services so rendered, Provider agrees to bill it's usual and customary charges in effect at the date service is provided to persons in the Service Area.

9. All billings for services rendered by the Provider shall be processed and sent by and through the Provider as part of this contract for no additional consideration. Provider shall have the obligation to send statements for such services to the party or parties responsible thereof for a continuous period of ninety (90) days, with a minumum of one (1) statement being sent each thirty (30) days. In the event that the party or parties responsible for the services so rendered by the Provider have not paid the subject obligation before the third billing, Provider agrees to include a letter prepared and provided by the Board's attorney addressed to the responsible party or parties, with its mailing of the third statement.

At the conclusion of the one hundred twenty (120) days following the date of the first billing, if the account has not been paid for, no agreement for periodic payments is in effect and if no active insurance claim is pending, the unpaid account shall be assigned by the Provider to Vanderburgh County, Indiana, for collection by written letter to the Board. Any funds collected by the Board after the assignment of such unpaid accounts shall be retained by Vanderburgh County. The Provider agrees to cooperate in the prosecution of such accounts by allowing its employees to present themselves for testimony in the

legal proceedings with respect to such collection matter without charge to the Board.

10. Provider shall not be required to accept Medicare assignment in respect to services rendered under this contract.

11. Within forty five (45) days of the close of each calendar quarter, the Provider shall furnish to the Board a statement of income and expenses with respect to the maintenance and operation of the emergency medical services which is subject to this agreement for the last preceding calendar quarter.

This quarterly report shall disclose:

- A. total income of Provider during the applicable period from all operations of equipment and personnel under this contract;
- B. total operating expenses attributed to all operations of the equipment and personnel designated to be employed by the Provider under this contract including expenses incurred as a result of Provider's private employment of said equipment and personnel;
- C. operating expenses attributed solely to the operations of the equipment and personnel experienced by the Provider under this contract, shall then be determined according to generally accepted accounting principles,

consistently applied and acceptable to the Indiana State Board of Accounts so as to show an apportionment of the total expenses to the operations of Provider under the terms of this contract based upon a ratio comparison of Provider's operations of the subject equipment and personnel under this contract ("County Runs") to Providers operations of the same equipment and personnel for its private purposes ("Private Runs and City Runs").

The Board or its duly appointed representatives shall have then a period of thirty (30) days within which to examine into the accuracy of said report. In the course of examining said report, the Board shall have access to all of the financial records, journals of the Provider at all reasonable times.

In the event the quarterly statement reveals an operating loss by the Provider with respect to services provided under this agreement, and in the event said statement of operating loss is accepted by the Board, the Board shall thereupon reimburse the Provider for said operating loss; provided, however, that the Boards's obligation to reimburse the Provider for such operating loss shall be limited to a total reimbursement during the calendar year 1994 in the sum of One Hundred Ninety Seven Thousand Nine Hundred Seventy Seven Dollars and Ninety Cents

PT (~~\$197,977.90~~).

185,000.00 PT

↳ Budget for 1994

It is further agreed that in the event an operating profit is realized by the Provider during the term of this agreement, the Provider shall, within forty-five (45) days after the expiration of the term of this agreement, pay over such profit to the Board to the extent, and only to the extent, that the Board has previously reimbursed the Provider for operating losses during the term of this agreement. Any excess profit shall then be applied to offset operating losses in any subsequent calendar quarters prior to any request from the Provider for reimbursement for operating losses in such subsequent calendar quarters.

12. The parties understand and agree that the Provider will use all emergency medical service vehicles and personnel at the Provider's disposal for services not included under the terms of contract in providing service to the City of Evansville and for private calls

13. The Provider is authorized under the terms of this agreement to provide an ambulance subscription membership program to the residents in the Service Area.

14. It is understood by the parties that, pursuant to law, the Suburban Fire Departments shall remain the entities designated for owning and maintaining equipment and providing skills and services necessary in cases of extrication and shall respond with Provider, as needed. The Suburban Fire Departments shall

maintain duties as first responder. Personnel of the Suburban Fire Departments shall operate as first responders. The Provider may call the Suburban Fire Departments for secondary response, if additional manpower is needed.

At no additional cost to the Board, provider will assist in development of the first-responder system by providing the items below, including, but not limited to:

- a. entry-level and in-service training,
- b. paramedic assistant program
- c. automatic external defibrillation training,
- d. on-scene medical equipment exchange program,
- e. prompt return-to-station, as demand levels allow,
- f. on-scene medical surveillance for the Vanderburgh County Sheriff's Department and the Suburban Fire Departments as requested on calls such as hazardous materials responses and structure fires. Medical standby for training drills will require a forty-eight (48) hour advanced notice for coverage or if no notice is provided then coverage will be provided as demand levels allow.

15. Mutual Aid Agreements. Provider shall establish mutual aid agreements with local basic life support providers and regional advanced life support providers for support and transport in disaster situations and as required to meet the conditions of this agreement. Upon contract execution, copies of existing

mutual aid agreements shall be provided to the Board. Any further agreements shall be jointly agreed upon by the Emergency Management Advisory Council (EMAC) and the Provider, subject to the approval of the Medical Director, and final signed copies shall be forwarded to the Board.

16. Disaster. The Provider shall be aware of and shall interface with the Evansville-Vanderburgh County Emergency Operations Plan, particularly in the aspects regarding the treatment and removal of the sick and injured patients. During such periods, either in the Service Area or in regional areas, the Provider shall be released from the response time performance requirements, including late run penalties, until notified by the Evansville - Vanderburgh County Emergency Management Agency Director that the disaster assistance may be terminated. Any internal disaster plans, shall be jointly agreed to by the EMAC and the Provider, subject to the Medical Director's approval, and final copies shall be provided to the Board.

17. Reports. For all calls that exceed the response time requirement of this agreement, the Provider shall submit a quarterly report to the Board within thirty (30) days following the close of the calendar quarter. This report shall include a general summary of the facts, the cause of the extended response time, and what action has been taken by the Provider to reduce response time in similar circumstances in the future.

18. This agreement may be executed in multiple counterparts, each of which when so executed shall be deemed to be an original, and all such counterparts together shall constitute one and the same instrument notwithstanding the actual date of the execution thereof.

19. If any provision of this agreement or the application of such provision to any person or circumstance is held invalid, the remainder of the agreement in the application of such provision to persons or circumstances other than those as to which the same has been held invalid, shall not be affected adversely thereby.

20. This agreement may be modified only by an agreement in writing executed by all the parties hereto. This agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, personal representatives, successors and assigns, subject, however, to the restrictions against assignment as provided for hereinabove. The waiver by any party of a breach of the provisions shall not operate or be construed as a waiver of any subsequent breach hereof.

21. The Provider will present to the Board a summary of services rendered under the terms of this agreement for the period January 1 through June 30. This presentation will be made at the Board's discretion, no earlier than the first scheduled Board meeting in

BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

BY: Patrick Juley

DATE: 4-25-94

ALEXANDER AMBULANCE

BY: _____

DATE: _____



CITY OF EVANSVILLE
Evansville Redevelopment Commission

304 Civic Center Complex, One N.W. Martin Luther King, Jr. Blvd.
Evansville, Indiana 47708-1833
(812) 426-5380 / FAX (812) 426-5399

Frank F. McDonald II
Mayor

April 7, 1994

Patrick Tuley, President
Board of Commissioners
Vanderburgh County
1 N.W. ML King Blvd., Room 305
Evansville, IN 47708

Re: Surplus Tax Sale Property - Jacobsville
Redevelopment Area

Dear Mr. Tuley:

Per your conversation of April 4, 1994 with Mariann Kolb, Executive Director of the Department of Metropolitan Development, you agree to sell to the Evansville Redevelopment Commission the four (4) Class B properties outlined in Ms. Kolb's letter of March 22, 1994.

I have attached, for the Board of Commissioners approval, a resolution approving the transfer of these properties for \$1.00 each. (Note corrected short legal for 112 W. Illinois.) Upon receipt of your signed resolution, we will present our resolution to the Redevelopment Commission.

Thank you for your cooperation.

Sincerely,

Jean A. Isinger
Redevelopment Specialist

JAI/jy
Attachment

RESOLUTION BY THE BOARD OF
COMMISSIONERS OF VANDERBURGH COUNTY TO
SELL AND CONVEY TO THE CITY OF EVANSVILLE,
A MUNICIPAL CORPORATION, FOR THE USE AND BENEFIT
OF ITS DEPARTMENT OF REDEVELOPMENT, SURPLUS PROPERTIES
LOCATED IN THE JACOBSVILLE REDEVELOPMENT PROJECT AREA

WHEREAS, I.C. 6-1.1-25-9 provides that the Board of Commissioners may dispose of real property acquired by the county through tax sale under I.C. 36-1-11,

WHEREAS, I.C. 36-1-11-8 provides that the Board of Commissioners may transfer or exchange property with a government entity upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity for any amount of real property, cash, or other personal property, as agreed by the entities,

WHEREAS, the City of Evansville, Department of Redevelopment, requests the purchase of the following properties located within the Jacobsville Redevelopment Project Area from the Board of Commissioners of Vanderburgh County,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Vanderburgh County that they will convey fee simple title on the following properties to the City of Evansville, a Municipal Corporation, for the use and benefit of its Department of Redevelopment:

<u>Tax Code</u>	<u>Address</u>	<u>Legal Description</u>	<u>Price</u>
11-410-26-015-028	105 Harriett St.	Sharpes Enl., 24 ft. L 16, Blk 5	\$1.00
11-430-26-036-004	107 Read St.	Brinkmeyer Enl., L. 17, Blk 1	\$1.00
11-430-26-037-013	112 W. Illinois St.	Northern Enl., 20 ft. E. L. 15, Blk 3	\$1.00
11-430-26-039-007	105 W. Illinois	Northern Enl., 20 ft. L7, Blk 6	\$1.00

ADOPTED THIS _____ DAY OF _____, 1994.

Patrick Tuley, President

Rick Borries, Vice-President

Don Hunter, Member

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, APRIL 15, 1994 THRU THURSDAY, APRIL 21, 1994

FRIDAY, APRIL 15, 1994

Two patch crews worked on St. Joe Ave.
Gradall and one crew worked at 5900 Old Boonville Road.
Gradall and three crews worked on Green River Road.
One crew worked on Seib Road off of Orchard.
Grader worked on Outer Darmstadt.

MONDAY, APRIL 18, 1994

Gradall and one crew installed culvert at 4401 Korressel.
Two patch crews worked on St. Joe Ave.
Two crews worked on Seib Road.
Grader, broom, and three crews rocked shoulders on Old State.
One crew ran barricades, and the cub cadet cut medians.

TUESDAY, APRIL 19, 1994

Gradall and two crews worked on Old Henderson Road.
Two patch crews worked on Hirsch Road.
Grader, broom, front end loader and four crews pulled shoulders
on Darmstadt Road.
Cub cadet worked on St. Joe Ave.

WEDNESDAY, APRIL 20, 1994

Gradall and one crew worked on Boonville New Harmony.
Gradall and one crew worked on Greenriver and Marlene.
Grader, broom, front end loader and four crews pulled shoulders
on Darmstadt Road.
Two patch crews worked on St. Joe Ave, Crowley and Lexington.
Tree crew worked on Bromm, St. Wendell, and Buente Road.

THURSDAY, APRIL 21, 1994

Gradall and one crew installed culvert on Korressel Road.
Two patch crews worked on work orders.
Grader, broom, front end loader and three crews pulled shoulders
on Darmstadt Road.
Tiger Mower worked on Mill, #6 School Road, Henze and Happe Road.
Cub Cadet worked on Frontage, Woods Road and Scott Road.
Tree crew worked on S. Weinbach and Lynn Road.
One crew mowed grass at the garage.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, APRIL 15, 1994 thru THURSDAY, APRIL 21, 1994

FRIDAY, APRIL 15, 1994

Crew #1 - finish drop box on Bromm Road, clean and check field access pipe on Old Princeton.
Crew #2 & #3 - install rip rap on Green River Road, clean drain and pipe on Bixley Ct.

MONDAY, APRIL 18, 1994

Crew #1 - work on drop box on Bromm Road, cut brush from outlet side on box culvert on Buente Road.
Crew #2 - install pipe culvert on Korressel, start on 1931 Allen Lane project.

TUESDAY, APRIL 19, 1994

Crew #1 - clean New Harmony Road bridges, check bridge signs, paint guard rails.
Crew #2 - haul rip rap to Green River Road and Duesner Road.
Crew #3 - stack rip rap on Greenriver and Duesner Road.

WEDNESDAY, APRIL 20, 1994

Crew #1 & #2 - add old guard rail at washout at 102 Red Bank, remove guard rail on Red Bank and New Harmony, repair guard rail at New Harmony and Resurrection.
Crew #3 - repair drop box at 1931 Allens Lane.

THURSDAY, APRIL 21, 1994

Crew #1 & #2 - repair drop box on southside of road at 709 Mels Drive, remove drop box frame on Bromm Road.
Crew #2 - install plastic driveway culvert at 4401 Korressel Road, cut out and finish drop box on Allens Lane.
Crew #3 - repair broken concrete road pipe at 3951 N. GreenRiver.
Crew #4 - have backhoe repaired.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for April 25, 1994

1. Change order for Virginia Street for \$4,132.91 ^{increase} - RS/DJ
2. Cross Pointe Boulevard road plans — DJ/RB
3. Letter authorizing United Consulting to purchase five parcels of right of way on Green River Road Section C for \$27,570 — RS/DJ
4. Council call request to transfer \$27,570 from Lynch Road to Green River Road — DJ/RB
5. Mill Road railroad crossing agreements — RB-DJ
6. Petersburg Road Culvert Replacement Notice to Bidders — RS/DJ.
7. Lt. KINDOT

SUPPLEMENTAL AGREEMENT # 2

Project No. MAM-M-E340(6)
Reconstruction of Green River Road
Section "A"
Vanderburgh County, Indiana

Original Agreement Dated January 22, 1989

This SUPPLEMENT, made and entered into the 25th day of April, 1994, by and between Vanderburgh County, Indiana, acting by and through the Board of County Commissioners, hereinafter referred to as the "OWNER" and United Consulting Engineers, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the OWNER and CONSULTANT entered into an Agreement dated January 22, 1981, and a Supplemental Agreement dated September 27, 1993, for the CONSULTANT to complete the construction engineering services for the Road Reconstruction project and

WHEREAS, the OWNER desired the CONSULTANT to complete the construction engineering services to insure that the construction complies with the plans and specifications for INDOT Contract R-19511 and the requirements of the INDOT and the FHWA, and

WHEREAS, the CONSULTANT, as of this date, has compiled the required information documenting the construction of the project as authorized by the OWNER, the INDOT and the FHWA, and the compilation of this information including unanticipated extra items of work, and

WHEREAS, the CONSULTANT did not estimate sufficient manhours in the original Agreement and Supplemental Agreement to provide the necessary resident inspectors required by the INDOT and the FHWA and the project's longer completion schedule due to unexpected circumstances as detailed in the attached Exhibits I through III, and

WHEREAS the CONSULTANT desires to complete the remaining items of work required under the provisions of APPENDIX "A", SERVICES BY CONSULTANT, and

WHEREAS, in accordance with APPENDIX "D", COMPENSATION, Section B(3) the CONSULTANT'S total costs are within ten percent (10%) of the maximum amount payable, and the services outlined in the original Agreement have not been completed.

NOW THEREFORE, it is agreed by and between the parties that in order to provide for completion of the work it is necessary to amend the original Agreement to provide for completing the required services as follows:

Amend APPENDIX "D", COMPENSATION, Section A(4) to increase the total not to exceed compensation of \$388,533.15 by the amount of \$33,000.00 to a new not to exceed amount of \$421,533.15.

EXCEPT as herein modified, changed and supplemented, all terms of the original Agreement dated January 22, 1991, shall continue in full force and effect.

IN TESTIMONY WHEREOF, the parties hereto have executed the SUPPLEMENT.

Approved: United Consulting
Engineers, Inc.

Jacob E. Hall
Jacob E. Hall, President

Date: 4-20-94

Approved: Board of Vanderburgh County
Commissioners

Richard Borries
Richard Borries

Patrick Tuley
Patrick Tuley

Don L. Hunter
Don L. Hunter

Attest:

Ronald B. Miller
Ronald B. Miller, Treasurer

Attest:

Sam Humphrey
Sam Humphrey, County Auditor

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

Rev. 4/4/91

State of Indiana County of Marion SS:

Before me, the undersigned Notary Public in and for said County personally appeared Jacob E. Hall, President and Ronald B. Miller, Treasurer
(name of signers, their official

United Consulting Engineers, Inc.
capacity and firm name)

and each acknowledged the execution of the foregoing contract on this 20th day of April, 19 94, and each acknowledged and stated that he/she is the party authorized by the said firm to execute the foregoing contract.

Witness my hand and seal the said last named date.

My Commission Expires

May 15, 1996

Pamela J. Neidenberger
Notary Public

Pamela J. Neidenberger

Print or type name

MARION
County of Residence

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

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Patrick Guly, Richard J. Boniew one
(Name of signers, their official capacity and agency name)

Don L. Hunter / Boss or Commissioner

and acknowledged the execution of the foregoing agreement on this 25th day of April, 19 94.

Witness my hand and seal this said last named date.

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

Joanne A Matthews
Notary Public
JOANNE A. MATTHEWS
Print or type name

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA

)

COUNTY OF MARION

)

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

United Consulting Engineers, Inc.

Jacob E. Hall

Jacob E. Hall, President
(Print or type name)

Subscribed and sworn to before me this 20th day of April, 19 94.

[Signature]
Notary Public -

My Commission Expires

May 15, 1996

DEBARMENT CERTIFICATION
Jacob E. Hall - President

(PRINTED OR TYPED NAME OF OFFICIAL)

being duly sworn, certifies that except as noted below, the CONSULTANT or any person associated therewith in the capacity of owner, partner, director, officer, principal investor, project director, manager, auditor, or any position involving the administration of federal funds:

- 1) is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- 2) has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- 3) does not have a proposed debarment pending; and
- 4) has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Exceptions are as follows:

None

Exceptions will not necessarily result in denial of award, but will be considered in determining the CONSULTANT'S responsibility. For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions.

BY Jacob E. Hall President
(SIGNATURE) (TITLE)

Jacob E. Hall

PRINTED OR TYPED

United Consulting Engineers, Inc.

COMPANY

Before me, a Notary Public in and for said County and State, personally appeared Jacob E. Hall, who swore to and acknowledged the truth of the statements in the foregoing certification on this 20th day of April, 19 94.

BY Pamela J. Neidenberger
(SIGNATURE) (NOTARY PUBLIC)

My Commission Expires May 15, 1996

MARION
(COUNTY OF RESIDENCE)

Pamela J. Neidenberger
(PRINTED OR TYPED)

**SUPPLEMENTAL AGREEMENT
EXHIBIT I
Project No. MAM-M-E340(6)
Reconstruction of Green River Road
Section "A"**

The first Supplemental Agreement for construction engineering services on this project assumed that all work would be complete by the end of 1993. However, it is now estimated that the construction work will not be completed until sometime in April, 1994. Therefore, additional time is needed in 1994 for our staff to complete the construction inspection and contract records. See Exhibit II for additional time required in 1994 to finish all work on the project.

Mr. Pat Tuley
Rm 305 Civic Center
1 NW Martin Luther King Jr Blvd
Evansville IN 47708

April 21, 1994

Dear Mr. Tuley:

RE: Abandoned Property - Board of County Commissioners
of Vanderburgh County

Thank you for your call regarding the outstanding Cashiers Check for the Board of County Commissioners of Vanderburgh County.

To claim this money, please sign the enclosed Indemnity Agreement as a representative of the Board of County Commissions of Vanderburgh County, have the agreement notarized and return the form to me in the envelope provided. Upon receipt of the completed agreement, a replacement check will be issued.

If you have any questions, please call me at 464-3255.

Sincerely,

Janis Dimmett

Janis Dimmett
Customer Accounting Officer

JD/jw

Enclosures

CORRECTED ADDENDUM

A D D E N D U M T O A G R E E M E N T

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

<u>CLASSIFICATION</u>	<u>Effective 1/1/94</u>	<u>Effective 1/1/95</u>	<u>Effective 1/1/96</u>
Night Watchman.....	\$ 11.3562	\$ W	\$ W
Janitor.....	11.3562		
Laborer.....	11.3562		
Lead Mechanic.....	12.5504	A	A
Mechanic.....	11.8774		
Heavy Equipment Operator.....	11.8923		
Lead Man.....	11.8923	G	G
Grease Man.....	11.6875		
Truck Driver.....	11.6750		
Tool Crib Attendant.....	11.3451	E	E
Gasoline Man.....	11.6759		
Utility Mechanic.....	11.8923		
Heavy Equipment Grease Man.....	11.8923		
Tool Crib.....	11.6875		
Bookkeeper/Payroll Clerk.....	9.7807		
Secretary.....	8.8951		

VANDERBURGH AUDITORIUM AND CONVENTION CENTER

Leadman.....	11.7317	R	R
*Laborer/Parking Lot Attendant.....	11.4326		
Maintenance.....	12.6153		

BURDETTE PARK

Cashier/Bookkeeper.....	8.8201	O	O
Office Assistant.....	7.7283		
Bookkeeper/Day Camp Administrator.....	12.6206		
Maint/Mechanic.....	12.6206		
Maint/Carpenter.....	12.6206	P	P
Maintenance (Laborer -2).....	11.4427		
Iron Worker/Carpenter.....	12.0317	E	E

CUMULATIVE BRIDGE

Operator.....	12.1701	N	N
Laborers.....	11.4322		

COUNTY MAINTENANCE

Maintenance Person.....	11.6384	R	R
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*Includes all custodial duties also.

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: April 19 DEPARTMENT: Assist / Health

EMPLOYEE(S): Jill Snelan

DATE(S) OF TRAVEL: April 27-28

DESTINATION: Indianapolis

PURPOSE: Assist Staff meeting; ISDH

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

LODGING REQUIRED: Yes

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: 873

OTHER: _____

REIMBURSEMENT CLAIMED

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

Be checked by B.G.

MT

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 25th day of April 1994

[Signature]
RICHARD J. BORRIES, PRESIDENT

[Signature]
PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 4/20/94 DEPARTMENT: VANDEBURGH COUNTY ASSESSOR

EMPLOYEE(S): JAMES L. ANGERMEIER

DATE(S) OF TRAVEL: MAY 12, 1994

DESTINATION: INDIANAPOLIS, IN.

PURPOSE: TO ATTEND COUNTY ASSESSOR'S BOARD OF DIRECTOR MEETING

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

LODGING REQUIRED: NO

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

REIMBURSEMENT CLAIMED

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

Pat on hold 4/25/94

APPROVED: _____
Department Head
James L. Angermeyer
APPROVED: _____
Office Holder

APPROVED BY:
VANDEBURGH COUNTY COMMISSIONERS this _____ day of _____, 1994

RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER



Connie S. Prible

Wells County Assessor
Courthouse, Bluffton, Indiana 46714

April 18, 1994

TO: BOARD OF DIRECTORS

FROM: CONNIE

Jim

It hasn't been too long since our last meeting, but Judy Sharp has done an efficient and timely job again. She has talked with a company about our pins and badges which we discussed at our last meeting.

We would like to meet at the Marriott again on May 12, 1994, at 10:30 A.M. to see the different options for pins and decide what we want to do. In order to have these ready by the August conference, we will need to get these ordered.

Judy has some good ideas, and I hope you can be there to make this decision with us. Please let me know if you will or will not be there, so that we will not wait on you if you are not coming.

Thank you for all of your time and work that you have put in for the Association. It is greatly appreciated.

Hope to see you on the 12th.

Connie

RECEIVED
APR 20 1994

James L. Angerman
Vanderburgh County Assessor

NOTICE OF MEETINGS
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
EXECUTIVE SESSIONS
MAY 1994

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold Executive Sessions as follows during the month of May at 4:00 p.m. in Room 307, Civic Center Complex, Evansville, Indiana: Mondays -- May 2nd, May 16th and May 23rd, and on Tuesday, May 31st (due to the Memorial Day holiday on Monday, May 30th, at which time all County offices will be closed).

PURPOSE OF SAID MEETINGS is to discuss Pending and Possible Litigation and Personnel Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

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

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

19-Apr-94

MONTH ENDING--MARCH 1994

VANDERBURGH COUNTY TREASURER

CHARGES:

1. TOTAL TAXES COLLECTED	\$1,594,121.30
2. STATE ASSESSED WEED	\$5,234.00
3. INNKEEPERS TAX	\$22.00
4. CASH CHANGE FUND	\$500.00
5. CERTIFIED TO CLERK	\$94,670.79
6. DEMAND FEES	\$410.00
7. DELINQUENT WEED	\$4,487.14
8. DRAINAGE ASSESMENTS	\$4,657.34
9. BOAT EXCISE TAX	
10. GROSS INCOME TAX	\$17,297.04
11. LICENSE EXCISE TAX	
12. AIRCRAFT EXCISE TAX	
13. AUTO RENTAL EXCISE TAX	
14. SEWAGE COLLECTIONS	\$4,068.96
15. TAX SALE - ADVERTISING	\$323.00
16. TAX SALE - ATTORNEY	
17. TAX SALE - TITLE SEARCH	
18. TOTAL BALANCE OF LEDGER ACCOUNTS - CASH	\$11,772,556.74
19. TOTAL BALANCE OF LEDGER ACCOUNTS - INVESTMENTS	\$3,428,980.71
20. TOTAL CHARGES	<u>\$16,927,329.02</u>

CREDITS:

21. DEPOSITORY BALANCES AS SHOWN BY DAILY BALANCE OF CASH AND DEPOSITORIES RECORD	\$1,206,084.91
22. INVESTMENTS AS SHOWN BY DAILY BALANCE OF CASH AND DEPOSITORIES RECORD (COLUMN 12, LINE 38)	\$14,312,657.15
23. TOTAL CASH ON HAND AT CLOSE OF MONTH	
CURRENCY	\$3,686.00
COINS	\$32.00
CHECKS, MO, ETC.	\$1,047,655.01
UNCOLLECTED CKS	\$10,206.49
TOTAL	\$1,061,579.50
24.	
25.	
26. TOTAL	
27. CASH SHORT (ADD) VOLPE (\$346939.30) BLAND (\$68.16)	\$347,007.46
28. CASH LONG (DEDUCT)	
29. PROOF	<u>\$16,927,329.02</u> <u>\$16,927,329.02</u>
RECONCILEMENT WITH DEPOSITORIES	
30. BALANCE IN ALL DEPOSITORIES PER DAILY BALANCE RECORD (#21 ABOVE)	\$1,206,084.91

31. OUTSTANDING WARRANTS (DETAILED LIST BY DEPOSITORIES)		\$1,038,139.07
32. BALANCE IN ALL DEPOSITORIES PER BANK STATEMENTS (DETAILED LIST)		\$2,248,128.67
33. DEPOSITS IN TRANSIT	04/01/94	\$1,050,873.01
34. ADJUSTMENTS		(\$3,904.69)
35. PROOF		\$2,244,223.98
		<u>\$2,244,223.98</u>

ANALYSIS OF CASH ON HAND AT CLOSE OF MONTH:

(A) CASH CHANGE FUND	\$500.00
(B) RECEIPTS DEPOSITED IN DEPOSITORIES	\$1,050,873.01
(C) UNCOLLECTED ITEMS ON HAND	\$10,206.49
(D) TOTAL (MUST AGREE WITH # 23)	\$1,061,579.50

DEPOSITORY BALANCES AT CLOSE OF MONTH

	BALANCE PER BANK STMT	ADJUSTMENTS	OUTSTANDING CHECKS	BALANCE PER DAILY BALANCE OF CASH AND DEPOSITORIES
OLD NATIONAL BANK	\$2,967.18			\$2,967.18
CITIZENS NATIONAL BANK	\$2,237,930.07	(\$3,904.69)	\$1,038,139.07	\$1,195,886.31
NATIONAL CITY BANK	\$7,226.42			\$7,226.42
INB	\$5.00			\$5.00
TOTAL	\$2,248,128.67	(\$3,904.69)	\$1,038,139.07	\$1,206,084.91

SCHEDULE OF UNCOLLECTED ITEMS ON HAND

DATE ORIGINALLY RECEIVED	RECEIVED FROM	FOR	DATE RETURNED	RETURNED BY	REASON FOR RETURN	AMOUNT
02/25/94	SURVEYORS ASSOC.	QUIETUS	03/07/94	CITIZENS	INS FUNDS	\$104.00
03/17/94	JOHN C. WELKER	BURDETTE PARK	03/29/94	CITIZENS	INS FUNDS	\$236.95
03/24/94	AGNES BRACKEN	INHERITANCE	03/31/94	CITIZENS	2 SIGS REG	\$9,865.54
TOTAL						\$10,206.49

KEVIN BRYANT, ATTORNEY
 ACCOUNT
 COUNTY COLLECTION FUND
 P.O. BOX 3051
 EVANSVILLE, IN 47734

518
 71-7107/2000

4-21-99

to the Honorable Commissioners
 One thousand two hundred seventy three ~~and no/100ths~~

FIRST FEDERAL SAVINGS BANK
 EVANSVILLE, IN 47702

2-28/4-21-99 *Kevin Bryant*

@286371676@ 012101066814 0518

APPROVED BY STATE BOARD OF ACCOUNTS
 APRIL 22, 1999
 EVANSVILLE, INDIANA

OFFICE OF COUNTY CLERK
 VANDEBURGH COUNTY, INDIANA

NO. 10812
 \$1,273.20

I HEREBY CERTIFY THAT: KEVIN BRYANT, ATTORNEY AT LAW, HAS FILED IN MY OFFICE THE RECEIPT OF THE COUNTY CLERK OF VANDEBURGH COUNTY, INDIANA, IN THE SUM OF \$1,273.20 DOLLARS ON ACCOUNT OF COLLECTION FEE

COUNTY CLERK
 VANDEBURGH COUNTY, INDIANA

VENDOR: 01007 CK#: 015604

DATE: 04-11-94

**HILLCREST-WASHINGTON
YOUTH HOME**

2700 W. INDIANA STREET
EVANSVILLE, INDIANA 47712

A SERVICE OF
S.W. IN. MENTAL HEALTH FOUNDATION, INC.
THE NATIONAL CITY BANK OF EVANSVILLE
EVANSVILLE, IN 47705

15604

CHECK

15604

71-2/863

PAY

TO THE
ORDER OF

ONE HUNDRED SIXTY-TWO THOUSAND EIGHT HUNDRED THIRTY-SEVEN DOLLARS & 99 CE

DATE: 04-11-94 AMOUNT: \$162,837.99

VANDERBURGH CO COMMISSIONERS
CIVIC CENTER COMPLEX
EVANSVILLE IN 47708



⑆015604⑆ ⑆086300025⑆ 017598671⑆

HILLCREST-WASHINGTON YOUTH HOME

CHECK

15604

DATE	INVOICE	P.O. #	DEPT	DESCRIPTION	DEBIT	CREDIT
84-11	1			1 FEBRUARY '94	52,425.57	
04-11	1			1 MARCH '94	51,896.54	
					58,515.88	

VENDOR: [REDACTED] 2 CK#: 015604

DATE: 04-11-94

AMOUNT: \$162,837.99

[Handwritten signature]

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name Blumenthal Bros

Vendor No. 481

\$ 45,908.55

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USF

Account No. 430 Bond

Allowed _____ 19__

In the sum of \$ _____

Richard G. Borner
[Signature]

Board of Commissioners

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

April 22, 1994

[Signature]
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>ES. #16</u>	<u>-</u>	<u>4/18/94</u>	<u>430 Bond</u>	<u>45,908.55</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 45,908.55

Warrant No. _____

Claim No. _____

Date _____

BERNARD M LOCHMUELLER

Vendor No. 985

\$ 4,950.04

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Ohio St. Bldg

Account No. 203-4345

Allowed _____ 19____

In the sum of \$ _____

Richard J. Borries
Member

Board of Commissioners

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

April 22, 1994

John Stoll
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>[Redacted] (a)</u>	<u>-</u>	<u>4/12/94</u>	<u>203-4345</u>	<u>4,950.04</u>
_____	_____	_____	_____	_____
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TOTAL 4,950.04

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 2, 1994

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MINUTES
COUNTY COMMISSIONERS MEETING
MAY 2, 1994

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, May 2, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

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

RE: APPROVAL OF MINUTES

Commissioner Tuley said the first item on the agenda is the approval of the Commissioners' minutes from last week's meeting (April 25th).

Motion to approve the minutes as engrossed by the County Auditor was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Mr. Tuley said that normally at this point in the meeting the Board asks for that any group or individual wishing to address the Commission but who does not find their name or item of interest listed on the agendaobviously, tonight, he understands that will be the group wishing to address the problem on Waterworks Road. The Board has a small problem in that they do not see either the County Engineer or the Highway Superintendent here at the present time. Mr. Tuley said Bill Morphew handed him his Weekly Progress Report earlier, so he got the impression he was not coming to the meeting. He is concerned that John Stoll is not here.

Commissioner Borries said John has been directly involved. In fact, he saw him down on Waterworks Road about 5:00 p.m. He then asked if there are any representatives from J. H. Rudolph in the audience.

Mr. Tuley said that Mr. Charlie Gullege is here.

In response to query from Commissioner Tuley, Mr. Gullege said their superintendent on the job asked him to come to the meeting with him; however, he doesn't see him here yet either.

Mr. Lee McClellan, the engineer with the Levee Authority, identified himself.

Attorney Wayne Trockman said he is here representing the farmers in the Waterworks Road area.

Commissioner Borries said, "Mr. President, if it would be agreeable with Messrs. Trockman and McClellan, could we wait until Mr. Stoll arrives? Is that too inconvenient for you? I would like for him to hear your remarks. He's heard a lot of other things in the last few days -- so if we could wait, I'd sure appreciate it -- until he arrives -- if you wouldn't mind."

Messrs. Trockman and McClellan indicated their agreement.

Commissioner Tuley said, "As soon as John gets here we will find a nice, convenient breaking point and then go with you guys from there."

Mr. Tuley then asked if there is anyone else who fits in this category -- anyone here for something other than what is listed on the agenda. There was no response.

RE: BID OPENING/OLD UNION TOWNSHIP SCHOOL

Ms. Lynn Ellis of the Purchasing Department was recognized and stated, "We have received three bids and the Attorney has them in his possession for opening. Are there any other bids for the demolition and/or trash removal at the Old Union Township School?"

President Tuley asked if Ms. Ellis is going to take the bids under advisement.

Ms. Ellis said, "Basically, that is correct. We are going to open them here and we will take them under advisement. Hopefully, if everything is in accordance with the bid specifications we will bring them back next Monday for your approval for the award."

Motion was made by Commissioner Hunter to instruct the County Attorney to open the subject bids, with a second from Commissioner Borries. So ordered.

President Tuley said, "The only thing is, you want to review those a few minutes yourself once you open them, do you not?"

Attorney Kissinger replied, "Well, I need to open them and do the recap on them. But if Ms. Ellis doesn't have any problems with this, we can have these delivered to her office tomorrow."

Mr. Tuley said, "Yes. Because I really want your attention when we go back to this problem on Waterworks Road."

Attorney Kissinger said, "All we'll do now is open them, fill out the recap sheet and when it's time to give a report I'll report on these. But I don't see any necessity for Ms. Ellis to be here during the report."

RE: WATERWORKS ROAD

Mr. Tuley said, "Since John is here, I'd like to go back to Waterworks Road and who would like to address the issue first? John, you can kind of just stand by and jump in whenever it's necessary -- since you're representing the County.

Attorney Wayne Trockman approached the podium, identified himself and stated, "Mr. President, Mr. Hunter, Mr. Borries, and Mr. Kissinger, I'll be just as brief as I can -- because I know there are some other people who want to speak to this issue. I represent Lloyd's Inland Marine, who sells boats up in the marine area; I represent Inland Marina, who operates the marina itself; I represent two (2) business owners who just entered into a lease with Inland Marina to operate the Castaways Restaurant, which is the former Marina Pointe Restaurant; and also Floyd I. Staub, who owns a large tract of property right off of Waterworks Road and uses Waterworks Road extensively. Also here are Judy Burns, Ron Riecken, Terry Wise and Paul Hoskins (the two new partners in the new restaurant), Lee McClellan (the engineer with the Levee Authority is in back and he is with us). All of these businesses, as you might imagine, are extremely seasonal. Staub harvests dirt on about 90 acres they own on the river and can only access this property when the river is down during this time of year. And, now, has substantial access problems, as you know. Boat sales, as you know, are seasonal. Judy Burns brought an exhibit (which I'll just show you very briefly) that shows you how their sales run.

As you can see, their sales peak in the second quarter (April 1st thru June 30th). Their sales during the next three months (the second quarter) are critical to their survival. The Marina is the same way and the restaurant was due to open -- the grand opening was scheduled last weekend -- and, of course, that has been put on indefinite hold. Not only has this problem, as you all know, caused a lot of inconvenience for these people, but its created a lot of danger and I think it needs to be addressed just as quickly as we can. I know you are doing it -- I am not here to criticize. I am here, however, to offer some suggestions and work with you as best we

can. First of all, access now, as you know, is on the other end of Waterworks road up near Ellis Park. I traveled that route on Saturday and tried to cross the traffic Saturday afternoon in a car, which was very difficult. First of all, you have to cross the southbound traffic and then you have to sit in the middle of the median and hope there is nobody coming to turn onto Waterworks Road -- knowing it is closed -- and then you have to merge somehow into the northbound traffic on Highway 41. I found it extremely dangerous in a car. Staub has a fleet of about forty (40) trucks and it is extremely dangerous with a loaded truck. That is one of the other reasons we think this issue needs to be addressed right away. From a matter of convenience, people are not going to go to Lloyd's to shop; they are not going to go to Castaways Restaurant to eat; and they are not going to go to the Marina and use their boats if they have to fight that kind of traffic. We've got a problem with emergency response in this area. There are always problems at the Marina because there are so many people that use the Marina. Ambulances are called there. I don't know that there's ever been a fire, except for the terrible fire that occurred many years ago. But the response time would be terrible down there at this point, as you all know. Rudolph is making some temporary repairs. I assume to get the water flowing again and that is all. We have some concerns about what Rudolph is doing though, because as we understand, they are hauling away what they are taking out. And when asked today, someone responded they are taking away the old dirt. Well, we need to leave that old dirt there so it can be re-used in order to, at the very least, put a band-aid on this situation. And we believe that there is at least a temporary fix that would be very inexpensive -- and I want Lee McClellan -- if the Commissioners will allow -- to address the Board and talk to you about a proposal that was approved by the County and it was approved by the Army Corps of Engineers in 1971 to move Eagle Slough and to have it drain to the south of all of these businesses, which would allow us to close these flood gates that are underneath the County's road. If that is accepted by the Commission -- or, if it is not accepted by the Commission -- we feel that the road needs to be open. And to do so would be very easy. Number one, stop Rudolph from hauling this dirt away. It is going to be needed. Secondly, there is no reason to dig out this entire area. All that needs to be done, in our opinion, is a trench dug -- it is my understanding that Rudolph is digging quite a bit to open up the flow again. In our opinion, all that needs to be done is 4 ft. area to lay a 4 ft. culvert, fill it in -- you've got flow back and forth -- until the Commission is able to determine Number 1, who is responsible for the cost of the final repair. First, I know that is important. Number 2, it is going to allow access in the meantime. And we received an estimate to do this. We've determined that it would cost approximately \$11,000 to go ahead and dig that 4 ft. trench to lay that 4 ft. culvert, fill it back in, have them have the County come in and put the guard rails back up, and lay a bit of gravel over the filled area -- and we've got a temporary -- if not a permanent -- solution temporary in that traffic can get to and from these businesses; again, which is very important. Response time is taken care of. Access is taken care of. And Number 2, if the Commission or the Levee Board or whoever is determined to have authority over this issue determines that Eagle Slough should be moved, then you never have to disturb that soil again. And that temporary solution has become permanent. All that needs to be done then, with the approval of the Army Corps of Engineers, is to move the ditch again and plug up this 4 ft. culvert that we're suggesting be placed where this sinkhole is. As I said, I met today with Lee McClellan and I would hope that the Commission would hear from him today and let him tell you about this plan that was nearly put into place in 1971. I'd like to also tell you that I did talk with Jack Cunningham today, who is President of the Levee Board. He did indicate that their meeting this week is continued from Tuesday until Thursday because of tomorrow's election, but that they would bring this up and make this a matter of priority at their meeting on Thursday -- and is very happy to coordinate this project with the County Commissioners. Everyone is here and can answer any questions that you have. We want to work with you. We've all got a problem. And I understand that cost is on top of the priority list. But we think that the County right now is spending a lot of money (and I don't know how much has been spent so far -- but I would expect far in excess of \$11,000). We think at least a temporary solution could be reached for something in the neighborhood of \$11,000. Thank you."

President Tuley asked Commissioner Borries if the Board wanted to hear from the Engineer.

Mr. Borries said, "Well, yes; I'd like to hear from a lot of other people. Wayne, I'm sure that

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the Engineer will address this. You know, one of the reasons that they're having to dig down is to pull out some galvanized steel pipes that have just been rusted away. And there wasn't anyplace to store the dirt so that they could get the equipment down there that they needed to get -- and John will address that. I mean we've got to get those pipes out of there before we can do anything else. When you're in the middle of some muddy conditions, poor soil -- or at least soil which, at this point, has to be determined as to what kind of soil it is -- I think we had to begin to remove some of that so that they could get in there and do what they had to do."

Attorney Trockman said, "I understand. I don't know all the details surrounding that; we just had some concern that all of that was being taken away. We hoped it would be used to at least provide a temporary solution."

President Tuley asked who wants to be next.

Mr. Lee McClellan approached the podium, identified himself, and stated he is with Morley & Associates, the Consulting Engineers for the Evansville-Vanderburgh Levee Authority District. Back in 1969, there were some concerns by the Army Corps of Engineers Louisville District that the dredging of catfish hole, which is the actual opening on the river side of Waterworks Road -- along with Eagle Slough (a lot of people call it Eagle Ditch) was causing sand boils on the protected side of the levee, which is just right before you go over the top of the levee -- which would be down on the land side. The sand boils develop at roughly about a 40 ft. river. A sand boil is where you have water that is actually piping underground through layers of sand and, due to the hydraulic pressure of the river, forces the water up on the land side. And back in 1969, this was addressed and they had looked at filling of catfish hole and the relocation of Eagle Ditch to solve the sand boil problems that have been prevalent in the vicinity for years and it would also minimize the obstructions. There is a tremendous amount of drift that comes into that creek and comes up to that structure -- and with having only three 96-inch pipes there is a headwall there and the drift has a tendency to back up. This drift then flows over onto the levee right-of-way and they are always up there trying to clean it. So access and maintenance of that structure is very difficult. In 1971, this concept was pursued even further and the Corps' letter dated April 16, 1971 says, 'The Corps has been concerned about the potential seepage situation which exists along the section of the levee for a long time. It is believed that extensive sand boils will develop if the levee is subjected to maximum flooding for a long period of time in this area. Combining the restructuring of Eagle Slough outlet ditch with the filling of the old outlet channel offers an opportunity to improve the safety factor of the levee significantly. It is recommended that the alternate plan for the slough outlet ditch, including the filling of catfish hole, be adopted by the Levee Authority Board.' That was in April, 1971. It was followed further with actual plans being designed and developed and it was actually bid. There was a base bid to do some improvements to Eagle Slough Ditch, along with catfish hole, and there was what is called the alternate plan -- and that is the re-routing of Eagle Slough down southerly from where it is presently located, which would have been south of the Marina. And I believe Mr. Brenner probably has those original plans. It was actually put out for bid and bids were received and Ryan Contracting was the low bidder. Because of financial constraints, the project basically died on the vine. There seems to be a lot of support that the ditch be relocated due to the structural integrity of the levee -- and back on January 18, 1972 this concept was also sent to not only the local Levee Authority at the time, but also the Department of Natural Resources of the State of Indiana and the State of Kentucky for their review and comments and the Corps of Engineers. There were some modifications due from the Corps and I assume that Mr. Brenner has these in his file. But, according to this letter dated January 18, 1972 signed by Sam Biggerstaff, it says, 'We received written approval for these plans from the Corps of Engineers, Indiana and Kentucky Department of Natural Resources. The local Levee Authority is in favor of this alternate plan and a right-of-way trade with a private owner is being arranged.' Like I said, it died on the vine due to financial constraints. So, looking at this, looking at the past documentation -- this is not a new conceived idea of relocating Eagle Slough. It has been recommended and even though twenty-two (22) years has expired since the DNR for both the State of Indiana and the State of Kentucky have been contacted, we feel that it is very ...would receive a positive support also for that -- that we don't feel there would be problems in getting permits. Are there any questions I can answer for the Board?"

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Commissioner Tuley asked, "In all that paperwork that you have there, do you have anything that indicates how much this was going to cost in 1971?"

Mr. McClellan replied, "The pattern was -- there is some documentation (and I don't have a real good paper trail) -- I do know that it says here that bids were received on January 11, 1971, Ryan Contracting Company being the low bidder with a bid of \$104,830.00 on the original plan (which was the old alignment, the original alignment) and \$159,030.00 on the alternate plan. I have not been able to go through and look back (maybe Mr. Brenner has the plans). There seems to be some concern that maybe this cost only included the excavation and the realignment of the ditch and did not include the cost of the box culvert or the bridge (if they want to use that terminology) that would be required for the realignment. So maybe Mr. Brenner has that in his files. Mr. Borries, you have a question?"

Commissioner Borries replied, "I did. We're going to have several. First of all, for the record, whose right-of-way do you determine that most of this particular project fits? Is this Levee right-of-way?"

Mr. McClellan responded, "Yes, Sir."

Mr. Borries asked, "It is Levee right-of-way?"

Mr. McClellan responded, "It is Levee right-of-way."

Mr. Borries asked, "Is it your understanding that it goes approximately 90 ft. from perhaps the center of where the levee exists on either side?"

Mr. McClellan replied, "It actually entails pretty much most of the area up to the east of Waterworks Rd. and then it just entails, I believe, a 190 ft. channel from the west side of Waterworks Rd. out to the Ohio -- and that was the access for the flow."

Mr. Borries asked, "So much of the dirt that is being removed at this time then is on Lever property?"

Mr. McClellan replied, "That is correct."

Commissioner Borries then asked, "Now, if this ditch were to be relocated, would it be your understanding that approval would have to be sought from various agencies such as the Army Corps of Engineers/Louisville District?"

Mr. McClellan replied, "Yes, that is correct -- and, also, the Department of Natural Resources - - both Indiana and Kentucky -- because this alignment would be in both states."

Mr. Borries said, "Okay. So I guess where I'm headed is, in effect -- part of my comments are shaped is -- that much of this work or some of this work is being done on property that is not Vanderburgh County's." Secondly, there will have to be approval of other agencies sought and then, would it be your understanding that if this ditch were going to be relocated, property would have to be purchased from some property owners in that area?"

Mr. McClellan replied, "Yes. The relocation -- even at the time -- did involve acquiring easements or actual acquisition of the land in fee simple title."

Mr. Borries said, "Okay. And if, again, not knowing that the box culvert price is included in this, like one figure you mentioned of \$159,000 -- and that was twenty-three years ago -- and we could assume there might be some additional costs given the cost of living and the fact that probably recently deceased President Nixon happened to be President at that particular time -- so we probably have had a few changes to the east side of Evansville since then -- you would indicate that?"

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Mr. McClellan replied, "Yes."

Commissioner Hunter asked, "Getting all these agencies involved and the property owners -- if we have property owners who would require us going to Court -- or somebody going to Court -- what kind of turnaround time -- even a ballpark figure -- are we talking about?"

Mr. McClellan replied, "Normally the initial permit procedure would start with the Corps of Engineers in Louisville and they would, under their permit program, contact the Indiana Department of Natural Resources, because this would involve work within a floodway. So the Corps would start the project. Normally we have found that it takes anywhere between thirty and forty-five days to get things moving with the Corps of Engineers. Mr. Cunningham, President of the Evansville Levee Authority Board, said that he would cooperate with the Commissioners -- even instructed me to meet face-to-face with the Corps of Engineers in Louisville to go over the concept again and to get the paperwork started if we wanted to look at that as an alternative."

Commissioner Hunter said he has a question. "It has been suggested here this evening that we put a 4 ft. culvert in as a temporary measure. We are currently dealing with, I think, 301 ft. pipes which are 8 ft. in diameter."

Mr. McClellan interrupted, "Ninety-six inches."

Mr. Hunter continued, "Okay. Whatever it is. In your opinion, would a 4 ft. culvert safely move the water? I guess -- I looked at Eagle Slough last weekend and Eagle Slough was 31 ft. and the river was at 20 ft. Will a 4 ft. culvert safely handle that?"

Mr. McClellan responded, "That I cannot say at this point. I'd have to take a look. Eagle Slough drains a tremendous watershed. And to just make an assumption that a 4 ft. pipe -- if it's a 4 ft. square box, then you're talking 16 sq. ft. The existing three (3) structures were the 96 inch diameter and if you take the three structures you're looking at about 152 sq. ft. of drainage opening. So you're talking a significant magnitude of decrease. What would have to be done is that the watershed would have to be analyzed to take a look at what amount of rainfall in the basin could that 4 ft. pipe handle? And you may find out that may be a 1 inch rain. And it is not uncommon in the months of May, June and even July to have a 1 inch rain. I'm just using that as a hypothetical example -- because I have no idea. I mean, I would be really jumping through hoops if I tried to say a 4 ft. pipe would work. I think somebody needs to make an analysis of the drainage area and look at that 4 ft. pipe and look at the head that it would be subject to, look at the slope it would be put into, and then make a determination as to what kind of ramifications are going to occur upstream in the watershed by doing that. A lot of people think Eagle Slough just handles the run-off from the Levee Authority pump stations. Well, that is true in high water stages, but in low water stages we have gravity structures that go directly through the levee and the Levee Authority does not actually operate a pump station under that condition. The water just flows through the levee out into Eagle Slough. So, basically, that pipe will be subject to flow from Eagle Slough for 365 days a year whether we pump or not. I'm sorry I can't answer your question as to whether a 4 ft. would work or not, but...."

Mr. Hunter said, "I think you did a pretty good job of answering it."

Mr. McClellan said, "If any further questions, I'll be here to answer more."

Mr. Bob Brenner, Vanderburgh County Surveyor, was recognized. He said what he has just given the Commissioners is an aerial photograph of the area. If they can pick out Eagle Slough -- what they propose to do is break off somewhere over here (pointing to designated area on the aerial photo) right down the side of the road that goes into Marina Point. There is a ditch that's in there now, but they have dug from this point. The ditch used to come through into catfish hole. There is a culvert that is breaking down there and it's now diverted to the river. That ditch is a private ditch, but we would enter into it (it would probably have to be bigger). The cross sections on Eagle Slough -- they talk about the outlet is like 150 ft. of opening right now.

The ditch, itself, is like 1,500 ft. And we're already necking it down. If you went with 4 ft. pipe you would have to go to a low water crossing -- you know, way down -- a deep -- maybe you're prepared to do that. So you would have the opening above the road -- you're prepared to have it closed on a big rain. We do have the plans. It is going to go over the top -- it is a low water crossing. It works for farmers getting into the fields and sometimes up in recreation areas, but the plans we have there were bid by Ryan; they got the contract, it was completed. I mean, we finally paid the bond off to do that -- there is no structure; the structure is shown as additional to be bid and funded by the bridge fund -- and it was never done. So what you see is just the digging of the ditch."

President Tuley asked, "So the land acquisition and the culvert and all that stuff is over and above?"

Mr. Brenner replied, "Yes.

Commissioner Borries said, "If this were June and we were low water levels -- I mean, May is a high water time. The river has been up seven times now this year."

Mr. Brenner stated, "It went up 9 ft. yesterday."

Mr. Borries continued, "You know, we've battled this thing all year and I know Ron Riecken (who is in the audience and may want to make some statements) has said it is up. I mean, how in the best of all possible worlds -- if it doesn't rain (and it's supposed to rain again tomorrow) - - how would we be able to get by without flooding the east side doing this and still be able to move forward on this other thing? Even assuming there is funding."

Mr. Brenner said, "What they would propose is -- just think of a big 'U' and at the bottom of it is your culvert and the culvert carries the trickles that come -- the road gets closed. The road is closed when it rains. Isn't that what you're thinking about? In other words, if you fill it back up you're not going to do it for \$11,000 -- you're going to do it for your \$150,000 or \$200,000."

Commissioner asked, "Obviously, this plan would certainly help the businesses down there. What, if any, negative impact would this have on the farmers?"

Mr. Brenner replied, "The buying of land that will not be farmed any more, that's for sure."

Mr. Hunter continued, "Because I understand the farmers are the ones who open and close that gate at our problem site right now. Now, would the elimination of this whole thing impact them in a negative way in any possible fashion?"

Mr. Brenner replied, "It is possible. It is possible. But you take it down -- there's a farmers' levee along the river and I don't know if they want flap gates down there -- you know, you're getting into Indiana -- and the flap gates and the levee are in Kentucky. This thing's got more heads than a...."

Mr. Hunter interrupted, "I guess what I was going to say is that if we're looking at all aspects of this, I'd like to hear from them, as well, to see if...."

Mr. Brenner commented, "Oh, they're here."

Mr. Hunter said, "I kind of assumed they would be."

Mr. Brenner said, "So did I. Anyway, I have some planned metrics and the old plans. All they say is it was drawn once; it can be done."

Mr. Frederick Bumb was recognized, approached the podium, identified himself and said, "I am

a farmer down on the Waterworks Road and I represent Eagle Slough Gate Corporation. It kind of gets me real jittery when I hear all these different things and right now I have to compliment you folks on taking some action and trying to get the culverts open. I think most of you realize our livelihood is farming and right now we've still got water on our ground due to the fact that this collapse has taken place. And I guess I'm just a little concerned about some things that maybe some remarks have been made such as the changing of the Eagle Slough. I think they've been quoting it as back in 1971 and I have to say this -- our Eagle Slough Gate Corporation was formed in 1977 and, to my knowledge, and the rest of the fellows who are members of it I think would truthfully say there was nothing mentioned about this at that time when we had the agreement with the Evansville-Vanderburgh Levee Authority. So anyway, I just kind of feel like we are really concerned about what the development is. We have gates on there and they have been working real good. We have been operating them and when I say 'we' -- the fellow members of the Corporation and the farmers -- and it's been working real nice. I guess the other question that comes to my mind when they quote a 4 ft. culvert in there -- what if the river, say in the next three or four weeks, gets up as high as 34 ft. or 35 ft. -- there would be some terrific problems for a 4 ft. culvert to handle all of that back water that is supposed to go in there. Now, if for instance it gets above 34 ft., the folks up there close on Weinbach would have a real problem. All the water would come over the bank of the Ohio River to fill in where the 4 ft. culvert is not taking its necessary volume. So I'm a little concerned about that and I am concerned about our gates and what is in the plans for those. And I have to compliment you folks on taking the action that you have. I don't know -- maybe there are some more things the rest of the members would like to remark, but that is my utmost concern right now. Thank you so much."

The Commissioners expressed their appreciation to Mr. Bumb for his comments and entertained further comments.

Mr. Ron Riecken was recognized and approached the podium. He stated, "I wasn't going to say anything -- that's why I've got Wayne here. I made a fool of myself at the City Council meeting recently. I just wanted to explain how this 4 ft. culvert would work. Bob Staub is a friend of mine and he wants to get this road open because he has a business down there, too. We're not talking about this 4 ft. culvert handling any water other than when we have a small rainfall. What we're talking about is the way you have excavated this down to let the water out -- leave it down at that level, say a 29 ft. river. If we get a high water, then it will be under water and the road will be closed -- but the river is down most of the time -- 90 percent of the time -- then we could drive over this 4 ft. culvert. And if you get a half inch rain, the 4 ft. culvert will handle it just fine. If it's more water than that, it's going to go over that and 29 ft. drains the fields, so there will be no water in there. And if it has to get 28, then we'll put in a 28 -- whatever the farmers want to drain the fields, that should be the level of this road. We will drive down over this 4 ft. culvert and back up; we're not talking about filling or damming. Does everybody understand that?"

Commissioner Borries said, "What I don't understand, Ron, is -- well, again, your description was good; but I guess I was going to ask Lee and a lot of other people -- I don't understand who is going to pay for all of this. You know, that is going to be a major problem for us. We're just unbudgeted on this. We're working on Levee right-of-way right now and, you know..."

Mr. Riecken said, "You're asking the wrong person."

Mr. Borries continued, "I mean, I'd be prepared to ask this Board -- we'll put in our 40 ft. road and maybe put in some guard rail; we're real good at that. We've got some fine County forces. We can get that road in there; but I don't know how we're going to be able to pull a lot of this off. We're talking about a lot of money here and our responsibility, as I understand it, there has been a lot of finger pointing; but our responsibility -- that is why I asked Mr. McClellan whose property this was. We're digging on Levee property right now. We have a 40 ft. right-of-way there right now and a road to maintain and that's all I see that we have to do. Now, we're prepared here, I think, as elected officials to move forward and get something done. I know there are people who are really hurting here, Mr. President and Ron, I know -- in terms

of their economic livelihoods -- but I think it is going to involve more than finger pointing in the short run to get this thing done the way, you know, you all envision to help the farmers, as well as to maybe make some lasting things. And, again, there is no magic here; I don't know where we're going to be able to pull money out of some pocket to get this done -- unless we can, hopefully, get some cooperation from the Levee Authority; perhaps some funding there; perhaps some funding through the Federal funds -- I mean, it is a flood control problem, as you have described and from what I envision on this."

Mr. Riecken said, "No doubt. On the temporary repairs, if Bob Staub says he can put a 4 ft. culvert in there for \$11,000, you know, if we have to go with private money to open the road, we will. You know, all we need is permission and some guard rails. And whatever elevation is agreeable to the farmers and the engineers who take care of drainage."

Attorney Trockman said, "That is what I was going to suggest, also. If we can get some agreement. Mr. Bumb is apparently representing the corporation of farmers who operate these gates. If we get some agreement that 29 ft. or whatever point river would be acceptable to them, a 28 ft. river or what have you, and if we could get some commitment from you that you would put the guard rails up and do the rocking, which would be relatively inexpensive and certainly, as you said, you're very capable of doing that and do that all over the county -- then what I'd like to do is go to the Levee Authority on Thursday and ask them to commit to the excavation. And then we've got a solution to a lot of these businesses to keep from just absolutely suffering a tremendous burden."

President Tuley said, "We're going for the long run, though."

Commissioner Borries said, "The other thing is the soils -- that worries me. I mean, I'm not sure if we do this if we get the rock or whatever it is, this thing could get washed away in a 40 ft. river. That's what scares me."

Attorney Trockman said, "The problem is, to come up with a solution in the long run, I don't think there's anybody here who really thinks that is going to happen in the next thirty (30) days or even the next sixty (60) days. And if it doesn't happen within the next sixty (60) days, then you've got four business people here who are going to be in a (inaudible) -- and that's why if we can get the Levee Authority to commit to \$11,000; if we get the County committed to rocking and guard railing the road, I think we can put these people back in business -- because the long term solution is going to be later this summer; maybe even this fall -- and it's going to be a very expensive solution, whether it's putting this road back in the condition that it was with the three culverts beneath or changing the course of Eagle Slough."

Mr. McClellan said, "If I may, Mr. Borries, try to answer your question about funding. Unfortunately, the Levee Board is about basically in the same position as the Commissioners -- there is no money budgeted for this type of repair work. The Army Corps of Engineers, who constructed the facilities -- and they were constructed by the Army Corps of Engineers -- the plans are dated 1939 -- we assume they were built some time after that period; maybe in the very early 1940's. So the corrugated metal pipes have outlived their life. The local Levee Authority has tried in the past to get funding and assistance from the Louisville District Corps of Engineers for upgrading and maintenance of the other gravity structures that go through the levee system and, basically, the Corps' philosophy is that they will build the structures, they will build the levee, they will build the pump stations. The local agency is responsible for maintenance and operation in accordance with their guidelines. A good example is the recently completed Pigeon Creek levee system. That was constructed by the Army Corps of Engineers and has been turned over to the Levee Authority District. So the chance of getting federal funding or assistance from the Corps of Engineers is very, very slim."

Several years ago -- and I'm not sure of the actual year -- just going to let my head rattle here, but I think it's probably been about seven or eight years -- there was a cave-in (well, now it was called the Veteran's Memorial Parkway) at the K-5 pump station near the Museum by Chestnut Street. There was a cave-in there out in the street and it affected three agencies. It affected the

Evansville Water & Sewer Utility, because they had a large water transmission main through there. They also had a combined sanitary and storm sewer system. It affected the Levee Authority, as far as their K-5 pump station and their ability to pump water out of the Chestnut Street sewer and also the Board of Public Works, because of the transportation aspect. That repair was done under an emergency situation very similar to what has been taken this far and at that time it was decided that the agencies were going to share the cost one-third, one-third, one-third and, I believe, at the time they went to City Council and got emergency funding. I would assume that some type of situation like this would also probably have to proceed, because the Levee Authority does not have funding, you do not having funding -- and I think it would have to be a joint effort to go in front of the County Council and ask for emergency funding."

Mr. Don Kuhlenschmidt approached the podium and identified himself. He stated, "I am a land owner down there. We have many more problems here than it first looked like to anybody. It looks to me like a much more serious problem -- the sand bars are going to have to be considered, which is a big section of the dam. As a land owner, what we have down there with the gates we can hold (I don't know the exact numbers) something like 34 ft. water. Above that we put dirt on the road and built a dam along the road where the low spot could hold 35 ft. to 36 ft. water. Now, we've had those during crop seasons. The last four or five years we've had them a couple of times. We would like to have nothing less than what we've got now. Farming in the river bottoms is a risky business -- maybe we shouldn't do it. But our money is invested there and we would like to get our return on what we have had and what we have been able to do to protect ourselves -- without any cost to the County -- by building temporary dams. We've made it a rather successful program. So if you can give us what we've got now -- not an open drainage ditch at 29 ft. -- or we'll all go out of business. We've got to have the gates; we've got to fill up to about 35 ft. That we can do. We take care of the gates. We take care of the temporary dams at no cost to the County. But don't put us in a worse position than we are in now. Thank you."

County Engineer John Stoll approached the podium, identified himself and stated, "I've got one letter concerning the relocation of the ditch that the Corps of Engineers faxed to me last Thursday when the issue of the relocation of the ditch first came about. And, among other things, this letter says that the relocation of Eagle Slough is considered to be a definite solution to the seepage problem -- that's the seepage problem in regard to the sand boils. Their own investigation will be required to determine the source of the seepage. 'We recommend that surveillance of the area be continued. In the event of high water we request that you coordinate with this office so a field investigation can be made to more accurately assess the situation.' So the Corps of Engineers, in this letter -- unlike all the correspondence from the 70's -- said they didn't feel this was the solution. And this letter was dated March 13, 1984."

Mr. Borries asked, "Well, Mr. Stoll, our young engineer, how do we get away from gridlock?"

Mr. Stoll replied, "I wish I had that answer."

Mr. Borries asked, "Mr. Morley (Jim Morley of Morley & Associates), do you have any suggestions? Mr. Morley is the engineering person."

Mr. Morley replied, "Just about everything you've heard here is, you know, it's true. The last statement that the Corps makes there is one -- we know that Catfish hole, the area next to these culverts, is the closest part of the levee. We know that we have sand boils that occur -- perhaps even seepage water running at a 40 ft. river this year right alongside Waterworks Road. We know that the Corps some eight years ago came in and blanketed all of that lower area and that, in fact, some of those blanket areas had broken through and not really held in an area down below. The closest point to that sand layer is the area right on the outfall of the culvert. We do know that -- but the Corps' statement here in 1984 that. 'We don't know that that will solve the problem' is a true statement -- because the area where Harbor's Edge is constructed is constructed on old fill. There is debris, etc., down below that area. So, you know, those homes are being constructed on foul foundations to make up for materials that has been dumped under there. So what you see in the letter from '84 is cautious statement and the Corps are a

cautious people -- and they are saying, 'We are not going to guarantee that that fill, that hole will solve the problem' -- they are afraid to go out on a limb and tell you that. Obviously, it is the most likely culprit -- because it is the closest it is likely, but I am not going to do anymore than the Corps did. I couldn't begin to tell you that, in fact, will solve the problem. There still could be some seepage. We've been able to contend with the seepage all these years. I mean, it still occurs whether or not we have serious problems like a 1937 river where it reached 52 feet. We could extremely serious problems. We know that is the most dangerous part of our levee -- is right along there. We have sand boils there worse than anywhere. We know that's the number one danger along the whole levee system. We recognize that. Whether or not these proposed solutions will solve the problem, I, like the Corps, am not going to tell you that yes, it absolutely will work -- because we may find that there are other sand layers that reach all the way out into the river that could also contribute to this. We just don't know for sure., you know. The things that you do to help the situation increases the odds if you do something but, like the Corps said, they aren't going to guarantee that that is the only solution. And I guess that is not totally really your problem here anyway -- to move ahead and say this is going to fix the problem."

Commissioner Borries commented, "How we help these businesses -- I mean, I'd have to be candid to say that I'm leaning toward trying to replace what we have. Putting in good soil, some pipes, addressing the concerns of the farmers here, and putting it in right there. But how long would that take and what impact is that going to have down there? Even if we started tomorrow, how would we do this?"

Mr. Stoll said, "We replace what is out there right now. We can use cumulative bridge funds, but if a new ditch is relocated -- we'd have to ask Alan for sure, but I doubt that that would qualify for the use of cumulative bridge funds. So we'd have a question of a funding source. I don't know how that could ever be done, at least with monies in the engineering department budgets."

Attorney Kissinger interjected, "It would not. Basically what we could do now is pay for emergency repairs on that portion that is, in fact, the County's responsibility. We could do that with an emergency appropriation. But, as Mr. Borries has pointed out, we must have something from which to appropriate and it's been made very public in the recent past that there's not much there to appropriate. So if we can use cumulative bridge funds and they are there, the most we can do is replace what has washed out. We can duplicate what is gone. But we can't undertake a new project with an emergency appropriation."

Mr. Morley stated, "The additional complicating factor is the time involved in the approval for the other route. And while we already know -- and, I think, they addressed that earlier to use this -- that the Corps had early on endorsed the idea of a relocation back when Sam Biggerstaff was County Surveyor and pushed for that to be done. But all of the things did not happen, you know, after the bid coming in over the budget -- and apparently the Drainage Board at that time was the one spearheading the project and subsequently determined you didn't have the money in the drainage fund to support the project, then it died. And all of the final approvals were never obtained. And while what you had were letters of endorsement, that doesn't constitute all the final approvals. So you need to confirm that either that letter of endorsement is okay or whatever -- if you decide to do the relocation. Certainly, there are advantages both ways."

Commissioner Hunter said, "What you are saying is that in 1994, the County Council would have to budget for 1995 any relocation?"

Attorney Kissinger replied, "Either in 1995 or at some time in the future, yes."

Mr. Hunter said, "Because no matter what we want to do, there is no money available."

Attorney Kissinger confirmed that this is correct.

Commissioner Borries commented, "I don't think the reassessment fee is going to get this done."

Attorney Kissinger stated, "As far as the County Commissioners are concerned, you know, we can ask for an emergency appropriation. To use an example, if we had a bridge wash out, we could go in and ask for an emergency appropriation to replace that bridge. But we could not go in and ask for the emergency appropriation to build an enhanced structure where that bridge once stood. We can't do that in this case either."

Commissioner Tuley noted that we don't get a whole lot of choices under the circumstances; we're going to have to put back what is washed out.

Mr. Borries asked, "Is there enough right-of-way -- or can we get enough right-of-way? You know, I'm talking here -- because who knows what the river is going to do and for how long it is going to rain tomorrow? To give these people some kind of temporary runaround while we're getting -- is there any way of doing that? You guys are the engineers. Some kind of a temporary structure -- so there will be something in there while we're getting this repaired back to the pre-existing state?"

Mr. Morley stated, "At the time the property was acquired, it was acquired by the City of Evansville. The City of Evansville Board of Public Works was the sponsor of the Levee project. Then, in 1965, when the Levee Authority was created as a City-County Board (although the deeds probably still say 'City of Evansville') -- there is a significant amount of right-of-way. In order to bring it across Eagle Slough and then route back onto there, it would probably take at least a partial encroachment onto the property upstream of the pipe owned by Inland Marine. That section would require their permission, I think, to do a temporary runaround while you construct that."

Mr. Riecken said, "It would be a lot cheaper on the other side -- on the Harbor's Edge side, down through the mouth of Catfish Hole and the Marina. See, that dries up and there is no water. You can build a little crossing in there and when you're done, leave it -- because it is lower than the pipes. At the bottom of the 8 ft. pipe is a 15 ft. river. So you can leave it in -- it wouldn't have to come out. Since it's a low water crossing, you can leave it in -- because if you lower the bottom of the pipes, it will come back out."

Someone asked, "We were talking about a coffer dam across here to keep the water out. Would it be possible to coffer dam -- and then run the road on the inside of the coffer dam or on the coffer dam, itself?" There was subsequently brief inaudible discussion, with the farmers, Mr. Riecken, the Commissioners and Mr. Morley all talking simultaneously.

Commissioner Borries asked, "Well, how do we address these farmers' concerns? They want 35 ft."

Mr. Riecken said, "If all of this is washed out, they don't have 35 ft. -- we know that. But if we dig a new ditch, I think if you get bids on this and then this, this will be half price."

Mr. Borries said, "But, Ron, we don't have a bridge structure figured in. We don't have the property. We're going to have to get the property."

Commissioner Hunter interjected, "Nor do we have the money. We could get emergency funds for this, but we can't get anything new. We don't have any money."

Mr. Morley stated, "I think the answer of how you would do a temporary road to get access to the other side is one that actually takes some surveying. You know, I don't think the idea that we could come down this along this side and swing around and get back on it are probably valid ideas. If you're going to put a temporary pipe structure in, don't put it right on the existing road bed, because it is going to be in the way. I agree kind of with swinging down and pushing out a temporary runaround is the right way to do it. That way, regardless of the decision -- I

mean, that's the right decision. Which side you push down and come on is a decision I don't think we'd want to make here -- without going to look at it to see which side is the best."

There was brief inaudible discussion among the Commissioners, themselves.

In proceeding, Mr. Borries said, "Mr. President, as usually happens at a democratic meeting, you always have a little hubbub, or organized chaos, I guess you'd call it. This is so complicated at this point that it makes me very uneasy, personally, to make a decision here. Both sides have had some pretty compelling arguments. The realities are that, as the Attorney has advised us in terms of what we can in existing roadway and temporary, also by the fact of the lack of funding that is available. But if these parties could meet over the next couple of days to hammer out some kind of an emergency runaround to serve these businesses and see what the cost would be, I think Commissioner Hunter and I (I think Commissioner Tuley's obligations may be limited) -- but if we heard something, we could notify the media and call an emergency meeting (perhaps Thursday, or even Friday) to maybe take some action -- if that would be done. Otherwise, we'd have to wait until next Monday's meeting to do this. We could do that. But it surely seems to me that, based on what some of the farming community is talking about here, the Levee Authority, our Engineer -- now I don't know if we're ready to do a consensus on this yet, but if they're telling us that 29 ft. is not going to be acceptable; if, again, there are some things we have to work out. But that is an alternative -- to call an emergency meeting on this - - if you all can continue to talk and come up with some kind of resolution. First of all, how to meet your needs in terms of a temporary runaround. And, again, what our attorney is advising is that we can come through with some emergency funding if we stay within where we are. When we begin to embark on a new project here, they are talking about some unbudgeted money and we haven't purchased property. And, again, Bob Brenner, the Surveyor, is saying that when we did this Eagle Slough (which I remember that) until we did the Union Township Overpass and USI Overpass, the County was debt free. It had no bonded indebtedness. Eagle Slough was the last we had done. That bonding, alone, took about a year to get in place. That's the best I can suggest at this point." I don't want to impact on the farmers, but I also fully want to help the businesses here, too."

Commissioner Tuley said, "Let me just make sure I understand what you are suggesting then. That we try to get the representative (whoever that may be) for the four businesses down there, the farmers and the engineers together, the Levee Authority -- within the next day or two and get down there to see if there is not a workable solution that will satisfy the farmers and keep their fields from flooding and still keep the access to these peoples' businesses open. Then, if they can, they will get in touch with you (I'm sorry, I'm going to be done) to call an emergency meeting and try to take some action to solve this thing and put it to rest as best we can. Is that what I am hearing?"

Commissioner Borries replied, "I was just asking the Attorney -- I want to make sure we are complying with the Open Door Law --- and we give proper notice on this, as well. But, I mean, we are prepare to do that. I just can't -- I, personally, get a feel here that if we help one group and we impact on somebody else -- I mean..."

Commissioner Hunter interrupted, "Well, for one thing, there needs to be some survey work done before you could even put this emergency road in. I think we need to have our ducks lined up as much as possible."

Commissioner Borries emphasized, "And I mean, we don't want to make any mistakes -- we want to help. The last thing we want to do is spend some money here that, frankly, we don't even have yet. But, you know....."

Attorney Trockman said, "I'd be happy to coordinate a meeting and I would ask that maybe Mr. Stoll and Mr. Brenner -- and they nod and say that they can try to attend -- and maybe we can get it set up for Wednesday. Tomorrow, everybody is off for elections -- and, Mr. Bumb, would you act as representative for your group -- if I would notify you of the day and time of the meeting -- and try to be there?"

Mr. Bumb nodded affirmatively.

Attorney Trockman continued, "And then maybe ask Mr. Brenner and Mr. Stoll to make some report back to either Mr. Borries or Mr. Hunter by Thursday or so. And, if we're close to reaching some consensus, ask for an emergency meeting?"

Attorney Kissinger interjected, "We can probably have another Commissioners' meeting....."

Mr. Borries interrupted, "No, we have to publish something. I mean, we meet again on Monday. But if you get something resolved before then, we can meet. Mr. Hunter said the meeting could be on Saturday, if necessary. I cannot meet on Saturday. Mr. Hunter said that he can. Hopefully, we'll at least be close to some consensus and can come back."

Commissioner Tuley stated, "Stay in touch with those two. If Rick is going to be gone on Saturday, I'll be back -- so we will have a quorum."

Mr. Jerry Kreitzer was recognized, approached the podium, identified himself and stated, "I'm one of the Eagle Slough members. If they're down there digging now, where are they going to stop -- when they get the three culverts out? If they've got them out, they're going to have to fill the hole back up or -- why don't you just put three more culverts back in there, fill it up, and then you'll be done? Why put a 4 ft. in and then have to come back later and have to dig a half mile of ditch, plus you've got to go through Staub's big....."

Mr. Borries interrupted, "Mr. Kreitzer, you're going to have a representative in this meeting."

Mr. Kreitzer continued, "I mean, they will dig out the dirt to clean out the culverts, put the three big culverts back in there -- the three pre-stressed concretes, probably, at this time."

Mr. Borries countered, "Frankly I'll tell you -- that's another whole story. But anytime you've got double culverts and everything else with the rubbish and debris, I prefer one whole structure."

Mr. Kreitzer noted the last one lasted 55 years, though.

Mr. Borries commented, "I know. But things have changed in 55 years in terms of..."

Mr. Kreitzer said, "If you put one big culvert in there, the dredge will go down through there anyway."

County Engineer Stoll asked, "His questions lead to my next question. Where should I go from here -- as far as what we're doing with it right now -- because that as the intent. We were going to get down to the pipes that are out there now and try to make provisions for drainage. The reason all the fill was being trucked out to this point was because there are more bricks, concrete and a lot of buildings in the area -- the fill is not any good. We really couldn't use it again. That is why it has been hauled off. If we come across some better fill, it will be stockpiled. But at this point, we were getting down to the pipes and if we're going to continue on that route, as it stands from today at least, we'll probably have to consider starting to drive steel piles to make it stable enough for Rudolph to continue excavating down to the pipes -- and this may, or may not, be an option going this way. Should we keep going? Should we put a stop to it until we know some answers? I don't know what direction to go with it."

Mr. Borries said, "I think you've got to keep going. We've got to get those pipes out."

Mr. Hunter commented, "I don't see that we have any choice."

Commissioner Tuley said, "The only thing -- I don't know where the people went, but Wayne's still here. I don't know that they really care what we do as long as we provide them with reasonable access to their businesses. Is that correct? Is that a reasonable assumption?"

Attorney Trockman replied, "Sure. I'm sure if we could move forward with a permanent solution and start it -- then that's the answer if it could be started very quickly. But, if not, we do think there is a relatively inexpensive temporary solution."

Mr. Borries said, "You've got to look at the flapgates. I mean if we've got to go with the other structures in there, we may get down to doing about the same thing they've got in there. I don't know. But I think we've got to proceed in that area -- that's the only way, as the Attorney points out to us, we don't have any options of going out and buying property and taking a year to do bonds and everything else on this. We've got to stay within..."

Commissioner Hunter interrupted, "The only money we've got is to replace what is there, if I understand legal counsel correctly."

Commissioner Borries asked, "Would you attend one meeting -- and if I can find out what time it is Thursday morning, I think it is critical that the Levee Authority also know they have some participation in this. And I don't care if it's 50-50 or what, but that would be fine with us. I just don't see the County having the sole jurisdiction in this. And, as a result of that, the sole funding authority either."

Commissioner Tuley noted perhaps the City could also share in this.

Mr. Lee McClellan of the Levee Authority said they will meet this coming Thursday morning at 9:00 a.m. Normally they meet the first and third Tuesday of each month. He would recommend that on Thursday Mr. Stoll -- or some representative, probably Mr. Borries, attend the Levee Board meeting.

Mr. Borries said he will try to be there, but he's been scheduled to go to a Mass at 8:30 a.m. on Thursday -- and he probably does need to pray.

Mr. McClellan said Mr. Stoll has taken the lead on this and the Levee Authority does appreciate the effort that has been made. In case the Commissioners are not aware of it, this past weekend was the first weekend since January 27th that the Levee Authority has not been in a pump station working 24 hours a day seven days a week. They are over extended on their manpower and basically they have let Mr. Stoll run with this project to get it moving. But they're to the point now where they are going to need some input as to what is to happen at the next step.

Mr. Borries said, "And you're very diplomatic. The last thing we want to do at this point is to generate some kind of media controversy or something where people are pointing fingers at each other about -- 'Well, so and so said this and so and so said this'.

You know, we all want to get on with this for the betterment of the community. So if John can work with you, that is what we want to do. But, again, we don't feel that we're alone in this -- and that is why we want to make it very clear to you."

Mr. Hunter asked, "Mr. President, I'm wondering if we shouldn't officially declare this some type of emergency, for the record."

Commissioner Borries said, "Well, it needs to be declared by the engineer anyway, because I think he is the guy who declares the emergency, etc., into the record."

Mr. Stoll stated, "Tomorrow we continue, as planned -- driving the sheeting will be expensive. The estimate was what -- \$20,000?"

Mr. Pat Grady from J. H. Rudolph was recognized and stated, "For the record, I am Pat Grady from J. H. Rudolph. We've been down at the site and we've seen the soil conditions. Basically, it is a lot of broken concrete. To get down to the actual pipe now, we need to drive 30 ft. sheeting to meet OSHA standards, which I'm sure you guys are all aware of -- and we feel that if we can move forward we can replace a lot quicker and put a temporary runaround in, or wait and try to get some type of materials to put these in. The longer we wait, the longer

we wait to find materials -- and, as you know, those are large type of materials which aren't just on every lot. And that's basically where we are right now. We worked Saturday through the rain. We asked if you wanted Sunday. We think we're moving along diligently. I think the County thinks that we're moving along. We'll be down to the bottom of the pipes either Tuesday late afternoon or Wednesday. We have plans to bring sheet piling out of Atlanta -- we've located the sheet piling. Since those are large-sized sheet piling. We trenched the area down so the pipes can be replaced and feel that we can remedy the problem faster by knowing where we can go. We don't know where we're going right now -- that's the biggest problem -- and it's hard to run a construction project with not knowing where to go from one step to the other, because you're trying to plan each move."

Mr. Tuley asked, "Pat (Grady), what do you think the total construction...I mean, if we just say this is it -- you'll just replace what you've got and build that road back up -- how long are we talking, weather permitting, I mean?"

Mr. Grady replied, "Weather permitting, we're not in the situation -- because we're working in the waterway anyway -- we would probably have to pump that closed cell down anyway, we could possibly run the sheeting on a double shift, which would not cost the County anymore -- it would just mean another shift would come in to drive sheeting at night instead of during the day, which we're already employing a light because of the large sized hole right now. We could get with John and give you some type of accelerated schedule to get it done as soon as possible. But none of the fill does seem to work down there, since it is 6 ft. to 8 ft. pieces of broken concrete, which probably damaged the pipe in the first place. We talked to Mulzer's. I think Staub has ready fill right down the road. We have the equipment on site right now to move forward efficiently, if that is the way you want to go."

Attorney Kissinger said, "I want to quickly answer your question regarding an emergency meeting. Rather than calling an emergency meeting, we can adjourn this meeting tonight as to all other meetings and announce that we will reconvene this meeting at a particular time and date for the purpose of considering only this matter. And then if it should occur that we don't have to have the meeting, then we can just cancel the meeting. And if it should occur that nothing is decided by then, of course, we can put it back on the agenda for next Monday's meeting. And we don't have to give any notice of that except to put it in our record tonight."

Mr. Borries said we will just temporarily recess the meeting.

Attorney Kissinger stated, "We can adjourn as to all other matters, recess, then announce our intent to reconvene in reference to this topic for a later time."

Mr. Grady stated, "That is all we're looking for -- is direction."

Mr. Borries said, "I don't think we have any choice."

Mr. Hunter echoed this comment.

Mr. Grady said, "If we find the design criteria, we can locate the pipe. We're a multi-state contractor and we found sections in Illinois, pre-case sections -- I've given John a cast-in place section which we can move on, plus there are also some large diameter pipes in Louisville."

Mr. Borries asked, "Would some of them work as a flapgate type situation if we're replacing?"

Mr. Grady replied, "We've always been to the point that we would use the same safety gates on Saturday -- so we cut away the gates. The gates were being bent because the soil was eroding down, we strapped the gates off and the gates right now are permanently opened."

Mr. Borries again said he doesn't believe we have any choice.

Attorney Trockman stated, "If we find a permanent solution, then that is the best. The only

reason for our proposing this temporary solution was if there was going to be a delay."

Mr. Tuley said, "I think he just answered the question. I think we know what to do from here. We just need to do it. We'll have to have another meeting and get moving with it."

Attorney Kissinger emphasized he thinks this is all the Commissioners can do; they don't have a whole lot of choice.

Motion was made by Commissioner Borries that this be declared an emergency and that we move forward to replace the pipes and road structure, including working double shifts or whatever they have to do to get it done.

Seconded by Commissioner Hunter, with giving the County Engineer the authority to do whatever he thinks is best in expediting the whole operation -- if it means double shifts or whatever.

Attorney Kissinger stated, "I think it would also be appropriate to reserve the right to seek reimbursement from the appropriate agencies that may also be responsible for these repairs."

Mr. Borries asked Mr. Stoll if this is okay with him and Mr. Stoll gave an affirmative response. He asked Mr. Stoll if he has any other thoughts on this.

Mr. Stoll said, "I have a hundred thoughts from all one hundred people he talked to on this."

So ordered.

Commissioner Hunter asked, "By the way, Mr. President, are you aware that our County Engineer spent his 31st birthday Saturday looking at that mud in the hole down there -- all day in the rain?"

Mr. Tuley said, "I did. And I told him I didn't want to be a smart aleck, but I wished him a Happy Birthday today."

Mr. Borries said, "I just hope he has a 32nd -- at the rate we're going here."

Mr. Stoll said, "Since you've made an emergency declaration on the repairs, I have the letter I sent to the J. H. Rudolph Company, as well as the price quotes from Rudolph & Deig Bros. on the time and materials they had given to me on Friday -- according to the Statute Alan had given me a copy of. I guess I just need to enter these for the record."

Mr. Tuley said, "John, I'd like to thank you publicly, because you stayed in close contact with me -- chased me down in Indianapolis and everything else -- to keep me advised of what was going on and how you were proceeding. I know it hasn't been an easy weekend and I thank you for your efforts."

Mr. Stoll thanked Mr. Tuley.

Attorney Trockman also thanked the Commissioners for moving forward so quickly on this important matter and they, in turn, thanked him for his presence and comments today.

RE: BIDS

The meeting proceeded with President Tuley asking Attorney Kissinger if he wants to return to the bids. The Commissioners have one more big ticket item on the agenda.

Attorney Kissinger replied, "No, that is why I asked Lynn Ellis if she could leave and we could deliver these bids to her later. No, that's fine; I'm going to be here for the duration anyway."

RE: COMPUTER SERVICES RE ASSESSMENT - RICHARD CAPPELLETTI

Mr. Cappelletti was recognized and stated, "Thank you, President Tuley, Commissioner Hunter and Commissioner Borries. Sitting here tonight I seem to be reminded of some of the thoughts that may have gone through the mind of General Custer and Billy Mitchell and Davy Crockett - all, who had critical times in their lives. I hope we can get through this. During a recent meeting of the Commission, I was selected to chair a committee to review and evaluate the bids for the reassessment software, hardware and support services under Bid VC9404. There were three members of the Committee: Evelyn from the County Assessor's office, Glen Koob from Perry Township, and myself. We met several times and reviewed the documents and I would like to share with you tonight a summary and a recommendation from that Committee. As we are aware of the opening and subsequent meeting, there were three (3) bids received and reviewed. The responding vendors were Manatron, Inc., CSS, Inc. and Lau Associates. During the initial review all of the members of the committee considered the bid submitted by Lau Associates to be non-responsive to the needs of the RFB and, therefore, were not further considering our deliberations. The reasons I enumerate for feeling the bid to be non-responsive are failure to submit corporate financial reports, proof of State certification was incomplete and conditional according to what was submitted; user references were considered to be incomplete; and there were insufficient legal contracts to review by the committee. Of the two remaining bids, the committee in a 2-1 split decision is recommending the award for the software and services be made to CSS, Inc., pending satisfaction completion of negotiation, contracts and final decision by the Board of Commissioners. It is further recommended that the purchase of printers, memory upgrades or other hardware items not be awarded through this bid, but be purchased separately via quotation procedures to obtain more favorable pricing. This would further enhance the flexibility and options available to the county. This has been discussed with County Attorney Kissinger and it is believed by him to be within the guidelines and statutes for public purchasing. For the following reasons, the recommendation to award to CSS is being made:

- 1) CSS was considered to be the most responsive bidder in the scoring of evaluations by members of the committee, the scoring which took into account all submitted scores by all evaluators and indicated an overall 78.7 award for CSS as opposed to a 74.2 for Manatron. While they were close, and both were responsive to the bid, it seemed like -- and it did as far as the scoring indicated -- that CSS was the most responsive. The calculations were based on points awarded for fully complying answers, added to weighted responses, which were considered partially compliant. Scores of all three evaluators were averaged to obtain the results. Since both vendors were treated equally, we feel this to be a fair evaluation for responsiveness.
- 2) In consideration of pricing, CSS is considered to have the lowest calculated bid first year cost. And I say calculated cost because here were some adjustments made. Obviously, we took hardware out of the consideration. We looked at what would be involved to bring the system into the door during first year. Part of that involved training cost and the items that would be charged to the owner -- in this case, Vanderburgh County, County Assessors, Township Assessors. In our calculation we calculated the first year cost from Manatron to be \$74,994 while CSS came out at \$65,250. That indicates a fairly narrow margin of approximately \$9,000; but, again, in our deliberations in what the entire committee seemed to be and did agree upon as being fair, indicated that CSS had the lowest calculated cost. The annual support charges, however, for CSS are indicated as being higher in Subsequent

years than that bid for Manatron. However, this is an ongoing support item and is budgeted annually and is a function relative to the software vendor and in this deliberation was not considered part of the purchase price.

- 3) CSS employs MS Windows as the user interface, which we feel increases flexibility, ease of use and more completely complies with industry standard designs for open systems and user interface. The employment of MS Windows and that related environment is considered to be a superior method of application design and is the current standard for PC based applications.

For the reasons stated, it is recommended that CSS, Inc. be awarded the bid and contract review and execution be completed as quickly as possible. It is further recommended that, as indicated by Attachment 'A' in the document provided, that additional monies be set aside and accrued for the purchase of the items listed towards completion of this system. In the recommendation there is a slight modification from what was originally calculated as the price, because once we felt we had compared the cost and response on an equal basis, it was then looked at as to what do we actually need as far as the pieces and parts. Attachment 'A' summarizes that and actually makes the grand total award to CSS \$62,850.00, because it does include a site base license at \$2,400.00, 25 work station licenses for \$35,000, and inquiry only license at \$750; a Crystal report writer, which includes training (1 copy) -- they bid five; we aren't sure where we would use five or if we would use and we wanted to get some exposure to it first before making any further decisions -- \$600; Proval installation first year support at \$12,000; Proval training at \$400 per day for 24 days, which is \$9,600. This brings the software sub-total to \$60,350. There is also a charge for conversion of flat files to be produced by the current vendor, which is \$2,000. There is also an on site software escrow agreement fee of \$500.00. In miscellaneous expenses there is a cost of performance bond, which is stated in the CSS bid at \$1,000.00. We estimate a charge from the current vendor (which is Manatron) for producing the flat files for the conversion of the data to be \$2,250.00. I believe this amount is correct as what was being charged to other sites -- but that is an estimate. We also have a letter from Manatron that indicates that if they were not selected and there was a point in termination where some funding had been provided in advance, then the credits that would be issued off of the termination of that contract would then be applied towards the creation of the flat files by Manatron. So that cost would be offset somewhat; I haven't worked out the details. Both bids recommended the addition of disc drive, specified as a Quantum disc drive. Our cost from our provider is approximately \$900. I have a quote available to me that says \$899.00. One of the responding vendors included that item in there at a price higher than that, so that is why I am recommending we acquire these other items outside of the bid and go on quotation. Some memory upgrades or the server and the workstations -- these are recommended by CSS for peak performance. And through my own experiences in the Computer Services Department and some recent upgrades we have made we know that, yes, in fact, those are beneficial. There would be a small software package for use by Perry Township, since they have a couple of PCs out there, to actually have a local LAN. This is \$400 for some Novell light software. And then I put in an estimate for network cabling to link all of the Township offices and the County Assessor within the Civic Center on the Novell LAN and I estimate that at approximately \$1,000. The sub-total for miscellaneous is \$6,650, which brings the system total of \$69,500.00. It is my opinion -- as recommended by the Committee on split decision -- but it is my opinion that the CSS bid was the most responsive and was the lowest in price and is of the design that is best for Vanderburgh County for now and going into the future. I know that after that presentation there will probably be several people who would like to make some comments. I am prepared with originals of contracts for your execution. I have reviewed those contracts and found nothing to be unusual in my experience. Although I am not an attorney, I have spoken briefly with Mr. Kissinger about that, and I have them available in three copies. I have your signature page available and I think at this time I am probably open for questions."

Mr. Tuley said, "I have one for you, Richard. On the comment here you've got on Page 2 it

says, 'CSS has the lowest bid prices as calculated first year cost.' And down below the annual software you talk about Uses 2 thru 5 and, 'However, the ongoing support is an annually budget item, etc.'

Mr. Cappelletti said, "In my experience it has been, yes. Simply because -- although it would be unusual to do so, because you look to support from the vendor supplying the software -- it can be elected as optional. I'm not saying that would be a recommended step -- and that is why I point out the fact the ongoing price for support would be higher -- but it could be for various reasons decided to not pursue support maybe during a given year. Or you might even later on negotiate something else. It would be unusual, but it's an option."

Mr. Borries said, "Well, I wanted to get back to Cap on the page where you have the one year costs that are listed and then you go below that line. In other words, explain again in this process the two to five year support costs are not something you consider as part of this overall bid?"

Mr. Cappelletti replied, "I looked at this model and the pricing costs to move the system into the door and to bring it functional. The election of the support agreement is something that is renewed on an annual basis and was put at a line beyond first year cost. It can be a consideration, yes. In the deliberations I presided over the costs for first year, the purchase costs were considered and those are the items to move the system into the door. There are other costs that were part of the original bid cost that were elected not to be considered because they were moved out as being recommended for not being awarded, for example, and to obtain through other channels. The bid price, for example, in installation and training had to be reviewed to come at what we think to be an accurate first year cost -- simply because the bid price included a quantity of people to be trained in the Manatron bid that was deemed to be insufficient for the County's needs. But to answer your question succinctly, we did not consider those as part of the first year cost or as part of the overall process."

Commissioner Borries said, "My question is, should this Board then enter into a contract? You're saying that, in your opinion, this Board would not be obligated in any way for what is listed then in those particular columns on that particular page -- that is called the tax appraisal system?"

Mr. Cappelletti responded, "When you say columns, are you talking about the other miscellaneous?" That is what I am saying, because there is the potential that you could elect not to support because of ongoing funding reasons or whatever. I would probably stand up here and argue as loudly as what you've heard on other arguments as to why you should, to maintain your support. But it is one of those things that would be budgeted for and approved on an annual basis."

Attorney Kissinger asked, "Mr. Cappelletti, why have you recommended that certain of these items such as the printers be bought pursuant to the 'procedure' as opposed to being awarded from these bids?"

Mr. Cappelletti answered, "Of the responding bids, only one vendor responded with hardware quotes and that was Manatron. Manatron's prices, if we were to accept those, in our opinion, and from the quotes and the suppliers we have available, would seem to be much higher than what I would normally recommend you approve through the normal processes that data processing would do for any City or County department. Now certainly they have a right to make their own profit -- and I'm not saying anything like that -- but I give you an example. The disc drive deck that was bid was bid at \$2,448.00 if my memory serves me correctly. Our source can buy the same disc drive at \$899.00. Now if we took that bid and bought that hardware from only one responding source, then we only have one price to go with. We didn't have a competitive arrangement; so that is why I recommended on those items to pursue outside. Further, as part of the printer costs, we had opted to go towards a laser printing environment. That is an option that we can do with the recommended system. However, in consideration of a number of things, it might be wise for us at this time to leverage the investment in the existing

hardware and use to the greatest extent that we can the existing hardware (that is, the printers) to allow printing on that existing hardware and, subsequently, as we would prefer to migrate or we would be forced to through equipment failure or obsolescence or whatever, we could make those decisions down the road."

Attorney Kissinger asked, "Do you anticipate then that the items you would buy pursuant to the quote procedure would be a total of \$25,000 or less?"

Mr. Cappelletti replied, "Absolutely. It absolutely would be less."

Mr. Tuley said, "Mark (Abell), you had a question."

Mr. Abell asked, "Is there going to be the recurring fees generated by the Local Area Network in excess of what we already have with hookups back and forth?"

Mr. Cappelletti said, "To perhaps correct some terminology -- the Local Area Network would be existing here within the Civic Center and that would connect the three township offices and the County Assessor and the central server. The Wide Area Network, which would be connecting the remote township offices, would require communication lines. Those could be standard dial up interface; they could be, at the discretion of the County Assessor and approval of the County, dedicated lines -- just depending on how you would like to go. So would there be a recurring cost? Yes. The difference would be that in both bids they would be equal. They could be dial lines, normal phone lines, or lease lines -- and the variation is small -- but there is a variation."

Mr. Abell commented, "So it is a wash."

Mr. Cappelletti said, "In my opinion, it is a wash."

Commissioner Tuley interjected, "Cap, let's go back if we might -- because I am going to call myself computer ignorant for the sake of discussion. This two to five years in the support cost, there is a significant difference here. So explain to me -- because I know you said for one year, for whatever reason you may not need to do that, so that is why you took these outside."

Mr. Cappelletti replied, "I kept them out -- because that would be separate and apart from this year's funding and purchase."

Mr. Tuley asked, "But what is support?"

Mr. Cappelletti said, "This is support that the vendor would offer in both cases for telephonic support, problem resolution, software support that would provide you updates; fixes to problems, enhancements to existing functionality -- both vendors were quite responsive in that area, saying they both had support teams. They offered basically the same functionality. Whatever you bought installed with the initial system and was part of that system or may be coming down the road as legislative changes -- let's say for the State reassessment or the Tax Board -- they were going to make the system continue to be fully compliant. In the case of Manatron, they said 'Unless that forces a huge major re-write', which is understandable. But both are offering telephonic support for problem resolution; telephonic support for normal day-to-day system operation and continuing updates on the system for installed functionality. One company deems that cost to provide that service at one level and one company deems that cost to be at a different level. Yes, and it is significant dollars. I think that over the five year perhaps life expectancy, there is about \$40,000 spread at about \$8,000 per year."

Mr. Tuley asked, "But it is not unlikely that there are going to be some support costs?"

Mr. Cappelletti replied, "I would recommend -- I would put forth a budget -- make a recommendation for the County Assessor, who has control of the system, to proceed with obtaining support on a year-to-year basis, yes."

Mr. Tuley commented, "On an annualized basis?"

Mr. Cappelletti replied, "Yes."

Commissioner Hunter asked, "Since this two to five year support is not a part of this bid, "Are these numbers negotiable? Is this fixed, or what?"

Mr. Cappelletti replied, "This is the bid price. I would support -- and I may defer to Alan on that, or I may defer to representatives from both companies, which we happen to have present - - I would say most prices are negotiable. But this is the bid price under consideration at the time. I have no information as to whether in later years they would decrease or increase. In the bid we said that the increase would be capped at 6% per year if there were increases."

Commissioner Tuley said, "Someone from CSS -- would you explain why there is such a significant difference?"

The representative from CSS Associates, Inc. responded by stating, "Our support -- because we are in the support business, that is our main business -- we feel that it is necessary to have sufficient support dollars to do the job right. One of the biggest problems in the computer industry is just that -- support. And you hear people complaining they get the computer system and it is not properly supported. So we have been doing this sort of support for many, many years. We've been in business for over twenty years. What we do is include everything. We have a toll free 800 number. There are no other hidden charges or extra charges or any charges that is a total known figure for the whole year -- no matter what the problems are. We've been doing this with a lot of customers and it seems to work out very fine, because there is no question. If they have a problem they call, we resolve the problem. It is almost like an insurance policy -- medical coverage -- we're taking a risk. For this amount we take care of everything. The second part is we include all enhancements. We don't have any proviso about whether or not they are big or not. And one of the things coming down the pike is market approach, possibly, in Indiana -- and we have twenty years experience in market approach. As a matter of fact, we are using the Indiana system. In Louisville, KY they just sent out notices this past week for reassessment under market approach for all the commercial and industrial. All that is included in the future. There are no other charges for that if, and when, that comes down. So that's the idea."

Mr. Tuley said, "To make sure I understood, you put in a higher price, number one -- and I'm going to paraphrase (and correct me, if I misquote you or whatever)

(END OF Tape #1, Sides "A" and "B")

The CSS representative interjected, "Which means we get problems solved within a couple of hours -- not a couple of days or a couple of weeks. And you can contact any of our customers and get that confirmed. And we've been doing this work in Indiana since 1986."

Mr. Tuley continued, "And the last thing -- I want to make sure I understand, because I saw reference to what you talked about -- ro what Cap talked about -- if the law changes in the State of Indiana and we go to a fair market evaluation, you, as part of this fee, that conversion is done? That is included in that fee?"

The representative from CSS replied, "Yes, Sir."

Mr. Tuley asked, "And you don't come back and charge us extra money to convert?"

The CSS representative replied, "It is not just there -- it is in the support contract as an Exhibit, as one of the specific things. There are things in there beyond the minimal requirements that all of these things are covered and there are no other charges for those. But to provide that type of support, you have to have sufficient revenue -- and, as a matter of fact, we've participated in a lot of bidding situations in the past year and our support prices are actually not that high -

- they are in the middle."

Mr. Tuley said, "Before you go away, I just need you to tell the secretary who you are -- so when she goes to transcribe ..

The individual apologized and identified himself as Wayne Moore of CSS Associates, Inc. -- "I walked up here and didn't even say who I was. I am President of the company."

Commissioner Borries said, "Mr. Moore, I think I understand -- and you may not be the person here to answer this, I may have to get back to Cap. I understand what has been done above the line. I don't understand at this point contractually what is being done below the line. Because I get two different sets of figures. Above the line, I understand in terms, I guess, of year one and year one costs. You are lower. If year two to five support costs are considered as part of this bid, then you are higher."

Mr. Moore said, "This is the first time I've looked at these -- I don't know."

Mr. Borries continued, "That is why I can't make that determination. You are higher by some - - if we cost this out -- so I need to refer back to Cap on that."

Mr. Tuley said, "It's a role of the die here as whether those support services may be needed in the future."

Mr. Borries said, "I understand, But I don't know how the bid -- explain to me, again, how we bid this. Explain, again, to me our contractual obligation -- so that the Attorney could explain it to me if we get into a situation where we find we don't need \$60,000 worth of bid."

Someone in the audience started to ask a question, but was interrupted by the County Attorney.

Attorney Kissinger interjected, "If you could, sir, we need to get this immediate question answered by Mr. Cappelletti first."

Mr. Cappelletti requested, "Would you re-phrase, please?"

Attorney Kissinger said, "Cap, what the question is -- if I can re-phrase it -- the Commissioners are asking, basically, why did you consider the first year's support cost as a part of this bid, but not consider years two through five as a part of this bid?"

Mr. Cappelletti said, "Well, I did, in that the bids I have generally looked at in the past, we have looked at first year purchase cost, bringing it in the door and getting it going -- because of the budgetary process and the fact that it could be not budgeted. Those were all considered as 'by the way' I present these here to you to say, that as an annually budgeted item, this software support item would come before you in a budget either from the County Assessor's office or from the Computer Services Department for the County -- to say that these amount of funds would be necessary for the item declared a software support. That software support would be telephone support, problem resolution, enhancements for the software system, changes. One of the reasons I think we have a difference here is that on one hand we have a system, which is Manatron -- and I'm trying to remember the exact words -- in their system -- they have a system that is designed around one form of assessment calculation -- and for the life of me I'm trying to think of that term right now (I'll probably have to look it up). For example, going to the market approach, etc., is not included as part of. If that change is made then, you know, you're going to get this -- so there would be subsequent ongoing charges. On the other hand, you have a system that says we include all of these types of assessment evaluation and if, in fact, there are changes you get those period. End of story."

Attorney Kissinger interjected, "Okay. This is basically a commitment by the bidders that that is what our services are going to cost us in the future."

Mr. Cappelletti interjected, "Correct."

Attorney Kissinger continued, "And had neither of the bidders that were considered had included those second to fifth year costs, would CSS still have been the lower bid?"

Mr. Cappelletti said, "That is why we look at first year costs -- because we requested that the ongoing support items be listed for years two thru five to try to give it an evaluation -- as to what that provided to us. So if we had not requested what that is, then it would be simply a matter of annually negotiating a contract for the support at the then current rate."

Attorney Kissinger said, "So, in other words, we can negotiate a contract and the potential exists, I assume, based on CSS's or Manatron's experience in installing this system. We may even come up with a lower cost for service"

Mr. Cappelletti stated, "It would not be higher."

Commissioner Hunter said, "If I understand you, the numbers below the line -- we're not comparing apples to apples."

Mr. Cappelletti replied, "Right. That, plus these other miscellaneous costs I tried to enumerate in Attachment 'A' as for the most part if we had gotten either system. There are a couple of deviations. But, for the most part, those miscellaneous costs would exist outside of first year cost. And I'm looking through to see what was totaled up in those bids. I think what I see here in my table is that the other projected costs -- the other miscellaneous costs -- refer to the last category on the table to say other projected costs for Manatron. There is a \$350 charge to bring their software down and test compatibility of their software with the PC's we purchased last year. There is a charge for that." In response to request from Commissioner Tuley to repeat this, Mr. Cappelletti said, "The other projected miscellaneous costs I tried to list as some potential costs for consideration. Those are the items in the other projected costs category on that table -- the spread sheet -- the landscape spread sheet. Right there. If you look at the bottom, there is an item marked 'Other Projected Costs' -- and I'll try and go over these. There is an item called 'Testing of PC's. Manatron had raised a question as to the compatibility of the PC's we had purchased earlier through a different acquisition. This was last year -- from Manatron. And they said those would have to be tested to ensure the compatibility with their software. I said, find, you'd have to do it prior to a certain time and they said that a charge of \$350 would be involved for them to come down and test. This thing, as you know, has about a two year history and we've made acquisitions from one source, from another source -- now we're trying to put everything together in a cohesive system, which is probably one of the most important reasons that we look at standardization. The one disc drive was added in both bids just to get apples to apples at the bid price of Manatron \$2,448. The memory upgrade was suggested and recommended by CSS. In my personal opinion I think it is a good suggestion and, again, to make it equal I put it on both sides. Now, may or may not go after parts of that -- but I just listed the cost to try to fully explain the costs that may be involved. The total projected cost, including the year two thru five support costs, years two thru five -- if you add up the four items up there on software support, that is where you get the indicated \$20,779.43 for Manatron and \$60,060 for CSS. However, it is difficult to compare. You're trying to purchase the same thing -- yet on one side you have a software vendor that says whatever happens with reassessment we do reassessment and you're going to get that change period. On the other side, you say we do this form of reassessment and later on if it changes there would potentially be charges down the road. Well, my opinion would be to contract towards known prices rather than potential charges down the road. But, again, this is the recommendation rather than decision makers and those are on your side of the table."

Mr. Borries said, "Cap, for the record, since you've been involved literally in the middle of this -- you have no interest financially or otherwise or any situation that you feel puts you in any kind of conflict in relation to either of these two vendors?"

Mr. Cappelletti replied, "No, Sir -- I do not. I really did my utmost to try and look at this thing

on a very objective, unbiased position. I knew there was the potential for some polarity in the opinions of which system would be best. I even admonished the members of the committee to throw out emotion and to go basically to an objective review and come back with their recommendation based upon items that can be clearly substantiated. Unfortunately, I think you hit the nail on the head -- I'm right in the middle of it. There was a split decision. I, in my opinion, cast the deciding vote and that is why the recommendation is as it is this evening."

The Commissioners thanked Mr. Cappelletti.

Mr. Ron Spickenagel, the Regional Vice President from Manatron, approached the podium and said, "I'm sitting back here listening to this and you're not seeing apples to apples here in the comparison. And I think you need to know that right off the bat. Our cost -- and I didn't put together the bid specs or the responses on this, but I reviewed a lot of them -- we propose the training to be in a classroom type setting. What you are looking at here is a classroom training situation as opposed to a per day cost. We have a per day cost, as well. If you put our per day cost in there and do an apples to apples, you find the bottom line for Manatron is \$58,674 as opposed to \$65,250. And what we're finding out -- and in almost every situation where we are up against CSS -- the strategy is pretty clear. It's like selling a used car. You charge the least amount of money up front to get the deal and then you put it all in the back. So either I can give you more money for your used car, or I could take it off the trade. And that is what is happening here. This particular proposal is going to cost the County a lot more money in the long run. If you also look at the support dollars, the last I knew Wayne had a support staff including himself -- at least the last report -- was 11 people. We have 150 people in our company. We are also a \$15 million per year company and I don't think Wayne has hit the \$1 million mark yet. I mean the difference in what we can provide support wise and in technology as we move into fourth generation technologies -- we have a far greater staff to support this project. I think if you're going to look at apples to apples you should look at apples to apples across the board. And I don't think this was slanted that way. You know, I don't want to go into other details, but there are reasons behind slanting this proposal this way -- and I guess I don't want to bring those up."

Commissioner Borries asked, "Well, what would you do Mr. Spickenagel of the State mandates we had to go to a market value system which requires extensive changes to the program? What would you do?"

The response was, "What we've done in the past -- the costs are, and again it depends on how much work is involved in the State mandated system, but we've done this for the last twenty years and we have 40 some odd counties in the State of Indiana. What we do is we take that cost and we typically spread those costs out among our users. But if you take this amount apples to apples, you're not looking at \$40,000, you're probably looking at \$60,000 and even if you went to a State mandated system and we had to charge for it -- that difference...."

Mr. Borries interjected, "Even subject to it being negotiable, the one gentleman says there are no other costs in his figures -- are you able to say there are no other costs in your figures at \$20,000 -- looking at the support costs that we've tried to focus in on? Are you saying that if the State would go to another kind of bid that there'd be no other costs? That \$20,000 would be a firm price?"

The response was, "I can't say that at this point. The policy has been in the past that we have charged when there are massive rewrites, because there is a considerable amount of work that goes through it. That's probably why we've been in business twenty years and some of the other people have fallen by the wayside. We don't gouge our customers. We don't gouge our customers with the support field. We don't gouge our customers with the support figures that are here. And I think we're fair. We put everything down on there. And, if you want to address the hardware issue, we don't prepare for it to be a hardware vendor. We're in the software business. We can't go out on the street and buy the hardware for the people. If you choose to buy your hardware somewhere else, we think that's fine. What we do -- if you do buy the hardware from us, we will do everything we can do to resolve the problem regardless.

And a lot of times it is a lot more cost effective to do that -- to have the one source vendor solution for it. We do try and stick with name brand vendors. We have partnerships with IBM, DEC and a few other of the larger vendors -- so our hardware costs typically are higher than when we go to the competitors on it. But we also stick with the people who have been proven vendors in the industry. But, you know, again, we don't purport to be a hardware vendor. We're in the software business."

Attorney Kissinger said, "I'm interested in what you referred to as 'slanting the proposal' and somewhat cryptically referred to the reasons. If there are some reasons these people should know about in making their decision, I wish you would make them public."

The response was, "Well, okay. Richard Cappelletti was an employee of ATEK and Manatron recently purchased ATEK. And I think there's probably some hard feelings."

Attorney Kissinger asked, "How does Mr. Cappelletti benefit by that?"

The response was, "By swinging the business to another vendor -- if there's hard feelings."

Mr. Borries asked, "Do you have any proven indication that Mr. Cappelletti would have benefitted in any way from his decision?"

The response was, "No -- and, again, don't get me wrong okay? This is my personal opinion. I think there are some things that are hidden there and, indeed, you know -- I have no reason to believe he is financially gaining by any parts of this or anything else, I just think it may just be there might be some motivation to swing it elsewhere. I think this bid right here is slanted - - just because it is not apples to apples. I mean, I'm looking at this thing and it is not apples to apples."

Commissioner Borries asked, "What part is not apples to apples?"

The response was, "Well, there's not much to this. And the part that is down here is not apples to apples."

Mr. Borries said, "Well, the part that we referred to -- and there's been much discussion on in so far as the training, you're saying that the \$20,000 is not a firm figure. So therefore we don't know what your firm figure and your price would be. But what we do know..."

Mr. Spickenagel interrupted, "On the support cost."

Mr. Borries continued, "But what we do know that above the line that is market value."

Mr. Spickenagel said, "Yes. Everything that we know today as it exists, is firm. Everything we know today."

Mr. Borries asked, "And you're higher above the line than the other one, is that it?"

Mr. Spickenagel replied, "No, we're lower."

Mr. Borries said, "Not unless I am reading it wrong."

Mr. Spickenagel said, "If you take our per cost day -- if we're going to compare per cost day for 24 days, our per cost day is \$420 per day and that comes out to \$10,080. Our bottom line figure is \$58,674. His is \$65,250 -- at least on the sheet that I have."

Mr. Borries said, "You lost me. So you're saying you're reducing your training cost, but where did you reduce it -- because apparently"

Mr. Spickenagel said, "I am saying that if you want to compare us, you know -- apples to apples okay? -- use our per day training. We will do exactly the same thing as he is proposing and our cost is \$420 per day -- so it is apples to apples."

The Commissioners all asked how many people we're talking about.

Ms. Linda Christensen interjected, "May I say something? My name is Linda Christianson and I'm with Manatron-ATEK. I've worked in this county for eight years and I think you gentlemen have seen me here many times. One of the things that I think you realize -- I know the township assessors and the County Assessor have come to you for additional funding for the training. Their preference for the last eight years has been a classroom type situation. Number one, they are out of the office and they are not interrupted by phone calls. We have set up a room -- normally we rent a room across the street at the Executive Inn. We have provided the computers. We bring the computers in; we set them up; we have the personnel; we included the lunch. It was based on a per person and then if the township of the county wishes to send additional personnel -- those persons were charged an additional fee. This is a county choice. I believe that our original bid says that our training is \$70 per hour and is billed as used. That means that, you know, we only put the figures in there so the money could be appropriated. If you don't use it, you're not billed for it. This is based on the past experience that we've had in this county. You know, we're talking a two day classroom situation and it says up there 16 people, two days."

Mr. Borries asked, "So what you're talking about, Linda, you're saying you didn't put anything in."

Ms. Christensen said, "We did put -- this was our recommendation because it has worked and been successful in the past and because of our past history here. We also have a per day -- and I agree that if you're going to compare apples to apples, I think we should compare a per day cost to a per day cost or compare a training room situation to a training room situation. And that is our standard cost. If I had come back -- and I've personally done the training in this county -- if I came back and did training it was \$70 per hour which is \$420 per day."

Mr. Borries stated, "Well, they're lower than you then, because they've put in here 24 days at \$400 per day."

Ms. Christensen said "He is \$20 per day lower than we are -- that is true. But when you re-add everything, that comes out to \$58,674 from Manatron and \$65,250 for him -- we're \$9,000 lower. And on the support issue...."

The Commissioners simultaneously asked, "How?"

Ms. Christensen responded, "At \$420 per day x 24 days for a total of \$10,080..."

Mr. Tuley continued, "Subtracting that from the \$28,000 that has been used for the calculation here -- for a difference of like \$18,000 -- you come to a \$56,000 total -- that's what you're saying."

Mr. Borries said, "But here where you're talking about installation and training, they indicate on-site training \$9,600. Twenty-four days at \$420 per day -- you didn't put anything in there."

Ms. Christensen countered, "That is because it's not apples to apples. This is a training room situation and we're on this line -- and this is a per day. They're not equal. That's not an apple to apple. Here's an apple to apple. Right here, this is what our figure would be for training and that is \$10,000 to his \$9,600. When you re-add that, the bottom figure changes drastically. And, on the issue of support, what that support entitles you to is not only the 1-800 number, that entitles you to the enhancement. I've already seen a half inch proposal from the State of changes that they already want to make. You will get those enhancements; they're included in that cost -- that \$20,000. You don't want to cancel -- now, market value is a different issue."

What I am saying is that this reassessment...."

Mr. Borries interrupted, "He is saying that it is not. Assuming that it is, then what would your figure be?"

Ms. Christensen asked, "Can I back track just a second there?"

Mr. Borries stated, "I'd like to have that question answered first. Assume that market is not included in your \$20,000 -- what would it cost to re-write and do the whole system then?"

Ms. Christensen replied, "We can't say that without seeing the specs. It's based on a per parcel charge..."

Mr. Borries commented, "The other gentleman has said there will be no additional cost."

Ms. Christensen said, "That is true. But he is also going to charge you \$13,000, \$14,000, \$15,000, and \$16,000 to make up for that for the next five years. And that doesn't take into consideration year seven. Manatron has been doing market value for the last 25 years. We do market value in Michigan, Illinois, Georgia, Missouri -- we have a lot of experience in doing market value. We cannot -- I wish I had a crystal ball to see what the State is going to do. I mean, this time the State has made drastic revisions. For all we know, they may uncertify everyone to go market value. And the thing is you do not want to cancel our support -- no matter who your vendor is. You do not want to cancel that yearly support and I think that should be, you know, included. Because over the five years it is a \$38,000 ..."

Mr. Borries said, "You lost me in the numbers. You can't verify what your number's going to be at the bottom. You can't say \$20,000."

"Attorney Kissinger interjected, "That's our problem that we're dealing with. If you say ..."

Ms. Christensen stated, "The \$20,000 is firm -- but that does not include market value."

Attorney Kissinger again stated, "But that is our problem. We cannot do that on a long term basis on this bid."

Ms. Christensen said, "But market value isn't going to be in effect until at least probably 2000. Curt Zorn would like to have it in a lot faster -- but is going to be at least the next reassessment, so you're talking about the year 2000, maybe 2010."

Attorney Kissinger said, "What we're saying is we're becoming very speculative at that point. What we have to consider is what we know for 1994."

Ms. Christensen said, "Right. And for 1995 and 1996 -- because you're not going to go market value -- they cannot go market value for this reassessment."

Attorney Kissinger said, "What I am saying is, as far as the price of what we're going to spend now. That is what we have to consider."

Ms. Christensen said, "What I am saying is that this reassessment will not be market value. These prices are firm until the next reassessment."

Attorney Kissinger said. "I know. I understand that."

Mr. Tuley asked, "Which is when? Four years or ten years? I'm still confused."

Ms. Christensen replied, "Four is supposed to be -- but one never knows. It could change. So they're talking possibly in 1999 going to market value. But there's no guarantee they will go market value in 1999. They can't do it before then. They're not going to go market value in

1996 or 1997. This reassessment is set until the next one. So these prices are firm."

Commissioner Tuley said, "Let's make some assumptions here, Linda. Let's say in 1999, which is within that five year period. And let's say this contract was awarded to Manatron. So the State has changed the rules. You guys are going to have to come in and change this. We're going to contract with you and there's your cost -- which could be \$2,000 or \$202,000. How..."

Ms. Christensen responded, "Well, number one, it wouldn't be that high. This year, I understand. But it is based on the number of parcels and the number of clients we have right now. We have 41 County Assessors and 50 Township Assessors currently using the certified system. So you have a lot of people who are going to share that cost with you. And it's based on a per parcel count. We have Ohio County that has 1,300 parcels. And they are going to pay proportionately the same amount as Vanderburgh, the same amount as Allen, the same amount as any of our other counties."

Mr. Tuley said, "Proportionally, if I am understanding you, total parcels per month for 41 clients -- that you write into the total cost. So they pay the same price in Ohio County that we pay here per parcel."

Ms. Christensen commented, "Per parcel, yes, they do. It's just that your county is so much larger that the charge would be larger. And I think another significant feature that you should consider is that our system is a real time on line. That means that when Perry Township uses their modum, if they go in and make a change and someone stops into the County Assessor's office and wants to check on their parcel, if Glenn is the one, for instance, doing that parcel, that change is available to the taxpayer standing at the counter. It is my understanding that with this system that would not be the case. It would be a batch system. That means it would be at least the next day. They're talking about using the modum at night to send updates. The County Assessor handles quite heavily some of the remote townships, rather than their trying to go out, for instance, to Armstrong or out to Union. I think that is a significant feature. This is a feature that you have that you are going to lose."

Ms. Glen Koob from the Perry Township Assessor's office approached the podium and said she just wants to make one statement. "I'm Glen Koob - Perry Township Assessor Chief Deputy. The County Assessor's office doesn't do any of the data input, if that is what Linda meant like Armstrong. We do all of our data input and we have to give it to the County Assessor after we have done our own work. In response to comment from Ms. Chriatensen, Ms. Koob said, "No, they don't print our cards for us."

Ms. Chriatensen said, "For a taxpayer at the counter."

Ms. Koob said, "They don't have to. But sometimes they send them back out to our office. But they don't do any data input for us into their computer. They are not allowed to. They just have an inquiry only. Now, they do run reports for the State Tax Board, but the only reason why we can't run reports in the Townships is because we don't have enough memory and never have had enough memory to run these reports and use this fastport system and multiplan system that we've always had. Now, we don't have enough memory -- because Carolyn, one of the girls in the County Assessor's office, and I worked one day all day to try to run a report and we've never been able to do it. I don't know if Evelyn does, she might have -- you'd have to ask her. But we've never been able to run reports with the system we've got now that we paid for. And I may have a few comments later."

The gentleman from Manatron said he is going to go ahead and sit down. But he just wanted to be sure if they're going to compare numbers he thinks the Commissioners ought to compare them apples to apples -- and they've got that same structure. And if they look at that, Manatron is lower priced.

Ms. Christensen stated, "I don't know why she can't use the Multiplan. And the Fastport is used heavily by the County."

Attorney Kissinger admonished, "We're talking about this bid though. Folks, we can't argue on the microphones and we have to keep this confined to this bid."

Ms. Christensen continued, "The only other thing I'd like to comment on is the charge that we had in there for \$350 to test the system, I think that you gentlemen remember that we had some meetings and the way that it was designed -- I think some of you will remember Scott Riley. The way that it was set up, they wanted to bid out the township hardware. The County already had a contractual arrangement with us. Scott Riley and I think some of you folks sat in on this meeting. They wanted Manatron to do the software. They wanted Manatron to make the Novell system work. I addressed a letter to the Commissioners stating that Manatron was willing to do that, but because these were purchased from someone else, we just needed to test to make sure that they would work. We were assuming there would be no problem. That charge is for one of our technicians to bring a converted township down here, put it on one of the PC's and one of the other township (Center or Pigeon, we don't care) just to make sure that everything works okay. We don't anticipate any problem. But I did address that letter up front that if they did get those computers from someone else that we would be very happy to be responsible to make the Novell system work -- but that because they weren't purchased from us we would have to charge for that time. I think that's a very reasonable charge -- but that is what that \$350 is for. That would be for him to test to make sure that everything was all right. If you have any other questions I'd be happy to answer them."

Mr. Cappelletti said that he would like to clear up how the charges for the training on Manatron was arrived at and using what basis. "The bid from Manatron indicated that the bid was based upon two students for two days, with a minimum daily charge of \$1,000. Two students to go through the training would actually be insufficient for the County's needs and that was agreed to by all members of the Committee. In fact, the number arrived at that would seem to be fair to make sure that sufficient people were trained as members of all townships and the County Assessor's office was sixteen (16). In the bid from Manatron, Section 3.14, they recommended a training schedule based on two days for windows, two days for residential appraisal training, two days for commercial appraisal training, two days for other modules, personal oil, gas, etc. Training will be billed as follows: System Administrator/System Manager Training will be billed at an hourly basis at the rate of \$70 per hour. All other training will be billed at \$300 for the first student and \$200 per student thereafter per day. Maximum number of students per class is ten (10). Minimum billing per day is \$1,000. This rate, as Linda did suggest, includes Manatron providing the necessary hardware at off-site location to be used during the training session. So my numbers were derived based upon the quantity of students being sixteen (16) for the two day period, with the first student being \$300, remaining students at \$200 -- because in the CSS bid it said, 'With our software we are recommending 24 days and the \$400 per day is based upon their trainer, regardless of the number of students attending. So I tried to raise the quantity sufficient for the County's needs without going overboard and saying we are going to train everybody in the world -- but yet a sufficient number so that all townships and counties would be equally represented and have trained people at their site. That is where those numbers came from and I thought it was a realistic calculation of the stated bid cost."

The Commissioners thanked Mr. Cappelletti for his comments.

Mr. Tuley asked if there are further comments from the audience.

Mr. James Angermeier approached the podium and stated, "Mr. President and members of the Vanderburgh County Commission, I think that the record shows very conclusively that Jim Angermeier, Vanderburgh County Assessor, the Court decision was made over here some six years ago very clear. The County Attorney was there at that time and the County Attorney represented the Township Assessors, made it very clear on Page 3, it says right here, 'Subject to the budgetary approval by the County Council, a single central computer system is compatible consistent with the requirements of the law. It shall be operated under the direction and

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supervision of the County Assessor, provided however each Township Assessor will have access to the central computer bank through separate terminals in each of the offices.' And more than that, in the next paragraph it says that 'existing property record cards from each tax code real estate parcel in Vanderburgh County will be entered into the central system, which will generate a copy of the property record card for the use of each Township Assessor.' It's right there -- in the Court decision -- very clear. Having been given that report last Monday by Evelyn, who is on the Committee, and having had a chance to look at it -- and I see number one that CSS was considered to be the most responsive bidder in the scoring evaluation by all members of the Committee -- and I think that matter of box checking was used for the first time in Vanderburgh County. Is that a State for, Counselor?"

Attorney Kissinger stated, "I have no impression."

Mr. Angermeier continued, "At any rate, bidding or reviewing that -- and number 2 says, 'CSS has the lowest bid price as well as the calculated first year cost' -- I really thought at the time it was the intent of the Commissioners to put the bid out for a 5-year contract for the lowest bidder. And then all of a sudden having had a chance to review this compilation that was put together by Cappelletti, I find out -- without reservation -- I find out where Manatron reponse to the training programs versus zero for CSS; then going down and as I, like you, saw the \$74,994 vs. the \$65,000 -- and then I looked at the remaining years -- the two to five year support costs (\$20,000 vs. the \$60,000) and I put it all together and I find out that the \$95,773.43 was a bid figure given by these vendors here with good faith and intentions of providing a 5-year program. I have reason to believe that no one at this point in time even members of the General Assembly can tell you whether or not we are going to go to market in 1999 or in any years thereafter. I have reason to believe that the 1995 session will be dealt with more along the lines of record keeping and the amount of information State Tax Board is getting. Had we, again, gone down to the system of providing the training that we talked about, the Mantron was aware of that so-called exclusion at the top -- their bid and everything else could have come in a heck of a lot less; and the compilations they put together, for Manatron it is \$86,409.43 vs. \$125,000 -- and I thought I read here the other day that we are indeed in a budget crisis -- very much so. Be that as it may, we're talking roughly about \$40,000 and we're talking about separating it now on a one year basis; and to that extent, I would really like to elaborate on that. I thought we took into consideration all of the aspects of the bidder -- whether or not they were financially able to compete and remain in business and be there the second or third year. We have observed within the tri-state area and the adjoining county a bidder who bid one time and a year later was broke and left the county. We talked about financial resources, reserves -- you know, I took the liberty to write off to Dunn & Bradstreet and found out record wise. I will make it available to the County Commissionoerns, but to nobody else. You can look at it. We're talking about a \$15 million company versus somebody who has assets of probably \$225,000 and the totael employment of nine (9) people, two of which are the State of Indiana by the Dunn & Bradstreet report. Now, I think it is quite apparent that the Commissioners can decide to take it on a one year basis, but if you do that -- let's throw the whole bid out and start all over again. Or, more than that, why don't you stick to the proposition of awarding the bid to the lowest bidder as I just explained it to you in black and white the difference between \$30,000 or \$40,000 and -- if you want to put it together. Now, I know that some of the Township Assessors have been showing this record right here and they've told me that they agreed that Manatron is the lowest bidder. Are there any questions you'd like to ask me -- and I'm not going to tarry too long, because I know it has been a long meeting. I can tell you here and now that there are many records to look at. Manatron has a proven record of being in other counties providing services. We are, in fact, placing Vanderburgh County in jeopardy as to whether or not they have the manpower to maintain the system. And when he talks about two people in the State of Indiana, we're talking about an Indianapolis location of over thirty. Are there any questions you'd like to ask me, Mr. President?"

Commissioner Tuley replied, "Not right now. The only thing is, I'd just like to let you know that I'll make that (the Dunn & Bradstreet Report) part of of the information available to the Commissioners in this public meeting and it is public record. I want you to understand that

before you give it to me, because you said you didn't want anybody else to have it. You give it to me in this meeting, it is anybody's record to read."

Mr. Angermeier said, "That's fine. That's fine."

Mr. Tuley said, "I just wanted to make sure you're very clear about that."

Ms. Glen Koob, Chief Deputy from Perry Township requested permission to make a few short comments. "Glen Koob, again, Chief Deputy Perry Township Assessor. I do take exception at Mr. Spickenagel talking about Mr. Cappelletti. I think that we have a very important asset in Richard Cappelletti. He walked Evelyn and I through the technical part, the software part - - he even was to the point where he was undecided. This is not a moratorium on Mr. Cappelletti, but he was undecided and he was vacillating back and forth. He said, 'I'll tell you what, why don't we all go to Warrick County? They have the Manatron system and let's look at the Manatron system.' I need to tell you that we -- well, not 'we', but Tonya from the County Assessor's office put a multi-level house in three times and there was a problem with the delete key she said that wouldn't work and that Carol Johns was going to come back and fix it. Let me say that. I also called several companies today. I think Mr. Cappelletti did a good job and I just think he should be commended and I wanted to say that in public. Thank you, Cap! He told me not to get emotional, but I said that is what I run on. The other thing I'd like to bring up again and approach briefly is the support. We got letters -- Cappelletti wrote letters to Manatron and to CSS. We had to clarify different things with them. We had to clarify training and we have the letters available and I'm sure he might have given them to you. If he didn't, I will make copies for you. We asked them different things. In CSS it says it is all-inclusive; there are no other things that we could be charged for. I want to reiterate that. That is the difference between the software support. Let me turn back -- this is an evaluation letter I wrote -- well, I helped write. In Mr. Moore's letter from CSS he said the bottom line is, 'All software updates needed for the assessors to do their basic job will be provided under the support agreement fee. There are no other costs.' This is public. Mr. Cappelletti got it and that is what he wrote back -- and that has to do with the contract. In Manatron's -- he also wrote Manatron a letter. It says, 'Manatron/Atek, a bankrupt company that Manatron overtook - - and, by the way, Chrysler, at one point, was foundering and I think they were considerably larger than Manatron/Atek, probably the county and several other businesses -- Mantron/Atek converted township from Vanderburgh County to our certified appraisal system. Manatron/Atek will provide the county with a technician and the software to be tested (this is the one about the \$350) on site to determine that the PC's are acceptable. The county will be required to make one of the township PC's available. The cost will be \$350. Manatron agrees to have this testing completed by May 18th. That is saying if you're going to buy something for the County, whatever it may be -- okay, you're going to pay us to see if it works. It said in this contract - - in these bids -- when we made up these bids (let me get to the bid) it says in 3.16 'Use of existing personal computers. The offices of the County and Township Assessors have purchased and have in place certain micro processor PC based equipment that MUST be utilized in any proposal offered.' And there was nothing in there until later about the \$350. There was never anything in Manatron's bid about that. There is also \$70 per hour charges, the market value is additional cost and the \$350 test. And I could go into some of the -- I called Manatron users today and I also called CSS users today as to the support. You're asking about the additional support and the cost of the additional support. I called Allen County with Manatron. I'll give you all of Manatron's first. I called Allen County and they do not want to buy new equipment (the Data Board) not until 1996. Well, maybe I shouldn't have started with Allen County. They are not happy with Manatron; it's terrible support; and the farmland pricing, they finally got it straightened out; there was a problem. Noble County, I talked to Joe Parker. He said he would rather be with CSS. They installed Manatron and then they dumped it because it was not updated. They are going to update it later. I talked with Jean in Porter County and they are up and running since February. They are not into the sketching yet and she said she added a subdivision into her system and they had the mailing address as the property address. She called Carol John who is a technician, Thursday and left a message on voice mail. She called her Friday and left a message on voice mail and she called back Monday -- and she said Manatron's response time is slow, because she called her -- and, really, when you're down and when you

have a question, you panic -- I'm telling you -- when you're working with this. They did have a problem. They removed a building on one of their sketches, but she said it still left a value there -- which is great. If we remove your house from your building and we send you a tax bill next year and say that house wasn't taken down, but Jean doesn't know if it's been fixed yet or not. I also called Adams County. They are using a 286 processor -- what we have now -- and they are not going to update. The Commissioners seem to think the maintenance is too high and there is a \$4,000 overlap. I don't know what they mean by 'overlap' other than in maintenance costs. And Linda is the one that found it and told them about it -- and she said Manatron would give them a credit as opposed to returning their money, and I don't think the Commissioners were too crazy about that. They have a -- maybe Rose Nuise is her name -- said there is a problem with Manatron software on someone else's hardware. That is just what she told me. I also called Orange County (Linda Reynolds). This is the very first time they've ever used the computer system -- they've never tried anyone else's -- and they really liked Manatron. They thought it was a good system. Just a few more. Let me give you some of the users. We had 21 users from CSS. I talked to Floyd County. He went from Atek to CSS. He thought Wayne Moore was very honest. They have work stations. It is \$60,889 for their hardware and software. They have 30,000 parcels and that is mainly what -- he said May 12th they're supposed to roll over. I spoke with Louanne Lybrook in Hart County. They have 41,000 parcels. Their previous user was Manatron. She said something to the effect that they couldn't get their present assessments to roll over. She said she didn't know if it was a problem with their system, the Auditors - that they have roll over from 1993 values to 1994 values. CSS, their support and response is very good. They went from Manatron to CSS. And she said there is no comparison between the support and the response time. They are not converted yet, but will be next week. I asked her about the sketches and she said they would be converted. I spoke with Connie in Wells County. She has 15,000 parcels. She went from ATEK to CSS. She said CSS is very cooperative. I spoke with Wanda, I take it back. Connie was on vacation. She said CSS has been superb -- that they were a test county. They have one township converted; everything rolled over, even their sketches - - and they have nine other townships to go. Kosciusko County had ATEK. I spoke with Suanne Mitchell and she said the support from CSS is wonderful. And that is all I have right now. And I need to know if there are any questions. Oh, another thing, our processors that we're talking about -- the Township Assessors have 486DX2's with 66 megahertz, IBM compatible. I think the County's are 486's, but they only have 33 megahertz and there are only four megabytes. And those were sold to the County by Manatron. The other thing is, I should probably let Cap work on this -- but he never touched on it. But he said the Novell network is 3.11 that was sold to us by Manatron and I think that outdated in September of 1993 - the fall of 1993 -- and it already needs to be updated to 3.12. That is something else that we might look at. Are there any questions?"

The Commissioners responded negatively, and Ms. Koob apologized for taking up all of their time.

Commissioner Borries stated, "Our time is your time."

Commissioner Hunter stated, "By the way, I hope I don't have to pay your phone bill."

Ms. Evelyn Lannert of the County Assessor's office approached the podium and stated, "Mine either -- because I called, also. I'm Evelyn Lannert and I am one that was not told not to be emotional and I'm slowly learning to be emotional. Cap did help us through a lot. But I did call a lot of the user references and CSS had two clients prior to 1994 (LaPorte County and Johnson County). They are the only two that I could say were actually in operation. The other 19 that CSS listed as user references are clients that he has picked up this time. What the people told me, they are in a practice mode. The software has been installed and what they are doing is working -- their name, address and legal description has been put in and they are working on those to see what the bugs are. So as far as going to Warrick County, Warrick County chose their own system. We saw what they chose, but all I've seen of CSS is a demonstration. Wayne came into the office this afternoon. I worked on his notebook computer and during that time he was interrupted three times with phone calls. So I'm saying that the classroom

environment for training is really better than in-office training due to the interruptions in the latter. But I did want to point out the fact that CSS had two established users before 1994 and the others are what he has picked up -- some because ATEK -- they didn't know how they were going to go; they were afraid they would be without a software vendor, so they signed up with somebody so they would not be without a software vendor."

Commissioner Borries asked, "What system are we talking about that Manatron uses?"

Ms. Lannert replied, "You'll have to ask them."

The response from the audience was "M. S. Daus."

Commissioner Tuley said he wants to take this under advisement, because he wants to look at it and make some phone calls himself.

Commissioner Borries said, "Cap, I want to thank you, personally, for all of your hard work, as well as Glenn and Evelyn on this. It is an emotional issue and you all have succeeded in losing me in the numbers. I have some concerns that this is not something that I can understand easily. The concerns I voiced in terms of this two to five year costs. But on the other hand, I also have concerns the other way -- that now we get into a situation where we're changing the bid and the specs and we may never resolve this and obviously there are going to be hard feelings here whichever way we go -- and I understand that. I guess that is why I've done this for so long. It is possible to make everybody mad, as I have always said. You can't please them all, but you can make them all mad. Accordingly, I would defer at this point to Counsel, the County Attorney, and only him. I just want you to talk to Cap and get from him a clear understanding here of some of these numbers that we've discussed this evening. Mr. President, I would then be prepared to make a decision -- and I mean a decision -- and you all are going to have to come back one more time, next week. And I don't want any new information. Frankly, I've got all the information I need. More than I need maybe. What I need now is , again, some clarification on a few issues so I can make a decision next week. And, at this point, I will defer to the County Attorney to help me make that decision."

Commissioner Tuley asked, "Is that a motion to defer to next week?"

Commissioner Borries replied, "It is a motion."

Ms. Koob said, "One other thing. Manatron gave us a deadline of May 13th. If we don't get it in by then..."

Commissioner Borries said next Monday will be May 9th. Something is going to happen -- I'll tell you that."

Commissioner Tuley stated, "There will be a decision. I hate to have you sit through three hours of this and walk away with no decision, but...."

Commissioner Borries interrupted, "Well, I think it's helpful. As always, we have to get confused to sometimes learn and figure out how we're going to move forward on this. Again, I've asked some questions but I have some remaining questions. But , Mr. Kissinger, is it too presumptuous of me to ask you, at this point, to ask some questions of Cap, individually, so you can come back and we'll do this next week."

Attorney Kissinger commented, "With the understanding that none of the vendors, the townships, or the County Assessor contact me -- because I'm not going to talk to them."

Commissioner Tuley stated, "No lobbying."

Commissioner Borries said, "As a matter of fact, I would almost prefer -- I think I've heard,

you know, all I need to hear. At this point I'm not sure that any new information would serve much of a purpose. So it might be like that Riverboat Commission you just came from -- I just would prefer to hear from Alan at this point."

Commissioner Tuley said, "He summed it up pretty good. We'll see you next week."

Mr. Cappelletti thanked the Commissioners.

RE: ALEXANDER AMBULANCE CONTRACT

The meeting continued with Commissioner Tuley saying he may want to defer this item to Attorney Kissinger -- the clarification of this contract which was deferred from last week's meeting.

Attorney Kissinger asked if there is anyone here tonight from Alexander Ambulance.

Mr. Jerry Key of Alexander Ambulance was recognized.

Mr. Tuley said that Messrs. Kissinger and Key have had some phone conversations since last week -- he guesses it stems from 'confusion' with the contract and he is going to turn it over to Alan at this point in time.

Attorney Kissinger stated, "I think the area of confusion, if you will, is that area regarding the cap or the maximum amount the County may have to pay under the contract if the provider service actually incurs certain losses. And two paragraphs that I think are appropriate to refer to here -- on Page 16 is a paragraph that says, 'In the event that quarterly statement reveals an operating loss by the provider with respect to services provided under this agreement, and in the event such statement of operating loss is accepted by the Board, the Board shall thereupon reimburse the provider for said operating loss, provided there is a total cap on the total payment under the contract, even considering losses that may be in excess of that \$197,977.90.' Also, if there is a profit, the provider will refund that to the County if the County has paid a loss prior to that time. We have budgeted \$185,000 -- is it \$185,000 or \$185,500, Joanne?" Ms. Matthews replied that it is \$185,000. Attorney Kissinger continued, "I think it was Mr. Key's concern that we were reducing the amount of the contract. As I have previously explained to Mr. Key, I think to his satisfaction, we are not changing the amount of the base contract.

(End of Side "A", Tape #2)

Attorney Kissinger continued, "And we're hoping the provider will not experience any losses. And, as a consequence, the County won't have to make any of these payments. But this is a part of the contract as it existed last year. And we did discuss this with Mr. Key and Mr. Kleuh, as a matter of fact, that the contract that had been proposed this year -- although there were some minor changes in language, there was no change in substance. And, based on that, I recommend that we enter into the agreement as it was last year. Mr. Key's concern at this time is that the Commissioners are trying to put a cap on the contract. In other words, there is no circumstance under which we would have to pay more than \$185,000 -- even if they experienced the loss that is addressed in the contract. I think that if we enter into this contract, the Commissioners sign it, Mr. Key signs it -- that we will be required, if the losses are shown, to pay those losses up to the maximum amount indicated in the contract. I don't know, I think that is your understanding as well, am I correct, Mr. Key?"

Mr. Key replied, "Correct."

Commissioner Borries said, "Mr. Key, I'm sorry to have kept you waiting (I think we all are) for this period of time. But I guess if you followed along in this lengthy discussion that we just had about a contract on this last go round and as antiquated (Bob Harris walked in and asked

if it was already next week here) -- if you follow along in this antiquated system we do in Indiana, it is something just real simple for me to be able to ask for a firm figure and live by that. Ms. Matthews had given us what we had budgeted and the actual that the County Council had allowed was \$185,000 and there appeared to be some kind of modifications that started to this contract in 1992. Frankly, as with a lot of things -- information we get -- I was unaware of this until Ms. Matthews put this together. But I will tell you that from my perspective, that although I will sign this contract for \$185,000 this year, I do not agree with any kind of sliding fee in a contract that can bind this county. That is one reason I am trying very hard to get some firm figures on this last contract -- so we know what we are getting and that figure will be firm. And I must ask the same from you. If you have losses, frankly, I guess we'd have to get a whole Auditor's group in here to verify what those losses would be at any given time and, given the County's tight financial situation, we have to budget and budget very closely and \$185,000 is all there is. And I guess this year we could live with it if you come back and you're saying you're going to have to come back for an additional appropriation. I will do it this year. But before we would negotiate a contract next year, I would have some reservations about that particular clause because, frankly, I don't know how the County Council nor you can anticipate what kind of losses you're going to have. It's a guessing game. You know, I can live with \$185,000 -- but I can't live with something that says this is topping out because of our losses, because we don't know what those are. Nor do I think you would. I don't think you can predict the future on that."

Mr. Key said, "Right. And it's not an excuse -- but to be honest with you, we walked into this thing in the fall. Renewal time. We understood that for the past two years the contract amount paid was in excess of \$196,000; that the \$197,000 was in the contract last year. Sent you a letter. I subsequently had a phone call with Mr. Tuley and said, 'We're not in any position to change this; we'll guarantee you we will honor the content of that contract with no price increase -- and it was our understanding to continue after January 1st to honor that contract based on that assumption. I'm not trying to increase the rate on you. To be honest, I looked at some numbers before I came tonight. Our first quarter of this year is 42% higher in call volume in the county than it was two years ago when we first hit the \$196,000. We are seeing increases in cost. And our full fiscal year last year (calendar year) was almost 18% higher than the previous year -- both of which were reimbursed at \$196,197. So it wasn't our intent to increase anything. I understand your need -- especially after sitting through tonight -- to try to lock in dollars; and I don't disagree with that. I think the intent -- and I was not here when the contract was developed -- the intent was to say \$197,000 and if we come in less, you win. If you prefer to say it is \$197,000 and if we come in less, we win -- I don't think that is what you want to do. I am willing to try to develop this and work with anybody you tell me to work with to develop something that is more suitable to the county."

Mr. Borries said, "Well, I'll tell you, if your cost are going up 18% and we're limited at a 5% maximum cap every year, you're never going to come out with 18%, I'll tell you that. I'm just saying I'm prepared to sign something for the \$185,000; I'm sorry for the mistake. I would say it is unintentional. But there is no \$197,000 in that account. And, frankly, to go to Council and say this is the loss fund they predict they figure they are going to have to have, I don't know how we could justify that until we get the losses."

Commissioner Tuley said, "You understand there is \$185,000 budgeted and we will meet our contractual obligation not to exceed whatever that number was that you read. If it gets to that point we'll have to come up with the money - for this year. And before this year is out we will renegotiate for next year and start off right next year."

Mr. Key said he understands the difference between the contract amount and the budget amount and they probably own some risk there. But apparently that is what has been going on and it is too late for him to modify that before the end of the year.

Attorney Kissinger asked, "Have you made any loss claims this year, Mr. Key?"

Mr. Key replied, "I just submitted one today for the end of the first quarter."

Mr. Kissinger queried Mr. Key as to the amount.

Mr. Key said he believes the amount for the first quarter was \$174,000 so there is no doubt in his mind that they will hit the \$197,000.

Mr. Borries said, "We can maybe make the change to \$185,000 by hand, if the Attorney agrees, and we can go ahead and sign that and move that forward."

Attorney Kissinger said, "Basically, that is not what we are doing. Basically, the contract we're talking about here is a base amount of \$185,000, with the possibility of going to \$197,977.90."

Mr. Borries said, "You see, I don't know if you're saying -- this is going to take some discussion maybe with our Auditor and maybe with some other technical people -- because, frankly, maybe with the change they're doing some figuring different from ours and that alarms me very much because we've had those kinds of increases and we're not prepared -- at least I am not prepared -- to approve those. But is signed and we'll just have to go with that \$185,00."

Mr. Key stated, "The only modification I can make is that we're honoring that contract at a lower rate than we have had the last two years."

Mr. Borries said, "No, you still have, I guess, we will go up to \$177,000 this year based on your reported ones -- but in the future I think we'd better understand your system a lot more carefully, because I will assure you that if this cost continues to increase, then we're going to have to look very seriously as to whether we can continue to do this cost on that type basis."

Mr. Key said, "Well, it's practicality. I don't know how long the \$185,000 has been in effect - - but the \$197,000 has now been in place for the third year at that rate. I know that the Commissioners had requested an increased amount, according to Joanne, for one year -- but this year that wasn't done."

Mr. Borries said, "Sometimes the County Council starts cutting when they take a look at the numbers."

Attorney Kissinger commented, "You know, that is our problem as to the future. You know, we can go to the County Council this year as we did last year and ask for that additional \$12,000 -- and they can say no. Then technically we are put in the position of breaching the contract. And we don't want to be in that position. We need a concrete figure that we can deal with on the long term basis."

Mr. Tuley said, "Quite candidly, I don't think June is too early to start negotiating next year's contract."

Attorney Kissinger remarked, "Not at all. Not at all."

Mr. Tuley said, "Maybe even before then."

Chief Deputy Auditor Cindy Mayo said, "The budget figures need to be submitted by July 1st."

Mr. Key commented, "Well, it's May."

Attorney Kissinger said, "Some time before July 1st. Next week."

Mr. Tuley said, "But I penned this change on here following our discussion last week; drew a line through this \$197,000 -- so which figure..."

Attorney Kissinger said, "My understanding is that there were representations made that there had been no changes in the contract from the year before -- and there was an understanding between the parties that in consideration of the fact that there were no changes, we'd renew the contract for this year. I think, based on our word, we're committed to renew the contract at the

\$197,000 figure."

Attorney Kissinger said, "Joanne, so you will understand -- what we are doing is we are renewing at \$185,000, with the possibility that there may be loss payments up to \$197,000. So what is budgeted is appropriate -- because the losses are speculative. Although I think they've been confirmed at this point."

Commissioner Tuley commented, "I was going to say, the historical average is that it is going to be there."

Mr. Key asked, "Can you advise as to whom is the appropriate contact for me to work with to develop this, both from a dollar and contract standpoint?"

Attorney Kissinger said, "If you will contact me, it will either be or someone else that I will assign to it. Okay?"

Mr. Key expressed his appreciation to the Commissioners and to Attorney Kissinger.

RE: WATERFORD PARK SUBDIVISION/REQUEST FOR WAIVER OF SIDEWALKS
- JOE REAM/DECEM INVESTMENTS, INC.

In continuing, Mr. Tuley said the Commissioners will be getting to breakfast before they get to dinner! He then recognized Mr. Joe Ream. He stated they are requesting a waiver on sidewalks on Vogel Rd. for Waterford Park Subdivision. They have about 1,300 ft. on Vogel Rd. and going west to Green River Rd. on Vogel Rd. there are no sidewalks -- and even on the other side of Green River, as far as he knows there are no sidewalks on any portion of Vogel Rd. from the subject property west to Stockwell Rd. They have nothing to connect to and they'd like to spend their money on something more practical.

Commissioner Tuley said, "Your letter also says that there are no residential developments in the immediate area that would necessitate the need for sidewalks -- and I think that is a key point, as well."

Commissioner Borries asked, "What you're going to do is pave almost entirely to the curb anyway, is that correct? Wouldn't there be pavement all the way to the curb?"

Mr. Ream replied, "Sure."

Commissioner Tuley entertained a motion.

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

RE: COUNTY ATTORNEY - ALAN KISSINGER

Attorney Kissinger said, "I'll tell you in advance, the only thing I have to report is the bid recap of the Old Union Township School Rubbish Removal & Demolition. Bids were as follows:

- 1) Scott Boiler & Burner Service: Demolition \$27,053 and
Rubbish Removal \$18,302
- 2) Deig Bros. Lumber & Construction: Demolition \$26,575
Rubbish Removal \$28,150
- 3) Floyd I Staub, Inc.: Demolition \$18,500
Rubbish Removal \$21,000

Mr. Kissinger said the request was that action on this matter be deferred until the May 9th meeting.

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

Mr. Tuley asked that Mr. Abell see that Lynn Ellis receives the bids in the morning.

Mr. Abell said some of these have bid bonds. Should they go in the safe.

Mr. Tuley said to give them to Lynn and she will give him back whatever.

Attorney Kissinger said he has nothing further to report.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Full Circle Services: Mr. Abell said we had discussed doing some business with Full Circle Services, specifically for a check in the amount of \$10,451.35. They subsequently sent us a letter stating that was a mistake -- that we actually did receive that check. Therefore, basically, they don't have anything they can do for us and we don't owe them anything. What happened was they thought they'd found a check out there that we would be able to recoup from the State in that amount. But as it turns out, once they started investigating it, we had already received that and cashed it. So, therefore, the contract we entered into with them for that is null and void.

In response to query from Commissioner Borries, Mr. Tuley said we already have the \$10,000 - we just don't owe the \$2,000.

Mr. Abell laughed and said that is right -- so that's a dead issue.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: Mr. Tuley said Mr. Morphey was at the meeting earlier, but left. He did, however, submit his weekly work report for period of April 22, 1994 thru April 28, 1994report received and filed.

RE: UNION TOWNSHIP - MRS. FRED TODTS

Ms. Fred Todts, a land owner in Union Township, expressed her appreciation to the Commissioners concerning the proposed demolition/rubbish removal at the Old Union Township School site. She said she hopes she lives to see something done down there. This has been going on since 1984 and has continued to grow worse all these years.

Mr. Hunter said he hopes she sees it this summer -- very quickly. He bets the next time there is a school for sale the County will look real hard at letting it go out like that one did.

Ms. Todts wanted to know if, as a taxpayer, she helped pay for all the long distance calls Ms. Koob made to the various counties she spoke of earlier.

RE: COUNTY ENGINEER - JOHN STOLL

Closure of Eickhoff Road re USI Interchange: Mr. Stoll said they will begin hauling dirt in for the USI Interchange and need to close this road beginning next Monday.

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

Recommendation to Rescind the Resolution Establishing Temporary Speed Limit of 35 mph on North Green River Rd. (9/13/93): Mr. Stoll said he is recommending that the Resolution lowering the speed limit during construction period now be rescinded.

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

Commissioner Hunter asked what kind of speed limit will be put out there now.

Mr. Stoll responded, "45 mph."

Mr. Hunter commented, "It rolls good at 55 mph. Be careful, folks."

Waterworks Rd.: Mr. Stoll said this subject was discussed earlier. He offered further brief comments, but they were completely inaudible.

Mr. Borries said he just wants to thank Mr. Stoll for what he has done. He has worked so hard on this -- and he's sure it's one project Mr. Stoll will remember for a long time. And he thinks Mr. Stoll is exactly right, we need to do this quickly. We need to put together a time limit and cost estimate. He would move that the County Engineer issue emergency RFPs regarding the reconstruction of Waterworks Rd.

Attorney Kissinger said, "Basically, what we need to do is have the Commissioners declare this situation to be an emergency, in which case that would enable Mr. Stoll to request quotes from two different -- in this case -- design engineers, as opposed to going through the RFP procedure."

Commissioner Borries said he so amends his motion. Seconded by Commissioner Hunter. So ordered.

Mr. Borries humorously noted that if Mr. Stoll can ever get any sleep -- he can have some nightmares about this.

Completion of Royal Avenue/Metro Avenue: Mr. Stoll said this project is under way today. As of last Friday they were grading it, bringing it up to the proper grade -- so it is under way.

RE: CONSENT AGENDA

President Tuley suggested the Commissioners continue with the agenda and see if they can get out by 9:00 p.m. He then entertained a motion concerning the Consent Agenda.

Commissioner Borries requested that the request with regard to Nightmare Forest at Burdette Park be taken off this evening's agenda. Seconded by Commissioner Hunter. So ordered.

Motion to approve the remainder of the Consent Agenda was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

Mr. Tuley said a list of scheduled meeting is attached to the agenda. The Civic Center will be closed tomorrow for the Primary Election. There is a County Council Meeting tomorrow and a Solid Waste meeting and regular Commission meeting on May 9th. There will be an Executive Session at 4:00 p.m. on May 16th, the Commissioners at 5:30 p.m. and Rezonings from 7:00 p.m. to midnight. (Mr. Hunter interjected, "At least.") Mr. Tuley continued saying there is an Executive Session at 4:00 p.m on May 23rd, Commissioners meeting at 5:30 p.m. and subsequently the Drainage Board. It should be duly noted that May 30th is a holiday and the building is closed. Therefore, the Commissioners will meet on Tuesday, May 31st.

RE: OLD BUSINESS

Commissioner Tuley entertained matters of Old Business to come before the Board. There was none.

RE: NEW BUSINESS

President Tuley entertained matters of New Business.

Transfers of Funds: Mr. Borries said he has one item. Mrs. Jarrel had given him a memo concerning some transfers that she and Mr. Cappelletti had worked on, so we would be able to pay some bills on accounts. These are transfers Mr. Cappelletti had verified and suggested. He will get that to Mr. Tuley tomorrow -- he simply forgot to bring it with him tonight. Again, he will have it tomorrow.

President Tuley entertained further matters of business to come before the Board. There being none, he entertained a motion for adjournment. Motion to adjourn made by Commissioner Hunter and seconded by Commissioner Borries. So ordered. Meeting adjourned at 9:00 p.m.

PRESENT:

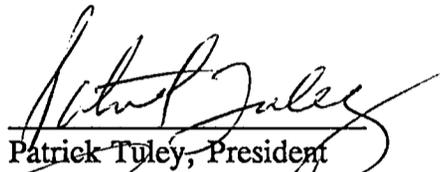
Patrick Tuley
Richard J. Borries
Don L. Hunter
Cindy Mayo/Chief Deputy Auditor
Alan M. Kissinger/County Attorney
Mark Abell/Supt./County Bldgs.
Richard Cappelletti/Computer Services Dept.
Joe Profajaer/Computer Services Dept.
Bill Morphew/County Highway
Joseph O. Ream/Decem Investments, Inc.
J. Wayne Moore/CSS Associates, Inc.
D. Burch/Center Township Deputy
Michael Moers/Center Township Assessor's office
Glen Koob/Perry Township Assessor's office
Amelia L. Tornatta/Perry Township Assessor
Paul A. Hoskins/Marina Pointe, Inc.
Terry Wise/Marina Pointe, Inc.
Ron Riecken/Inland Marina, Inc.
Judy Burns. Inland Marina, Inc.
James Angermeier/County Assessor
Wayne Trockman, Attorney
Margaret Kuhlenschmidt/Landowner
Donald Kuhlenschmidt/Landowner
Lee McClellan/Morley & Associates & Levee Authority
Mrs. Fred Todts/Landowner/Union Township
John Gerard/Knight Township Deputy
Shirley Reeder/Knight Assessor's office
Al Folz/Knight Assessor
Pat Grady/J. H. Rudolph & Co.
Charles Gullege/J. H. Rudolph & Co.
Linda Christensen/Manatron/ATEK
Marcia Roberts/Scott Assessor's office
Barbara Harris/Scott Assessor's office
Bob Harris/Scott Assessor
Randall Kron/Armstrong Assessor
Stuart Scott/Scott Boiler & Burner Service

COMMISSION MINUTES
May 2, 1994

42

Russell Scott/Scott Boiler & Burner Service
Andy Kreitzer/Kreitzer Farms
Jim Kreitzer/Kreitzer Farms
Jerry Kreitzer/Eagle Slough
Frederick Bumb/Eagle Slough
Ronald Spickenagel/Manatron/ATEK
Evelyn Lannert/County Assessor's Office
Charles Thomas/Water & Sewer Dept.
Others (Unidentified)
News Media

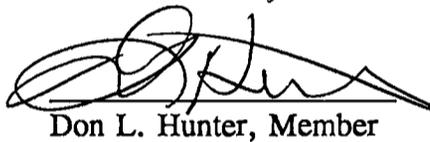
SECRETARY: Joanne A. Matthews



Patrick Tuley, President



Richard J. Borries, Vice President



Don L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

May 2, 1994

FINAL

5:30 P.M.

1. CALL TO ORDER — 5:32
2. INTRODUCTIONS ✓
3. PLEDGE OF ALLEGIANCE
4. ACTION ITEMS
 - A. Approval of Commissioner Minutes — DH/RA
 - B. Any group/individual wishing to address the commission ✓
 - C. Lynn Ellis/Buyer for Purchasing ✓
re: Open bids for rubbish removal/demolition: Union Twp School
*request to take under advisement until May 9
 - D. Richard Cappelletti/Director, Data Processing
re: Recommendation and request for award of bid regarding the
County/Twp Assessor's Tax Reassessment Software, Hardware and
Services bids
 - E. Alexander Ambulance Contract (Mercy)
re: Clarification of last week's meeting (Mr. Jerry Key)
 - F. DECEM Investments, Inc. Letter
re: Sidewalk waiver request for Waterford Park Subdivision
5. DEPARTMENT HEADS

Alan Kissinger -----	County Attorney ✓
Mark Abell -----	Superintendent of County Buildings ✓
Bill Morphew -----	County Garage
John Stoll -----	County Engineer ✓

W. T. ... - W.W. Rd.

6. CONSENT ITEMS

A. Travel/Education

Health (2) Auditor's (3)--State Called Meeting

B. Burdette Park:

- 1) Signatures on contract for Nightmare Forest
- 2) Adoption of new family pass

C. Employment Changes
see attached lists

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 213.4 Health Department/WIC Program

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Mary Katherine Meny	7001 Broadway Evansville, IN 47712	Registered Nurse	Hourly 12 8293	5/9/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sam Elder

DATE

4-28-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
118	JAMES CREEK		GRND. CREW	4 25	4-16-94
118	DANA GOURLEY		GRND. CREW	4 25	4-16-94
118	LAINIE COUDRET		GRND. CREW	4 25	4-16-94
118	ROBERT TOWNSEND		GRND. CREW	4 25	4-16-94
118	JAMES B. GERARD		GRND. CREW	4 25	4-16-94
118	JAMES TOWNSEND		GRND. CREW	4 25	4-16-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tully

DATE

7-28-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *sd*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	TITUS TRASK	EMP# 05544	PART-TIME CORRECTION OFFICER	\$7.00	HR	4-10-94
136.1-1990	JIM WARD	EMP#05565	PART-TIME CORRECTION OFFICER	\$5.00	HR	4-10-94 ✓
136.1-1990	TERESA DYER	EMP# 04932	PART-TIME CORRECTION OFFICER	\$7.00	HR	4-10-94 ✓
136.1-1990	MARY GRIGGS	EMP# 05258	PART-TIME CORRECTION OFFICER	\$7.00	HR	4-10-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	TITUS TRASK	EMP# 05544	PART-TIME CORRECTION OFFICER	\$5.00	HR	4-9-94
136.1-1980	JIM WARD	EMP#05565	INTERN	\$5.00	HR	4-9-94 ✓
260-1980	TERESA DYER	EMP# 04932	PART-TIME CORRECTION OFFICER	\$7.00	HR	4-9-94 ✓
260-1980	MARY GRIGGS	EMP# 05258	PART-TIME CORRECTION OFFICER	\$7.00	HR	4-9-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE 4/27/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

From: Department Health Department 213.0 To: MCH 213.2 *sd*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
^{213.2} 1130 ²	Diana Dippel	1429 Mesker Pk. Drive	P.N.P.	39,000	00	4/23/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
213.0-1170	Diana Dippel	1429 Mesker Pk Dr.	PNP	39,000	00	4/23/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 4-26-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	DAVID W. TROUT	EMP# 05534	INTERN	\$4.75	HR	4-5-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Russell*
JUDGE, CIRCUIT COURT

DATE 4/27/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY CLERK'S OFFICE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1010-1460	LINDA S. WOODS	2511 W VIRGINIA	DEP. CLERK 7.0629/hr.	14	691	4-25-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Betty Knight Smith*

DATE 4/28/94

May 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1 121 / 244	2 122 / 243 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners	3 123 / 242 Primary Election Building Closed	4 124 / 241 3:30pm County Council	5 125 / 240	6 126 / 239 Pay Day	7 127 / 238
8 128 / 237 Mother's Day	9 129 / 236 4:30pm Solid Waste 5:30pm Commissioners	10 130 / 235	11 131 / 234	12 132 / 233	13 133 / 232	14 134 / 231
15 135 / 230	16 136 / 229 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Rezoning	17 137 / 228 9:00am Insurance Comm.	18 138 / 227	19 139 / 226 9:00am Steering Comm. 5:00pm Pigeon Creek	20 140 / 225 Pay Day	21 141 / 224 Armed Forces Day
22 142 / 223	23 143 / 222 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Brd.	24 144 / 221	25 145 / 220 3:30pm Personnel & Finance	26 146 / 219	27 147 / 218	28 148 / 217
29 149 / 216	30 150 / 215 Memorial Day (Observed) Building Closed	31 151 / 214 4:00pm Exec. Session 5:30pm County Commissioners				

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

J.H. Rudolph & CO., INC.

BRANCH PLANTS
COLUMBIA STREET - EVANSVILLE
JASPER, INDIANA
MT. VERNON, INDIANA
TELL CITY-TROY, INDIANA

ASPHALT & CONCRETE PAVING CONTRACTORS
ROAD BUILDING MATERIALS
SINCE 1940

GENERAL OFFICES & PLANT 1251 NORTH STOCKWELL ROAD
MAILING ADDRESS P.O. BOX 5226 • TELEPHONE (812) 476-4921
EVANSVILLE, INDIANA 47716-5226
FAX (812) 473-8591

EQUIPMENT RENTAL RATES FOR VANDERBURGH COUNTY EMERGENCY WATERWORKS ROAD April 28, 1994

LABOR:

(Includes Wage, fringe, workman's comp insurance, payroll taxes)

Superintendent	\$ 40.00 per man hour
Foreman	30.00
Operator	29.11
Laborer	21.50
Truck Driver	24.00
Engineer	35.00

EQUIPMENT:

Excavator Komatsu PC-220-LC5	75.00
Excavator Komatsu PC-400-LC5	135.00
Backhoe- Ford 655C 4 wheel drive	32.00
Tri-Axle Dump Truck	22.00
Light Plants	14.00
Dozer Cat D9K	68.00
Dozer Komatsu D65	58.00
Dozer Fiat-Allis FD5	35.00
Vibratory Roller Ingersoll-Rand SD70D	35.00
Chainsaws	8.50
Pickup truck	5.00

Other equipment at standard Blue Book Rate, per Indiana Department of Transportation Standard Specifications. Miscellaneous costs computed per IDOT specifications.

Overhead and Profit 15%



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603
435

April 29, 1994

Mr. Steve Rudolph
J.H. Rudolph and Co., Inc.
P.O. Box 5226
Evansville, IN 47716-5226

RE: Emergency Repairs on Waterworks Road

Dear Steve:

This is your notice to proceed with the clearing and removal of debris resulting from the collapse of Waterworks Road. The scope of work is as follows:

The work to be performed by J.H. Rudolph and Co., Inc. shall include clearing and removal of debris and trees from the area, constructing temporary access down the slopes to get to the collapse, removal of asphalt and stone, etc. (to be stockpiled), install sheeting if necessary, dewater as required, and expose existing pipes.

The work to be performed by the Vanderburgh County Highway Department will consist of hauling away excavated material.

This work will be performed on a time and materials basis, and the work is to begin immediately.

If you have any questions concerning this, please contact me.

Sincerely,

John Stoll, P.E.
Vanderburgh County Engineer

J.H. Rudolph & CO., INC.

BRANCH PLANTS
COLUMBIA STREET - EVANSVILLE
JASPER, INDIANA
MT. VERNON, INDIANA
TELL CITY-TROY, INDIANA

ASPHALT & CONCRETE PAVING CONTRACTORS
ROAD BUILDING MATERIALS
SINCE 1940

GENERAL OFFICES & PLANT 1251 NORTH STOCKWELL ROAD
MAILING ADDRESS P.O. BOX 5226 • TELEPHONE (812) 476-4921
EVANSVILLE, INDIANA 47716-5226
FAX (812) 473-8591

April 28, 1994

Mr. John Stoll, PE
Vanderburgh County Engineer
201 Northwest 4th Street
Room 307 Old Vanderburgh County Courthouse
Evansville, IN 47708

RE: Emergency Repairs on Waterworks Road

Dear John:



We met with you on the site of the road collapse on Waterworks Road today at 1:30 PM. We are prepared with the necessary supervision, equipment, knowledge, and ability to begin the repairs IMMEDIATELY, to minimize additional damage to the roadway and adjacent structures.

The Scope of Work shall include necessary clearing and removal of debris and trees from the area, constructing temporary access down the slopes to get to the collapse, removal of asphalt and stone, etc. (stockpile and re-use materials where possible), install sheeting if necessary, dewater as required, and expose existing pipes. At this point, we would assist you in determining the scope of repairs to be done (i.e. re-install pipe or construct box-culvert or some other structure) and determine the work necessary at the gate structures. During the repairs, erosion control measures would be put in place. After repair of the pipe structures, the area would be backfilled with suitable stone or clay material, as required. Compaction tests would be provided with our nuclear gauge, as necessary. The stone base and shoulders would then be placed and the area repaved. Guard rail would then be reinstalled and the road re-stripped, slopes seeded with erosion control matting, and the area then opened to traffic.

We have included a list of equipment and labor rates for use on this project. Also included is our Certificate of Insurance. Our personnel are very experienced in this type of repair, and all have current OSHA training and certificates as required to perform the work safely. Our equipment to be used on this project is the latest available. As an example, our new Excavators, which will be used on this project, are computerized which greatly increases productivity over other contractor's machines. Also, we have had considerable experience working with the Corps of Engineers and in providing necessary quality control, documentation, etc as they might require.

A project of this magnitude demands the best of equipment, manpower supervision, and ability. Please note that also included is our Certificate of Prequalification with the Indiana Department of Transportation. You will note that we are prequalified for over \$ 52 Million of work, and \$ 20 Million for "E(h) Deep Sewer or Excavation Requiring Unusual Expertise". This is your assurance of our ability to perform this work for the lowest possible cost, and in the shortest time possible, while NOT COMPROMISING ON SAFETY.

Vanderburgh County Engineer
RE: Waterworks Road
Page 2

Should you desire, in order to minimize the County's out-of-pocket cost, we would propose that where available, County forces could work with us under our direction to handle some of the clearing, hauling, etc. Under our supervision, we will use Floyd L. Staub Co. to provide their equipment to work the project from both sides. Staub has a supply of good fill dirt near this area, which will also help to minimize the cost.

This arrangement will be the most cost-effective, while getting the project done quickly, but will give you ONE person to hold responsible for the quality and completion of the work. Please do not hesitate to call if you need further information or assistance. We stand ready to begin immediately.

Sincerely,

J. H. RUDOLPH & CO., INC.



J. Steven Rudolph, President

J.H. Rudolph & CO., INC.

BRANCH PLANTS
COLUMBIA STREET - EVANSVILLE
JASPER, INDIANA
MT. VERNON, INDIANA
TELL CITY-TROY, INDIANA

ASPHALT & CONCRETE PAVING CONTRACTORS
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EVANSVILLE, INDIANA 47716-5226
FAX (812) 473-8591

EQUIPMENT RENTAL RATES FOR VANDERBURGH COUNTY EMERGENCY WATERWORKS ROAD April 28, 1994

LABOR:

(Includes Wage, fringe, workman's comp insurance, payroll taxes)

Superintendent	\$ 40.00 per man hour
Foreman	30.00
Operator	29.11
Laborer	21.50
Truck Driver	24.00
Engineer	35.00

EQUIPMENT:

Excavator Komatsu PC-220-LC5	75.00
Excavator Komatsu PC-400-LC5	135.00
Backhoe- Ford 655C 4 wheel drive	32.00
Tri-Axle Dump Truck	22.00
Light Plants	14.00
Dozer Cat D9K	68.00
Dozer Komatsu D65	58.00
Dozer Fiat-Allis FD5	35.00
Vibratory Roller Ingersoll-Rand SD70D	35.00
Chainsaws	8.50
Pickup truck	5.00

Other equipment at standard Blue Book Rate, per Indiana Department of Transportation Standard Specifications. Miscellaneous costs computed per IDOT specifications.

Overhead and Profit 15%

CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

PRODUCER
 Schultheis Insurance Agency
 32 North Weinbach Ave
 PO Box 2728
 Evansville, IN 47728-0728

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** Cincinnati Ins Company
- COMPANY LETTER **B** Cincinnati Ins Company
- COMPANY LETTER **C** Cincinnati Ins Company
- COMPANY LETTER **D** Cincinnati Casualty Insurance
- COMPANY LETTER **E**

INSURED
 J H Rudolph & Co Inc
 PO Box 5226
 Evansville IN 47716

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YY)	POLICY EXP. DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY	641465	1/01/94	1/01/95	GENERAL AGGREGATE	1000000
	<input checked="" type="checkbox"/> COMM. GENERAL LIABILITY				PROD-COMP/OP AGG.	1000000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCC.				PERS. & ADV. INJURY	1000000
	<input type="checkbox"/> OWNER'S & CONTRACT'S PROT				EACH OCCURRENCE	1000000
					FIRE DAMAGE(One Fire)	100000
					MED. EXP. (One Per)	10000
B	AUTOMOBILE LIABILITY	CAP5007510	1/01/94	1/01/95	COMBINED SINGLE LIMIT	1000000
	<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	
	<input checked="" type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE	
	<input checked="" type="checkbox"/> HIRED AUTOS					
	<input checked="" type="checkbox"/> NON-OWNED AUTOS					
C	EXCESS LIABILITY	CCC2591978	1/01/94	1/01/95	EACH OCCURRENCE	5000000
	<input checked="" type="checkbox"/> UMBRELLA FORM				AGGREGATE	5000000
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM					
D	WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY	WC8941446	1/01/94	1/01/95	<input checked="" type="checkbox"/> STATUTORY LIMITS	
					EACH ACCIDENT	100000
					DISEASE-POLICY LIMIT	500000
					DISEASE-EACH EMP.	100000
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

Emergency repairs/reconstruction of Waterworks Road, Evansville, Indiana

CERTIFICATE HOLDER

County of Vanderburgh
 State of Indiana
 c/o Vanderburgh County Engineer
 201 Northwest 4th Street
 Room 307 Old Vanderburgh County Courthouse
 Evansville, IN 47708

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Frank J. Schuttker



2804 A Street • P.O. Box 6429 • Evansville, Indiana 47719
(812) 423-4201 or 423-8051 • FAX 421-5058

LUMBER & CONSTRUCTION CO., INC.

TRANSMITTAL LETTER

TO: JOHN STOLL
COUNTY ENGINEER
FAX 435-5676

Date 4-29-94
Shop Drawing Number: _____
Purchase Order No.: _____

PROJECT: Water Works Road

GENTLEMEN:

We are sending you by MAIL MESSENGER FAX 4 PAGES Prints each of the following:

- | | | |
|---------------------------------------|--|--------------------------------------|
| <input type="checkbox"/> FOR APPROVAL | <input type="checkbox"/> APPROVED AS NOTED | <input type="checkbox"/> OTHER MISC. |
| <input type="checkbox"/> FOR YOUR USE | <input type="checkbox"/> NOT APPROVED | _____ |
| <input type="checkbox"/> APPROVED | <input type="checkbox"/> RE-SUBMIT | _____ |

REMARKS: EQUIPMENT TO BE USED IS *
Work could begin on 4-30-94

Sincerely yours,
DEIG BROS. LUMBER & CONSTRUCTION CO., INC.

By: Jack Allen

EQUIPMENT RENTAL RATES

P.4/4

Page 4

EQUIPMENT	MONTHLY	WEEKLY	DAILY	HOURLY
-----------	---------	--------	-------	--------

----- TRUCKS, VEHICLES -----

ick Tractor *	\$2,789	\$897	\$279	\$38.00
ternational Tractor	2,055	661	205	28.00
wboy; Phelan Flatbed *	367	118	37	5.00
ump Trailer	220	71	22	3.00
ndem Dump Truck	1,248	401	125	17.00
ngle-Axle (2-Ton) Dump	661	212	66	9.00
ngle-Axle (1-Ton) Dump	587	189	59	8.00
ervice Truck; Pickup; Van	294	94	29	4.00

----- FARM TRACTORS & ATTACHMENTS; TRENCHERS -----

actor, Large (8000 & 9600 Series)	1,615	519	161	22.00
actor, Medium (3400 Series)	734	236	73	10.00
stachment, Rome Disc	734	236	73	10.00
stachment, Disc	220	71	22	3.00
stachment, Post Hole Auger	220	71	22	3.00
stachment, Gill Leveler	147	47	15	2.00
rencher, (Ditch Witch)	881	283	88	12.00

----- PILING EQUIPMENT -----

V5-B Hydraulic Hammer	6,606	2,124	660	90.00
oster Vibro Driver/Extractor 240E	6,239	2,006	623	85.00
ammer, MKT DA 15 (Diesel)	2,936	944	293	40.00
ammer, MKT 7 (Air)	1,615	519	161	22.00
ammer, Hairpin Type Drop	367	118	37	5.00
tractor, MKT E-4	2,496	802	249	34.00

EQUIPMENT RENTAL RATES

EQUIPMENT	MONTHLY	WEEKLY	DAILY	HOURLY
----- SCRAPERS (PANS) -----				
craper, Terex TS 14B; TS 14	\$8,515	\$2,738	\$850	\$116.00
craper, Cat #70	1,395	448	139	19.00
----- CRANES, LIFTS -----				
ane, 60 Ton BE 30B Super	6,606	2,124	660	90.00
ane, 45 Ton Grove RT	6,239	2,006	623	85.00
ane, 30 Ton BE 25B Series 3 *	5,285	1,699	528	72.00
ane, 22 Ton P&H RT	3,964	1,275	396	54.00
ane, 18 Ton Grove RT-60S	3,340	1,074	334	45.50
ane, 14 Ton Grove RT-58	2,789	897	279	38.00
orklift, Sellick	1,688	543	169	23.00
orklift, 5 Ton Hyster	1,101	354	110	15.00
orklift, Marklift 62	2,789	897	279	38.00
orklift, JGL 60FR	2,643	850	264	36.00
orklift-Scissor, Grove 2000# 25'	1,395	448	139	19.00
lescopic Lift, Cougar XLT 2900	404	130	40	5.50
te-E-Lift, Smith Mdl 1500 (Electric)	367	118	37	5.00
----- EXCAVATORS -----				
cavator, Cat 235 Hydraulic *	11,011	3,540	1,100	150.00
cavator, Cat 225 Hydraulic *	5,505	1,770	550	75.00
ckhoe, Ford 655A with Hydraulic Hammer	3,450	1,109	345	47.00
ckhoe, Ford 655A; 555; Cat 426B	1,982	637	198	27.00
ckhoe, Ford 4500	1,688	543	169	23.00
----- BULLDOZERS -----				
zer, Int'l TD-20 (B)	5,872	1,888	586	80.00
zer, Cat D6	5,872	1,888	586	80.00

EQUIPMENT RENTAL RATES

EQUIPMENT	MONTHLY	WEEKLY	DAILY	HOURLY
----- LIFTS, LOADERS -----				
High Lift, Cat 977K	\$6,606	\$2,124	\$660	\$90.00
Fork Loader, CAT 953	5,505	1,770	550	75.00
High Lift, Int'l 175 (B)	4,404	1,416	440	60.00
Payloader, Dresser 515B	3,744	1,204	374	51.00
----- GRADERS -----				
Grader, Dresser 850	4,771	1,534	476	65.00
Grader, Austin Western Super 300	4,037	1,298	403	55.00
Grader, Galion 503	1,762	566	176	24.00
----- COMPACTORS, ROLLERS -----				
Compactor, CAT 815	5,138	1,652	513	70.00
Roller, Vibratory IR SP-48	2,789	897	279	38.00
Roller, IR Sheepsfoot SD40FB	2,496	802	249	34.00
Roller, Rosco Vibrapac II	514	165	51	7.00
Sheepsfoot, 60" Double Drum	1,028	330	103	14.00
Sheepsfoot, 42" Double Drum	514	165	51	7.00
Round Pounder	587	189	59	8.00
Blocker-Rammer, Lg(GVR220Y) (Jumping Jack)	422	136	42	5.75
Blocker-Rammer, Sm(GVR151Y) (Jumping Jack)	367	118	37	5.00
Blocker Vibro Plate, (VPG160) (Sand Tamper)	349	112	35	4.75
----- VARIOUS EQUIPMENT ATTACHMENTS -----				
CAT 225 Ripper Tooth	514	165	51	7.00
Lamshell Bucket, 1-1/2 yd.	514	165	51	7.00
Lamshell Bucket, 3/4 yd.	404	130	40	5.50
Bagline Bucket, 1-1/2 yd.	367	118	37	5.00
Street Sweeper Attachment	367	118	37	5.00
Recking Ball	294	94	29	4.00
Wrecker	257	83	26	3.50

...ON TO THE
...VANDERBURGH COUNTY
...Sealed bids, invited by the
...Vanderburgh County, Indiana
...shall be received at the City
...County Purchasing Depart-
...ment, Room 323, Civic Cen-
...ter Complex, 1 NW Main Street,
...Jr. Blvd., Evansville, IN
...Room 307, Civic Center Com-
...plex, as soon as possible fol-
...lowing the closing time for
...receipt of bids for
...RUBBISH REMOVAL/DEMO-
...LITION: Union Twp. School
...Bid No. VC9405
...The specifications and other
...contract documents required
...for the above project may be
...examined and obtained in the
...Public Purchases Office, Room
...323, Civic Center Complex.
...Questions may be directed to
...the same office at (812) 428-
...7715. A 5% bid bond is
...required.
...The County reserves the right
...to waive informality in any
...bid, to reject any or all bids in
...whole or part, with or without
...cause, and/or to accept the
...bid that in its judgment will
...be in the best interest of the
...County.
...County Commissioners:
...Pat Tuley — President
...Richard J. Borries — Vice
...President
...Don Hunter — Member
...Courier & Press: April 14 &
...1, 1994



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

RICHARD J. BORRIES
DON L. HUNTER
PATRICK R. TULEY

AGENDA REQUEST

NAME OF REQUESTOR: Lynn W. Ellis

REQUESTOR TITLE: Buyer

DEPARTMENT: Purchasing

REQUEST(S) BEING MADE:

Open bids for Rubbish Removal/Demolition: Union Township School,
Bid No. VC9405. We would like to request that the bids be
taken under advisement until May 9, 1994 at which time we will
bring a recommendation for award of same.

DATE TO BE PLACED ON AGENDA: May 2, 1994

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

BID RECAP SHEET

PROJECT: OLD UNION TOWNSHIP SCHOOL
RUBBISH REMOVAL & DEMOLITION

BID OPENING DATE: May 2, 1994

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
<u>SCOTT Triler & BURNER Service</u>	<u>Demolition \$27,053.⁰⁰</u>
<u>Deig Bros. Lumber & Constr. Co., INC</u>	<u>Rubbish Removal \$18,302.⁰⁰</u>
<u>FLOYD J. STAUB, INC.</u>	<u>Demo - \$26,575.⁰⁰</u>
	<u>Rubb: Rem - \$28,150.⁰⁰</u>
	<u>Demo - \$18,500.⁰⁰</u>
	<u>Rubb. Rem - \$21,000.⁰⁰</u>

COMMENTS:

ACTION TAKEN: Deferred to May 9, 1994.

D
E
C
E
M

INVESTMENTS, INC.

P.O. Box 5447 • Evansville, Indiana 47716 • (812) 476-4407

5/2/94

April 20, 1994

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

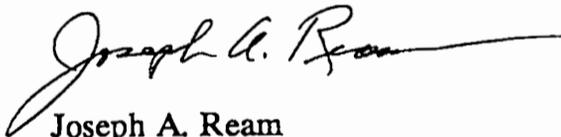
**RE: WATERFORD PARK SUBDIVISION
SIDEWALK WAIVER REQUEST**

Dear Commission Members:

I do hereby request that the Vanderburgh County Commissioners grant a sidewalk waiver for Waterford Park Subdivision. There are currently no sidewalks on any portion of Vogel Road from the subject property west to Stockwell Road. There are also no sidewalks along similar commercial developments along Green River Road from the Lloyd Expressway north to Morgan Avenue, as well as no sidewalks on Burkhardt Road north of Lloyd Expressway. Consider also that there are no residential developments in the immediate area that would necessitate the need for sidewalks.

Thank you for your consideration in this matter.

Sincerely,



Joseph A. Ream
Executive Vice President

/tac

cc: Area Plan Commission
Jim Farny - Bernardin, Lochmuehler & Assoc.
John Stoll - County Engineer
Land Developers and Builders

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, APRIL 22, 1994 THRU THURSDAY, APRIL 28, 1994

FRIDAY, APRIL 22, 1994

Gradall and one crew ditched on Boonville New Harmony.
Two patch crews worked on work orders.
Gradall and three crews worked on Green River Road.
Grader, broom, front end loader, and three crews pulled shoulders on Mt. Pleasant Road.
Tiger mower worked on Vienna, Hillview, Buente and Trapp Roads.
Two tree crews worked on Bromm Road and Woodland Hills.
One crew mowed grass at the garage.

MONDAY, APRIL 25, 1994

Gradall and one crew ditched on Boonville New Harmony.
Two patch crews worked on work orders.
Grader, broom, front end loader and four crews pulled shoulders on Hirsch, Burkhardt, and Old Boonville Hwy.
Cat grader and one crew graded and rocked Huebner, Kissel, Hornby, and Hilltop Roads.
The Tiger Mower and the Alamo mower worked on Wallenmeyer, Baseline, Broadway, and Nurrenbern.

TUESDAY, APRIL 26, 1994

Gradall, Front end loader and four crews worked on Old Henderson.
Two patch crews worked on Old Henderson rebuilding road.
Grader, Grader, broom, and three crews pulled shoulders on Old Boonville Hwy, Pollack Avenue and Fuquay.
One crew ran barricades for high water.
Alamo mower worked on Graff, Shutte and West Franklin Road.

WEDNESDAY, APRIL 27, 1994

Gradall, Grader, and four crews worked rebuilding Old Henderson.
Two trash crews worked east and west routes.
One crew was scheduled to work on Waterworks Road, however, most crews were pulled off scheduled jobs to secure area of cave in.
Two crews hand rocked all mailbox approaches on east and west sides.

THURSDAY, APRIL 28, 1994

Both gradalls, grader, front end loader and five crews worked rebuilding Old Henderson Road.
One trash crew ran routes, and one trash crew worked in the bottoms.
Two tree crews worked on Peerless, Whetstone, and Old Henderson.
One crew hand rocked mailbox approaches on Old Petersburg Road and Kansas Road.
One crew ran barricades for high water.

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY, APRIL 22, 1994 thru THURSDAY, APRIL 28, 1994

FRIDAY, APRIL 22, 1994

Crew #1 & Backhoe - repaired guardrail on 7015 Broadway, poured concrete floor in drop box on Bromm Road.

Crew #2 - saw Nisbet Station Road, wash RR overpasses on Darmstadt and Old State Road.

MONDAY, APRIL 25, 1994

Crew #1 - wash bridges on Korressel, Claremont and all west side bridges, paint one guard rail on Korressel.

Crew #2 - remove brush from Buente Road culvert, remove trees and brush from box culverts and bridges northwest area.

TUESDAY, APRIL 26, 1994

Crew #1 & Crew #2 - clean off and remove logs from guardrail at curve and bridge on Old Henderson Road.

Crew #3 - dig out Cremery Road to be patched, then go to Old Henderson Road.

WEDNESDAY, APRIL 27, 1994

Crew #1 - clean and rework washout by road at 4310 Bromm Road.

Crew #2 and Backhoe - repair drain at 5124 Pollack.

THURSDAY, APRIL 28, 1994

Crew #1 & Backhoe - remove guardrail on Old 57 by Dairy Queen.

Crew #2 - remove and haul old guardrail to yard.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for May 2, 1994

1. Closure of Eickhoff Road for the construction of the USI interchange — *RAPID*
2. Recommendation to rescind the resolution that established the temporary speed limit of 35 mph on north Green River Road (Resolution of Sept. 13, 1993) — *DATE*
3. Waterworks Road —



P.O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47719
TELEPHONE (812) 435-5602

APRIL 28, 1994

TO: VANDERBURGH COUNTY COMMISSIONERS
PATRICK TULEY, PRESIDENT

FROM: MARK T. TULEY, BURDETTE PARK MANAGER

RE: FAMILY SEASON PASS - PROPOSED CHANGE FROM THE MON-FRI TO UNLIMITED USE
SEVEN DAYS A WEEK

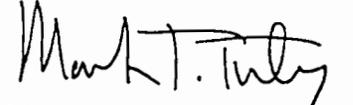
THE BURDETTE PARK ADVISORY BOARD HAS RECOMMENDED THE FOLLOWING CHANGE IN OUR
FAMILY SEASON PASS.

CURRENTLY-A FAMILY PASS IS \$129.95 UP TO (4) FOUR PEOPLE, GOOD MON-FRI
ONLY.

PROPOSAL-FAMILY PASS = \$129.95 UP TO (4) FOUR PEOPLE GOOD SEVEN DAYS A
WEEK AND HOLIDAYS. ANY ADDITIONAL FAMILY MEMBER IS \$25.00.

IT IS OUR BELIEF THIS WILL INCREASE OUR SALES AND MAKE OUR FACILITY MORE
MARKETABLE TO PEOPLE ON A FIXED BUDGET.

THANK YOU,


MARK T. TULEY
BURDETTE PARK MANAGER



BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.

PLANNERS · ENGINEERS · SURVEYORS
SUITE 606 HULMAN BLDG. · EVANSVILLE, IN 47708
TEL. (812) 426-1737

TO WHOM IT MAY CONCERN

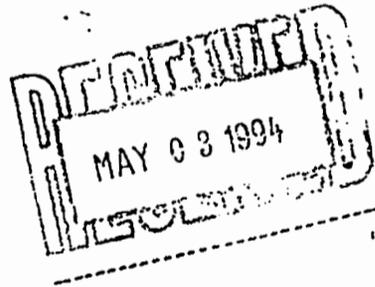
This letter is to inform you that on May 9, 1994 Eickhoff Road will be closed to through traffic, for the purpose of hauling dirt across the road to the U.S.I. Overpass Project. Eickhoff Road will be closed at a point approximately 1000 ft. north of Middle Mt. Vernon Road, near the Jehovah Witnesses Church. Traffic may use Hogue Road or S.R. 62.

Eickhoff Road will be closed for approximately 6 weeks for the construction on the U.S.I. interchange project.

Sincerely,



Charles R. Mills
Project Supervisor



April 25, 1994

Commissioner Pat Tuley
Room 305
Civic Center Complex
Evansville, Indiana 47708

Dear Commissioner Tuley,

At the last County Employee Steering Committee meeting, which was held on April 21, discussions were held regarding smoking and non-smoking areas within the building.

The following suggestion has been made and the committee asks that this information be forwarded to the Commissioners at their next meeting:

Since each floor has two bathrooms, the committee is asking that the possibility of each floor having a smoking and non-smoking bathroom be considered.

We ask that you please respond in writing to our committee the result of your meeting and supply us with a copy of the minutes regarding the discussion.

We realize that this is a very sensitive issue for all those involved, however, we feel that it is an issue that needs to be dealt with.

Thank you for your time and consideration in the above matter.

Employee Steering Committee Co-Chair,

B.J. Farrell
Trish Schnur
Rebecca Galey





P.O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47719
TELEPHONE (812) 435-50

APRIL 28, 1994

TO: VANDERBURGH COUNTY COMMISSIONERS
PATRICK TULEY, PRESIDENT

FROM: MARK T. TULEY, BURDETTE PARK MANAGER

RE: FAMILY SEASON PASS -- PROPOSED CHANGE FROM THE MON-FRI TO UNLIMITED USE
SEVEN DAYS A WEEK

THE BURDETTE PARK ADVISORY BOARD HAS RECOMMENDED THE FOLLOWING CHANGE IN OUR
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CURRENTLY-A FAMILY PASS IS \$129.95 UP TO (4) FOUR PEOPLE, GOOD MON-FRI
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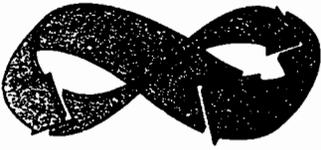
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WEEK AND HOLIDAYS. ANY ADDITIONAL FAMILY MEMBER IS \$25.00.

IT IS OUR BELIEF THIS WILL INCREASE OUR SALES AND MAKE OUR FACILITY MORE
MARKETABLE TO PEOPLE ON A FIXED BUDGET.

THANK YOU,

A handwritten signature in cursive script that reads "Mark T. Tuley".

MARK T. TULEY
BURDETTE PARK MANAGER



April 28, 1994

Mr. Mark Abell
Superintendent of County Buildings
Vanderburgh County
305 Administration Building
Civic Center Complex
Evansville, IN 47708

Re: Asset Recovery of funds being held by the State of Indiana in the amount of \$10,451.35.

Dear Mr. Abell:

We have received reply from the holder of the funds referenced in our agreement. The holder of the funds has informed Full Circle that the check is not available for reissuance. Apparently, the item is *not* outstanding and its appearance on the agency's outstanding list is an error.

Although no financial gain has resulted, you are aware that the item appears on the holder's books as available. This should be useful in the future since other research companies may contact you regarding this apparent availability.

Should we acquire information in the future regarding the availability of unclaimed funds belonging to Vanderburgh County, we will certainly advise. Please call if I can be of any additional assistance. Thank you for your trust and cooperation.

Sincerely,

Full Circle Services, Inc.


John F. Maley
President

JFM/mlf

Reunion Center, Suite 900
Mailing: P.O. Box 3388
Tulsa, Oklahoma 74101-3388
(918)582-5522
FAX (918)582-5524

PAY TEN THOUSAND FOUR HUNDRED FIFTY-ONE DOLLARS THIRTY-FIVE CENTS

1306305

To Treasurer of State

PAY TO THE ORDER OF
TREASURER OF VANDERBURGH CO P
0 BOX 77
EVANSVILLE IN 47701

DATE 07/02/93 THE SUM OF *****10,451.35

590802382 113 5900 10 0101235805

Ann J. DeWore
AUDITOR OF STATE

⑈ 13063050⑈ ⑆ 074001035⑆ 80⑈0000 2⑈⑈ ⑆000104513

COPY

RECEIVED

APR 25 1994

FULL CIRCLE SERVICES, INC.

In Evansville, Indiana
Or Order
All Prior Endorsements Guaranteed
Treasurer of Vanderburgh Co
Evansville, Indiana
DCL01235805 STAMP OR SIGNATURE THIS LINE
[Signature]
JAN 04 1994

05 1 94

3 8 8

01-05-94

102434071



P.O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47719
TELEPHONE (812) 435-5602

April 28, 1994

Dear County Commissioners,

Here is the contract for the Haunted Forest for your review. Rick, this is the contract I talked with you about on Thursday. The advisory board has approved this and we are sending a copy to Alan Kissinger for his review.

If you have any questions, please call me.

Thanks,

A handwritten signature in black ink, appearing to read "Mark".

Mark T. Tuley
Burdette Park Manager

MTT/jm

5/2/94
Approved as proposed.

1994 PRODUCTION OF THE

NIGHTMARE FORESTTM

AT BURDETTE PARK
Evansville, IN



Presentation brochure

Submitted by:

ENTERTAINMENT, Inc.

A FRIGHTFULLY GOOD TIME!

Purpose

Entertainment, Inc. is a corporation that puts on quality, professional productions every year. Our productions are inexpensive "family fun" oriented for persons of all ages.

The Forest

The Nightmare Forest is a theatrical performance where groups "*Take a Walk on the Wild Side*" and travel through a forest of fun and frights. Customers walk on their own pace (similar to a haunted house) in groups of 15 or less, and get frightened and entertained at the things we have waiting for them.

Production

Our productions generate attendance of over 17,000 people in just 13 days during the month of October. We are ranked the #1 Halloween event in the Louisville area and our production has been featured on the television program "Louisville Tonight Live".

We provide:

Our production is fully insured

to protect the public.

Our production companies make our masks and props unique and truly original.

Sound systems, professional lighting and special effects which are guaranteed to please the public and keep them coming back again and again.

We maintain crowd entertainment to keep the waiting lines entertained at all times.

We hire extra security for crowd control.

Advertising campaign

Our advertising campaign consists of an extensive saturation program using radio, newspapers, billboards, flyers and banners.

Conclusion

The Nightmare Forest is a proven, entertaining event that everyone enjoys with portions of the proceeds going to non-profit organizations, so everyone is a winner with our production.



NIGHTMARE FOREST™

"The Nightmare Forest is the #1 Halloween event in the area."

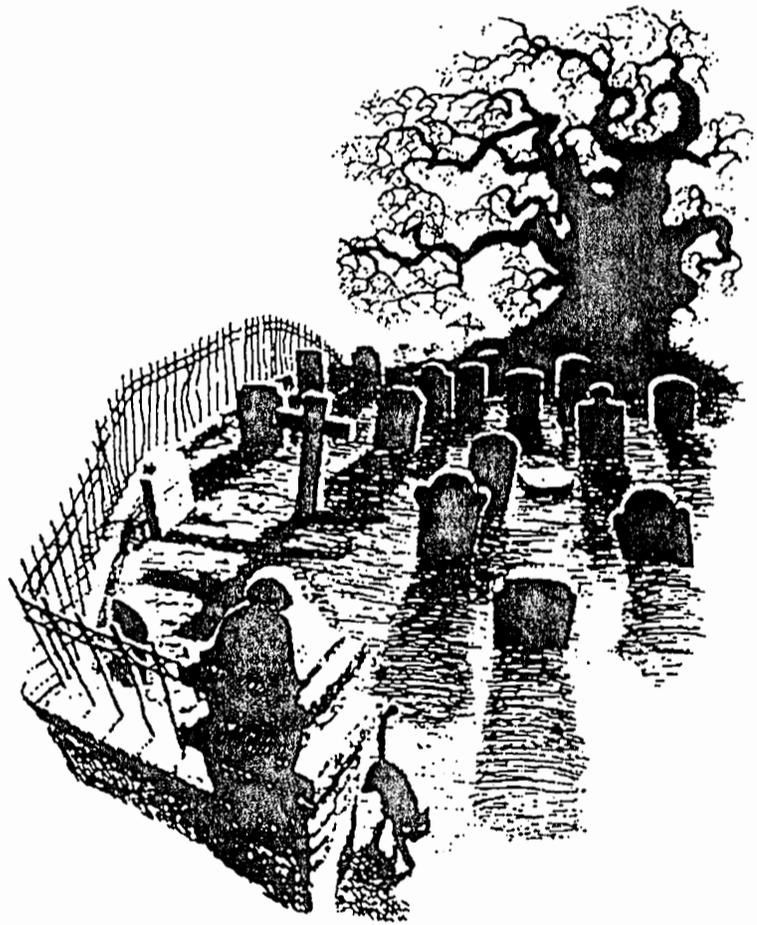
Louisville Tonight Liv

"WOW! The best haunted event ever. We go every year!"

Richard Dziatkowski - Louisville custome

"It's amazing how realistic the Nightmare Forest is."

Lisa Patterson - Editor, Meade County Messenge



CONTRACT

This contract made by and between ENTERTAINMENT, INC., a Kentucky Corporation, hereinafter referred to as FIRST PARTY, and VANDERBURGH COUNTY COMMISSIONERS, hereinafter referred to as SECOND PARTY.

WITNESSETH:

WHEREAS, the SECOND PARTY is the lawful owner of the premises known as Burdette Park located in Evansville, Indiana, and the parties hereto have agreed upon the staging and presentation of a recreational event to take place on said premises, and

WHEREAS, the FIRST PARTY is in the business of creating, designing, planning and staging various entertainment type of events and promotions, and

WHEREAS, the FIRST and SECOND PARTIES agree that it is to their joint and mutual benefit that the FIRST PARTY present and stage such entertainment event on the premises of Burdette Park owned by the SECOND PARTY,

NOW, for and in consideration of the mutual benefits to be derived herein, and the mutual promises stated herein, and the receipt and sufficiency of which are herein acknowledged, the FIRST PARTY and the SECOND PARTY do agree as follows:

1. The SECOND PARTY acknowledges that "NIGHTMARE FOREST" is a trademark of the FIRST PARTY and that the FIRST PARTY has sole and exclusive rights to said name.

2. The SECOND PARTY gives and grants unto the FIRST PARTY consent and permission for the FIRST PARTY to stage and present an entertainment/recreational event known as "NIGHTMARE FOREST" on the Burdette Park premises in Evansville, Kentucky, from October 1 to October 31. Allowing one month prior and two weeks after the production for site preparation and removal of props.

3. It is agreed and understood that the FIRST PARTY shall be solely responsible for the design, planning, staging and presentation of the

aforesaid event, and that all facets of said event, and all characteristics and components thereof, whether artistic in nature, mechanical, physical, or otherwise, constitute property rights to which the FIRST PARTY has complete, absolute and exclusive ownership and control, including, but not limited to, any and all trade names, logos, signs and other symbols unique to the business of the FIRST PARTY.

4. In consideration of the SECOND PARTY providing the Burdette Park premises to the FIRST PARTY for the presentation and staging of the aforesaid event, the FIRST PARTY agrees to pay to the SECOND PARTY a minimum sum of \$3000.00 or .30¢ per ticket generated by admission fees paid by the public to attend said event, whichever is greater. Said amount shall be payable in one lump sum within thirty (30) days after the close of said event.

5. The FIRST PARTY herein accepts responsibility and liability for any and all claims which may arise as a result of the staging and presentation of said event during the period of time that the Burdette Park premises are under the control and management of the FIRST PARTY while staging said event which claims arise out of the negligence of the FIRST PARTY, its agents, representatives, and employees. The SECOND PARTY herein represents to the FIRST PARTY that the premises on which the event is to be staged is safe for use by the general public attending said event, that all known and obvious dangers or defects shall be disclosed to the FIRST PARTY, and that there are no latent dangers or defects on said premises.

6. The SECOND PARTY grants unto the FIRST PARTY an exclusive option to renew this contract for the staging and presentation of the aforesaid event or a like or similar event during the month of October for (5) years on the same terms and conditions as stated herein. After the initial (5) years both parties will negotiate the contract for another (5) year renewal by meeting no later than February 1, 1999.

7. The SECOND PARTY may only breach this contract for a legitimate and valid reason with a 12 month written notice. If the SECOND PARTY cancels

Initial_____

or fails to renew this contract they cannot produce their own Halloween event, contract another company to produce a Halloween event or compete with the FIRST PARTY in any way for a period of (3) years.

8. During any period of time, including the present, that the FIRST PARTY has elected to renew this agreement and to stage the aforesaid event or a like or similar event on the premises of Burdette Park, the SECOND PARTY herein agrees that it will not compete in any way with the FIRST PARTY by creating, designing, staging and/or presenting a like or similar event on other premises of Burdette Park or upon any other premises located within a One Hundred (100) mile radius of Burdette Park. It is further understood and agreed that this non-compete provision shall apply to all officials, employees, appointees, representatives, agents and contractors of the SECOND PARTY.

9. FIRST PARTY agrees to comply with all federal, state and local statutes, ordinances, rules and regulations which may apply to its use of the subject property for the duration of this contract.

10. FIRST PARTY has all rights to concession, vending and souvenir sales.

11. This agreement shall be binding upon each of the parties hereto, their respective officers, agents, representatives, employees and assigns.

12. FIRST PARTY shall be responsible to provide the following:

- A. Necessary props, costumes & masks
- B. Necessary security
- C. Personnel needed for sale of tickets
- D. Personnel needed for parking
- E. Personnel needed for daily cleanup of trash outside of trash receptacles.
- F. Rental of communication system
- G. Extensive advertising budget

Initial _____

- H. Personnel for production
- I. \$1,000,000 aggregate insurance policy

13. SECOND PARTY shall be responsible to provide the following:

- A. Trail development
- B. Availability and cost of electricity
- C. Usage of all available parking
- D. Usage of open air pavilion, shelterhouse #19, and other facilities as needed
- E. Lodging for production director
- F. Usage of rest rooms for general public
- G. Trash receptacles available for general public
- H. Park security available on a "as needed basis"

WITNESS the signatures of the parties this _____ day of _____, 1994.

ENTERTAINMENT, INC.

BANDERBURGH COUNTY COMMISSIONERS

STATE OF KENTUCKY
COUNTY OF _____

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Agreement was this day produced before me in the said State and County and was signed, acknowledged, and delivered by Allan J. Clifford as President of Entertainment, Inc., a Kentucky Corporation to be his free act and deed.

Witness my hand this ____ day of _____, 1994.

My Commission Expires: _____

Notary Public, KY State at Large

Initial _____

STATE OF INDIANA
COUNTY OF _____

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Agreement was this day produced before me in the said State and County and was signed, acknowledged, and delivered by VANDERBURGH COUNTY COMMISSIONERS to be of free act and deed.

Witness my hand this ____ day of _____, 1994.

My Commission Expires: _____

Notary Public, IN State at Large

Initial _____

HEALTH DEPARTMENT

COPY INTERDEPARTMENTAL CORRESPONDENCE

TO: County Commissioners

DATE: 4-20-94

FROM: Sam Elder, Director

RE: Request for approval for travel.

EMPLOYEE(S): Sarah Stanton, STD Clinic - Disease Intervention Specialist

DESTINATION: Indianapolis + counties listed below*
(Facility or Agency)

(City)

DATE(S): From 4-20-94 to 12-31-94 (various)

PURPOSE: To perform duties for STD program and ISDH
(education, investigation, quality assurance)
Proof (copy of brochure or letter) must be attached.

MEANS OF TRAVEL:

County Vehicle No. _____
Other: _____

Approved: Denise Cary
(Supervisor)

Approved: Sam Elder
(Director)

Approved: Pat Juley
Date: 5-2-94

- *Sullivan
- Green
- Knox
- Davess
- Martin
- Erison
- Pike
- Dubois
- Paley
- Vanderburgh
- Warrick
- Spencer
- Perry
- Lawrence
- Jackson
- Jennings
- Orange
- Washington
- Scott
- Jefferson
- Crawford
- Harrison
- Floyd
- Clark

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: April 26 DEPARTMENT: Health/ASSIST

EMPLOYEE(S): Jill Enclain

DATE(S) OF TRAVEL: May 14 - 19

DESTINATION: San Francisco, CA

PURPOSE: Assist Training Conference

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

LODGING REQUIRED: All expenses reimbursed through

MEANS OF TRAVEL: _____ COUNTY VEHICLE NUMBER: ISDH.
OTHER: _____

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

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this _____ day of May 1999

[Signature]
RICHARD J. BORRIES, PRESIDENT

[Signature]
PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: April 29, 1994 DEPARTMENT: Auditor

EMPLOYEE(S): Sam Humphrey - Cindy Mayo - Sunny Titzer

DATE(S) OF TRAVEL: May 24-27 Sam May 25-27 Cindy & Sunny

DESTINATION: Indianapolis

PURPOSE: State called Auditor's conference

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

LODGING REQUIRED: 3 nights Sam 2 nights Sunny & Cindy

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: _____
OTHER: personal vehicles

REIMBURSEMENT CLAIMED	<u> x </u> Mileage	<u> </u> Parking
	<u> X </u> Per diem	<u> X </u> Registration
	<u> </u> Air fare	<u> </u> Other

APPROVED: _____
Department Head

APPROVED: Cindy Mayo
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 2nd day of May 1994

Richard J. Borries

RICHARD J. BORRIES, PRESIDENT

Patrick Tuley

PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter

DON L. HUNTER, MEMBER

\$120.00 registration fee can come out of our training account.

State called mtg - not travel acct. Unapp. fund.

**MINUTES
COUNTY COMMISSIONERS MEETING
MAY 9, 1994**

I N D E X

Subject	Page No.
Meeting Opened @ 5:40 p.m.	1
Introductions & Pledge of Allegiance	1
Weights & Measures/Loretta Townsend & Rick Jones	1
Request for 100 Gallon Test Prover (Declared an Emergency situation; authorized going on Council Call for County's share of \$7,747)	
Request for Heavy Duty 4-Door Cab Truck & Camper Shell (deferred until 5/16/94)	
Approval of Minutes	7
Old Union Township School/*Awarding of Contracts for Removal of Rubbish & Demolition	7
Scott Boiler & Burner Service (\$18,500) Floyd Staub (\$18,302) *Awarded subject to funding from Council	
Hybrid Inn/Rubbish Removal & Demolition	7
Authorization given to advertise for bids	
Old Union Township School/Demolition, Rubbish Removal and Animals (Mrs. Fred Todd)	8
Data Processing/Awarding of Contract re Reassessment Hardware/Software	11
CSS, Inc. in amount of \$62,850 (Physical Equipment to be kept in Data Processing (Administrative Control to remain with the County Assessor)	
Lakeside Manors Development - Bill Spurling	13
(Action deferred until 5/16/94; County Attorney to check out and provide the Board with his legal interpretation)	
County Attorney/Alan M. Kissinger (No report)	19
Superintendent of County Buildings/Mark Abell	19
Acceptance of Check from Intellex \$11,973.61 Quietus in amount of \$200 for Koester rental on North Green River Rd.	
County Highway/Bill Morpew	19
Weekly Progress Report Waterworks Road/Barricades Road Paving List (to be submitted next week) Equipment List (to be submitted next week)	
County Engineer/John Stoll	20
Waterworks Road Update Right-of-Way Service Agreement/Bernardin-Lochmueller re Ohio Street Bridge (\$13,013.00) Deerfield Subdivision/Section 3/Road Plans (approved) Deerfield Subdivision/Section 3/Request for Waiver of Sidewalks (Plan to be amended to add section of sidewalk that will extend down same side of the road to Eissler Road) Change Order/Green River Rd./Section A (Decrease of \$5,155.86)	

Green River Rd. Ribbon Cutting Ceremony/Letter from
 Emily Shrode)
 Covington Heights Subdivision/Road Plans (approved)
 Covington Heights Subdivision/Request for Waiver
 of Sidewalks (Board granted a 50% waiver; bonding
 to be required on the remaining 50%; J. Stoll
 to bring revised plan to the Board)
 Change Order & Claim/Volkman Rd. Bridge (\$8,515.35
 increase); Claim to CCC of Evansville incorporating
 the change order is \$34,492.57

Consent Agenda	26
Sale of Surplus Properties	27
Scheduled Meetings	27
Old Business (None)	27
New Business	27
Mercy Ambulance Report (Commissioners have already requested same report information for the County as that provided to the City)	
Students Working in Polls/Primary Election	
P.I.C. Job Training Center/Summary of Fiscal Year 1995-1995	
Acceptance of Check/Citizen's Bank/\$1,000	
IDOC Community Focus Fund Grant	
Meeting Adjourned @ 8:00 p.m.	29

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 9, 1994

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, May 9, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Building, Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo and Joanne Matthews, official recording secretary for the Auditor's office and this Board) and asked the group to stand for the Pledge of Allegiance.

RE: WEIGHTS & MEASURES - LORETTA TOWNSEND & RICK JONES

Request for 100 Gallon Test Prover: President Tuley said he has been asked if he could rearrange the schedule under Action Items just a bit because someone who needs to make a presentation on behalf of one of the items needs to be someplace else shortly. He's checked with the other Commissioners and they have no problem with it. Therefore, he's moved Item #E (Loretta Townsend/Weights & Measures) to the first item to be acted on in a few minutes. Following that, we will go back to Items A, B, C, D and F. Ms. Townsend was then recognized.

Ms. Townsend said County Councilman Rick Jones is also with her today. He is not their liaison, but their liaison really didn't see fit to show up tonight. Continuing, Ms. Townsend said, "On the matter that I have before you, as you all are well aware of, the 100 gallon test prover that we went to the County Council and asked that we be able to purchase has been put on hold I understand. I was not at the meeting because I couldn't be at the meeting and they were aware of this -- but that is beside the point. It is an emergency type situation because -- uh, I have the minutes before me from the last County Council meeting and I have never heard, read anything that is more erroneous. I mean, none of this is the fact -- and I do want the chance to go back to the County Council and answer to these things, along with the State Director of Weights & Measures. We do need this prover. We do go to the airport. It is an emergency type thing. I have for you all, too..."

Commissioner Borries interjected, "Loretta, how much -- you're fully aware as are all of us -- we understand it is an emergency, but that you are considered a joint department. Could you -- and would you -- make contact with the City Council and City officials to see if there could be some appropriations come from there in view of the tight budget situation we are in?"

Ms. Townsend replied, "I have already talked to Leslie Blenner and the money is there -- the City's 45%. As you know, it's 55% County and 45% City. The County's portion would be \$7,755 and the City would, of course, be \$6,345 and they do have their share for us."

Commissioner Borries said, "Good. That answers that. For the record, why is it an emergency?"

Mr. Tuley said, "That is what I was going to ask."

Ms. Townsend responded, "Why is it an emergency? Because this thing is used twelve (12) months of the year. In the minutes that I obtained, one of the Councilwomen -- or, the Councilwoman contacted a friend of hers in Indianapolis and he went to talk to Mike Horan, who is the Acting Assistant Director of Weights & Measures. Mike Horan was quoted on a lot of things that he actually has threatened to sue the man over -- because of misquotes. It says

that, "According to Mr. Horan, the principal reason is to check home delivery trucks. These trucks contain gasoline, diesel fuel, jet fuel and Avgas and I don't think anybody is going to be heating their house with this. The trailer is hardly used, except once a year. We'd already used that trailer four times when we found out it was condemned by the State. They will not loan us one -- they have two. They cannot afford to loan us one; and even if we have to, we would have to go all the way up there and get it, use it and take it back -- and our travel does not allow for that either. There are a few other things -- like the weights, that we shouldn't carry over 500 lbs. of weights. That is not right -- not at all. We own 3,345 lbs. of weights and this is necessary at a lot of locations. I mean, this whole County Council meeting in so far as Weights & Measures was pulled off knowing I wasn't going to be there. Contact was made that if these people had called us locally, they could have gotten their answers rather than going behind our backs. So I do want the opportunity to go back. We do need this prover. It is an emergency. Tom Spear out at Tri-State Aero is exceptionally upset. He has a truck right now that cannot be used. The airlines will not allow them -- unless they have a copy of our certification from checking their trucks that have Avgas and jet fuel -- they will not allow them to use them on their airplane. Bob Working has stated the same thing. Airplanes operate off weight and balance. They must know how much fuel is in that plane. They cannot have more than what they are aware of and they will back me up on this. There, again, one phone call would have handled that."

Commissioner Hunter asked, "What have we used up to this point?"

Ms. Townsend responded, "The prover that has been condemned. This prover was purchased and given to -- I don't know whether it was the City of Evansville or Vanderburgh County at that time -- it was 35 years ago. It was given to them in order to be able to check these meters on these trucks. It is something that has gone down hill. We have managed to tape it up. We've had various bills with these things that we've had to pay for the fuel -- because it's other peoples' fuel -- we've had to pay for that. Like I said, we have taped it up; we have jimmy-rigged with the gauges on the side of it; we've glued them together; the level is no longer there; we have done everything. And for the last three or four years the State has been warning me 'You best do something about your prover because you know it should not even be approved now, because of all the things that's wrong with it.' But I didn't -- trying to save money -- until it went down hill. I couldn't see asking for something if we still had something to work with --but now, here it is -- we don't have."

Commissioner Hunter asked, "Loretta, is there any place that leases anything like this?"

Ms. Townsend responded, "No, there is not. As a matter of fact, there were three companies at one time who made this. There was Seraphin and a couple of others -- the same ones who make some of the gas pumps and this type of thing. Since that time -- as things always happen -- Seraphin owns all three. I don't even think they use the other two names anymore. They are in New Jersey. We have to go with equipment that is approved by NIST (National Institute of Standards & Technology) -- even our 5 gallon gas test measures -- because we have to be right before we can say whether you are or not. So there are very tight specifications on these things. That's what makes it bad with our equipment. You just can't go out to Wal-Mart or somewhere and pick up anything. So we're in a bind."

Commissioner Hunter asked, "Is this used only in Vanderburgh County? I know you do work in some other counties."

Ms. Townsend said, "It is used in Vanderburgh County; but where they're coming with this out-of-county business is, Warrick County delivers into here. Warrick County Co-Op is the same one that is across the street from the County Highway Garage; they deliver in this county. The people from Gibson County deliver here in this county. Posey County delivers in this county. And it's no more than fair, if we're going to get the Wannemuehlers and the Hahns and the Dennisons and all of those people, that these people also be checked. So we do make them bring them and we do check theirs also for them. It's no more than right."

Commissioner Tuley asked, "But you don't take it out of the county? They bring them here?"

Ms. Townsend replied, "We have taken it to Posey County, because people do not want these things in their offices, in their backyards -- when you test them. There is a big danger in it to begin with. You have a lot of fumes involved in this. They don't even want us out at the County Highway Garage. So what we will do -- we will take it to their property. Wannemuehlers -- we go down to there. We go down to Hahn's. In other words, we're taking their problem back home to them -- but that's the best place for it to be. Whenever we go to Posey County, we set it up that we do take it to Mt. Vernon and we make all of them bring it in. But these people are selling in Vanderburgh County; if not, they'd starve to death. I mean, there just isn't that much, you know."

Commissioner Hunter asked, "Are we the only county in Southwestern Indiana that uses this piece of equipment?"

Ms. Townsend said, "That's right."

Mr. Hunter continued, "So no one else even has it?"

Ms. Townsend replied, "Uh, uh. The State has two (2). Mike Horan told me, personally, not by word of going around the bush through someone else -- 'We have only two and we will not be able to allow you to take that prover down there and keep it for any period of time.' And, even if they would, sometimes these things are a minute's notice. What am I going to do - run my guys up and down the highway after this thing -- if they even had it?" We've got trucks out there now that don't have seals on them because of this -- and it's against the law to have a truck without a seal on it. The D.O.T. is going to get them, which is partly my fault, because I asked for cooperation with them a number of years ago from Tom Snyder at the Indiana State Police Post (If you see any of these operating in our county, let us know. They are operating illegally.) So now they are out there operating illegally and we've got them out there doing that. This thing is important. It's not like something used as supposedly quoted -- one month out of the year -- and used to deliver people's home heating fuel to them. One word will describe that and that is boom, if they're going to use the gasoline and the diesel fuel in their homes. You see, all of this they could have asked us; you don't have to dial but four numbers anymore -- and we could have been asked. But there's more to it than what this prover is -- and we all know that. But we do need the prover. The people in Vanderburgh County should not hurt because of a personal vendetta or something. So I am asking you to get it -- anyway that I can. If it means going back and asking, I'll be there."

Commissioner Tuley recognized Councilman Rick Jones.

M. Townsend interjected, "I also have copies of this stuff that I didn't bring up -- but I'll get them to you."

Councilman Jones said, "Thank you, Pat. I just basically would like to make a recommendation to the Commissioners. If I understand the way the CCD funds work now, that we, the County Council, make a plea to the Commissioners that we could take this money out of the CCD funds for the simple matter of public safety."

Commissioner Tuley asked Attorney Alan Kissinger if this broad stroke term **public safety, public welfare....?**

Attorney Kissinger replied, "Well, I don't know where the money can come from; I really can't dictate to you on that. The only thing I can tell you is that if it is an emergency appropriation it has to be declared to be an emergency and as to how the County Council sees fit to find the money -- or as to how the Commissioners see fit to advise them -- I can't really say."

Commissioner Tuley said, "Let me re-phrase my question. In your opinion, would this qualify under an emergency declaration situation?"

Attorney Kissinger replied, "I can say yes or I can say no."

President Tuley remarked, "I can say that. Have you ever considered running for political office?"

Commissioner Borries remarked, "That's my kind of attorney."

Attorney Kissinger replied, "I did twice; and lost once. I won't do it again. No, let me clarify that. There isn't any specific guidance in the statute as to what qualifies as an emergency. So, basically, we kind of have to shoot from the hip on a definition of an emergency in this case -- and then stand open to public or higher scrutiny later. I think if, by definition, this is a piece of equipment that is essential for the department head in this particular place to complete the duties of the department as directed by the State -- then I would say that this equipment is essential and replacing that equipment or having that equipment is an emergency situation -- if it hasn't been otherwise budgeted for."

Councilman Jones commented, "And it has not. I called the City Clerk's office today and we're on the docket for May 23rd, so we can run it before City Council."

President Tuley asked, "Rick, are you of the opinion then that the Council members wouldn't have a problem if the Commissioners declared an emergency and said to take it out of the CCD funds? I mean, I realize you're one person -- but...."

Councilman Jones replied, "In all fairness I can't speak for the rest of the body, but I think there is a mutual consent that if the funds could be taken out of CCD that there wouldn't be that much of a problem with it."

It was noted that there was another County Council member in the audience.

President Tuley said he didn't note that Councilwoman Bettye Lou Jarrel was still present. He then recognized Ms. Jarrel.

In response to request from Ms. Mayo, Ms. Jarrel approached the podium and said, "My name is Bettye Lou Jarrel and I did leave a message on Rick's answering machine suggesting that this is the path that he follow; that the City should pay their share and we would hope that you would permit the purchase from the CCD fund, because last week in our Council meeting, by law, we had no money to appropriate at that meeting -- so we could not. But this is the proper procedure and that makes two (2) votes. I don't know what else -- that is all I can answer to."

Commissioner Hunter asked, "What kind of delivery time are we talking about on something like this -- from the time you place the order? Now, let me ask you another question. I'd kind of like to understand what we are talking about. Is there anybody that reconditions used ones that we could buy or get our hands on in any way?"

Ms. Townsend replied, "I never heard of a used one. I mean, they are not something that"

President Tuley noted, "This one lasted thirty-five years."

Ms. Townsend said, "Yes, it did. The reason I know that is because I've been on the department for 14-1/2 years and when I first came on Chester Carr used to run the Marathon bulk plant out on Stockwell Rd. and we went out to check their trucks. Chester had been around that long and he was telling me then that there were three oil companies -- and I'm sure Marathon -- maybe Amoco and Shell -- that purchased this and then he said he figured it up and it was twenty-five (25) years go. So, really, it's been over thirty-five years. But he figured it up as to who all was involved. I mean, I listened to him -- but didn't write this down."

Commissioner Borries asked, "Loretta, where will this be stored?"

Ms. Townsend replied, "It will be stored like the other one is -- down at the Levee Authority -- because they have a complete fenced in area down there. We worked this out with the City a long time ago. There are some trucks that don't have (like Dennison and Gabes -- and there are more, but those two, I think) -- we take them down to the Levee Authority and we do them down there -- so it's a good place to store it."

Mr. Borries asked, "It's indoors?"

Ms. Townsend replied, "It's covered -- let's put it like that -- behind the Levee Authority. No, Rick, something like that you can't keep indoors because there are constantly fumes in it. Fumes never leave; they never leave. It's in a big lean-to; like a big porch -- it's covered. And we bought a real heavy tarp for this other one -- so we have a cover for it, too."

Mr. Tuley asked, "The County's 55% share is \$7,747?"

Ms. Townsend responded affirmatively, but reiterated there is an 8 to 10 week delivery. The other thing that worries her -- although she talked to the fellow up there -- he was having four of them coming in. He was going to hold back one of the trailers to mount this thing on. It is not an easy thing to describe -- how it's done. But he was going to hold one back and that was a week ago, so she doesn't even know that the part he was holding back would still be there, because they are the only source.

Commissioner Hunter asked, "What are you going to do during the eight to ten week period?"

Ms. Townsend said, "I will talk to the State, which, I am sure, after they got a copy of the minutes from last Wednesday I'll be hearing from them -- I will talk to them tomorrow morning; I will talk to Tom Spear out at Tri-State Aero and see what we can work out with him. The man is in a bad bind, because the airlines are very much sticklers on this -- and we'll try to do something for him first, if possible. If this means someone will have to go Indianapolis and let us keep it one or two days -- you can't always say this is a one day job out there; you have to get out onto the runway to do this. I mean, it's something you can't mess with around buildings. We'll see if we can have it a couple of days and then someone will have to take it back. If we can't work out something with him and the airlines -- you see, it's a little bit more than the bull crap that came out last Wednesday. A lot more. And I'm sorry I wasn't there, but I couldn't help it. My husband was taking chemotherapy and I could not be anywhere else but there. But I will be there the next time because we have changed his appointment time."

Commissioner Borries said, "Mr. President, I will declare that this particular item be an emergency and ask the County Council to appropriate funds from the Cumulative Capital Development Fund in the amount of \$7,747."

Seconded by Commissioner Hunter.

President Tuley said it has been moved and seconded. He asked for any discussion. There being none, he so ordered.

Request for Heavy Duty 4-Door Cab Truck & Camper Shell: In response to query from Commissioner Tuley concerning her request for this item, Ms. Townsend said she was afraid to ask. She said, "You have a copy from the Fire Department and a copy from the Health Department. We have a van; we have one truck and the truck is the only serviceable piece of equipment that we have. Because of Number 1, the fumes and, Number 2, the amount of weight that we have to carry. And whoever told them that no more than 500 lbs. should ever be in the vehicle at one time is crazy. It's crazy. -- because we have 8,000 and 10,000 pound scales out there. People do not buy these scales and pay for them if they don't have a need for them. If we're not going to check them up to the capacity that they're using them at, we might as well stay home. And the good book -- our EPO -- tells us, 'You check a scale up to the capacity or you check it at least to the point that they are using this scale at to make sure that it is accurate. Then, after that is done you do a corner test. A corner test calls for half of the

applied amount of weight. Now, 500 pounds don't even get you in the door. We use 350 pounds at Weight Watchers." In response to chuckles from the audience, Ms. Townsend said, "Now, that's a fact. See what I mean about this mess right here (pointing to the Council minutes from last week.) This is the other thing. I mean, we can't transport our weights. We got the other problem, too. You cannot keep this van on the road. Then, we're out of money. We don't even have enough money now -- the door won't shut on the van and it won't stay shut. But since we had to fix the brakes on the truck we don't have any money to keep the doors shut on the van. And the last car they gave us came from the Police Department. We had to call Mike's Towing to get it off the lot down at the City Garage when they gave it to us. Pat saw that -- sitting out in front of the building out here. We had to call Mike's again to get it from out in front of the building. I mean, we are used to taking these things and this is fine -- as long as they work. But we have a problem concerning fumes. Fumes are dangerous."

Commissioner Tuley asked, "Have you approached Leslie on that aspect, too?"

Ms. Townsend replied, "Yes. Our budget will be due to them a lot quicker than it will be over here. And when I talked to Leslie I said, "Leslie, our budget will mostly stay the same except for vehicle repair, which we're down the hill on right now. It will depend on what we do. We have got to get a vehicle. How often do we ask for vehicles? We got myself and three guys and we really have one serviceable vehicle. And Rick has some kind of something he's talked to them about out at GMC, I think, on the rental -- which I don't understand rental. I'll let Rick tell you about it. But, yes, if you'll read the letters, there is the potential of a danger of even turning on the ignition key if there are fumes in this thing."

President Tuley said, "Let me re-phrase the question. Does the City have funds available right now, or is it something they are going to have to wait for their 45% until budget hearings?"

Councilman Jones replied, "The way I understand it from Leslie, both the money for the prover and the vehicle is there from the City's 45%. Now, to elaborate on the vehicle just a little bit. When Ms. Townsend brought this before County Council, we're going to try to spread the payments out over five (5) years and go the lease plan. Wright Motors (and I realize it will have to be bid if it's approved anyway) but there are different options that we have out there so we won't get hit for \$21,000 or \$22,000, whatever the cost of the vehicle is going to be. You can spread it out over five (5) years; you can go ahead and make the modifications to it such as welding the rails in the bed, putting a camper shell on it and those kinds of things -- without any restrictions. Because, in five years it is going to be your vehicle anyway. They are just actually spreading the payments out over that period of time."

Commissioner Tuley asked, "Roughly, what is the cost on this vehicle?"

Mr. Borries said, "We have to get bids."

Councilman Jones replied, "Roughly \$22,000 -- the way it was equipped."

Commissioner Hunter asked, "Does that include the modifications you need?"

Councilman Jones responded, "No, that does not include the modifications. The modifications could probably be done by either the County Garage or someone like that to weld the rails in the bed. And this is a dual-wheeled vehicle to accommodate the weight that she is going to have to carry. Right now, the truck that she is using is not designed -- when the weight shifts it throws the vehicle out of control."

Ms. Townsend interjected, "You can hardly keep the vehicle on the road. I have the people now that we can spread ourselves out. There's a lot out there -- more than people realize. But for us to have to put four people in one vehicle -- we can only go in one direction at a time. The need is for us to be able to split up. But I can't split my people up to go to gas stations, because I can't put those two in that van. I mean, OSHA would eat it up."

Commissioner Borries interjected, "Well, Loretta, you've given some compelling arguments here and I think what we need to do is talk to Lynn Ellis in Purchasing and see what we can do in relation to looking at a State bid, which we may be able to find the kind of vehicle we need."

Ms. Townsend said, "Okay. When we got the bids on this thing it was like two days before -- the Purchasing Director before her was leaving and it was pretty well left up to us, you know. I really wasn't getting bids -- I just needed an idea without getting real serious."

President Tuley said we'll wait until next week to see if there is a vehicle available. The matter of the truck will again be brought up next week.

Ms. Townsend agreed with this suggestion.

RE: APPROVAL OF MINUTES

President Tuley directed the group's attention to Item A under Action Items, noting that in talking with Joanne Matthews he learned the Commissioners approved the minutes of April 25th last week. The original copy of the minutes, together with all attachments, is being submitted today for signatures only.

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

President Tuley asked if there is any group or individual wishing to address the Commission who does not find their name or particular item of interest listed on the agenda. If so, now is the time to come forward. There was no response from the audience.

RE: OLD UNION TOWNSHIP SCHOOL/REMOVAL OF RUBBISH & DEMOLITION

Ms. Ellis said that last week the Commissioners received bids for the removal of rubbish and demolition of the Old Union Township School. Said bids have been reviewed by Purchasing and the Health Department. The Health Department agrees with the recommendation to award the rubbish removal to Scott Boiler & Burner Service at a cost of \$18,302 and the demolition to Floyd Staub at \$18,500. The combination of those two is the low responsive and responsible bidders.

Commissioner Borries asked, "Do we have any funds available? I can tell you that if there is ever any emergency, this is it. This one needs to get done quickly."

Ms. Ellis replied, "When we approved the release to advertise for bids we discussed the funding at that time and it was determined that funding would be available. And this is a lot lower than we had anticipated -- so we were very pleased with it."

Mr. Borries said he would happily move that both of these bids which have been recommended here by the Purchasing Department be approved. Seconded by Commissioner Hunter.

President Tuley said it has been moved and seconded. Is there any discussion? There being none, he so ordered.

RE: HYBRID INN/RUBBISH REMOVAL & DEMOLITION

Ms. Ellis said that as the Commissioners are aware, the Hybrid Inn burned and some of the structure is still standing. She and the Health Department have prepared a bid document and they would appreciate the Commissioners' vote to allow them to advertise for bids. The estimate on it right now is about \$5,000 -- so it does not actually require formal advertising and the formal bid process. However, due to the circumstances of this property and the conditions that are there and the fact that it was Court ordered, they recommend that it be advertised and bid formally.

Commissioner Hunter asked if the \$5,000 estimate includes both demolition and removal of the rubbish.

Ms. Ellis responded, "The estimate given to the Health Department only included the removal of the debris or rubbish. But it was estimated that the estimate provided by their contractor was high. Therefore, we're looking at both coming in at about \$5,000."

Commissioner Borries said it is definitely a public safety problem, as well. Children could play in that area; it is right on Old Henderson Rd.

Ms. Ellis noted it also is not fenced in.

Commissioner Borries continued, "Is there someone who has been identified as the property owner of that particular property? Can't we bill some of that back?"

Ms. Ellis replied, "I can't answer that."

President Tuley remarked, "Oh, I'm sure we can. In my opinion, this would come under special assessments. They've been ordered to do it and they don't do it and we go in and do it, I'm sure..."

Ms. Ellis interjected, "It was my understanding that it was treated the same way as the Union Township School was."

Mr. Borries said, "Okay. Good. Then I would move that we advertise for bids on the demolition and removal of what was known as the Hybrid Inn in Union Township."

Seconded by Commissioner Hunter.

President Tuley said motion has been made and seconded; any discussion? There being none, he so ordered.

RE: OLD UNION TOWNSHIP/DEMOLITION, RUBBISH REMOVAL &
ANIMALS

Mrs. Fred Todd, a landowner in Union Township, was recognized. She approached the podium and identified herself and stated, "I am going back to the demolition and clean-up of the school down there. I'm interested in really getting it cleaned up. After all, I know we have been working on that since 1984. And I'm glad to hear the bids were let tonight. I'm interested now -- wondering what will be done with all the different animals that are there. I went by there yesterday and I would say there were two wheelbarrows full of potatoes just right out to the road. There are dogs; there are goats; there are pigs; and if the building is going to be demolished and the rubbish is going to be cleaned up, where are the animals going?"

Commissioner Borries said, "Well, Mrs. Todd, I don't know where they're going. I could make another joke here and say that at the rate the water has been going in Union Township that we could probably build an ark for them. But that would be more expense for the owner down there. They are his property. I would believe that if he wishes to take them from the property when the property is razed, he has a right to do so. If he chooses not to, then I suppose we would either call the humane society and provide for some -- if these are livestock kinds of animals there could be some sale of those. But in any case, they would be humanely treated and I might add, probably in much better fashion than they have been exposed to for quite some time down there. So I would want to assure you that this Board would not in any way -- when we're talking about the removal of the rubbish, the animals are his property. I suppose we would have to inform him to move them to another site and he would have to take steps, you know, in doing that. But there certainly would be ordinances on the books in the county, as many other ordinances as we have, that would regulate the care of livestock that we would hope that the owner would follow."

Mrs. Todd asked, "But that will all be removed -- the rubbish will be removed from that site?"

Commissioner Borries replied, Yes, Ma'am, that is what we let a contract on today. It is going to happen."

Mrs. Todd said, "Thank you."

Commissioner Tuley said, "Just a second. Mark, you had some input?"

Mr. Abell replied, "Well, I was talking to Lynn Ellis and I believe in the bid specs we did address that to a degree -- about the animals."

Ms. Ellis said, "That is correct. What we did was to provide temporary fencing for the pigs to be put in during the demolition and rubbish removal. But what is being discussed here is the permanent removal of those animals -- not the temporary housing."

Attorney Kissinger interjected, "Ma'am, I do not believe that we envisioned that. We don't have any authority to remove the animals unless they are unsafe or they would be harmed by the razing. Under any other circumstance we will leave them on the premises and try to see that they are safe from the activity going on there."

Mr. Todd said, "Her question is -- they want the animals all gone and everything else."

Attorney Kissinger said, "I understand. But with the contract that has been awarded tonight we don't have -- I mean it is a one-step-at-a-time process. We don't have any authority to do that with this contract. What we are taking care of tonight is the demolition of the building and removal of it from the premises and removing the rubbish and debris. We haven't addressed the animals tonight."

Mr. Todd remarked, "We understand he is just going to put up a fence and leave all the animals there and continue the same."

Mrs. Todd said, "That is the word that has been going around."

Attorney Kissinger commented, "The fencing that has been provided for in the contract is temporary fencing while the razing is going on -- while the demolition is going on. And then, presumably, the animals will be released. There is no provision in this contract for removing the animals."

Mrs. Todd said, "Okay. Okay."

Commissioner Borries said, "And the Health Department is working with us on this. As we say, we do have certain statutes or ordinances that would regulate the care and raising of these animals -- so if there are going to be some violations at that point, you know, these will also not only be documented, but that's again going to be a deciding factor. You see, as long as he owns the property he would be entitled to use the property. But if the property has become a public nuisance -- which it has -- we can take steps as an Executive Board here to do what we are doing. You know, you talk about since 1984. I think you also have to understand that in this society and in this country, property rights are very sacred. And we all believe in private property and it is not one of those things that government -- this is probably the most unique bid that Lynn Ellis has ever had to work with. And, certainly, having gone to Court on this particular case myself, it is somewhat of a unique case. It is -- again, property rights are very important to people and we don't do this unless there are critical violations and this certainly covers that. But in an agricultural use you have a wide variety of things that could be done there. We all want the best of all worlds. We don't want the regulation, yet we want to raise our livestock. So that is where we're going to have to go to the next step, as our Attorney has pointed out."

Mrs. Todd said, "I realize that is agricultural country down there and they're allowed to have livestock. But to get it cleaned up. Like this has been going on for ten (10) years."

Mr. Borries interjected, "We've been going to court for ten years."

Mrs. Todd said, "And he is supposed to be improving it. You don't see any improvement. He's been just supposedly fined. It has shown no improvement in all these years and that is why I was asking if those animals are going to be removed -- that all the debris will really be cleaned up. I mean, I like animals -- but I hope the debris is cleaned up this time."

Commissioner Tuley said, "I would say with pretty much certainty that with the exception of the animals the bid is very clear and that place will be cleaned up. As far as the animals, I think we've got a different problem there that we will have to deal with."

Mrs. Todd asked, "That's something different with the animals?"

Mr. Tuley said, "Right. But the debris and everything -- it has taken ten years, but it is going to be done."

Mrs. Todd said, "Thank you."

Ms. Ellis said, "Mark advised me that we need to take action to go to the Council and ask that funds be appropriated for this award."

Mr. Abell said we'd initially planned to take that out of the CCD money for the Union Township project. So is the next step to go to the Council then and -- he is unclear about that.

Commissioner Tuley said we received a Court Order to remove it, so he doesn't know what other choice we have -- whatever funding we have to do to get it done.

Mr. Abell said they are going to attach a lien, he guesses, but in the meantime we have to pay the contractor.

Commissioner Borries said, "You know, technically we really can't award a bid unless we have that money in place. So I would certainly move we get on Council Call to get that done."

Commissioner Tuley said, "So they can hear it in June. So we'd better wait. We can award the bid subject to funding. We'd better go ahead and put that in the record -- that a motion was made to approve the awarding of the bids pending funding by the Council at their June meeting."

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

Mr. John Bernard, Union Township Trustee, was recognized and asked to come to the podium. Mr. Bernard asked, "Have they considered in the bid specs that you've looked at that there are probably underground tanks there yet?"

Attorney Kissinger asked, "We have not, have we?"

Ms. Ellis replied, "They were explicitly not included in this demolition -- so that if they are there, then they are the liability of the property owner -- not the County."

Mr. Bernard said, "I was wondering if in the case of a removal like this whether the EPA might be involved."

Attorney Kissinger stated, "Not at this point. All we're going to do, basically, is we're going to make the surface look nice. But, no, we're not approaching that. We may approach that at some time in the future, but that's not included in this bid."

Mr. Bernard said, "I just wanted to make sure there was no problem involved that might hold up the project. As was noted, there are a lot of little kids around there and there' probably a basement there."

Ms. Ellis said, "The building will be left in tact and the ground will not be disturbed. We were very careful in writing the bid specs so it would not be disturbed."

Mrs. Bettye Lou Jarrel, County Councilwoman, approached the podium and asked, "I didn't hear you. Did you make the motion that you did declare this an emergency. It's a Court Order, but did you say emergency? I don't think you did."

Commissioner Borries said, "If we didn't, I will do so. I would ask this Board to declare this particular situation in Union Township known as the Union Township School an emergency." Seconded by Commissioner Hunter. Commissioner Tuley said it has been moved and seconded, any discussion? There being none, it was so ordered.

President Tuley asked if there is anyone else who wishes to address this matter before he proceeds with the remainder of the agenda. There was no response.

RE: DATA PROCESSING/REASSESSMENT EQUIPMENT - RICHARD CAPPELLETTI

Mr. Richard Cappelletti, Director of Data Processing, was recognized and stated, "Mr. President, I think this was set aside for this week just for a matter of consideration and vote at this time without any new material being presented.

Commissioner Borries said, "That's correct. Mr. President, I'd asked our County Attorney to meet with Mr. Cappelletti after our lengthy meeting we had last week where it appeared that we were really maybe getting away from where the actual bids and bid specs were headed. I'd asked -- and we approved here -- the County Attorney to meet with Mr. Cappelletti and to present a report for us to consider this evening."

Attorney Kissinger said, "I had a significant advantage that Mr. Cappelletti didn't, because I had to go to only one source and that was Mr. Cappelletti. The other source we were already of, which is the Indiana Code, which defines and guides us as far as accepting bids is concerned. The information that I have -- and anyone can correct me if I'm wrong -- but as far as the figures that were given at last week's meeting were concerned, it is my understanding that Manatron's bid was in the total amount of \$74,994 and the CSS bid was a total of \$82,850 -- are those figures correct, Mr. Cappelletti?"

It was noted by Mr. Tuley that the figures he had were \$74,994 and \$62,850.

Attorney Kissinger continued, "There was something else added. There was like \$600 added to the CSS bid and we came up with a grand total of \$62,850 -- I'm not sure what that was. Nonetheless, the questions basically that I had to consider were -- Who is the lowest responsible and responsive bidder? It is apparent that both bidders are responsible. We are in a situation, I think, of having to take the advice of our technical expert here as far as responsive -- and then it's a simple matter of going to the price. We don't have the luxury of allowing personalities to enter into this as far as who the County Commissioners award this bid to. If anyone thinks I'm wrong about that, you can go over and talk to the Warrick County Commissioners, who just got one sent back to them for accepting a bid because it was from a local bidder, even though it wasn't the lowest. We accept the **lowest** -- if it is from a responsible and responsive bidder. That's the law. There was some confusion on these bids in reference to support services for future years. I have been informed -- and it is a part of the bid specs, the bid notice, the invitations for bids -- that the information sought in reference to support services for future years was not for the purpose of the bid. That was for the purpose of a portion of the contract, which was also included in the bid specs which said there will be a 6% cap on the annual increase for the price of support services. Now, we sought the price of support services for future years -- not as part of the bid, once again -- but so that we would know where we started as far as that

6% cap was concerned. So it is my opinion that support services for future bids are not a part of the bid. The support services for this year, assuming we get everything in, purchased, installed and on line in 1994, are the services that we considered for this bid. And it brings me to a very quick point -- or a final conclusion -- CSS is the lowest responsible and responsive bidder and I would recommend to the Commissioners in consideration of Indiana State Law and volume of cases that are cited under Indiana State Law, it appears that it is the obligation of the Commissioners either to reject all bids or to accept the bid of CSS."

President Tuley said, "You heard. We asked Alan to get with Cap to clarify the bid specs as they were written up against the responses. Any discussion amongst the Commissioners?" Or, are we ready to take it to a vote?"

There being no discussion, Mr. Tuley said, "Okay. I think the points we wanted clarified have been clarified. If there are no further questions of the Commissioners or Mr. Cappelletti or the bidders or Alan Kissinger, I would entertain a motion for approval."

Motion to award the bid as recommended was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered. Mr. Tuley said the award was based on the recommendation of Mr. Cappelletti at last week's meeting that the bid be awarded to CSS.

Commissioner Hunter said he would like to take a minute to thank Mr. Cappelletti for the work he has done on this. He thinks, as indicated last week, he's been walking a tight rope in his position. There were a number of allegations made and, quite honestly, he thought the attack on Mr. Cappelletti, personally, last week was unprofessional and he thought it was rather inappropriate for this body. "Mr. Cappelletti, I personally, would like to thank you for what you have done."

Commissioner Borries said, "I would echo all of those comments and hope that we can move forward now and have a very successful reassessment."

Commissioner Tuley said, "There would seem to be one other matter here. Attached to the request to be on tonight's agenda is a request from the Township Assessors basically asking for the placement of the hardware in the Data Processing Department, leaving Administrative Control with the County Assessor, pursuant to Court Ruling. They say this is the practice with the systems used by the Fire Department, Sheriff, Police, Courts, County Auditor, County Treasurer and all other systems. Six (6) of the Township Assessors have signed the request. Basically all they are asking is that the hardware, itself, be placed under the direct control of the Data Processing Department, if I understand this request properly. Where did Cap go?"

Attorney Kissinger noted that Mr. Cappelletti has left the meeting. (Mr. Cappelletti subsequently returned to the meeting.)

Al Folz, Knight Township Assessor, approached the podium and said, "The letter we did send to the Commissioners requesting that the system be put under the technical supervision of the office of Mr. Cappelletti -- they felt that as the system is becoming more sophisticated that Mr. Cappelletti could be a great help to them in being able to work with the operation of the system -- since he is already in house. They wouldn't have to have all the phone calls and all the waiting -- that, indeed, it would be a help not only to the Township Assessors but to the waiting experienced by the taxpayers every once in a while.

Attorney Kissinger asked, "Mr. Folz, has this been discussed with the County Assessor?"

Mr. Folz replied, "I don't think so. But he is here if you want to talk to him."

Attorney Kissinger asked, "Are you saying it should be placed under the supervision of or direct access by Computer Services, with the understanding that control of the system will still be maintained by Mr. Angermeier -- or whomever the County Assessor happens to be?"

Mr. Folz replied, "Right. Or, whomever the County Assessor happens to be. And I think we tried to spell that out in the letter -- that we're looking for technical supervision."

Commissioner Borries asked, "Mr. Cappelletti, do you have any reaction to this request? Are you capable of doing this?"

Mr. Tuley asked, "Do you have room for the equipment?"

Mr. Cappelletti replied, "Certainly our staff is capable of assisting in a supportive system. We, in no way, have any desires of changing or diminishing the responsibilities of Mr. Angermeier. But we do feel that in a complex system like that we can add some value and we'd like to work together to make sure that this is the best and most functional system that we can implement for the County. So we can support it. We can add staffing to it with our current staff and support the process."

Mr. Tuley said, "Before you leave, let's just say the County Assessor wants a report or something. He can call from his office on the system and have that report generated and go down and pick it up?"

Mr. Cappelletti replied, "His system would basically be the same as the public safety system, the Police Department, Sheriff, Fire Department -- those systems reside in our environment simply for the purpose of technical support and to insure that back-ups are performed properly, providing the proper electrical environment, climate control and security, as well. Each of those systems has their own administrators that have full access to the system at all functionality. We don't decide who has access to the system or how. All we do is carry out their directions and make sure that the back-ups are successful, that the system performs properly, and we react as quickly as possible when there are problems."

President Tuley entertained further comments. There being none, he entertained a motion for approval of the request from the Township Assessors, as outlined, with the understanding of a clear line of administrative authority pursuant to the law.

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

Commissioner Tuley said, "Cap, I know you've worked hard and I know you have been put in the middle. It's unfortunate and I'm sorry for that, but I guess as Facilities Manager we try to put someone in there who can make that decision if we cannot come to an agreement amongst the other players."

Attorney Kissinger said, "If I may, basically as far as Mr. Cappelletti's information was concerned, I think he was as objective as he possibly could have been. I don't see how he could have been more objective and how he could have approached this thing in a fashion that was designed to do exactly what the law requires us to do. I think he did an excellent job, as well."

RE: LAKESIDE MANORS DEVELOPMENT - BILL SPURLING

The meeting continued with Mr. Jim Morley of Morley & Associates being recognized. Mr. Morley said, "I am here with Mr. Bill Spurling and I will briefly tell the Commissioners -- but what the concern here is, is the continuation of an apartment project that Mr. Spurling is developing on North Green River Road (Lakeside Manors). I do have a copy of the apartment project here with me. I will tell you briefly that this is primarily one and two bedroom units catering to elderly tenants. Everything is one story front door/back door approach. This is the second phase of the project and at one point in time there was brought up in a meeting with EUTS the possibility of the extension of Cullen Avenue north to intersect with Lynch Road as a possible unit through here. That particular approach, of course, would make Mr. Spurling's proposal to continue on essentially impossible, because if that were to be done -- and I have here in front of me an aerial photograph. The aerial photograph shows Cullen as it exists out at

Eastside Industrial Park. Pointing to the aerial photo, Mr. Morley said, "This is Bill Spurling's property right here -- Spring Valley Drive -- this is all Bill's right here. And he has currently developed back to this line right now. This is Phase I; he does have some commercial out front. This is Phase I of his apartment project. This is Phase II and if Cullen were to be extended north through the project, recognizing that this is a project that essentially caters to the elderly and the creation of Cullen through the project would essentially mean that he would have to cancel it. Mr. Spurling is here and can certainly explain his position to you. He has enough density within the site that it would technically be possible for him to rearrange the buildings I've shown you on the site plan and allow room for it to swing around to the north. The particular problem that Mr. Spurling has with this, as with many of our master plans, we depend upon anticipated rezoning and development to occur. The odd thing about this particular property is that in between is a small parcel of property that accesses off Colonial Garden Rd. It is only about 10 ft. wide and has no access to Green River Rd. It is low -- below the flood plain -- and in such a case I would assume that probably twenty years from now there will be no development on that property. So the red line on the map indicates -- as I was searching for other solutions, solutions that would allow Mr. Spurling to develop and still allow the potentiality. The problem that we're faced with here is that without a rezoning and without a crutch or any ability at a rezoning to commit that developer -- that person or farm or the land in between -- the County is going to have to try to acquire the property and to build Cullen. What Mr. Spurling is concerned about is giving up his project on something that you may not decide to do. And if you do not decide to do it, I don't think it will ever happen -- because there is no impetus; there is nothing out there to make it happen. We did have a meeting with Rose Zigenfus of EUTS. We've discussed this. We went to Site Review Committee with them and Rose took the position that, well, she had always planned for Cullen and she'd like to see it. Therefore, that was her opinion. So we had a very frank discussion and the Commissioners, of course, are the final decision. It is you who decides how monies are to be spent and what commitments are placed with zonings. And so we're here tonight to tell you that Mr. Spurling does want to go ahead with his project; that if Cullen had to be forced through the middle of his project he does have to essentially abandon the remainder of the project. And I can let Bill speak to that. He is here and I am sure you want to hear from him. What the property to the north -- Spring Valley Drive has been pushed a portion of the way east; it's right there at the north end of Bill's project. A portion of that has already been built. That property is owned by the Hirsches. There is a light there. The Hirsches have not come in for rezoning for their property. Their property has potential. Their property may even be listed at the moment. There are several people who have asked us about that -- so there are inquiries about that. In fact, Mr. Spurling has also looked at that and talked to the Hirsches. But it is AG today and before anything happens to that property, they are going to come to you, as Commissioners, and if you stick to the anticipated things that you have looked at in the past, I would anticipate that you will look very hard at the continuation of Spring Valley -- at least back to a point and then the looping north to Cullen as something that you would want to see taken into consideration at the time of zoning. It is Mr. Spurling's contention that given the way Eastside Industrial Park developed there on Cullen, that it did not turn out to be a large traffic producer; it's kind of a quiet industrial park -- Concrete Pavers, the Homebuilders Association -- a lot of fairly low traffic users -- not a lot of large trucks; some local service trucks there, some sign company, there are some heating and air conditioning -- you know, small users now occupy that. Most of their work is within the City of Evansville, so they travel south and over and service. It is a service industry for the City of Evansville -- not a terminal location that has great need to go to the north. So in the meeting with Ms. Zigenfus we did go through a possibility that they should re-look at their traffic projections and realize that the development has occurred all around it now; it is all tied up and it doesn't have the potential that was once thought about five years ago. I would point out that Mr. Spurling has proper zoning for all of his property without any commitment whatsoever for Cullen. So Mr. Spurling is not asking for a release of a commitment that he had made. It had not been asked for at the time of zoning, so he is asking now to go ahead with this project without being held up and, of course, Mrs. Zigenfus essentially needed the same thing. Her opinion was -- I put it on a drawing, it is there. We now have to turn to the Commissioners to reach a decision. I think that is about all I can tell you about the project. As I said, Mr. Spurling is here and you may wish to ask him more specific questions about his project."

Commissioner Borries asked, "Explain to me then the red line here that would veer here to the east."

Mr. Morley said, "What I did, I took that aerial photograph along to the meeting with Mrs. Zigenfus and the EUTS staff. What I asked them, 'If you have projected -- and you think this is going to carry so much traffic, is this a possibility? Will this affect your model?' They did a traffic model and a flow model and her response was that the model would turn out the same. In other words, it wouldn't affect the model whether it went straight through or whether it did loop around the project. Of course, then, at that meeting, I asked, "What then is the issue? Why would you insist upon going through and actually killing a project when the model is going to create very similar results on capacity -- if it is really decided it is necessary. I think one of the things we were concerned about -- Mr. Spurling especially, is that this may not be high on your priority list. And if it can't be done through zoning and through development of the property to the south, do you, as Commissioners, really feel that this extension is important enough that it is your intention to create and put this on your program of priorities to build a portion of this? And he is afraid that if he gives up the project and then you don't do anything - - you know, if he gives up because and you don't do anything, then we're all losers."

Commissioner Tuley said, "Maybe this should be addressed to Bill. Right before the meeting Rose Zigenfus did come to the Commissioners' office and she was showing me some maps and she expressed some of the concerns that you talk about and asked that we not take any action on this -- because she wasn't aware that you guys were coming tonight according to her -- ad she had to be somewhere else -- until next week, so that at least she could give her point of view. So I don't know if she was advised about tonight or not."

Mr. Morley countered, "Yes, I had told her office this evening. I didn't know if she knew, so I told her office that we were on the agenda. You know, I'm completely above board -- trying to work everything out."

Mr. Tuley said, "You know, there was one other concern. I don't know how much of an impact this is in terms of, John? On this segment of Lynch -- because she said in the plans she said it is planned for this interchange at Cullen. But is that not something so far down the road that that couldn't be modified or changed?"

Mr. Stoll said, "There is a break in the limited access right-of-way at the point she is talking about to accommodate extension of the road. And since the right-of-way on further east was purchased as limited access right-of-way, I'd say it would be unlikely to be able to switch it like that. We could easily switch it. It was purchased that way."

Mr. Morley interjected, "Let me address that just a little bit, John. We would be talking about exactly the same property owner -- not off onto somebody else's property -- so isn't that -- the movement from here to here - that distance of 400 ft. or 500 ft. -- would be within exactly, it would not affect any of his properties at this point. So whether or not he could agree to modify the location on the plans -- it's not a modification that would affect a different set of property owners."

Mr. Stoll said, "That might be something that Alan will need to address -- as far as how easily something like that could be accomplished."

Attorney Kissinger said, "Yes, this took me almost totally by surprise. I would like to discuss it with John and perhaps other people concerned before I give the Commissioners an opinion on that."

Mr. Stoll said, "If the road remained at its present location, it could still tie into Spring Valley -- even if it didn't go all the way down to the Industrial Park area. So that lane could still be constructed."

Commissioner Hunter commented, "That sounds kind of silly. In other words, this road (Spring Valley) would go to Cullen and die right there? Is that what we are saying?"

Mr. Tuley responded, "No, it would come across. We would go across Spring Valley and up to Cullen this way, is that correct?"

Mr. Spurling explained, "What they want to do is give this property access to Lynch Rd. without running people through this intersection and you have 60 or 70 acres here that could be developed and move this traffic onto Lynch Rd. without going through his intersection. The traffic that would be generated to the south of us really doesn't have any access, because this is all private property around this industrial park. So actually there is not that much traffic that is going to be developed down in this area to come up and use this anyway. The majority of it will be right here (pointing to the map)."

Commissioner Borries asked, "Bill, do you want to identify yourself? These comments here -- would you give your name for the record please?"

Mr. Spurling said, "Sure. My name is Bill Spurling."

Mr. Borries continued, "Bill, in your development as it proceeds east, do you intend to provide more housing? Do you intend to continue?"

Mr. Spurling responded, "That's right."

Mr. Borries continued, "And if a road goes in the middle of this it disrupts your development?"

Mr. Spurling replied, "It just makes it impossible. It would just kill the development."

Mr. Borries said, "In the age of persons that you're serving in this particular development -- is there a certain age they have to be in to qualify to get into your development?"

Mr. Spurling replied, "We just lease to people age 55 and over. And these folks are very security conscious. We don't want a back entrance. They walk a lot."

Commissioner Borries asked, "At this point, in the development of that area so far have you reached your capacity -- everything is pretty well rented out?"

Mr. Spurling replied, "Yes. We have eight (8) apartments that aren't spoken for out of 186 and they are not even finished yet. So we've been leasing them faster than we can build them."

Commissioner Borries said, "Well I, personally, don't see a problem with this in terms of some residential development, as well. I think the reason why I was asking Bill about this particular project is that it seems to me it's probably filling a major community need in terms of focusing on a particular area of the population that wants affordable housing; that wants housing that is convenient near the shopping areas. As you pointed out, you probably can't build these fast enough. And I think that perhaps Mrs. Zigenfus protests too much -- because we are faced now with a major dilemma on Indiana street in another subdivision where there has been a commercial development literally go right in the middle of what was proposed to be Indiana Street. So I think some of these changes are made and I'm not sure exactly what her reasoning is on that particular thing, but in view of the residential nature of this development I don't see a problem. Would there be at some point a willingness that you might dedicate some right-of-way in the back end for a proposed road?"

Mr. Spurling replied, "We could do that. That wouldn't hurt us to dedicate right-of-way at the east end of the property so that road could continue on around if you ever got to the point where you needed it to be put in place."

Mr. Tuley said, "I don't have a problem whatsoever with what you are suggesting -- it's probably a good project and probably makes a lot of sense to continue it. But I want John Stoll and Alan Kissinger to sit here and either deny or confirm by next Monday night that there is not a legal problem with the existing plans for Lynch Rd. or whatever."

Attorney Kissinger said, "We will either confirm or advise by next Monday night -- one way or the other."

Mr. Tuley said, "I mean, I don't have anything against it. I just don't want us to do something tonight that may affect this Lynch Rd. without making sure we've got everything set."

Attorney Kissinger said, "My immediate concerns right now -- to let everybody know -- is we acquired certain real estate for a certain purpose and we went according to a plan when we did so. And if this is going to call for us to vary from that, we're going to have to find out who is going to be affected and whether or not we can actually do it without violating some other law. So with that in mind, the project sounds great. Hopefully, we can do it."

Mr. Tuley again said, "That would be my only concern -- is if that messes us up from a legal standpoint here. Other than that, I don't have a problem with what you are suggesting and it makes sense to me."

Commissioner Borries said, "The only other thing about it is if Mr. Spurling, as Mr. Morley pointed out, if he has not dedicated any right-of-way there now, then should the County ever build that road -- and I mean it would have to get in line with a whole bunch of other ones in so far as the available money -- so we would be talking about maybe years in the future. We would have to purchase that since there is no dedication in there. As we so often have to do, we have to rely on the cooperation of developers to work with us to insure that we do have a workable traffic configuration for the future. And I think on our Green River Rd. extension Mr. Spurling was required to put in at his expense a turn blister that was required -- particularly in a State project -- that I object to from the standpoint that if it was part of a State project, it should have been funded that way. I don't know how a requirement like that could be forced on one particular property."

Commissioner Tuley asked, "Bill, what kind of problems would it cause for you to wait until next Monday night to have this settled? You're not ready to sign contracts or move on this -- it's going to be killed if this doesn't happen tonight? That's my concern."

Mr. Spurling said, "No, it won't do anything if it doesn't happen tonight. I am anxious to get it going as soon as possible, because it is the time of year when we need to be digging -- and we can't go ahead with drawings or anything -- we're kind of dead in the water until we get this thing clarified."

Mr. Tuley said, "My intent is not to stop your project. Like I said, I want to make sure when we say do this, that when we get down to Lynch Road we're not going to have any problems. That's my only concern."

Commissioner Hunter noted that John Stoll looks like he wants to say something.

Mr. Stoll said, "As I said earlier, if the location of the break in the right-of-way can't happen, that still wouldn't eliminate the potential for Cullen to extend between Lynch Rd. and Spring Valley Rd. It wouldn't go all the way through the Industrial Park, but at least there still would be that connection which would open up those properties."

Mr. Tuley asked, "Is that the best way to approach it in terms of traffic flow?"

Mr. Stoll replied, "There are two ways to look at that really. One that the people who bought down in that industrial park knew what kind of access they had to Green River Rd. and all the other roads back when they got into that. So they weren't buying contingent upon getting direct

access to Lynch Rd. The other is, yes, it probably would be nice that there would be a direct link-up to Lynch Rd."

Mr. Tuley asked, "So from a technical aspect, you don't particularly see a problem?"

Mr. Stoll replied, "No."

Mr. Tuley continued, "Even if this, in itself, wouldn't happen -- is that right? Is that what I'm hearing?"

Mr. Stoll said, "I don't know of any commitments -- I think we're much more likely to use this section."

Mr. Tuley said, "But I'm saying, if we don't go through Mr. Spurling's property here."

Mr. Stoll said, "Right."

Mr. Tuley said, "As an alternative, I guess what I'm asking is -- let's assume we can't legally take this road here - what you're saying is we're not out of the woods, because if you will grant us the property here we can come down here and connect to the existing road system or build this road and then take it from there?"

Mr. Stoll said, "Yes. Some configuration. Yes, something could be made to work."

Mr. Tuley asked, "Alan, do you...."

Attorney Kissinger said, "John addressed this with me some time back and at that time some red lights went on. I want to see if they're still on. And, for the record, I do want to mention that everyone concerned -- and, whether or not there is an agreement to grant additional real estate to the county that may be dedicated for roadway purposes for the future, I will advise the Commissioners and it should have no bearing on how they ultimately vote on this."

Mr. Tuley said, "No. The only concern I have is from the legal standpoint. If it doesn't put us in a bind, I have no problem with granting him his request. If in a few days you tell me that, that's fine with me."

Commissioner Tuley said, "You see, I was not aware there were going to be any cuts on Lynch Rd. between Green River Rd. and Burkhardt Rd."

Commissioner Hunter said, "That's the only one."

Mr. Borries continued, "Well, I think it can be modified. I don't think that design has even been -- as long as it is on paper, frankly, I think it can be modified. I think that's a local call."

Mr. Stoll said, "The only thing I'd wonder about is that since the contract has already been let I mean the plans have been through all the Federal approvals -- that might be the only problem."

Mr. Tuley said, "I'm inclined to want to table it for a week, just from the legal standpoint of Alan checking something. If we'd have no problems, I see no reason this couldn't go through next Monday night. But that's my point of view -- one vote."

Mr. Borries said, "That's fine with me."

Mr. Hunter said, "I think it's a good idea to wait and postpone it for a week."

Mr. Tuley said, "I think it's great project. Do we need that in the form of a motion to defer it for one week pending Alan's legal interpretation?"

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

RE: COUNTY ATTORNEY - ALAN KISSINGER

Having been recognized by the Chair, Attorney Kissinger stated, "I am going to give all of my time to John Stoll. I don't have anything to report. Basically, John and I have conferred and I just want the Commissioners to understand that John is kind of running somewhat without guidance, except that he comes back to me from time to time when he feels he's getting off track. We are treating this in the spirit of the Commissioners' finding that this is an emergency situation -- the Waterworks Road project -- and, as I say, John has called from time to time for guidance and we're going with all deliberate speed, continuing to treat it as an emergency. If the river cooperates, we'll be fine. But, as I said, John will probably need my time, so I will defer to him.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Commissioner Tuley said this is another long meeting. Is Mr. Abell also going to defer to Mr. Stoll?

Mr. Abell replied, "No, but I will be real quick. I would, except I have a check for \$11,973.61 that we received for sale of the old phone system. This completes the bid in its entirety. We shipped the phones and we'll go ahead and quietus this in to the telephone account. We'd also received a monthly check from Koester in the amount of \$200 for the building they have out on Green River Rd. I will just pass this down to Joanne and we will be done."

Motion to accept the check for the phones, endorse same and give to the Secretary for deposit was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted copies of the Weekly Progress Report for period of April 29, 1994 thru May 5, 1994.....report received and filed.

Waterworks Road/Barricades: Commissioner Borries said he wants to thank Mr. Morphey and his group for their prompt barricading work on the Waterworks Road situation. He thinks they have monitored things up and down there daily. It is a hazardous site and one in which you really worry that people will not obey those barricades. Fortunately, things have stayed secure and he appreciates Mr. Morphey's prompt work down there and frequent checking in that particular area. It definitely is a hazardous site.

Road Paving List: Mr. Borries asked if Mr. Morphey will be putting together a road paving list when he and Mr. Stoll have an opportunity to do so.

Mr. Morphey said he has the road list together. He is waiting on a little more input from John Stoll and the program he has for pricing it out. They expect to have this completed by Wednesday. He has all the roads listed that we would like to pave this year -- about 30 miles of roads that we'd like to do. It does involve the widening of a couple of other roads and some minor things like that.

Mr. Tuley asked, "The Council took COIT money away from roads for the rest of this year, is that going to have an adverse affect on us for this year?"

Mr. Morphey said it will not. This is money that is in his bituminous account.

Equipment List: Mr. Morphey indicated he also just about has this list completed. He will turn that in at the next meeting -- a list of all the equipment, the inventory, the hours and mileage

and approximate value -- everything the garage has. He has the truck list completed, but not the equipment list. Again, he will have this ready for the next meeting.

RE: COUNTY ENGINEER - JOHN STOLL

Waterworks Road Update: Mr. Stoll said the first item is the letter he sent to J. H. Rudolph & Co. this morning for them to proceed with the design and construction of a coffer dam so they could continue making progress on the Waterworks Road collapse. They are in the process of working out some costs based on some preliminary estimates we've gotten. It will probably be about a \$400,000 project to reconstruct the road and replace the pipes. Today he was in touch with Congressman McCloskey's office in order to find out whether or not we could get any funding from the Corps of Engineers anywhere for the dredging and bringing up the debris that has washed into the Marina. They said the same thing they said last week as far as funding, that there was no money available, but Congressman McCloskey's office did say the Corps of Engineers would provide some technical assistance for us to define the limits of what would need dredged and, basically, assist us in putting together any contracts that might be necessary. He talked to United Consulting and they have survey work scheduled for this week. It is supposed to happen either Tuesday or Wednesday and the soils work is scheduled for either Wednesday or Thursday. The contractor is supposed to have a crane delivered out to the site tomorrow and by the end of the week the sheet piling should be delivered and they should be driving piles by the end of the week, as far as starting to construct the coffer dam. There are two agreements there with United Consulting for the design services for this project. We feel right now that we can salvage the two existing head walls and just connect new pipe into those, which would save another \$100,000 to \$225,000 -- so the scope of the Consultant's work could drop back substantially as long as there is no head wall design required. So that was good news. He believes that is about where we stand.

Commissioner Hunter asked, "Will we be able to save the flood gates there, as well?"

Mr. Stoll replied, "The flood gates have been salvaged. The catwalk structure off the back of it wasn't -- but we've got the original drawings from Morley & Associates. The estimate that J. H. Rudolph gave me today on that was about \$15,000."

Commissioner Borries said, "John, I want to thank you for your constant vigilance in this particular matter. This is indeed a jurisdictional nightmare. If we wanted to posture and finger point with the Levee Authority or whoever else is supposed to have some jurisdiction -- the Army Corps of Engineers -- on this, frankly, from what I understand this road wouldn't be open until Labor Day. Thanks to your leadership on this -- and we've had fifty million opinions on this -- and what happens is that one more opinion sometimes is always valued, but it also serves to freeze you just a little bit more as to what we can get done. Add to all that little mixture weather, which none of us can predict or understand what will happen in terms of the future there and what it would do to construction costs, I think it leaves the folks down along Waterworks Road seriously short if you hadn't followed through on this. We've had some concerns that we obviously didn't want an open end contract; we saw it as an emergency. I think you've been able to pin down some figures here. It is draining like we wanted it to do, as I understand now that the ditch side or Eagle Slough side is draining into the river -- but that can be issued as a separate contract at some point -- so we are on our way here to resolving this issue. I would request -- and, frankly, I think it is a regrettable situation -- I was unable to attend the Levee Board Meeting last week when you appeared. It is on their right-of-way; they do have authority on it -- and I think it is very regrettable concerning the attitude, as I understand it, of some of the Levee Authority officials in regards to what either they said they were asked or not asked to do in relation to this whole thing. Frankly, had we waited on everybody else, **nothing, nothing** would have gotten done. So we'll be in communication with the Levee Authority. I intend to say that and review very carefully who our Levee Authority appointments are and exactly what their attitude is in regards to this. Again, we have all these cooks who want to jump in the broth but, you know, no one wants to pay for it. And, again, thanks to your leadership and constant vigilance and watching, I think, the wise expense of tax dollars - if we had to back up and bid this thing out, if we had to go through the hoops now of

trying to figure who wanted to do what and relocate and do all of this, again, I mean it would be Labor Day before this thing would be open. So, hopefully, with some good weather, we can get this thing done by maybe the end of June -- because we now have also defined it; we will replace exactly what is there. That helps the farmers, because they will be able to control those gates in case the river begins to rise again. And it will have better fill -- better than the wood and the brick and the other junk literally that was put in there. So I think we're well on our way to resolving this issue. But, frankly, I don't like it and I have some concerns about the attitude of some of the members of the Levee Authority on this who, again, are so willing with their negativism or their advice and no money. So we are moving forward on it and I want to publicly say that I do appreciate your conscientious work in this particular situation. It's a tough one -- because of so much competing jurisdictions, plus the Ohio River and everything else. I'd like to see a copy of those Levee Board minutes." (Commissioners Tuley and Hunter said they also would like to see those minutes.)

Mr. Stoll said he will provide the Commissioners with a copy as soon as he gets them.

Commissioner Hunter said, "John, as part of the Mother's Day celebration, I treated my wife to a trip down to Waterworks Road -- no expense spared, you know. But the suggestion I did have was, on the south side of it, what looked like fairly decent soil was all cracked and ready to roll right on in. Is it still not stabilized?"

Mr. Stoll replied, "It did erode when it was draining. The only way we could probably have stabilized that would have been to drive sheet piles in immediately and..."

Mr. Hunter continued, "But it is going to add to our woes in the process of putting it all back together, is it or not?"

Mr. Stoll stated, "A lot of that would probably have come out anyway -- so it is not ideal. It did erode through there and wash some more soil down into the Marina. But I guess our main concern initially was to drain the fields."

Mr. Hunter said, "It looked like we've done that."

Mr. Stoll said the water level has finally dropped tremendously.

Mr. Hunter said, "Good."

Mr. Tuley said, "Enough said. I know you've been on top of it and I appreciate it. I've been getting I don't know how many calls from you every day. Sometimes I don't sound like I appreciate it, but I do. Now, getting to the proposal from United Consulting for engineering services."

Mr. Borries said it is in an amount not to exceed \$20,000. He would move for approval. Seconded by Commissioner Hunter and so ordered.

Mr. Stoll said they had some of their engineers out there last Tuesday, so they were on the site quickly and ready to move with it. Hopefully, things can keep happening. Once we get the soil tests we will know what..."

Mr. Hunter said, "I think we need somebody to kind of give us some input there. Every time I talk to you on the phone it has gone up another hundred thousand dollars."

Commissioner Tuley humorously suggested Commissioner Hunter stop talking to him.

Mr. Hunter said, "That's what I did. I stopped talking to him. I didn't call him over the weekend."

Mr. Stoll said that once we get some specs on the pipes, Rudolph's people told him that they could have the pipe delivered to the site within a week or so. They did find some suppliers who could provide pipe, so that was good to hear, as well.

Commissioner Hunter asked if the river is going to come back up. There was a tremendous amount of rain in the Cincinnati-West Virginia area over the weekend -- as much as two inches in some areas. He has the feeling we're going to feel the brunt of that in the next few days.

Right-of-Way Service Agreement/Bernardin-Lochmueller/Ohio Street Bridge: Mr. Stoll said he has this agreement in the amount of \$13,013.00. This will result in the acquisition of the right-of-way parcels needed for this project. If everything proceeds as planned it should be ready for letting in the late fall or early winter. He would recommend approval of the agreement.

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

Deerfield Subdivision/Section 3/Road Plans: Mr. Stoll submitted the road plans for Deerfield Subdivision/Section 3. He said the streets are curb and gutter and they go to concrete option. After reviewing, he has no problems with anything and it is his recommendation that the plans be approved.

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

Deerfield Subdivision/Section 3/Request for Waiver of Sidewalks: In response to comment by Commissioner Hunter, Mr. Stoll said the dark thicker line on the map is the way sidewalks are proposed. This waiver request really only covers a designated section (pointing to the map). He only wants a waiver for two segments. That area ties back into the old subdivision, which is why he didn't propose sidewalk in that area. Mr. Stoll said one suggestion he had if the developer is going to run it down this side of the road was that he go ahead and run it all the way down to Eissler Rd.

Commissioner Borries said he agrees.

Motion was made by Commissioner Borries that the plan be amended to add a section that will extend on the same side of the road (it looks like it would be the east side) down to Eissler Rd.

Seconded by Commissioner Hunter. So ordered.

Change Order/Green River Rd./Section A: Mr. Stoll presented a Change Order on Green River Rd., Section A, which results in a decrease in cost of \$5,155.86. This is the result of the deletion of the overhead sign structures for the two-way left turn lanes at two locations. We replaced those with the ground mounted two-way left turn signs rather than having overhead signs. There were right-of-way problems in the locations where the overhead signs were supposed to go and the foundation poles would not fit. That is why the overhead signs were deleted and we proceeded with ground mounted signs.

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

Green River Rd. Ribbon Cutting Ceremony: Mr. Stoll presented a copy of a letter from Emily Shrode, one of the students involved in the ribbon cutting. She was thanking everybody. She enjoyed the ribbon cutting and she thought we bought her lunch -- but it was United Consulting Engineering.

Commissioner Hunter humorously noted that Commissioner Borries never did tell those kids this when they kept thanking him for the lunch -- he just kept saying, "That's fine -- perfectly all

right.

Commissioner Borries countered, "I did say something in my remarks -- it's not my fault. But I tell you, I think it was really a great thing for those kids to be a part of something they can look back on later, where they were a part of a change in their community."

Mr. Stoll said he thought it went really well. Quite a contrast from standing in the wind chill out on Delaware.

Covington Heights Subdivision/Road Plans: Mr. Stoll said this subdivision is off Heddon Rd. north of Millersburg Rd. The developer is here if the Commissioners have questions. These are concrete streets and the grades range from 1/2% to around 2%. He didn't see any problem with the plans and would recommend approval.

Commissioner Borries asked if there is rolled curb and gutter in there.

Mr. Stoll said, "Right. Incidentally, a lady called me and asked me about when we were widening Heddon Rd. I told her we had no plans to widen Heddon Rd. She was concerned about the traffic from this subdivision. I told her we wouldn't look at widening the road until it is scheduled to be repaved."

Motion to approve the road plans was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Covington Heights Subdivision/Request for Sidewalk Waiver: Mr. Stoll said he also has a sidewalk waiver request for this subdivision. The letter from John Elpers, Jr. says:

"As the owner of Covington Heights Subdivision located on the east side of Heddon Rd. north of Millersburg Rd. in Center Township, I hereby request the construction of sidewalks in the development be waived. This waiver is consistent with the adjacent subdivision (Green River Estates/Section D-2 amended)."

Mr. Keith Poff, Sitecon, Inc., representing John Elpers, Jr., the developer of Covington Heights Subdivision, approached the podium, identified himself and stated, "Mr. Elpers has instructed me to request this sidewalk construction waiver. He intends to have covenants requiring that every lot owner build the sidewalk on their side of the street. He's asking for this waiver in order to bypass what would be the bonding of the construction of the sidewalks. The sidewalks are required by the subdivision ordinance in the entire county now, but what happens is that in order to record the subdivision -- if you haven't made that improvement -- whether it's a sewer, the street or whatever -- the developer has to bond for that in order to record the subdivision and make those lots available. If you have a bond for sidewalks and we normally advise them to separate those so they can be removed -- like the sanitary sewer can get accepted before other items -- so it's removed. But if the proper construction is followed -- if you build that sidewalk first and they come in with concrete trucks and whatever to build your house, you're going to break it up and it's going to be useless later -- in most cases. You could probably try to enforce extreme care, but you're not always going to get it. So the best time to build the sidewalks is after the house is finished. If you wait until all the houses are finished and all the lots you put in are sectioned, you could be two, three or more years down the road. You're going to have an incomplete sidewalk system perhaps; some may be broken up and some may take more care to replace them. So he would like to have the opportunity to not have to bond for that improvement -- if he still requires it of the lot owners.

Commissioner Hunter asked, "Can that be enforced of the lot owners?"

Mr. Poff said, "Covenants are privately binding."

Mr. Hunter said, "The concept is excellent; we've talked about this before. We've destroyed a lot of sidewalks in the process and Roger Lehman even indicated that if we put in sidewalks last they would approve that as far as the final inspection. But my question is, how can this be enforced?"

Attorney Kissinger said, "The problem is, if the developer doesn't want to put the sidewalks in now and he doesn't want to sit around and wait three or four years until the site is fully developed, is he going to sit around and wait three or four years to file suit on those covenants if those homeowners don't put those sidewalks in?" Because it is going to be the person with whom those homeowners have the covenant who is going to have to enforce that covenant. Otherwise, it is going to come back on the county again. That's a situation of real concern to me."

Commissioner Hunter said, "You've answered my question."

Attorney Kissinger continued, "Because if the developer is here in four years, fine. And if the developer, in fact, undertakes a commitment to sue on those covenants if they're not honored, fine. But he's almost defeating his purpose, because he'd almost have to post a bond for that purpose. But I see your concern and I am just wondering if this is the way out of it."

Mr. Poff said, "Well, I don't know what the solution is. Because this is a matter that has been going on for at least ten years since I've been in my position."

Commissioner Borries remarked, "You know, sometimes -- what is the frontage on the lots?"

Mr. Poff replied, "A minimum of 70 ft. and 80 ft. is maximum."

Mr. Borries continued, "When you've got that many -- that is what concerns me on at least a portion of them."

Mr. Poff said, "I understand there is a city requirement based on density. I don't know of a county requirement that is required in all subdivisions."

Mr. Hunter asked, "Keith, what would be wrong with building the cost of the sidewalk into the purchase price of the lot with the understanding that it would go in the last thing?"

Mr. Poff replied, "Again, you're committing that to the lot owner?"

Commissioner Tuley said, "The developer, when he sells the lot, included in his lot is any cost -- it is spelled out in there."

Commissioner Hunter continued, "It is spelled out very carefully. Because normally the driveway is the last thing that is put in on a house, isn't it?"

Mr. Poff said, "Or the developer put it in even before they got there. Sometimes the sidewalk is there even before the lot is sold."

Mr. Hunter said, "That is not what I am saying. What I am saying is, could the cost of the sidewalk be included in the price of the lot? Because, normally, isn't the last thing that goes in the driveway?" Then at the time the driveway was going in, why couldn't the sidewalk be put in?"

Mr. Poff responded, "Normally you have the concrete man take care of both if that's going to be built on that site."

Mr. Elpers noted, "What you'll have is the landowner concrete guy pouring sidewalks and my concrete guy pouring sidewalks. It would be done with two different crews, I think, the way you are talking."

Mr. Poff asked, "You mean for me to come in after the house is built and pour sidewalks per lot?"

Mr. Hunter asked, "Would that work?"

Mr. Poff responded, "It probably could, but would that relieve...."

Attorney Kissinger said, "The developer would still be the guarantor of the placement of sidewalks -- so, no, I don't think it would relieve the developer of the responsibility."

Mr. Elpers asked, "What would be the least amount I could bond for and still come up with one hundred percent walks?"

Attorney Kissinger responded, "I don't know. I'd have to ask the technical experts."

Commissioner Borries asked, "In place of that, what we approved on this go around in Deerfield was a portion away from some cul-de-sacs being paved and some other ones. Could you work with John to see if there is a portion of them -- we're saying not all of them --"

Mr. Poff responded, "Well, I think what you're seeing is a request that is common where the developers ask for one hundred percent waiver and are willing to compromise to a single side of main streets, possibly one side of every street and things like that."

Mr. Borries said, "Right."

Mr. Elpers said, "I don't feel those are appropriate."

Mr. Hunter said, "That's going to be a high density development in there no matter where the place -- the city, the county, or somewhere else -- its high density with 80 ft. frontages on these lots."

Mr. Poff stated, "Well, John is saying he would like to build sidewalks on both sides all the way around the entire subdivision. He just doesn't want to have to be responsible to bond for that at the beginning."

Commissioner Borries asked, "How do you handle driveways?"

Mr. Elpers said, "A lot of contractors will cut the walks out per drive -- especially if the sidewalks have like a 2 ft. median before you start the walk."

Mr. Hunter said, "This is the problem I've always had with putting the sidewalks in at the same time as the street, because in many cases they are either broken up or cut out -- there has to be a better way than that which we're doing right now."

Mr. Borries said, "What I am saying is -- how do you handle a concrete driveway on property? Isn't there some bond that is put up with that, too?"

Mr. Poff asked, "Residential?"

Mr. Borries replied, "Yes."

Mr. Poff said, "No. None. The driveways are just not part of the development. They can be on which side you want it on -- near your house on either side, a circle drive or anything. It's the individual lot owner's decision on the driveway."

Mr. Borries said, "Maybe I didn't make it clear. I mean, when you build a house and then you put the driveway in, isn't there some bond or guarantee that that driveway -- I mean, that it meets standards, etc.?"

Mr. Poff replied, "There is no bonding on a driveway."

Commissioner Hunter said, "There's got to be some way around this -- I can't vote for waiver of sidewalks in this type of situation."

Attorney Kissinger said, "The problem is, if they want to approve the subdivision and we waive sidewalks, there are no sidewalks available and we've made the entire subdivision inaccessible to handicapped individuals, because they would be required to go down the street."

Mr. Stoll said, "Something Mr. Elpers has suggested and Keith Poff has suggested was possibly giving a 50% waiver on the sidewalks, with the intent of coming back and definitely putting in all the sidewalks -- but just so he wouldn't have to post the full bond. It would be on paper a 50% waiver, but in his covenants the sidewalks would be constructed 100%."

Commissioner Hunter said, "I'll buy that; let's give it a shot, yeah."

Attorney Kissinger asked, "Does everyone understand then that this would be a matter of public record and you would, in fact, be committed to put those sidewalks in?"

Mr. Elpers responded, "Yes."

Attorney Kissinger said, "Okay."

Mr Elpers asked, "When would you release the bond then?"

Attorney Kissinger said, "As soon as they are 50% in."

Mr. Stoll said, "Rather than having to put up a large bond you may want to get together next week and try to figure where to put the sidewalks. Then you can get whatever bond is necessary to address the 50% requirement."

Commissioner Borries thanked Mr. Elpers for working with the Board on this.

Mr. Stoll said he will bring something back to the Commissioners -- the plan, etc.

Change Order & Claim/Volkman Rd. Bridge: Mr. Stoll said the change order results in a net increase of \$8,515.35. This is the result of several different items that were changed in the field as far as raising the road and modifications to the widening in order to eliminate the jog in the road that was out there prior to the project. So it is several increases and decreases, but the total results in an increase of \$8,515.35. It is his recommendation that the change order be approved.

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

Claim/CCC of Evansville: Mr. Stoll said this claim is in the amount of \$34,492.57. This incorporates the cost associated with that change order. Since they didn't have the change order signed, that is why this claim was not on the Consent Agenda. But it just incorporates that change order.

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

RE: CONSENT AGENDA

The meeting continued with President Tuley directing the Board's attention to the Consent Agenda.

Chief Deputy Auditor Mayo said she just wants to point out that on the employee status form for the intern for the Commissioners there is no effective date noted.

Mr. Borries asked when that should take place. Do we have funding?

Mr. Abell said we do have funding and she is available anytime.

Ms. Mayo said they can just make the effective date today; then whenever she goes to work they can put it through on payroll.

There being no further discussion, a motion was entertained.

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

RE: SALE OF SURPLUS PROPERTIES

Ms. Mayo said the Auditor's office is receiving calls and she knows the Commissioners' office is receiving calls on the surplus property. She knows this item has been put on hold. Do we have a time -- the Auditor's office is receiving calls from non-profit agencies and from private citizens.

Attorney Kissinger said the appropriate thing to tell the non-profit agencies is that they should contact Mark Abell, who will be kept advised of what our schedule is. As far as anyone else is concerned, we haven't advertised the surplus property sale and when they are, they have to be advertised and that is the way we notify them.

Ms. Mayo said, "Habitat and the Laborer's Union have called a few times and I was just wondering...."

Attorney Kissinger said, "Ask Habitat to call either Mark Abell or me. I won't talk with them, but perhaps Mark will."

Ms. Mayo said they are just wanting to know when they might be able to get some of this surplus property. And we haven't been able to answer that."

Attorney Kissinger said, "If you'll just refer them."

Mrs. Mayo thanked Attorney Kissinger.

RE: SCHEDULED MEETINGS

It was noted by President Tuley that a list of scheduled meetings is attached to the meeting agenda. He then cited several meetings, including the Executive Sessions at 4:00 p.m. on May 16th and 23rd, noting in conclusion that the City-County Buildings will be closed on Monday, May 30th, and there will be an Executive Session at 4:00 p.m. and a Commissioners Meeting at 5:30 p.m. on Tuesday, May 31st.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There was none.

RE: NEW BUSINESS

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

Mercy Ambulance Report: Commissioner Borries said he has a couple of items of New Business. First, Councilwoman Jarrel gave him a report that he would like to make part of the

official record. Briefly, it says, "For the past few weeks I've been in touch with Mercy Ambulance of Evansville concerning the report they provide to the County. The current report is inadequate in providing documentation for our purposes. I urge you to contact Mercy and insist that they use the reporting format that they currently complete for the City on a quarterly basis. The software, obviously, is already on line, so treating us the same would be easy to accomplish."

Both Commissioners Tuley and Hunter simultaneously exclaimed, "We've already asked them to do that -- it's in the minutes."

Mr. Borries continued, "Did we? She has reviewed this with Mercy and what it does is, it does not really provide us with the same information that the City has. So I will just enter that for the record."

Commissioner Hunter said, "You and I questioned them and we finally came up with the request that they give us the same information as they were giving the city."

Commissioner Tuley said, "Right. That was in the first meeting."

Students Working in Polls/Primary Election: Commissioner Borries said he has information from Dennis Beadles, Social Studies Department Chairman, about working at the polls. He understands there is going to be an election meeting where some of the criticisms (frankly, from some of the election workers) in relation to the schools are going to be discussed. you know, the law is very clear, it says that a public space must be provided in the schools and he think it very important that we work together. But lest we continue - we oftentimes bash kids around and sometimes think all of them are bad -- you just should see what this list says. For example, he tells them to dress appropriately; behave as a young adult; do not play at the polls, Americans take voting very seriously; remember, you are representing your family, your school and me, since I set this up with the political parties. Your actions, attitude and performance at the polls will go a long way in opening the way for seniors to participate in this capacity in future elections. Do not discuss the election with any voter coming into the polls; your job is to conduct the election and, as such, you must remain neutral on the candidates. Of course, you can express your opinion when you vote -- like all of us will do. He goes on to tell them to be sure to vote; that their absence will not be recorded. Then he has a list of kids from North high School alone that worked in this particular Primary. He thinks sometimes as adults -- you know, we can't even get adults anymore that will work. Here is a kid that worked as Inspector in C-1; here's another who worked as an Inspector in C-13; there are Judges and Clerks -- all these kids that, frankly, did a marvelous job and did represent themselves and everybody else very well. He thinks that should be made part of our public record.

President Tuley said it will be done.

Commissioner Borries said there were some disagreements. Sometimes workers want to smoke inside the school -- that is forbidden. Sometimes workers want to come in and bring in coolers and cuss a little bit and one thing and another -- and, frankly, they may get a little bit of that on T.V. or whatever, but he does not think it is appropriate for five and six year olds in buildings. He thinks we all just have to work together on this. Again, every school provided a safe space. But they have big musical programs and everything else and, frankly, that is a big inconvenience for six or seven hundred kids, too, who have to go to that school. He just hopes that a few of the complaints here, tempered with some realistic cooperation...

P.I.C. Job Training Center: Mr. Tuley said he has a letter from Jerry Yezbick from the P.I.C. Job Training Center, with an attached Summary of Fiscal Year 1995-1995 Local Job Training Plan. Mr. Tuley said he is requesting permission for the Commissioners to sign acknowledgment of receipt of the summary and return.

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

Citizen's/Acceptance of Check: Commissioner Tuley said that a week or so ago he talked to the Board about a check in the amount of \$1,000 that was coming in from Citizen's Bank (a replacement check). We signed the indemnity agreement and we now have the check. He believes it goes in the General Fund.

Motion to accept the check, endorse same, and give to the Secretary for deposit into the General Fund was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

IDOC Community Focus Fund Grant: Mr. Tuley said the last item he has under New Business is a note from Mike Robling of DMD concerning the subject matter. This is in the process of being closed out and Mr. Robling needs signatures on three or four documents to be forwarded to the Indiana Department of Commerce.

Motion to approve and execute the forms was made by Commissioner Borries, with a second from commissioner Hunter. So ordered.

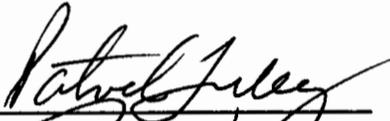
President Tuley entertained further matters of business to come before the Board. There being none, he declared the meeting adjourned at 8:00 p.m.

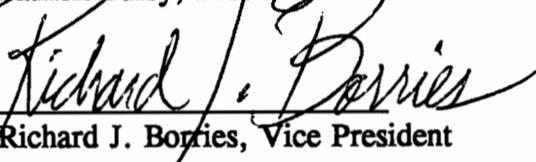
PRESENT:

Patrick Tuley,
Richard J. Borries
Don L. Hunter
Alan M. Kissinger, Attorney
Cindy Mayo, Chief Deputy Auditor
Mark Abell Supt./County Buildings
John Stoll/County Engineer
Bill Morphew/County Highway Supt.
Lynn Ellis/Purchasing Department
Richard Cappelletti, Data Processing
Glen Koob/Perry Township Assessor's office
Amelia Tornatta/Perry Township Assessor
Bob Harris/Scott Township Assessor
Barb Harris/Scott Township Assessor's office
Mrs. Fred Todd/Union Township Resident
Wayne Moore/President, CSS Associates, Inc.
Al Folz/Knight Township Assessor
Shirley Reeder/Knight Township Assessor
John Gerard/Knight Assessor
Bettye Lou Jarrel/County Council
Loretta Townsend/Weights & Measures
Rick Jones/County Council
Lisa Daugherty/Spurling Properties
Andy Spurling/Spurling Properties
Bill Spurling/Spurling Properties
James Morley/Morley & Associates
Randall Krohn/Armstrong Assessor
Michael Moers/Center Assessor
Cheryl Musgrave/Citizen
Debbie Burch/Center Township Assessor
Keith Poff/Sitecon, Inc.
Chris Weil/Sitecon, Inc.
John J. Elpers/Developer
John R. Bernard/Union Township Assessor/Trustee
Steve Folz/Laborer's Union 561

Linda Christianson/Manatron
Evelyn Lannert/County Assessor's office
Jim Angermeier/County Assessor
Eric Williams/Deputy Sheriff
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President


Don L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

May 9, 1994

5:30 P.M.

FINAL

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

* E.
A. **Approval of Commissioner Minutes**

B. **Any group/individual wishing to address the commission**

- ✓ C. **Lynn Ellis/Buyer for Purchasing**
re: 1) **Award bids for rubbish removal/demolition: Union Twp School**
2) **Approval for the advertising of bids for the demolition/rubbish removal of the Hybird Inn**
- ✓ D. **Richard Cappelletti/Director, Data Processing** — ^{CS}
re: **Recommendation and request for award of bid regarding the County/Twp Assessor's Tax Reassessment Software, Hardware and Services bids (deferred from 5-2-94)**
***See attached request from Township Assessors**
- E. **Loretta Townsend/Weights & Measures**
re: 1) **emergency appropriations for 100 gallon test prover**
2) **purchase of heavy duty 4-door crew cab truck and camper shell**
- ✓ F. **Bill Spurling**
re: **Residential Development**

5. DEPARTMENT HEADS

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

6. CONSENT ITEMS

A. Travel/Education

Health (1)

B. Claims for payment:

- 1) Given & Spindler.....5,959.08
*expense reimbursements
- 2) Given & Spindler.....4,241.00
*management fee

**C. Letter/check (\$198.64) for acceptance
re: Vanderburgh County Commissioners vs. Raymond Williams**

**D. Acceptance of Quietus # 13994/.....40,745.98
*TCI 1st qtr. franchise fee**

**E. Employment Changes
see attached lists**

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

COUNTY ENGINEER'S

CONSENT AGENDA

MAY 9, 1994

1. CLAIMS:

TELEPHONES 203-3140	
Vanderburgh County Commission	\$ 671.00
CONTRACTUAL SERVICES 203-3930	
Concrete Pavers (Inv. #2)	\$24,036.70
Concrete Pavers (Inv. #3 FINAL)	\$ 5,627.15
Concrete Pavers (#94-148)	\$ 4,132.91
ENGINEERING EQUIPMENT 203-4429	
Evansville Courier Company (VAN0201)	\$ 189.44
H.E.R.P.I.C.C.	
(Stream Stability & Scour @ Hwy Bridges)	\$ 20.00

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department TREASURERS OFFICE *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
				per	hr	
103-199	Deborah S. Schneider	3939 Kuebler Rd	Clerk	5	00	5-2-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Jay B. Blund* DATE May 2, 1994

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
27813602780	Sandra Montgomery		Correction Officer	9 8144 20414 00	5-4-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
27813602780	Sandra Montgomery		Probationary Corr. Officer	9 5740 19914 00	5-3-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Ray Hamm* DATE May 2, 1994

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY COMMISSIONERS 1300

Handwritten initials

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1300-1310	Bethanne Willett	2313 E. Iowa St. Evansville, IN 47711	INTERN	5.00 per hour	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Patricia G. Gentry
mk

DATE 5-5-94

May 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1 121 / 244	2 122 / 243 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners	3 123 / 242 Primary Election Building Closed	4 124 / 241 3:30pm County Council	5 125 / 240	6 126 / 239 Pay Day	7 127 / 238
8 128 / 237 Mother's Day	9 129 / 236 4:30pm Solid Waste 5:30pm Commissioners	10 130 / 235	11 131 / 234	12 132 / 233	13 133 / 232	14 134 / 231
15 135 / 230	16 136 / 229 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Resolutions	17 137 / 228 9:00am Insurance Comm.	18 138 / 227	19 139 / 226 9:00am Steering Comm. 5:00pm Pigeon Creek	20 140 / 225 Pay Day	21 141 / 224 Armed Forces Day
22 142 / 223	23 143 / 222 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Bd.	24 144 / 221	25 145 / 220 3:30pm Personnel & Finance	26 146 / 219	27 147 / 218	28 148 / 217
29 149 / 216	30 150 / 215 Memorial Day (Observed) Building Closed	31 151 / 214 4:00pm Exec. Session 5:30pm County Commissioners				

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DATA PROCESSING REVIEW BOARD
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

A G E N D A R E Q U E S T

NAME OF REQUESTOR: Richard Cappelletti

REQUESTOR TITLE: Director

DEPARTMENT: Data Processing

REQUEST(S) BEING MADE:

- Recommendation and request for award of bid regarding the County/Township Assessor's TAX REASSESSMENT SOFTWARE, HARDWARE and SERVICES bids.

DATE TO BE PLACED ON AGENDA:

County Commissioners

Monday, May 2, 1994

ACTION X **CONSENT** **OTHER**

May 5, 1994

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

Honorable Commissioners:

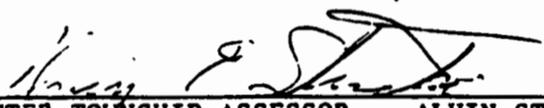
The eight Township Assessors of Vanderburgh County are requesting the placement of the Central Computer System with the Vanderburgh County Data Processing Center. This will allow for technical support from the data processors. Leaving administrative control with the County Assessor pursuant to the court ruling. This is the same arrangement that already exists with the Fire Dept., Sheriff, Police, Courts, County Auditor, County Treasurer and all other systems. This should allow for maximum support for the new system while also allowing everything to be located on the second floor of the Civic Center.



KNIGHT TOWNSHIP ASSESSOR AL FOLZ



PIGEON TOWNSHIP ASSESSOR DAVID FOX

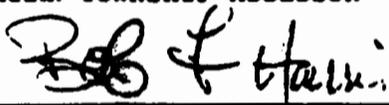


CENTER TOWNSHIP ASSESSOR ALVIN STUCKI



PERRY TOWNSHIP ASSESSOR AMELIA TORNATTA

GERMAN TOWNSHIP ASSESSOR TIM SCHAEFER



SCOTT TOWNSHIP ASSESSOR BOB HARRIS



ARMSTRONG TOWNSHIP ASSESSOR RANDALL KROW

UNION TOWNSHIP ASSESSOR JOHN BERNARD



2 out

COMPUTER SERVICES DEPARTMENT
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708
Fax (812) 435-5646

TBA, CIR Courts
(812) 435-5608
TBA, CIR Financial
(812) 435-5644
Larry Ice, Programmer/Analyst
(812) 435-5242

P.R. Cappelletti, Director
(812) 435-5750
Jodi Pickett, Administrative Assistant
(812) 435-5233

Joseph Profzaizer, Sr. Systems Manager
(812) 435-5245
Menzie Strickland, Operations Specialist
(812) 435-5749
Tim VanCleave, Micro-computer Specialist
(812) 435-5751

May 2, 1994

Vanderburgh County Commissioners
1 NW Martin Luther King Jr. Blvd
Civic Center
Evansville, IN 47708

RE: REASSESSMENT SOFTWARE, HARDWARE & SUPPORT SERVICES BID
#VC94-04

Dear Sirs:

Three (3) bids were received and reviewed. The responding vendors were Manatron, Inc., CSS Inc., and Low Associates. During the initial review, all members of the committee considered Low Associates to be non-responsive and, therefore, not considered in subsequent deliberations. The reasons the bid was determined to be non-responsive was;

- (1) failure to submit corporate financial reports,
- (2) proof of state certification was incomplete and "conditional",
- (3) user references,
- (4) insufficient legal contracts provided for review.

Of the remaining two (2) bids, the committee, in a 2 to 1 split decision, is recommending the award for software and services be made to CSS, Incorporated, pending satisfactory completion of negotiation and contracts..

It is further recommended that the purchase of printers, memory upgrades or other hardware items NOT be awarded through this bid but be purchased separately via quotation procedure to obtain more favorable pricing. This further enhances the flexibility and options available to the County. This has been discussed with the County Attorney Kissinger and is believed by him to be within the guidelines and statutes for public purchasing.

*9 people per day
 for \$1050*

For the following reasons, the recommendation to award to CSS is being made:

- (1) CSS was considered to be the most responsive bidder in the scoring of evaluations by members of the committee. The scoring indicated 78.7 for CSS as opposed to 74.2 for Manatron. The calculations were based on points awarded for fully compliant answers added to weighted responses which were considered partially compliant. The scores of all three evaluators were averaged to obtain the results.
- (2) CSS has the lowest bid price as well as the calculated 1st year costs. The calculated costs for both were as follows:

	Manatron	CSS
Appraisal Software & Modules	\$ 46,914.00	41,650.00
Calculated Training Costs	28,080.00 ¹	6,600.00 ²
Conversion Cost	0.00	2,000.00 ³
Installation & 1st yr support	included	12,000.00
Calculated 1st year costs:	\$ 74,994.00	65,250.00

*420
 24
 1680
 840
 1050*

(SEE ATTACHMENT 'A' FOR AWARD SUMMARY)

The annual software support charges in years 2 through 5 for CSS is higher than Manatron. However, ongoing support is an annually budgeted item and is a function relative to the software vendor and not considered a part of the "purchase" price.[?]

*28.00
 1.17
 15.00*

- (3) CSS employs MS Windows as the user interface, that increases flexibility, ease of use and more completely complies with industry standard designs for open systems and user interface. The employment of MS Windows is considered to be a superior method of application design and is the current standard for PC based applications.

¹ Costs for 3-days for System Administrator along with four (4) groups of classes for 16 people.

² 24 days at \$400/day, no limit on students. Anticipate 16 people and System Administrator.

³ Charge to convert Manatron files once created. See additional charge to Manatron to produce the files.

For the reasons, it is recommended that CSS be awarded the bid and contract review and execution be completed as quickly as possible. Attached are copies of the submitted documents for your signature.

It is further recommended that, as indicated by Attachment A, additional monies be set aside and approved for the purchase of the items listed towards completion of this system

Sincerely,



P.R. Cappelletti
Director

encl.

Attachment A	Summary of Award
Attachment B	Responsiveness Calculations
Attachment C	Price Comparison Table
Attachment D	Recommendation by Committee Members
Attachment E	Letter from Linda Christensen re software support and credits

**ATTACHMENT A
SUMMARY OF AWARD**

Amount recommended for award to CSS

<u>Software</u>	
ProVal™ base site license	\$ 2,400.00
25 Workstation licenses @\$1,400	35,000.00
One inquiry only license @\$750	750.00
One Crystal Report Writer w/training	600.00
ProVal™ installation & 1st yr support	12,000.00
ProVal™ training 24days \$400/day	9,600.00
Software Sub-total	\$ 60,350.00
<u>File Conversion</u>	
Flat file conversion (Manatron files)	2,000.00
<u>Software Escrow</u>	
On-Site software escrow agreement fee	500.00
Grand-total CSS	\$ 62,850.00
<u>Miscellaneous Expenses</u>	
Cost of Performance Bond	1,000.00 ⁴
Manatron File Conversion Charge	\$2,250.00 ⁵
Quantum 1GB Disk Drive	900.00 ⁶
Memory Upgrades ⁷	
Server	\$400.00
Workstations (4)	\$700.00
Novell Lite Software (Perry Township)	\$400.00
Network Cabling Estimate	\$1,000.00
Sub-total Miscellaneous	\$6,650.00
System Total (Estimated)	\$69,500.00

⁴ Optional.

⁵ Estimated from prices provided for same function from other sites converting from Manatron to CSS. This does not include credit to be applied to the conversion effort. Refer to letter from Manatron dated 4/21/94 which is available for reference.

⁶ Quoted by Manatron at \$2,448 in the bid. This price is quoted from COMARK/USA FLEX, our PC supplier of choice, dated April 25, 1994.

⁷ Recommended in the bid. Included memory upgrade for central server and workstations bought by County Assessor in Dec 1993 contract.

EVALUATOR	MANATRON			CSS Inc.			
	YES	NO	PARTIAL	YES	NO	PARTIAL	
	<i>Weight</i>	<i>1</i>	<i>0</i>	<i>0.75</i>	<i>1</i>	<i>0</i>	<i>0.75</i>
Eval # 1	65	3	14	77	5	0	
Eval # 2	65	3	14	73	5	4	
Eval # 3	64	8	10	74	4	4	
CALCULATIONS							
Average of Scores	64.7	4.7	12.7	76.7	4.7	2.7	
Weighted Score (1)	74.2	90.45%		78.7	95.93%		

NOTE: Weighted scores calculated by [avg yes + (avg partial * wgt)] = Score

TAX APPRAISAL SYSTEM

April 25, 1994

ITEM	Quantity	Unit	Manatron (Comments)	TOTAL COST	Comments
Hardware					
System Laser Printer	1	each	May be awarded separately		May be awarded separately
Office Laser Printers	1	each	May be awarded separately		May be awarded separately
1GB SCSI Disk Drive Expansion	1	each	May be awarded separately		May be awarded separately
Network Interface Cards			May be awarded separately		May be awarded separately
Modems			May be awarded separately		May be awarded separately
Software					
Appraisal System & Modules	1	lot			All offered software
Cabling					
Office & Local Cabling	0				County Responsibility to install
Installation & Training					
System Administrator	1	day	1 person, 3 days		
DOS w/Windows	2	day	16 people, 2 days		
Residential Appraisal	2	day	16 people, 2 days		
Commercial Appraisal	2	day	16 people, 2 days		
Personal Gas. Oil Fasport	2	day	16 people, 2 days		
ProVal Install & 1st Year Support	1	lot		12,000.00	Install & 1st yr support
File Conversion	1	lot	CSS Only	2,000.00	CSS cost only
On Site Training	24	day		9,600.00	24 days, \$400 /day
Software Support					
Year 1	1				
Year 2	1				
Year 3	1				
Year 4	1				
Year 5	1				
Other Projected Costs					
Testing of PC's	1	lot	Manatron Requirement	10.00	
1GB Disk Drive for Server	1	ea	Will be awarded separately	400.00	Will be awarded separately
Memory Upgrade for PC's & Server	1	lot	Probably Required	900.00	Indicated as required
Year 1 costs				66,250.00	

Year 2-5 Support Costs? 20,779.43
 Other Misc. Costs 3,478.00
 Total Projected Costs 95,771.43

60,060.00
 3,128.00
 125,310.00

Handwritten notes and arrows:
 Total in
 (Arrows pointing from 20,779.43 and 3,478.00 to 125,310.00)



COMPUTER SERVICES DEPARTMENT
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
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(812) 435-5245
Menzie Strickland, Operations Specialist
(812) 435-5749
Tim VanCleave, Micro-computer Specialist
(812) 435-5751

April 25, 1994

TAX REASSESSMENT SYSTEM EVALUATION COMMITTEE:

Having reviewed the bids received for the TAX REASSESSMENT SOFTWARE, HARDWARE & SERVICES bid, my recommendation is to award the bid to CSS, INC. My recommendation is made for the following reasons;

- (1) CSS was considered to be the most responsive bidder in the scoring of evaluations by all members of the committee.
- (2) CSS has the lowest bid price as well as the calculated 1st year costs.
- (3) CSS employs a software technology, MS Windows, that increases flexibility and more completely complies with industry standard designs for open systems and user interface.

My evaluation point of perspective was from overall responsiveness, price and technical review. My decision was based upon the bids presented, the clarifications to questions, discussion with vendor representatives, viewing systems and speaking with users. If you have questions, please feel free to talk to me at any time. I thank you for the opportunity to be involved and look forward to assisting you in support of your new system.

Sincerely,

A handwritten signature in dark ink, appearing to be 'P.R. Cappelletti', written over a light-colored background.

P.R. Cappelletti
Director

April 25, 1994

Mr. P. R. Cappelletti, Director
Computer Services Department
Civic Center Complex, Room 205
One N.W. Martin Luther King, Jr. Blvd.
Evansville, IN 47708

Dear Mr. Cappelletti:

This is my recommendation for the computer software to be used in the reassessment and assessment of Vanderburgh County. Due to my inexperience with hardware, I will not address the hardware bids in this recommendation but will leave those decisions to your expertise. My recommendation is to accept the CSS bid. My reasons are as follows.

The CSS software is capable of working both the 1989 and 1995 appraisal programs at the same time on the same file. This feature will help us check that the data has been converted correctly prior to our entering the 1995 reassessment data. The CSS software is run through Windows and is much easier to use and more efficient than Manatron's multi-screen system; i.e. for sketching, print generating, and printing and sketch labeling field sheets. The help commands and drop down menus in the Windows environment, through which CSS software is run, provides more information for ease of use by the operator compared to that provided by Manatron's software, run through DOS.

After working with both the CSS and the Manatron software, I believe that the CSS software is much easier to understand and could be learned with a lot less training than the Manatron software. In addition, the rate of productivity should be higher on the CSS software. Because of our time restrictions in completing the reassessment, productivity is a prime consideration in choosing software.

Manatron's bid is inadequate for the training needed to learn their program because it only addresses training two people for two days at \$1,000 per day. Actually, there will be a minimum of 16 people who need to be trained. Based on Manatron's bid prices for training, the total cost of minimum training on their program for 16 people would be \$27,200. This cost does not include the System Administrator's training, which is different from the training needed by the Township Assessors' offices.

The bids for the software support agreements differ because of the following explanation:

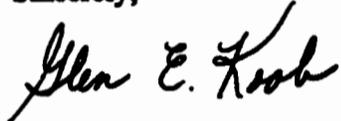
The CSS software support agreement as stated by Wayne Moore in his letter of April 21, 1994 is as follows: "The bottom line is this: All software updates needed for the Assessors to do their basic job will be provided under the support agreement fee. There are no other costs."

Manatron's bid is an open-ended contract as stated in their letter of April 21, 1994: "If the State mandates that we go to market value which requires extensive changes to the program or re-certification of vendors, Manatron/ATEK will have to pass those costs on to their clients as this would be a major change requiring a rewrite of over 50% of the system."

In the Evaluation of the bid for the software, CSS is the more responsive vendor to the bid specifications. In the long run, I feel that the CSS bid is competitive with the other vendor. In Manatron's response of April 21, 1994, they want to charge an additional \$350 to test the compatibility of their software to our hardware. A stipulation of the RFB was that any software submitted for consideration would be compatible with our hardware. The open-end contract will cost more in the long run than the bid of CSS.

I believe that CSS software is of higher quality, easier to learn and use, and easier to maintain than Manatron's software. Upon review of both Manatron and CSS software, all eight of the township assessors voted CSS software as the software they would want to use in their offices for the next assessing period. In conclusion, I recommend that we contract with CSS.

Sincerely,



Glen E. Koob
Township Member, Evaluation Committee

The training shall be held on at least two different dates to accommodate those that may not be able to attend on one of the dates. All training shall include proper documentation, workbooks and lesson plans. Each user shall be provided a single copy of the application documentation.

Training shall be held for the System Administrator and Systems Manager separately from user training. The System Administrator and System Manager shall be provided copies of all user documentation as well as copies of all system documentation. Topics shall include, at a minimum, the following topics;

- (a) System components
- (b) Network Operating System overview, operation and management techniques
- (c) Network Security and configuration
- (d) Data backup procedures
- (e) Table, screen or system modification procedures
- (f) Database rebuild or restoration process
- (g) Database Manager

3.15 TRAINING DATABASE & PROGRAM

The proposed system **MUST** include a fully functional "training" and "what-if" application. This utility will be used to assist in the initial training of new employees as well as allowing what-if scenarios to be input by the Township Assessors.

3.16 USE OF EXISTING PERSONAL COMPUTERS

The office(s) of the County and Township assessors have purchased, and have in place, certain micro-processor (PC) based equipment that [REDACTED] be utilized in any proposal offered.

TOWNSHIP OFFICES

The equipment is described as 80486DX2, 66mhz, IBM compatible, 64k cache, 8mb RAM, 8 expansion slots, 200w power supply, dual FD/HD IDE 16-bit controller, one 1.44mb



CSS Associates, Inc.

33 East High Street
PO Box 1768
Springfield OH 45501

513-324-2515
1-800-593-4965

FAX: 513-324-2534

April 21, 1994

Mr. P. R. Cappelletti, Director
Computer Services Department
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King, Jr. Blvd.
Evansville, Indiana 47708

Dear Mr. Cappelletti:

Following are responses to your questions of April 20, 1994:

1. Exhibit C of the Support Agreement is intended to clarify Sections 1 and 2 of the basic agreement by giving specific and concrete examples of what is included with the basic support fee and what is not included. Essentially, everything related to appraisal and assessment software including items not required by the State Tax Board, as outlined in Paragraphs 1a through 1h, will be provided to the support customer as long as the support agreement remains in effect. Paragraph 2 of the Exhibit C outlines examples of "major enhancements" which might have a separate license fee or upgrade charge. For example, the Report Writer is optional and is therefore priced and licensed separately. Its support is also priced separately. ~~The Report Writer is priced separately and its support is also priced separately.~~

~~There are no other costs.~~ And since our customers purchase their hardware and network support locally, there is almost no need for on-site visits.

2. The Report Writer is optional, but recommended. Therefore, it has a separately stated license fee and support fee. The Report Writer fee is \$600 which includes installation and one (1) day of on-site training. Since the Report Writer allows ad hoc inquiries by users, it generates more support calls to CSS because the users are frequently doing something new or different each time they use it. Therefore, the support fee has been set at \$50 per month per user. We believe it is best to have just one identified user per office, and one Report Writer package per office. This identified person would be the trained user who contacts CSS with support questions, but the entire office benefits from the single package.

04 21 94 11:13 AM ATEK INDPLS. IN

E 01



April 21, 1994

Mr. P. R. Cappelletti
 City of Evansville
 7th Street, Room 205
 Evansville, In 47708

Dear Mr. Cappelletti:

Thank you for allowing us the opportunity to respond to issues of the Data Board.

[REDACTED]

Manatron/ATEK requires six weeks from the time the contract is signed to perform the conversion, installation and training. Manatron/ATEK assigned the May 13th date based on the County's desire to have installation and all training completed by June 1, 1994. If the County wishes to extend the June 1 deadline, Manatron/ATEK can extend the May 13th date accordingly.

Manatron/ATEK will have access to the Project Coordinator at no additional cost for the first 90 day period. As you are aware, the first 90 days will be the most critical to implementing the installation for the software. At the end of 90 days, if the Project Coordinator is required to be on-site at the request of the County, the cost will be \$500 per day plus lodging (if necessary). (This is generally not necessary). There is no additional charge for phone support. Manatron/ATEK has an 800 number, so the County would not have any additional charges.

The modems have been ordered by the County Assessor, Mr. Angermeier and will replace a PC bridge outlined in a previously signed contract between the County and Manatron/ATEK. These modems are Lantech modems that contain a "mother-board" chip which eliminates the need for a bridge PC. This will double the response time for the remotes. There are currently five phone lines in Room 318 for the remotes, each phone line will have a Lantech modem to handle a remote township.

Your understanding of the topology is nearly correct. The programs and data files reside on the server. As each township accesses a program, a "copy" of the program is pulled into the memory of the township's PC. The PC then accesses the server for data files only. Inquiry capabilities are available to all townships. This is a Real-time system.

04. 21. 94 11:13 AM *ATEK INDPLS. IN

P03

Page Two

Legislative changes will be provided at no additional cost to the County as long as the annual support fees are paid by the County. If the County cancels this support, the updates would be billable.

The cost would be based on a per parcel fee determined by the number of parcels in each County. This insures each County pays the same proportional amount. Since Manatron/ATEK has approximately fifty County Assessor clients, the cost per County would be reasonable. Manatron/ATEK can not be more specific at this time since the Tax Commissioners have not provided us with information concerning this proposed legislation. In addition, Manatron/ATEK has a Steering committee consisting of both Manatron and ATEK users to aid in the development of new enhancements for the system.

The one day training for the System Administrator is to familiarise her with the system. It is not our intention that she become a Novall engineer. That is our responsibility. Manatron/ATEK has a signed contract with the County to provide MOMS (Manatron On Line Maintenance Service). This enables Manatron/ATEK to modem into the System to facilitate the corrections of problems or assistance to the users. In addition, the County has a credit for training with Manatron/ATEK. With regard to our training classes, there would be no additional charges to the County for travel or lodging expenses of instructors.

If additional clarification is necessary, please feel free to call.

Sincerely,


Linda Christensen
Senior Systems Consultant

LC:jlw

April 25, 1994

RE: REASSESSMENT SOFTWARE

USER REFERENCES: In checking the user references from both vendors, Manatron Inc. and CSS Associates, Inc., the clients were happy with their vendors. CSS has two clients in Indiana prior to 1994. Johnson County (1978) has the software installed but will not use it until 1995. Couldn't tell if it would or would not work, because they haven't tried it. They are using 10 yr old equipment, Mr. Combest feels confident it will work, but there is always that possibility it may not work. LaPorte County (1979) had their data conversion two weeks ago. The data converted fine, but lost sketches to 64,000 parcels. They are going to hire someone to draw all their sketches and take the chance that the hand drawn sketches will match the figures in the computer. Ed Bisch at the State Tax Board says they only use the software to work through problems, not mass appraisal. He couldn't say. The other 19 counties listed by CSS have the software installed and are using the practice mode working out the "bugs". They have not converted any data nor are they inputting into the new software. Some counties have had more than one (4 or 5) update to work out "bugs". Several counties have project managers from other companies over seeing the reassessment process. CSS has also contracted outsiders to help with the installations in some of the counties. CSS also proposed in his bid to do batch updates at the end of the day. This would take away a function that we already have. Right now we have "instant" data as soon as the township enters and saves the input. With CSS proposal we would have to wait 24 hours to get up to date information. So far all CSS could show the county or townships is a demonstration. I did not see or hear of any CSS new clients that have signed contracts actually doing any conversions. CSS does sketching with vectors. In talking with LaPorte County Assessor, she was told that it was impossible to do a conversion on sketches. I don't think Vanderburgh County has the time to redraw 75,000 parcels.

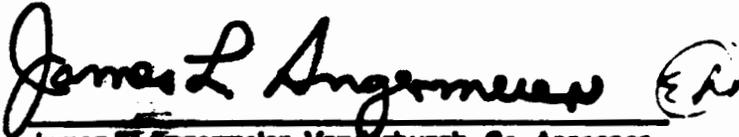
The Manatron users contacted were: Warrick County. Their data has been converted and they are up and running. They lost no data in the process. Their biggest problem was trying to run the new software on the BTOS system and had all kinds of problems. They have purchased new PC's and are very happy with the way the software is working. The "bugs" are minor and they are being worked out. Warrick county spoke well of the Manatron support. Warrick has used Manatron since 1987. Adams County is still working on the BTOS system. They have been converted. Appraisal Research is doing their reassessment. No problem with their conversion. Franklin county has new software. No problem with the conversion. Would like to see the labels on the sketches, not just a letter. They also have imaging and pictures on their software. Whitley county is still using BTOS. They have not converted. They are in the process of switching to PC's. The cable is being run for the new equipment. The County Engineer did an indepth study on the pricing of software and decided to stay with Manatron. What they have seen of the software, it is workable and easy to use. Knox county was first installed on BTOS and it didn't work very well. They switched to PC's and is very happy with the way the software is working. The "bugs" are minor and they are being worked out.

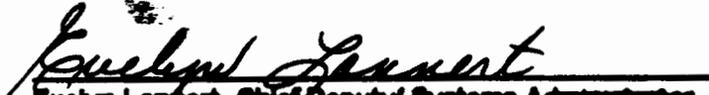
Software support: Manatron support will be out of Indianapolis, not Kalamazoo, MI as in the past. They have 30 personnel to help with support. Two of them are ex-county assessors. Carol Johns from Carrol County and Gina Burrington from Hamilton Co. Brian Kimbrough is one of the support staff and has shown that he is knowledgeable in this field. CSS has 2 support staff that I am aware of. Wayne Moore and Chuck Colvin. My last conversation with Wayne Moore was on the day that we had demonstrations on software and he was talking with someone on Fourth Street to help with our support if he should get the bid. "Is this money that will have to be paid extra or is this in his bid price? He also says this is what he does when he gets a bid, is to get someone locally to take care of his clients. He doesn't sell hardware. Is he speaking of software? Manatron can better support our needs in Vanderburgh County.

In summarizing, the County Assessor, or his designated person, having checked the user references and financial statements of both CSS Associates, Inc. and Manatron/Atek, Inc. and feels the decision of the vendor of software should be based on reliability, financial stability and performance. CSS Associates, Inc. being a small company, didn't show strong financial stability. The lack of strong financial backing would make it hard for a vendor to support and spend a lot of time in a county the size of Vanderburgh County. The fact that CSS has contracted 21 counties doesn't show a lot of promise, when they only had 2 prior to 1994. One lost their sketches and another other won't use their software for another year. The other 19 counties haven't been converted and don't know what kind of problems they will have.

Manatron, Inc. financial statements clearly show their creditability and their ability to financially support their clients. Manatron/Atek has 70 installations in Indiana prior to 1994. Manatron, Inc. past performance with Vanderburgh County software support was satisfactory. The on-line support that was included in our software maintenance saved hours in mileage. The cost of CSS Associates service for software for the life of the contract well exceeds the cost of Manatron, Inc. maintenance.

Therefore, after reviewing the records of both software vendors for reliability, financial stability and performance, I think Manatron would better serve Vanderburgh County.


James L. Angermeyer, Vanderburgh Co. Assessor


Evelyn Laryert Chief Deputy Systems Administrator

Thursday, April 21, 1994

Mr. P. R. Cappellati
Vanderburgh County Data Processing
Chis Center Complex Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

Dear : Mr. Cappellati:

Per our discussion of yesterday, I am having information regarding the Lantech modems faxed to you from our corporate office. They will be sent this afternoon. If you have any other questions regarding these modems or the configuration of the system, please call.

If Manatron/Atak is not the vendor of choice, we will require 30 days written notice to discontinue the software support. A credit will then issued to the County. This credit may be applied to conversion of the data to a flat file for conversion.

If I may be of any further assistance, please call.

Sincerely,



Ms. Linda Christensen
Senior System Consultant

Pat

May 6, 1994

TO: Loretta Townsend, Inspector
Vanderburgh County Weights and Measures

FROM: Michael A. Horan, Supervisor
Division of Weights and Measures
State of Indiana Department of Health

On Wednesday, May 4, 1994, Mr. Nicholas J. Pasyanos visited me in my office. At that time he requested information about equipment which local jurisdictions are required to have. I informed him the State Division of Weights and Measures doesn't have actual requirement for equipment.

After further conversation he admitted the county in question was Vanderburgh. I gave Mr. Pasyanos a list of the equipment that we have on record as belonging to Vanderburgh County Weights and Measures. This was given verbally and contained the following:

1. 3,300 lbs. of small weights in divisions of 25 lbs. and 30 lbs.
2. 4 weight test kits (total weight 30 lbs. each)
3. 4 portable scales for package testing ranging from .01 lb. to 500 lbs.
4. 6 five gallon test measures

The above equipment is that which has been transported to our Indianapolis lab for calibration, but does not include report books, safety equipment, carts, hand trucks or other things necessary for Weights and Measures inspections.

Mr. Pasyanos mentioned that Ms. Townsend was requesting a new vehicle for her department. I informed Mr. Pasyanos that the State Division has seven field inspectors and each is assigned a vehicle and equipment. I would assume that the three field inspectors from Vanderburgh County would require 3 vehicles and equipment.

Enclosed is a copy of a table from Handbook 44 that shows how much test weight is recommended to test various scales. I include this table to show that at times all of Vanderburgh County's weights would be required to be in just one vehicle.

Recently our metrologist made a trip to Evansville to calibrate the Vanderburgh County Weights and Measures 100 gallon prover. The prover was found to be inaccurate and was condemned. This prover is necessary to the Vanderburgh County Weights and Measures Department to test home delivery fuel oil trucks, high capacity diesel pumps, meters on refueling equipment at the local airports, and other liquid measuring devices. The prover is used at various times throughout the year. The State Division has only two 100 gallon provers and cannot loan these for extended periods of time.

I hope this letter clears up some misunderstandings that have developed due to my conversation with Mr. Pasyanos. Any members of the council considering the Vanderburgh County Weights and Measures budget can contact myself or Howard Cundiff, Acting Director at AC 317/633-0350.

Table 4. Recommended ^{**} Minimum Test Weights and Test Loads			
Device capacity	Recommended ^{**} minimums (in terms of device capacity)		Recommended ^{**} (where practicable)
	Test weights (greater of)	Test loads [*]	
0 to 50 kg (0 to 100 lb)	105%		
51 to 500 kg (101 to 1 000 lb)	30% or 50 kg (100 lb)	105%	
501 to 20 000 kg (1 001 to 40 000 lb)	25% or 250 kg (500 lb)	30%	Test weights to dial face capacity, 1 000g or test load to rated capacity, if greater than minimums specified
20 000 kg+ (40 000 lb+)	12.5% or 5 000 kg (10 000 lb)	25%	

^{*}The term "test load" means the sum of the combination of field standard test weights and any other applied load used in the conduct of a test using substitution or build-up test methods.

Except for railway track scales, the recommended^{**} minimum test of a class III L scale shall consist of one test from zero to at least 25% of the scale capacity and then one strain load test to at least the rated capacity of the device.

Each test is to be conducted using a known test load of at least 25% of scale capacity. This test load may be comprised entirely of test weights or a combination of a test weights equal to at least 12.5% of scale capacity and a substitution load.

^{**}The word "recommended" will be deleted from this section as of January 1, 1994. This will make the amounts of test weights and test loads specified in Table 4 mandatory as of January 1, 1994.
 (Amended 1988, 1989)

- (a) These weighing systems shall be tested using a consecutive-car test train of no less than 10 cars run over the scale a minimum of five times in each mode of operation following final calibration; or
- (b) if the official with statutory authority determines it necessary, the As Used Test Procedures outlined in N.4.3.1. shall be used.
 (Added 1990; Amended 1992)

N.4.3.1. As Used Test Procedures - A weighing system shall be tested in a manner that represents the normal method of operation and length(s) of trains normally weighed. The weighing systems may be tested using either:

- (1) a consecutive-car test train of a length typical of train(s) normally weighed; or
- (2) a distributed-car test train of a length typical of train(s) normally weighed.



Weights and Measures
of the
City of Evansville & Vanderburgh County

Loretta Townsend
Chief Inspector

204 S. E. 6th Street
Evansville, IN 47713
812-435-5745

● I

Rick,

The specifications, from Seraphin (the only source for this equipment), shows two prices. The open trailer unit, \$12,586.00 has no protection for the measuring compartment, which if damaged, we're back to where we are now! The enclosed unit, \$14,086.00 has a cabinet completely enclosing all components, the measuring compartment, gauges, electrical, etc. and is what we have now. The difference (\$1,500.00) is well worth it.

The present condemned prover was purchased 35 years ago (1955) by 3 oil companies for the department so that they could get their trucks checked. This may have been an approved way of getting what was needed, but it sure wouldn't work now!

For the last 4 - 5 years, the State has barely approved it and each time only after a lot of adjustments and repairs and as was expected, there are no more adjustments or repairs that can be made. Even after the money is allotted, it will be 8 - 10 weeks before it will be ready to be delivered. This timing will really mess us and the operators up since that will be their busiest season, but it can't be helped.

The shipping cost, \$800.00 seems high, but if necessary, I'll find it somewhere and transfer it. That is if I can't find a cheaper way of getting it here.

I can't emphasize enough how important this equipment is to the department. Granted it comes at a bad time, but it was no big surprise because of all the problems in the last few years. If there is any blame for this, it lies with me for not replacing it long ago, but so long as we could tape it together, I didn't want to spend the money until it was absolutely necessary. Now it is an emergency and must be replaced.

If you foresee any questions that you will not have an answer for - please call me.

Sincerely,


Loretta



Weights and Measures

of the
City of Evansville & Vanderburgh County

Loretta Townsend
Chief Inspector

204 S. E. 6th Street
Evansville, IN 47713
812-435-5745



Enclosed:

Copy of

1. Request for emergency appropriation
2. Indiana State Board of Health, Laboratory Calibrations and tests
3. Specifications and price from sole source

The condemned 100 gallon test prover is used to test the calibration of all fuel delivery truck meters - 132 total at least once each year as required by both Indiana and Vanderburgh County laws.

These trucks deliver fuel to gas stations, farmers, industry, government locations and fuel to the airplanes through Tri State Aero and Millionaire. The truck meters are such as, but not limited to, Wannemuehler Amoco, Hahn Sunoco, Gabe Oil, Evansville Petroleum (Marathon), etc.

1993 Inspections: (first run before calibration)

- 67 - giving too much - loss to the businesses. (An unknown overload on an airplane is exceptionally dangerous)
- 56 - giving less than the amount - hurting the customers.
- Only 9 were found close to the accurate amount.

Diesel Fuel Pumps - 61 total

These are used to fuel over-the-road semis, delivery trucks and found at such as Ryder Truck Rental, Busler's, Moto, Windmill and Shell, etc.

The County cost (55%) - \$7,755.00, the City cost will be \$6,345.00

The shipping - \$800.00 by trailer will be transferred from the \$1,700.00 into postage from our equipment account.

REQUEST FOR APPROPRIATION

DEPARTMENT: WEIGHTS & MEASURES

DATE: 4-15-94

ACCOUNT	LINE ITEM	AMOUNT
MISCELL. EQUIPMENT ✓	1302-4250 ✓	14,100.00 ✓
		VANDERBURGH COUNTY FILED
		APR 15 1994
		<i>Don Douglas</i> AUDITOR

EXPLANATION OF NEED FOR REQUEST:

This equipment is thirty-five years old and no longer meets mandatory requirements set by the IDWM. In a lab inspection by a certified inspector (which is required by law) this equipment was condemned.

We have to replace a 100 gallon Series (j) stainless steel prover.

(seraphin test measure)

BALANCE OF ACCOUNTS:

ACCOUNT NO	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROPRIATION
1302-4250	1,700.00		1,700.00	

DEPARTMENT HEAD: *Loritta Townsend*

INDIANA STATE BOARD OF HEALTH
 DIVISION OF WEIGHTS AND MEASURES
 1330 West Michigan Street, P.O. Box 1804
 Indianapolis, Indiana 46208

LABORATORY CALIBRATIONS AND TESTS

No. 94-155

Date April 17 1974

Firm Name VANDEN BURK CO WLM

Address _____

	MASS - LENGTH - VOLUME	CORRECT	ADJ.	CONDEM.	CONF.	TOTAL
1.	100 gal Pump					
2.						
3.						
4.	0.32					
5.	1 60.0					
6.	2 60.0					
7.	3 60.0					
8.	4 60.0					
9.						
10.	Open hydraulic pump tank					
11.	plus seal on tank					
12.	tank is badly pitted					
13.						
14.	Translation - Prover fluctuating beyond					
15.	tolerance - plus seal on level					
16.	Tank is badly pitted.					
GRAND TOTAL						

GENERAL REMARKS _____

Peter W. Bayne

METROLOGIST

CALIB/WM

State Form 3093
 SRI156-054

SERAPHIN

The Prover Prover!

SERAPHIN TEST MEASURE CO.

**STANDARD 100 GALLON SERIES 'J'
STAINLESS STEEL PROVER
MOUNTED ON OVER THE ROAD TRAILER**

INCLUDING THE FOLLOWING:

- 1 100 GALLON SERIES 'J' STAINLESS STEEL PROVER, BUILT TO HANDBOOK 108-3.
- 2 TWO (2) SPIRIT LEVEL CALIBRATED TO THE NECK OF THE PROVER.
- 3 THREE (3) NON-ADJUSTABLE LEGS SUITABLE FOR PERMANENT MOUNTING TO THE TRAILER BASE.
- 4 2" BOTTOM DRAIN WITH BUTTERFLY VALVE.
- 5 ONE (1) THERMOMETER WELLS WITH DIAL THERMOMETERS.
- 6 TWO (2) LIFTING LOOPS.
- 7 ONE (1) GROUNDING STRAP ON A REEL.
- 8 DUAL READING SCALES, ONE IN U.S. CUBIC INCHES AND THE OTHER IN METRIC MILLILITERS.
- 9 TOP LOADING, BOTTOM FILL SUBMERGED FILL PIPE.
- 10 HINGED LOCKING COVER FOR TOP OF THE NECK.
- 11 2" BUTTERFLY VALVE TO THE PUMP.
- 12 ELECTRIC PUMP AND MOTOR, EXPLOSION PROOF 1 1/2 HORSE-POWER WITH 90 GALLON PER MINUTE FLOW.
- 13 50 FT OF ELECTRICAL CORD FROM THE MOTOR.
- 14 CONTROL SWITCH WITH 4 FT OF CORD.
- 15 ONE (1) LOCKING STORAGE CABINET.
- 16 MANUAL HOSE REEL WITH 80 FT OF 1 1/8" I.D. STANDARD FUEL OIL DELIVERY HOSE, PLUS NOZZLE.
- 17 HEAVY DUTY TRAILER, APPROXIMATE 72" WIDE X 144" LONG, SUITABLE TO HANDLE WEIGHT OF SYSTEM FULLY LOADED.
- 18 TWO (2) RETRACTABLE JACKS INSTALLED ON REAR CORNERS OF TRAILER.
- 19 ONE (1) CASTER JACK WITH CRANK.
- 20 ICC EQUIPMENT WITH ELECTRIC BRAKES ON TRAILER.
- 21 BALL TYPE COUPLING.

PRICE: \$ 12,500.00 EACH, OPEN TRAILER UNIT

~~PRICE: \$ 14,000.00 EACH, ENCLOSED TRAILER UNIT~~ --- SEE DRAWING FAXED.

F.O.B: RANCOCAS NJ

DELIVERY: 8 TO 10 WEEKS

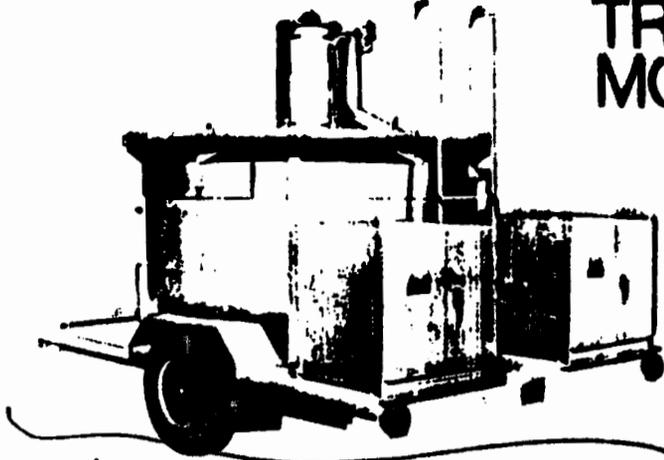
OTHER SIZES AVAILABLE AT VARIOUS PRICES.

A DIVISION OF PEMBERTON FABRICATORS, INC. 30 INDEL AVENUE, RANCOCAS, NEW JERSEY 08078 (609) 287-0022 FAX: (609) 281-2546

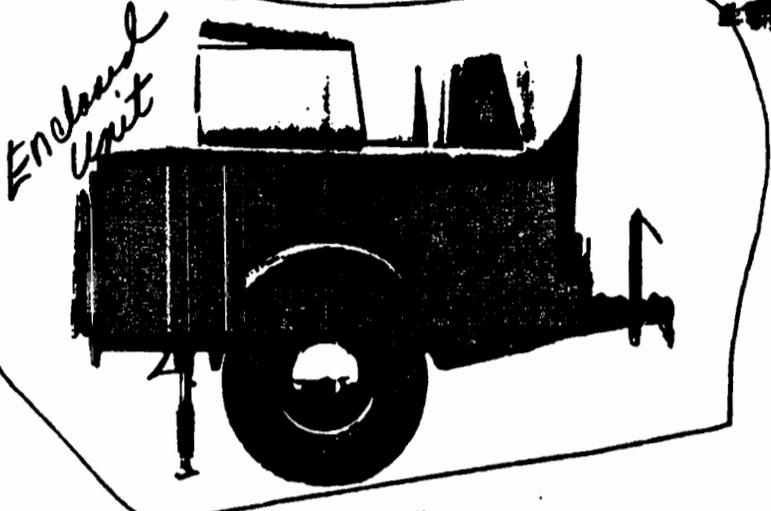
14,086
55
70430
70430
77430

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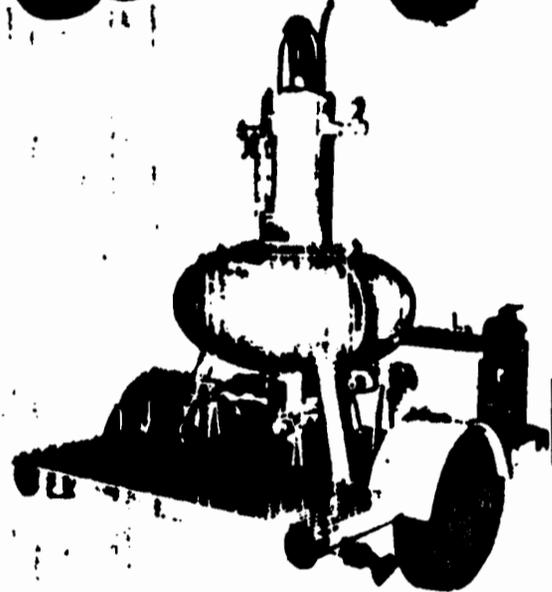
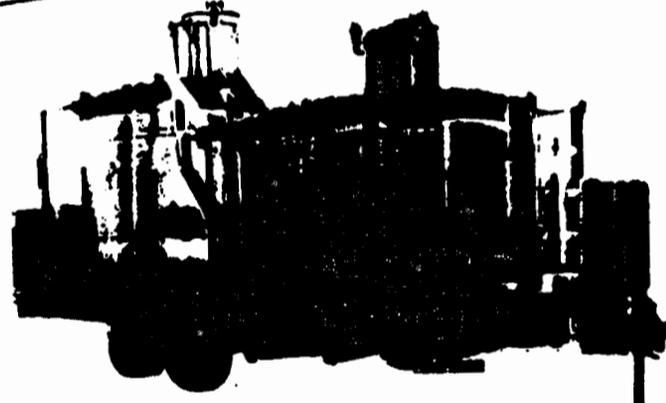
TRAILER AND TRUCK MOUNTED PROVERS



Open Unit



Enclosed Unit



The marriage of Seraphin to Pemfab has given the company the necessary facilities, capabilities and equipment for building trailers or trucks to be used for transporting large provers. We can produce both the chassis and the body. Or, if you prefer we will mount the body on a commercial truck.

An excellent example of a trailer mounted prover produced by Seraphin is the 100 Gallon Volumetric Liquefied Petroleum Gas Prover. This prover is presently in use by a State Bureau for the purpose of accurately measuring and checking flow meters and gauges. It is mounted on a trailer for maximum mobility and convenience for transporting the unit to inside or outside mounted meters. It can be used to check meters measuring LP being loaded into the truck and/or those meters measuring the gas as it is dispensed from the vehicle.

Trailers produced at Seraphin meet all I.C.C. Regulations. They can be equipped with brakes and can be leveled by jack screws or hydraulic jacks.

Open top, trailer mounted provers are also available. This is a general purpose type prover presently being used in the gas and petroleum industries. It could be adapted or modified for use in other industries as well. A range of sizes, up to five thousand gallons, can be produced.

Any standard or custom measure or prover we build can be trailer or truck mounted to your specifications and for all industries whether it's for in-yard or over-the-road purposes. Dual axles are available where required.



Weights and Measures
of the
City of Evansville & Vanderburgh County

Loretta Townsend
Chief Inspector

204 S. E. 6th Street
Evansville, IN 47713
812-435-5745

March 7, 1994

Rick,

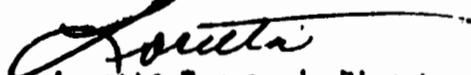
Enclosed are the specifications for the Crew Cab Truck (nearly the same as used for the '89 GMC), the first to purchase bids from Cooke, Bob Wright and Kenny Kent. I have not gotten a rental bid from Bob Wright, but the other two are included. None of the bids include the modifications necessary such as the camper top, locking vent, rubber mat for the back and the braces to secure the fuel test measures, funnels and weights. This is the reason I ask for \$1,000.00 above Bob Wright's bid to hopefully cover this.

The reasons why the equipment is necessary are:

1. The van, if fixed (leaving \$24.00 in vehicle repair for '94) would still not be what is needed for the job.
2. We have grown, our inspections have grown, not just in numbers but also in the amount of equipment needed for some sites.
3. If an inspection calls for a large amount of weights, which many do, (a 6000 lb scale is not rare anymore) we must take the scale to at least the capacity that either the scale is used at (businesses buy scales that fit their purposes) or one-half the capacity of the scale. Only the truck will accommodate this. Even half our weights causes the van to move all over the highway or street even when we are not doing scales but gas or whatever and we must split up to get everything done each year. Half the weights must be kept in the van, except when needed and then the truck is used. We can not put all the weights in the truck permanently in order to keep the van on the road and get to the equipment needed in the truck. There is no other way to store the weights except between the two vehicles.
4. We actually need more weights to accommodate some inspections, where will they go?
5. The other inspectors in the other departments can do their jobs mostly in cars (they, for the most part, need only a clip board, nothing big) or pick up trucks or small mini vans, our inspectors equipment includes weights, that get pretty heavy after lifting 2000 to 3300 lbs, 50 to 60 lbs at a time, the weight kits, fuel test measures not only containing fuel and fumes but always the chance of an explosion due to a small spark caused by almost anything (ignition switch, the clothes we wear, a mix of diesel and gas fumes, our pagers, etc.) the least the county could do is furnish the necessary vehicles to get to the jobs.
6. If the county is so strapped for money, it is asinine to throw our last funds in vehicle repair into a van that will not serve our purpose even if we put \$1000.00 into it.
7. You have been to our department, Phil has been here, Ed has been here and our liaison Curt has been here once a long time ago and until the rest at least know something about what we do, how we must do it and what the impact is on the public and the county, how can they intelligently vote on anything concerning our department.

Any questions call me.

Thanks a million,


Loretta Townsend, Director



CITY OF EVANSVILLE

Evansville Fire Department

200 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1884
(812) 426-5609
FAX (812) 426-5678
TDD/Hearing Impaired (812) 426-5483

FRANK F. McDONALD II
MAYOR

April 6, 1994

Weights & Measures

Attn: Loretta Townsend, Chief Inspector
204 S.E. Sixth Street
Evansville, IN 47713

Dear Mrs. Townsend:

As requested a check was made on April 6, 1994 of the 1983 Ford Econo Van presently being used for transporting test measures which contain hazardous fumes. It would be my recommendation that Class I Flammable Liquids not be transported in an enclosed area that is not properly ventilated or approved for this use. Personnel must be isolated from the gasoline vapors to ensure a safe condition with respect to fire and health.

Please contact my office at 426-5609 if you have any questions.

Sincerely,

EVANSVILLE FIRE DEPARTMENT

Jim Fuchs
Chief Fire Inspector

JF/jv



CITY OF EVANSVILLE
Evansville Fire Department
202 CIVIC CENTER COMPLEX
EVANSVILLE, INDIANA 47708
(812) 428-5808

FRANK F. McDONALD #
MAYOR

May 5, 1989

Weights & Measures
Loretta Townsend
100 E. Walnut Street
Evansville, IN 47713

Dear Loretta:

It would be my recommendation that all flammable liquids not be carried in enclosed areas that are not properly ventilated and where sources of ignition are available.

Thank you in advance for your cooperation.

Sincerely,

EVANSVILLE FIRE DEPARTMENT

Douglas Wilcox
Fire Chief

EVANSVILLE-VANDERBURGH COUNTY DEPARTMENT OF HEALTH

**ROOM 127, ADMINISTRATION BUILDING
CIVIC CENTER COMPLEX**

EVANSVILLE, INDIANA 47708

May 8, 1989

**RE: Vans Used for Evansville-Vanderburgh
County Weights and Measures**

After reviewing the procedures and handling practices used in the everyday functions required of the people who work for the Weights and Measures Department, I feel that they are being asked to work in a potentially hazardous environment.

Laboratory tests have shown that the vapors generated from handling petroleum fuel can cause cancer, lung damage, and liver damage to anyone exposed over an extended period. The only way to reduce the exposure of these employee's is to isolate the driving compartment from the area which holds the cans and funnels during travel.

Sincerely,


Steven Knapp, Supervisor
General Sanitation Section

SK/sak

VANDEBURGH COUNTY DEPARTMENT OF HEALTH

ROOM 127 ADMINISTRATION BUILDING
CIVIC CENTER COMPLEX
ONE NORTHWEST MARTIN LUTHER KING JR. BLVD.
EVANSVILLE, INDIANA 47708-1888

April 6, 1994

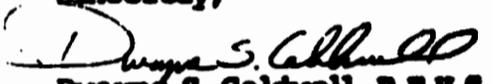
RE: Vans Used for Evansville-Vanderburgh County Weights and Measures

On April 6, 1994 Loretta Townsend, the Director of the Weights and Measures Department, contacted our office with a complaint of gasoline vapors in one of their vans.

This van has a wooden barrier which was installed to separate the van into passenger and storage compartments. The storage compartment contained various items (eg. funnels and containers) used to conduct their operations. At the time of investigation the van had been parked for approximately two and one-half hours. A detectable odor of gasoline was present in the passenger compartment.

As inhaling gasoline vapors has been shown to be detrimental to human health, this Department recommends steps be taken to prevent employee exposure.

Sincerely,


Dwayne S. Caldwell, R.E.H.S.
Environmental Division

from you a copy of an order from the State saying that the March appropriations were paid."

Cindy Mayo: "Right. And then an amended order a month and a half later stated that they did deny some of the funds that they had originally approved. So there is going to have to be in the memo that I sent some of these funds readvertised that were originally approved. And that is a total of 135,668.00 which is on the amended order as being denied."

RE: APPROPRIATION ORDINANCE¹

The following requests for appropriations were deferred until the June 1, 1994 meeting.

SHERIFF (Motion made by E. Basemier & seconded by J. Raben-motion passed unanimously)	1050-1210 *1050-1510	PAYMENT OFFICER COLLEGE REIMBURSEMENT	878.00 3,367.00
SHERIFF/JAIL (Motion made by E. Basemier & seconded by R. Sutton-motion passed unanimously)	105.1-2240	MEDICAL	80,000.00
COUNTY COMMISSIONERS (Motion made by B. Jerrel & seconded by J. Raben-motion passed unanimously)	1300-3050 1300-3290 1300-3530 1300-3610	PATIENT/INMATE TRANSFER TUITION CONTRACTUAL ATTORNEY FEES	200,819.00 10,500.00 78,720.00 2,501.00
WEIGHTS & MEASURES (Motion made by C. Wortman & seconded by J. Raben-opposing votes R. Jones & P. Hoy, motion passed.)	1302-4250	MISCELLANEOUS EQUIPMENT	13,100.00
TOTAL REQUESTED			383,518.00
TOTAL APPROVED			0.00

Weights & Measures:

Motion made by Councilman Wortman and seconded by Councilman Raben to defer. Discussion.

Councilman Jones: "I have some discussion about that. First of all, I know being in contact with Loretta, she has already started to receive complaints from consumers and there is one thing that bothers me more than anything is that they also do the measurements to make sure that the measurements are accurate on airlines out at the Evansville Airport. Now, we can banter this thing back and forth, is it a matter of public safety, I would say in that respect yes it is. It is only going to increase if we defer this another month. If we could come to some agreement that this is a matter of public safety, the way that I understand the CCD funds, that is if we declare that it is a matter of public safety then this money, the fourteen thousand one hundred, can come out of the CCD funds."

Councilman Wortman: "Yeah, I spoke to her, I told her as far as a member of the Council, that is up to the Commissioners. Now if they declare a emergency they're the one that issue the bids and all of that. So the Council, we would approve it. But that is the way that I look at it and interpret it. Now the attorney or anyone else want to speak on that they can. But that is the impression that I get."

Councilman Hoy: "Mr. Borries would you mind commenting on that please?"

¹A copy of the Appropriation Ordinance included with the 5-4-94 minutes.

Commissioner Borries: "Not being a quorum, I could not say that we could declare it an emergency. I think that what Councilman Jones had said does quality. If it takes an official act we would have to take official action at an official meeting which the earliest we could do would be Monday. Again, in view of the County's budget situation I concur that this could well fall under that. Perhaps if it is approved this Council might want to take action to notify the Evansville City Council to pay maybe their share of this particular appropriation. The fifty-five percent of whatever that may be."

Councilwoman Jerrel: "Mr. President, may I make a comment? Rick you might be interested in this. I contacted the Association of Counties to do some research for me. You know, on the system. This is what they faxed to me at 2:05 today. That department, Weights & Measures falls under the State Department of Health and the supervisor of that area and Loretta's operation is Mike Horan. The trailer with the 100 gallon prover on it is used principle-this is according to Mr. Horan-principally to check home delivery trucks. The method to do this according to the supervisor is to have the people bring their trucks to a location to where the trailer is. The trailer would be used also at most, one month a year. The prover may also be used to check new diesel pumps. Now that's what the usages are according to him. The state has two of them. They would be happy to loan us one if that is something that we want to do. But, that is what the uses are. They are used to check home delivery trucks and the new diesel pumps. So he said regarding the weights that are carried in the trucks that should never be in excess of five hundred pounds and he did urge us, and sent me the statute that we should-the city should share that cost if there are any purchases made. But that is what the uses are according to Mr. Horan."

Councilman Jones: "And it was just diesel fuel there wasn't any reference to jet fuel or anything like that?"

Councilwoman Jerrel: "No. He said that if they have any diesel fuel out there but, the purpose the main purpose, and he said a maximum use of one month out of a year would be to check home delivery trucks and he would highly recommend that they bring the trucks to the location. The trailer doesn't go around to all the trucks. The trucks come to the trailer. You might want to call him and talk to him. It is Mike Horan or I can give you who I talked to with the Association of Counties, Nick Passiono. I can give you that number."

Councilman Jones: "I have one other concern as well, we spoke about this last month and that was a vehicle for that department as well. I have letters here from the Evansville Fire Department as well as the Department of Health declaring that the vehicle is unsafe. That gasoline fumes get inside the cab. Loretta gave me several different proposals. One of them was from Wright Motors for the dual wheel pickup that we had discussed before. Making some modifications to it such as a camper shell over the top and some rails welded in the bottom to modify the vehicle to carry the weights. And I have spoke to him, even if we modify that vehicle we can spread the payments out over five years on a lease program. If we modify the vehicle it is in essence going to be our's after the end of the five years. So nothing is going to be hurt. We do not have to take a twenty-two thousand dollar hit this year. The most that we would have to take is probably a forty-two hundred dollar hit in each of those years. So they are willing to do that and I think that this is something that is going to go away and we are going to have to address it."

Councilman Hoy: "Ok, I think that we can't address that today because it has not been advertised. We have a motion on the floor still and I just want to make sure that we do through discussion of that. Is it established that this prover is not used for fuel at the airport on airplanes? That is a crucial matter because of the weight."

Councilman Jones: "Loretta could not be here today because her husband is having some tests ran. So she asked me to speak in her behalf. Now there is an employee here from the Weights & Measures department and it is Loretta's right hand person if you would like, we could call him to the podium and we could ask him."

Larry Wright: "I don't know a whole lot about it-out there yet because I haven't been to the airport. But we do check that out there. We do need a prover I do know that."

Councilman Hoy: "But you're not sure-it is not measuring fuel that-my concern and I don't want to speak for you Mr. Jones, but I have a concern and that is if we are not going to be measuring fuel properly for an airplane then that puts us in a different category and if it doesn't then we have some time. We can also borrow one as I understand."

Councilman Raben: "Can I make a comment? How long have you been working with Weights & Measures?"

Larry Wright: "Just since the first of the year. Where I have use the prover and seen it used, we have to take that out there. It is good that the prover sits on a trailer. It has to be taken there to test that. You can bring that to you."

Councilman Raben: "As long as the state has one to loan us, I mean if they go out there once a year with their prover to check jet fuel we can get it from the state but, everybody has got their own opinions but-nobody can tell me that an airline relies on Evansville's department of Weights & Measures for their public safety. I mean, their guidelines are, I am sure a lot more strict than what Loretta Townsend's are, believe me. They are far more concerned about public safety than what..."

Councilman Jones: "Councilman Raben, I am not suggested that at all-that we should take it merely on Loretta Townsend's word, I am only telling you what she had told me and some facts that I have gotten. I have not been out there to see if they physically go out there and check the jet fuel or whatever, but as long as they are checking fuel it could be a matter of public safety. Whether it is jet fuel, diesel fuel, whatever."

Councilman Hoy: "What I would like to suggest to Council at this point since we have-I would personally like to make sure that-this decision to declare an emergency has to come from the Commissioners. I would like to have this airport thing checked out very carefully because it could endanger lives if that is the case and if it is not the case then we look at it in a different way. So if you would Mr. Borries carry that back to the Commissioners I would appreciate it so that we could make sure that we are safe. That is the big concern here today."

(inaudible remarks)

Councilman Wortman: "I am taking all these points to heart, Jim and Rick. See, this is a Commissioner's job. We just approve the money. We can go out and do the research for them

and all that but they make the final decision then present it to us."

Councilman Hoy: "I understand that but, I also understand the fact that if a plane crashes we will be sued just as well."

Councilwoman Jerrel: "But Mr. Horan never mentioned, never. And he is the supervisor of the Health department and that is where this jurisdictional level lies. Never mentioned it. The two things I mentioned to you are exactly what are the responsibilities of the prover according to what her supervisor."

Councilman Hoy: "I appreciate that Mrs. Jerrel and all I am saying right now and the reason that I am saying it is, that as President of this Council and in talking to Mr. Tuley, who is President of the Commissioners and I think that all of feel very strongly that we are dealing with a tough financial situation and I am at the point where I would just like to have everything double checked. I will sleep better if I know that nobody's life is in danger at the airport. But I wouldn't mind hearing from Mr. Working on this-he'll know. If he shares that feeling then we don't have a safety problem. We have a motion on the floor. Any more discussion?"

Vote passed with five votes for and two votes opposed.

RE: TRANSFERS

The following requests for transfers were approved as follows:

RE: REPEALS

An emergency repeal² was filed by the Superintendent of County Buildings on May 4, 1994. This was not included on the attached appropriation ordinance nor was it on the agenda.

1310-3550	Repairs to Buildings & Grounds	21,000.00	

RE: OLD BUSINESS

A. Job Study Contract

Councilman Jones: "I have a comment that I would like to make for the record here as far as this vote went. At least for me a great injustice has been casted upon the citizens and employees of Vanderburgh County. You have selected the most expensive and most importantly, the least experienced firm to conduct this job study. This decision reeks of favoritism and

²A copy of the repeal included with the 5-4-94 minutes.



AGENDA REQUEST

NAME OF REQUESTOR: Lynn W. Ellis

REQUESTOR TITLE: Buyer

DEPARTMENT: Purchasing

REQUEST(S) BEING MADE:

Award bid for Rubbish Removal/Demolition: Union Township School,
Bid No. VC9405 as follows:

1. Rubbish Removal: Scott Boiler & Burner Service

\$18,302.00

Low responsive and responsible bidder
for the rubbish removal portion.

2. Demolition: Floyd I. Staub, Inc.

\$18,500.00

Low responsive and responsible bidder
for the demolition portion.

Total Bid Award Amount: \$36,802.00

DATE TO BE PLACED ON AGENDA: May 9, 1994

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



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

RICHARD J. BORRI

DON L. HUNTER

PATRICK R. TULEY

AGENDA REQUEST

NAME OF REQUESTOR: Lynn W. Ellis

REQUESTOR TITLE: Buyer

DEPARTMENT: Purchasing

REQUEST(S) BEING MADE:

Approve the advertising for bids for the Demolition and Rubbish
Removal of the Hybrid Inn.

The bid schedule will be as follows:

5/9/94 Approve for advertising

5/12 & 19/94 Advertise

6/6/94 Open bids

6/13/94 Award bid/contract

DATE TO BE PLACED ON AGENDA: 5/9/94

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

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, APRIL 29, 1994 THRU THURSDAY, MAY 5, 1994

FRIDAY, APRIL 29, 1994

Gradall and one crew replaced culvert at 11039 Hillview Dr.
Gradall, two graders, and four crews worked on Old Henderson.
Trash crews ran routes.
One mowing crew worked on St. Joe Ave.
Tiger Mower and two tree crews worked on Old Henderson Road.

MONDAY, MAY 2, 1994

Gradall, two graders and two crews worked on Old Henderson.
Two patch crews worked on Old Henderson.
Three crews hauled dirt on from Waterworks Road.
Tiger Mower and Cub Cadet worked on Graff, W. Franklin, Cypress Dale, and Baseline.

TUESDAY, MAY 3, 1994

HOLIDAY - ELECTION DAY.

WEDNESDAY, MAY 4, 1994

Two gradalls, two graders, and five crews worked on Old Henderson.
Two patch crews worked on Martin Road and Volkman Road.
One crew worked at Waterworks Road.
One crew ran barricades.

THURSDAY, MAY 5, 1994

Six crews hauled dirt from Waterworks Road.
Gradall and one crew replaced culvert on Nisbet Station.
Two patch crews worked on work orders.
Gradall, two graders and one crew worked in the bottoms.
Tiger Mower and Cub Cadet worked on Kleitz, Mesker Park Dr., Mill and Baseline Road.
One weed crew worked On Tekoppel and Broadway and southwest intersections, and one weed crew worked on Boonville - New Harmony, GreenRiver, Browning and McCutchanville.
One crew mowed and picked up trash at the garage.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, APRIL 29, 1994 thru THURSDAY, MAY 5, 1994

FRIDAY, APRIL 29, 1994

Crew #1 - install driveway culvert at 11039 Hillview, saw culvert on Woodland Hills Drive.
Crew #2 - install guardrail post on E. Virginia, unload guardrail and post.
Crew #3 - clean equipment, unload guardrail and post.

MONDAY, MAY 2, 1994

Crew #1 - install guardrail on E. Virginia, work at Oakgrove and Burkhardt.
Crew #2 - install guardrail on E. Virginia, work at Oakgrove and Burkhardt Road.

TUESDAY, MAY 3, 1994

HOLIDAY

WEDNESDAY, MAY 4, 1994

Crew #1 - pick up guardrail on Waterworks Road, need concrete and Headwall at 2543 Boonville New Harmony Road.
Crew #2 - pick up guardrail on Waterworks Road.
Crew #3 - cut weeds around guardrail, etc on St. George Road Bridge.

THURSDAY, MAY 5, 1994

Crew #1 - install culvert on Nisbet Station Road, rip rap end of pipes, also Hillview pipe, cut bridges and guardrail grass.
Crew #2 - repair washout with guardrail and rock, remove tree and roots from ditch on Hillsdale and Orchard Road.
Crew #3 - clean off grass at culvert, cut grass around guardrail and bridges on Bromm Road.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for May 9, 1994

- ✓ 1. Waterworks Road update - *Written Consulting Agreement*.
RS/SD
- ✓ 2. Right of way services agreement with Bernardin Lochmueller and Associates for the Ohio Street bridge for \$13,013.00
RS/SD
- ✓ 3. Deerfield Subdivision Section 3 road plans - *app'd.*
DK/RS
- ✓ 4. Sidewalk waiver request for Deerfield Subdivision Section 3
RS/SD
- ✓ 5. Change order for Green River Road resulting in a decrease in cost of \$5,155.86
RS/SD
- ✓ 6. Letter from Emily Shrode (Plaza School student involved in the Green River Road ribbon cutting)
RS/SD
- ✓ 7. Covington Heights Subdivision road plans and sidewalk waiver request
RS/SD
- ✓ 8. Volkman Road bridge change order and claim *RS/SD*.
RS/SD

*Separate
Votes*



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

May 9, 1994

Mr. Pat Grady
J.H. Rudolph and Co., Inc.
P.O. Box 5226
Evansville, IN 47716-5226

Dear Pat:

This is your notice to proceed to design and construct a cofferdam for the repair of Waterworks Road according to the costs outlined in your letter of May 6, 1994. This work, like the work done by your company to this point, will be paid by the County on a time and materials basis.

If you have any questions concerning this, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "John Stoll".

John Stoll, P.E.
Vanderburgh County Engineer

J.H. Rudolph & CO., INC.

BRANCH PLANTS
 COLUMBIA STREET - EVANSVILLE
 JASPER, INDIANA
 MT. VERNON, INDIANA
 TELL CITY/TROY, INDIANA

ASPHALT & CONCRETE PAVING CONTRACTORS
 ROAD BUILDING MATERIALS
 SINCE 1940

GENERAL OFFICES & PLANT 1851 NORTH STOCKWELL ROAD
 MAILING ADDRESS P.O. BOX 8228 • TELEPHONE (812) 478-8821
 EVANSVILLE, INDIANA 47716-8228
 FAX (812) 478-8881

May 6, 1994

Mr. John Stoll, PE
 Vanderburgh County Engineer
 201 Northwest 4th Street
 Room 307, Vanderburgh County Courthouse
 Evansville, IN 47708

FAX		DATE	TIME	FROM
			2	JG
TO	J. STOLL		CO.	J. H. RUDOLPH & CO. INC.
CO.			PHS	812-478-8821
FROM	435-5676		FAX#	812-478-8881
MESSAGE				

Dear John:

Re: Emergency Repairs on Waterworks Road

As you have requested, we are submitting for your approval additional rates for equipment, material, and consultant fees for the design and construction of a temporary cofferdam to hold in the existing embankments and replace the existing three structures. They are as follows:

- 1) Consulting Engineer (Structural) -- \$50 per hour plus outside expenses. Outside expenses would include travel time at \$25 per hour; actual transportation expenses; lodging and meals, if necessary; and similar items (\$5,000.00 estimated)
- 2) Sheet Piling Material & Equipment --
 - Material -- Interlocking sheet piling and beams
 - P2-27 - .375 wall \$125 per ton per month. Each additional month \$15 per ton
 - RC231 - Roller Corners - \$350 per ton (2 ton estimated)
 - H-pile 12x53 \$12/LF (for bracing of walers and struts)
 - Freight, liquidation, cleaning - \$40 per ton (estimated)
 - Equipment --
 - Vibro Hammer and Extractor
 - FNV 1800 - \$8,500 per month
 - FNV 4100 - \$10,500 per month
 - Sheet Pile Threader - \$400 per month
 - Mechanics truck w/welder - \$15 per hour
 - Crane - M88 Manitowac - 88 ton w/100' of boom - \$8,500 per month

-- Freight & Setup - \$10,000 (estimated)

We have intended to use the existing gate structure to start sheeting from and need at least two more days of excavation to bench for a crane staging area after piling is in place on each side. We are estimating that there is going to be about 260 tons (+/-) of sheet pile and 400 (+/-) lineal feet of 12 x 53 beams to be used for the cofferdam.

We are under the understanding that we have completed work under the previous Notice to Proceed dated April 29, 1994 agreement and would need to have an additional Notice to Proceed to do any further work.

All other rates would apply as stated in our equipment rental rates that we previously have submitted such as overhead and profit and miscellaneous cost of mobilization and outside rentals.

We are ready to begin on 5/7/94 in which the consultant will make a jobsite visit and sheetpiling can be ordered and delivery can begin asap. Any further delay at this point could increase the cost due to additional damages.

If you should have any questions, please call me as soon as possible.

Sincerely,

J. H. RUDOLPH & CO., INC.

Patrick Grady, Superintendent

CALVIN C. DENTINO

7200 E. Sycamore

Evansville, IN 47715

(812)477-9459

May 5, 1994

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

**RE: DEERFIELD, SECTION 3, A RESIDENTIAL SUBDIVISION
PARTIAL WAIVER OF SIDEWALKS
MORLEY AND ASSOCIATES, PROJECT #**

Dear Commission Members:

As the developer of Deerfield 3 subdivision Phase I, a 32 lot residential community off of Mt. Pleasant Road on the north side of Evansville, I am requesting a partial waiver for the construction of sidewalks within this development.

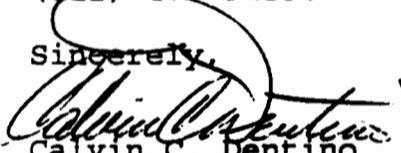
Enclosed is a preliminary copy of the plat of this phase of the development. By way of this letter, I am requesting the approval to construct sidewalks along the interior lots of Carrington Drive. They are marked with a green highlighter.

I am requesting the waiver of sidewalks for all of the cul-de-sacs that are marked in yellow highlighting and the other areas marked in yellow.

Please place this request on the agenda for the next meeting of the Vanderburgh County Commissioners.

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

Sincerely,


Calvin C. Dentino

CCD/pgm

Enclosures

cc: Bernardin Lochmueller Associates
Mr. John Stoll, Vanderburgh County Engineer

Deer3Com.505

Dear Mr. Stoll and Vanderburgh County
Engineers,

Thank you so very much for
treating our class to lunch at
McDonald's. The dedication
ceremony was an honor, but then
to go out to lunch by treat of
our County Engineers. It's past
time for us to do something for
you. You were our experts for
our book, then you treat us to
lunch! Thank You! Our book "Green
River Road From Cornfields to Concrete"
was a wonderful historical writing
experience, but all of the opportunities
glossoming from it is unbelievable.
Again thanks ever so much for
being fantastic supporters of our
project.

Sincerely,

Emily J. J. J.

"Former Green River Road Student"

COPY

A G R E E M E N T

THIS AGREEMENT is made and entered into May 9, 1994, by and between Vanderburgh County, Indiana, acting by and through the Board of County Commissioners, hereinafter referred to as the "LOCAL PUBLIC AGENCY" and Bernardin, Lochmueller & Associates, Inc.
20-24 NW Fourth Street
Suite 606, Hulman Building
Evansville, Indiana 47708
hereinafter referred to as the "CONSULTANT".

W I T N E S S E T H

WHEREAS, the LOCAL PUBLIC AGENCY desires to contract for:
Right-of-Way Services

WHEREAS, the CONSULTANT has expressed a willingness to perform the
Right-of-Way Services

NOW, THEREFORE, the parties hereto agree that said CONSULTANT shall provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

Bridge No. 3C Relocation. Project No.: STP-BRM-480(). Des. No. 9286960

Beginning approximately seven hundred (700) feet east of the intersection of Ohio and Ninth Streets, and running to the east for approximately twelve hundred and eighty (1,280) feet and crossing Pigeon Creek approximately one hundred and eighty feet (180) feet north of the existing Ohio Street Bridge.

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

Section I Services by CONSULTANT

The services to be provided by the CONSULTANT under this Agreement are as set out in Appendix "A", attached to this Agreement, and made an integral part hereof.

Section II Information and Services to be Furnished by LOCAL PUBLIC AGENCY

The information and services to be furnished by the LOCAL PUBLIC AGENCY are as set out in Appendix "B", attached to this Agreement, and made an integral part hereof.

Section III Notice to Proceed and Schedule

The CONSULTANT shall begin the work to be performed under this Agreement immediately upon receipt of this fully executed Agreement from the LOCAL PUBLIC AGENCY. The CONSULTANT shall deliver the work to the LOCAL PUBLIC AGENCY in accordance with the Schedule contained in Appendix "C", attached to this Agreement, and made an integral part hereof.

Execution of this Agreement shall serve as a written notice to proceed. The CONSULTANT shall not begin work prior to receipt of the fully executed Agreement.

Section IV Compensation

The CONSULTANT shall receive payment for the work performed under this Agreement as set forth in Appendix "D", attached to this agreement, and made an integral part hereof.

The cost principles contained in the Federal Acquisition Regulations, 48 CFR Subpart 31.2, shall be adhered to for work under this agreement.

Section V General Provisions

1. Work Office

The CONSULTANT shall perform the work under this Agreement at the following office(s) _____
Bernardin, Lochmueller & Associates, Inc.

20 NW Fourth Street

Suite 606, Hulman Building

Evansville, Indiana 47708

The CONSULTANT shall notify the LOCAL PUBLIC AGENCY of any change in its mailing address and/or the locations(s) of the office(s) where the work is performed.

2. Employment

During the period of this Agreement, the CONSULTANT shall not engage, on this project on full or part time or other basis any professional or technical personnel who are or have been at any time during the period of this Agreement in the employ of the Federal Highway Administration or the highway organization of any State, County or City except regularly retired employees.

3. Ownership of Documents

All documents, including tracings, drawings, reports, estimates, specifications, field notes, investigation, studies, etc., as instruments of service, are to be the property of the LOCAL PUBLIC AGENCY. During the performance of the services, herein provided for, the CONSULTANT shall be responsible for any loss or damage to the documents, herein enumerated, while they are in his possession and any such loss or damage shall be restored at his expense. Full access to the work during the progress of the work shall be available to the LOCAL PUBLIC AGENCY.

4. Access to Records

The CONSULTANT and his subcontractors shall maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at its respective offices at all reasonable times during the period of this Agreement and for three years from the date of final payment under the terms of this Agreement, for inspection by the LOCAL PUBLIC AGENCY.

5. Compliance with State and Other Laws

The CONSULTANT specifically agrees that in performance of the services herein enumerated by him or by a subcontractor or anyone acting in behalf of either, that he or they will comply with any and all State, Federal, and Local Statutes, ordinances, and regulations and obtain all permits that are applicable to the entry into and the performance of this Agreement.

6. Responsibility for Claims

The LOCAL PUBLIC AGENCY and the CONSULTANT have discussed the risks, rewards and benefits of the project and the CONSULTANT's total fee for services. The risks have been allocated such that the LOCAL PUBLIC AGENCY agrees that to the fullest extent permitted by law, the CONSULTANT's total liability to the LOCAL PUBLIC AGENCY for any and all injuries, claims, losses, expenses, damages or claims ~~expenses~~ arising out of this agreement from any cause or causes, shall not exceed the ~~amount~~ amount of the CONSULTANT's total compensation for services paid and received by the CONSULTANT under this agreement. Such causes include but are not limited to design professional's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

7. Workmen's Compensation and Liability Insurance

The CONSULTANT shall procure and maintain, until final payment by the LOCAL PUBLIC AGENCY for the services covered by this Agreement, insurance of the kinds and in the amounts hereinafter provided in insurance companies authorized to do such business in the State of Indiana covering all operations under this Agreement whether performed by him or by his subcontractor. During the life of this Agreement, the CONSULTANT shall furnish the LOCAL PUBLIC AGENCY with certificates showing that the required insurance coverage is maintained. The certicator certificates shall provide that the policies shall not be changed or canceled until ten (10) days written notice has been given to the LOCAL PUBLIC AGENCY. In the event that such written notice of change or cancellation is given, the LOCAL PUBLIC AGENCY may at its option terminate this Agreement and no further compensation shall in such case be made to the CONSULTANT.

The kinds and amounts of insurance required are as follows:

- (A) Policy covering the obligations of the CONSULTANT in accordance with the provision of the Workmen's Compensation Law. This agreement shall be void and of no effect unless the CONSULTANT procures such policy and maintains it until acceptance of work.
- (B) Comprehensive Policies of Bodily Injury Liability and Property Damage Liability Insurance, including Owners or Contractors Protective Coverage and a Save and Hold Harmless Endorsement of the types herein specified each with Bodily Injury Limits of Liability of not less than \$100,000.00 for each person, including the death at any time resulting therefrom, and not less than \$300,000.00 in any one accident, and not less than \$100,000.00 for all damage arising out of injury to or destruction of property.
- (C) ~~Automobile~~ Policies of Bodily Injury and Property Damage Liability Insurance of the types herein specified with bodily injury limits of liability of not less than \$100,000.00 for each person, including death at any time resulting therefrom, and not less than \$300,000.00 in any one accident, and not less than \$100,000.00 for all damages arising out of injury to or destruction of property, including hired and non-owned vehicles.

8. Changes in Work

In the event the LOCAL PUBLIC AGENCY requires a major change in scope, character or complexity of the work after the work has progressed as directed by the LOCAL PUBLIC AGENCY, adjustments in compensation to the CONSULTANT and in time for performance of the work as modified, shall be determined by the LOCAL PUBLIC AGENCY and the CONSULTANT in the exercise of their honest and reasonable judgment. The CONSULTANT shall not commence the additional change of the scope of the work until a supplemental agreement is executed and the CONSULTANT is authorized in writing by the LOCAL PUBLIC AGENCY.

9. Abandonment and Termination

The LOCAL PUBLIC AGENCY reserves the right to terminate or suspend this Agreement upon written notice.

(A) If the LOCAL PUBLIC AGENCY shall abandon the services herein mentioned, the CONSULTANT shall deliver to the LOCAL PUBLIC AGENCY all data, reports, drawings, specifications and estimates completed or partially completed and these shall become the property of the LOCAL PUBLIC AGENCY. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the CONSULTANT to the date of the abandonment and which estimate shall be as made by the LOCAL PUBLIC AGENCY in the exercise of its honest and reasonable judgment for all services to be paid for on a lump sum basis ~~and shall be based upon an audit~~ for those services to be paid for on a cost basis or a cost plus fixed fee basis. The audit shall be performed by the LOCAL PUBLIC AGENCY staff or CPA in accordance with generally accepted auditing standards and the cost principles contained in the Federal Acquisition Regulations, 48 CFR Subpart 31.2. The payment as made to the CONSULTANT shall be paid as the final payment in full settlement for his services hereunder.

(B) If, at any time, for any cause whatsoever, the CONSULTANT shall abandon or fail to timely perform any of its duties hereunder, including the preparation and completion of plans and specifications within the several times hereinbefore specified, or within such further extension or extensions of time as agreed upon, the LOCAL PUBLIC AGENCY may give written notice, that if the CONSULTANT shall not within twenty (20) calendar days from the date of such notice, have complied with the requirements of this Agreement, then the Agreement is deemed terminated. Upon the mailing or delivery of such notice or personal delivery thereof to the CONSULTANT, and the failure of the CONSULTANT within said described twenty (20) day period to fully comply with each and all requirements of this Agreement, this Agreement shall terminate and the LOCAL PUBLIC AGENCY may by any method it deems to be necessary designate and employ other consultants by agreement or otherwise, to perform and complete the services herein described. When written notice is referred to herein, it shall be deemed given when deposited in the mail addressed to the CONSULTANT at its last known address.

(C) In case the LOCAL PUBLIC AGENCY shall act under the last preceding paragraph, then and in such event, all data, reports, drawings, plans sketches, sections and models, all specifications, estimates, measurements and data pertaining to the project, prepared under the terms or in fulfillment of this Agreement, shall be delivered within twenty (20) days to the LOCAL PUBLIC AGENCY.

In the event of the failure by the CONSULTANT to make such delivery upon demand, ~~then~~ and in that event the CONSULTANT shall pay to the LOCAL PUBLIC AGENCY any damage it may sustain by reason thereof.

10. Non-Discrimination

(A) Pursuant to I.C. 22-9-1-10 the CONSULTANT and his subcontractors, if any, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to

hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, handicap, national origin or ancestry. Breach of this covenant maybe regarded as a material breach of the Agreement.

11. Successors and Assignees

The LOCAL PUBLIC AGENCY, insofar as authorized by law, binds itself and its successors, and the CONSULTANT binds his successors, executors, administrators and assignees, to the other party of this Agreement and to the successors, executors, administrators and assignees of such other party, as the case may be insofar as authorized by law, in respect to all covenants of this Agreement.

Except as above set forth, neither the LOCAL PUBLIC AGENCY nor the CONSULTANT shall assign, sublet or transfer its or his interest in this Agreement without the consent of the other.

12. Supplements

This Agreement may only be amended, supplemented or modified by a written document executed in the same manner as this Agreement.

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

CONSULTANT

Bernardin, Lochmueller &
Associates, Inc.

BY Keith Lochmueller
Keith Lochmueller, President

Attest:

Thomas G. Bernardin
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Board of County Commissioners
Vanderburgh County

BY Richard J. Borries
Richard J. Borries, President

BY Patrick Tuley
Patrick Tuley, Vice President

BY Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey cm
Sam Humphrey, County Auditor

Approved as to Legality and
Form:

[Signature]
Attorney for Vanderburgh County
Board of Commissioners

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

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

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

and each acknowledged the execution of the foregoing agreement on this 29th day of April, 1994 and each acknowledged and stated that he is the party authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans
Notary Public

Cynthia L. Evans
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

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

Don Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 9th day of May, 1994.

Witness my hand and seal this said last named date.

My Commission Expires:

JOANNE A MATTHEWS
NOTARY PUBLIC STATE OF INDIANA
My Comm. Expires June 12, 1996

Joanne A. Matthews
Notary Public

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
COUNTY OF Vanderburgh)

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

BERNARDIN, LOCHMUELLER & ASSOC., INC.

Keith Lochmueller

Keith Lochmueller
(Print or type name)

Subscribed and sworn to before me this 29th day of April, 1994.

Wanda L. Ward
Notary Public

My Commission Expires:
September 22, 1995

APPENDIX "A"

SERVICES BY THE CONSULTANT

The CONSULTANT shall provide right-of-way services as follows:

A. Right-of-Way Management and Supervision

1. The CONSULTANT shall be responsible for administering, scheduling and coordinating all activities necessary to certify that the right-of-way has been acquired and the project is clear for construction letting including:
 - a. Meetings, conferences, and communications with Property Owner, Relocates, Attorneys, Engineers, Appraisers, Buyers, LPA, INDOT and FHWA.
 - b. Revisions to construction plans, right-of-way plans, plats, legal descriptions and right-of-way stake-outs which may arise.
2. These Right-of-Way Services include all reasonable services as required to secure the parcel based on the approved engineering design or recommended to the LPA that a parcel be condemned.
3. The CONSULTANT shall deliver all necessary documentation to the LPA so that the LPA may make all arrangements to deliver payment to each property owner and/or relocatee.

B. Appraisal

1. David Matthews Associates

(NAME)

123 1/2 Fourth Street, Suite 711, Evansville, Indiana 47708

(ADDRESS)

~~an individual~~

an individual d.b.a. David Matthews Associates

~~a partnership~~

~~a corporation incorporated in~~ _____

(STATE)

shall be hereinafter referred to as the Appraiser.

- 1a. Mr. David Matthews or Mr. John Petkovsek shall perform the appraisal work
(Name of Individuals)
covered by this Agreement.
2. No work by the Appraiser shall be sublet, assigned or otherwise performed by anyone other than the Appraiser.
3. The Appraiser shall examine the plans for this project and review in the field the various parcels herein designated.
4. The Appraiser shall give the owner of each parcel to be appraised the opportunity to accompany the Appraiser during the inspection of the parcel.
5. The appraisals shall be sufficiently documented to meet the minimum standards set out in the Indiana Department of Transportation's procedures as approved by the Federal Highway Administration. The Appraiser shall follow accepted principals and techniques in evaluation of real property in accordance with State Laws. Any appraisal that does not meet such requirements shall be further documented or re-appraised as the case may be without additional compensation to the Appraiser.
6. The Appraiser shall not give consideration to nor include in the appraisal any allowance for relocation assistance benefits.
7. Where an entire property is to be acquired, the estimate of just compensation shall be the fair market value of the property. Where only a part of a property is to be acquired, the estimate of just compensation shall be that amount arrived at in accordance with the laws governing just compensation applicable to the acquiring agency, including those laws governing compensable and noncompensable items and the treatment of general and special benefits. For either whole or partial acquisitions, the appraisal report shall show what, in the Appraiser's judgment, is a reasonable allocation of the "before value" to the various land.

building, and other improvement components. For partial acquisitions, the appraisal report shall further show a similar allocation of the "after value."

8. In estimating just compensation for the acquisition of real property, appraisal reports shall, to the greatest extent practicable under State law, disregard any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
9. Documentation of estimates of value (either the before, the after, or the acquisition value), of damages, and/or of benefits shall be by the most applicable and appropriate means available. If support for the after value by the usual methods of market or income data or indications from severance damage studies is not feasible, the Appraiser shall so state and explain why it is not feasible. In such instances, the Appraiser shall then fully explain the reasoning for his after value estimate.
10. The appraisal shall conform with statutory and judicial determinations regarding noncompensable items.
11. The Appraiser's report shall be in writing and contain, as a minimum the following:
 - a. **The purpose of the appraisal, which includes a statement of value to be estimated and the rights or interests being appraised;**
 - b. Identification of the property and its ownership, including at least a 5-year delineation of title;
 - c. Statement of appropriate contingent and limiting conditions, if any;
 - d. An adequate description of the neighborhood, the property, the portion

- of the property or interest therein being acquired, and the remainder(s) if any;
- e. Identified photographs of the subject property, including all principal above ground improvements or unusual features affecting the value of the property to be acquired or damaged;
 - f. An identification or listing of the buildings, structures, and other improvements on the land as well as the fixtures which the Appraiser considered to be a part of the real property to be acquired;
 - g. The estimate of just compensation for or resulting from the acquisition. In the case of a partial acquisition, where appropriate, the Appraiser shall make a reasonable allocation of the estimate of just compensation for the real property to be acquired and for damages to remaining real property;
 - h. The date(s) on which and/or as of which, as appropriate, the just compensation is estimated;
 - i. The certification, signature, and date of signature of the Appraiser;
 - j. Other descriptive material (maps, charts, plans, photographs); and
 - k. The Federal-aid project number and parcel identification.
12. Appraisal reports shall be prepared in ink or typewritten, dated and signed by the individual making the appraisal prior to being submitted to a review appraiser.
13. Each appraisal report shall contain an appraiser's certification. A new certificate shall be prepared where there is a change in the appraisal report which affects the estimate of just compensation or changes the date of valuation. An exception to including all requirements in each appraisal report is permitted where project data containing the same

information has been developed to supplement the reports. In such instances, an appropriate reference to the information may be considered as equivalent to its inclusion in the appraisal report.

14. The Appraiser agrees to furnish five (5) copies of the appraisal report.
15. At the request of the LPA the Appraiser agrees to updating reports for one year after the initial completion of the report and/or testifying in court on behalf of the LPA on any of the parcels described herein.
16. All information contained in the appraisal report and all parts thereof are to be treated as a privileged communication. The Appraiser shall take all necessary steps to insure that no one divulges any information concerning the report except to a duly authorized representative of the LPA, the Indiana Department of Transportation to officials of the Federal Highway Administration, until authorized in writing by the LPA to reveal the communication to another designated party.

C. Review Appraisal

1. Appraisal Company, Inc.
(NAME)
528 Main Street, Evansville, Indiana 47708
(ADDRESS)

~~an individual~~
an individual d.b.a. Appraisal Company, Inc.
~~a partnership~~
~~a corporation incorporated in~~ _____
(STATE)

shall be hereinafter referred to as the Review Appraiser.

- 1a. William Bartlett, II shall perform the review appraisal
(Name of Individual)
work covered by this Agreement.
2. The review appraisals shall not be sublet, assigned or otherwise performed by anyone other than the Review Appraiser.
3. The Review Appraiser shall examine the plans for this project, field

inspect parcels herein designated and field inspect the comparable properties considered by the Appraiser.

4. The review appraisals shall be sufficiently documented to meet the minimum standards set out in the Indiana Department of Transportation procedures as approved by the Federal Highway Administration. The Review Appraiser shall follow accepted principles and techniques in evaluation of real property in accordance with State Laws. Any review appraisal that does not meet such requirements shall be further documented without additional compensation to the Review Appraiser.
5. The Review Appraiser shall consider all pertinent value information that is available.
6. The Review Appraiser shall document all estimates of just compensation.
7. The Review Appraiser may at any time prior to settlement, adjust his estimate of just compensation on the basis of additional value information.
8. The Review Appraiser shall examine the appraisal reports to determine that they:
 - a. Are complete in accordance with INDOT's appraisal specifications;
 - b. Follow accepted appraisal principles and techniques in the valuation of real property in accordance with existing State Laws;
 - c. Contain or make reference to the information necessary to explain, substantiate, and thereby document the conclusions and estimates of value and/or just compensation contained therein;
 - d. Include consideration of compensable items, damages and benefits and do not include compensation for items noncompensable under State Laws;
 - e. Contain an identification or listing of the buildings, structures and other improvements on the land, as well as the fixtures

which the appraiser considered to be a part of the real property to be acquired;

- f. Contain the estimate of just compensation for or resulting from the acquisition, and where appropriate, in the case of a partial acquisition, either in the report or in a separate statement, a reasonable allocation of the estimate of just compensation for the real property acquired and for damages to remaining real property.
9. Prior to finalizing the estimate of just compensation, the Review Appraiser shall request and obtain corrections or revisions of appraisal reports which do not substantially meet the requirements set forth in the INDOT's appraisal report specifications. These shall be documented and retained in the parcel file.
 10. The Review Appraiser may supplement an appraisal report with corrections of minor mathematical errors where such errors do not affect the final value conclusion. The Review Appraiser may also supplement the appraisal file where the following factual data has been omitted:
 - a. Project and/or parcel number;
 - b. Owner's and/or tenant's names;
 - c. Parties to transaction, date of purchase and deed book reference on sale of subject property and comparables;
 - d. ~~Statement~~ that there were no sales of subject property in the past ~~five~~ (5) years;
 - e. ~~Location~~, zoning, or present use of subject property or comparables.
 11. The Review Appraiser shall initial and date the corrections and/or factual data supplements to an appraisal report.
 12. The Review Appraiser shall place in the parcel file a signed and dated statement setting forth:
 - a. The estimate of just compensation including, where appropriate, the

allocation of compensation for the real property acquired and for damages to remaining real property, and an identification or listing of the buildings, structures and other improvements on the land, as well as the fixtures which he considered to be a part of the real property to be acquired, if such allocation or listing differs from that of the appraisal(s);

- b. That as a part of the appraisal review there was or was not a field inspection of the parcel to be acquired and the comparable sales applicable thereto. If a field inspection was not made, the Review Appraiser shall state the reason(s);
 - c. That the Review Appraiser has no direct or indirect present or contemplated future personal interest in such property or in any monetary benefit from its acquisition;
 - d. That the estimate has been reached independently, without collaboration or direction, and is based on appraisals and other factual data;
 - e. His/Her value estimate of items compensable under State Law but not eligible for Federal reimbursement, if any.
13. In estimating just compensation for the acquisition of real property, the Review Appraiser shall, to the greatest extent practicable under State law, disregard any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
14. The Review Appraiser shall conform with statutory and judicial determinations regarding noncompensable items
15. At the request of the LPA the Review Appraiser agrees to update reports

for one year after the initial completion of the report and/or testify in court on behalf of the LPA on any of the parcels described herein.

16. All information contained in the Review Appraisal report and all parts thereof are to be treated as a privileged communication. The Review Appraiser shall take all necessary steps to insure that no one divulges any information concerning the report except to a duly authorized representative of the LPA, the Indiana Department of Transportation or to officials of the Federal Highway Administration, until authorized in writing by the LPA to reveal the communication to another designated party.

D. Buying

1. Mr. Francis Miller shall perform the buying work
(Name of Firm or Individual)
covered by this Agreement.
2. No work by the Buyer shall be sublet, assigned or otherwise performed by someone other than the Buyer.
3. If relocation is required, no buying activity on any parcel may begin until the Relocation Plan (12B) has been approved by the LPA and the Indiana Department of Transportation.
4. The Buyer shall make every reasonable effort to acquire expeditiously the parcels listed herein.
5. The Buyer shall make a prompt offer to acquire each parcel for the full amount which has been established and approved as just compensation for the acquisition.
6. Upon initiation of buying, the Buyer shall provide the owner of real property to be acquired with a written statement of, and a summary of the basis for, the amount which has been established as just compensation for the proposed acquisition.

7. The Buyer shall perform the services under this Agreement in compliance with State and Federal regulations as follows:
- a. Make all reasonable efforts to personally contact each owner or his designated representative, explain the acquisition, and offer in writing the approved estimate of just compensation. When all efforts to make a personal contact have failed or in the event the property owner resides out of state, the owner may be contacted by certified or registered first class mail or other means appropriate to the situation;
 - b. No later than the first contact where the offer is discussed, the Buyer shall present the owner a brochure describing the land acquisition process and the owner's rights, privileges and obligations
 - c. The owner of improvements located on lands being acquire for right-of-way should be offered the option of retaining those improvements at a retention valued determined by the CONSULTANT and approved by the LPA and INDOT;
 - d. A revised offer and summary statement of just compensation shall be provided the owner if:
 1. The extent of the taking is revised, or;
 2. The approved estimate of just compensation is revised by the Review Appraiser.
 - e. The Buyer shall maintain adequate records to include a report for each parcel containing but not limited to:
 1. The date and place of contact;
 2. Parties of interest contacted;
 3. Offer made;
 4. Counter-offer or reasons offer was not accepted;
 5. The report must be signed and dated by the Buyer.

- f. The property owner will be given a copy of the report on each contact;
- g. When attempts to buy are successful, a signed statement is to be prepared by the Buyer to the effect that:
 - 1. The written agreement secured embodies all considerations agreed to by the property owner;
 - 2. The Buyer understands the acquired property is for use in connection with a Federal-Aid project;
 - 3. The Buyer has no direct or indirect, present or contemplated future personal interest in the property or in any monetary benefit from the acquisition of the property; and
 - 4. The agreement was reached without coercion of any type.
- h. When attempts to buy are unsuccessful the Buyer shall record his recommendation for action and submit it to the LPA.
- 8. All information contained in the appraisal shall be treated as confidential. The Buyer is to take all steps to insure that no one divulges any of this information to anyone other than a duly authorized representative of the LPA, INDOT, or FHWA unless authorized in writing by the LPA to reveal the information to another designated party.

APPENDIX "B"

INFORMATION AND SERVICES TO BE FURNISHED BY LOCAL PUBLIC AGENCY

The LPA shall furnish the CONSULTANT with the following:

- A. Individual plats for each parcel.
- B. Legal description of the right-of-way to be acquired on each parcel.
- C. Final right-of-way plans for the project.
- D. Guarantee access to and make all provisions for the CONSULTANT to enter upon public and private lands as required for the CONSULTANT to perform the work under this Agreement.
- E. Right-of-way stake out.
- F. Title documents.
- G. Acquisition instruments which have been prepared or approved by the LPA's Legal Counsel for each parcel.
- H. Recording of all transfer documents after the parcel is acquired by the BUYER.
- I. Copies of all recorded transfer documents.
- J. Lease agreements prepared by or approved by the LPA's attorney.
- K. Secure structures.
- L. Extermination of rodents for the properties covered by this Agreement.
- M. Property Management services.
- N. Relocation assistance and services.
- O. Legal Services necessary for the acquisition of all parcels that must be acquired through Eminent Domain Proceedings.
- P. Legal Counsel or LPA designated employees to hear and make judgment on relocation appeals.
- Q. All payments due the Parcel Owner and/or the Relocatee.

R. Copies of the location and/or design study reports.

S. Copies of the environmental studies and/or approvals.

APPENDIX "C"

SCHEDULE

All work by the CONSULTANT under this Agreement shall be completed and delivered to the LOCAL PUBLIC AGENCY no later than 130 calendar days after notification to proceed from the LOCAL PUBLIC AGENCY, exclusive of the LOCAL PUBLIC AGENCY's review time.

For the purposes of contract control the work shall be submitted by the CONSULTANT to the LPA for review and approval within the following approximate time periods:

A. Appraisals and documentation

Within 50 calendar days after the notice to proceed with the appraisals.

B. Review appraisals and documentation

Within 20 calendar days after receipt of each appraisal from the appraiser.

C. Buying and documentation

Within 60 calendar days after receipt of notice to proceed with buying on each parcel.

APPENDIX "D"

COMPENSATION

A. Amount of Compensation

1. The CONSULTANT shall receive as payment for the work performed under this agreement the total fee not to exceed \$ 13,013.00 unless a SUPPLEMENTAL AGREEMENT is approved in writing by the LPA and the Indiana Department of Transportation.
2. The CONSULTANT will be paid for the work performed under Sections B, C, D, E and F of Appendix "A" of this Agreement, except as provided for in Section A4 of this Appendix, on a lump sum basis in accordance with the following schedule:

PARCEL NUMBER	OWNER	TYPE APPRAISAL	APPRAISAL FEE	REVIEW APPRSL	BUYER FEE
1	Mulzer Crushed Stone, Inc. an Indiana Corp.	Short Form	\$990	\$446	\$990
2	Evansville Materials, Inc. an Indiana Corp.	Long Form	4,950	2,228	990
TOTAL			\$5,940 *****	\$2,674 *****	\$1,980 *****

3. The CONSULTANT will be paid for the work performed under Section A of Appendix "A" of this Agreement a lump sum fee of \$ 2,419.00 for R/W Management and Supervision.
4. In consideration for condemnation proceedings described below the LPA agrees to pay the Right-of-Way Manager, Appraiser, Review Appraiser, Buyer, Property Manager and Relocation Specialist on a daily basis (or on a pro-rata basis for less than a day) the following sums

	Pre-Trial Conference and Preparation	Testimony in Court as Expert Witness
R/W Manager	\$400/Day	\$400/Day
Appraiser	\$400/Day	\$400/Day
Review Appraiser	\$400/Day	\$400/Day
Buyer	\$400/Day	\$400/Day
Relocation Specialist	\$400/Day	\$400/Day

B. METHOD OF PAYMENT

1. Subject to the aforesaid limitation, progress payments shall be made to the CONSULTANT in proportion to services completed. Payments for services completed shall be based on an invoice submitted to the LOCAL PUBLIC AGENCY not more than once per month. The final payment shall be due the CONSULTANT upon acceptance of the completed activities by the LOCAL PUBLIC AGENCY. Payments shall be due the CONSULTANT within thirty (30) calendar days receipt of the invoice by the LOCAL PUBLIC AGENCY.
2. The LOCAL PUBLIC AGENCY, for and in consideration of the rendering of services provided for in Section A of Appendix "A", agrees to pay the CONSULTANT for the percentage of work completed.
3. The LOCAL PUBLIC AGENCY, for and in consideration of the rendering of the services provided for in Sections B, C, D, E, and F of Appendix "A", agrees to pay to the CONSULTANT for rendering such services the fees established above upon completion of the work thereunder and acceptance thereof by the LOCAL PUBLIC AGENCY. No partial payments per lump sum fee per parcel shall be made.

4. In the event of a substantial change in the scope, character of complexity of the work on the project, the maximum fee payable and the specified fee shall be adjusted in accordance with the "Changes in Work" provision of the General Provisions set out in the Agreement.



United Consulting Engineers & Architects

Established 1965



OFFICERS

Jacob E. Hall, P.E., L.S.
Kent D. Downey, P.E., L.S.
Ronald B. Miller
John D. Staley, R.A., A.I.A.
Billie W. Jones, P.E., L.S.
William E. Hall, P.E.
Steven W. Jones
William D. Richter, P.E., L.S.

COPY

ARCHITECTS

Andrew C. Churchill, R.A., A.I.A.
John K. Hardin, R.A., A.I.A.

ENGINEERS

Jerry D. Rutledge, P.E.
Ronald C. Miller, P.E.
Keith A. Lytton, P.E.
Anthony W. Jones, P.E.
Greg L. Rominger, P.E.
Michael W. ...
Brad S. Fans, P.E.
Dale A. Schmidt, P.E.
Michael J. Oherge, P.E.

May 4, 1994

Board of County Commissioners
Vanderburgh County
Old Court House, Suite 307
201 N.W. Fourth Street
Evansville, Indiana 47708

Re: Emergency Repairs
Waterworks Road
Culvert Replacement

Dear Commissioners:

In accordance with our meeting with Mr. John Stoll, County Engineer on May 3, 1994 we are proposing to provide emergency engineering services to replace the triple culverts under Waterworks Road in Vanderburgh County. We propose to provide these services on an hourly basis in accordance with the attached Schedule "A".

We understand the scope of services to include:

- * Replacement of the existing triple culverts
- * Replacement of the upstream and downstream headwalls, aprons, and foundations
- * Slope stabilization above headwalls
- * Replacement of the supporting mechanism for the sluice gates
Note - Existing sluice gates are to be reused
- * Replacement of the backfill above the culverts
- * Replacement of the pavement removed by the culvert replacement

We will provide the necessary engineering and details for the above defined scope of services.

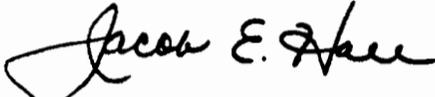
We propose to furnish the engineering services on an hourly basis with a Not To Exceed amount of \$ 20,000. This fee does not include any geotechnical work that may be necessary to investigate the failure. The cost of the geotechnical work will be billed as a direct non-salary cost in accordance with Schedule "A".

We are aware of the emergency nature of this problem and we will commit the necessary staff to see that this project is completed as quickly as possible.

We are submitting this proposal to you for your approval. We have provided a space below for acknowledgement of your approval. Please return an executed copy of this proposal to us for our files.

United Consulting Engineers, Inc.


Ronald B. Miller, Treasurer


Jacob E. Hall, President

Proposal Accepted By:
Vanderburgh County Commissioners







5-9-94

Date

SCHEDULE "A"
UNITED CONSULTING ENGINEERS, INC.
SCHEDULE OF RATES AND CHARGES FOR SERVICES ON AN HOURLY BASIS
Effective January 1, 1994

1. Services will be invoiced at the actual hourly rates of the employees performing the work multiplied by a factor of 3.0.
2. Services for professional specialists who work independently of United Consulting Engineers, Inc., shall be billed at cost plus ten percent (10%). Examples of this type of service would be geotechnical work, environmental testing, or other specialized fields of service performed by others using their own facilities and not under the direction of United Consulting Engineers, Inc.
3. Direct costs such as Permit Fees, Recording Fees, Legal Advertising Fees, Etc. shall be reimbursed at their actual costs. Other direct non-salary costs shall be invoiced as follows:

Mileage - 28 cents per mile

SCHEDULE OF PERSONNEL

	<u>Classification</u>	<u>Maximum Hourly Rates</u>
1.	Principal	30.00
2.	Project Engineer/Manager	24.50
3.	Registered Engineer/Land Surveyor	18.50
4.	Engineer Intern/Survey Crew Chief	16.25
5.	Detailer	18.00
6.	Technician/Survey Instrument Person	14.75
7.	Draftsperson/Survey Crew Helper	9.50
8.	Office/Accounting Supervisor	14.50
9.	Clerical	11.00
10.	Right-of-Way Buyer	11.50
11.	Environmental Specialist	13.25

ACCNT NO: 203-4343 PROJ.: Volkman Rd. Bridge CONTRACT NO: VC94-10-01

The following change(s) ~~is~~(are) recommended. (Give loc., descr. and reason)
#7 - error in invoice of 2-4-94; #8 - adjustment to actual footage driven; #9 - quantity
increased to raise road 6"; #10 - increase in extend coverage along ditch as needed; #11 - sar
#13 - length extended due to depth of ditch; #16 - increase for raising rd. 6"; #17 - adj.
for actual amount used in field & increase of construction limits; #18 - adjustment for
actual amounts used

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
#7 - Reinforcing Steel	-	-	-	-	20.24	-0.7
#8 Furnish & Drive Steel Piles	22.07	-	-	101 LFT	2229.07	-14.3
#9 'B' Borrow for Str. Bkfl.	10.73	451.0 T	4839.23	-	-	410.0
#10 18" Dumped Riprap	14.50	148.72 sys	2156.44	-	-	49.6
#11 Geotextile	1.92	148.72 sys	285.54	-	-	49.6
#13 15" Concrete Pipe	23.93	24 ft.	574.32	-	-	33.7
#16 Type 'O' Comp. Agg.	15.29	121 T.	1850.09	-	-	76.7
#17 No. 5 H.A.C. Base	29.71	40.44 T	1201.47	-	-	19.1
#18 No. 9 H.A.C. Binder	31.76	-	-	7.94 T	252.17	-1.2
CHANGE DOES / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS		-		-	
	NET INCREASED DECREASED ESTIMATED COST \$	SEE PAGE 2				

Signed: Valerie R. Hany Title: DRIVEN EIR Date: May 1994

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

Contractor: CCC of Evansville Inc. By: [Signature] Date: 5/9/94

Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

[Signature]
 President
Richard J. Bonies
 Vice-President
[Signature]
 Member

ATTEST:
Sam Humpal

INDIANA DEPARTMENT OF HIGHWAYS
CHANGE ORDER

Project No. MAM - E340 (6)

Contract No. R-19511

Change Order No. 12

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended. (Give location, description and reason)

DUE TO RIGHT-OF-WAY RESTRICTIONS AND MANY CONFLICTS WITH UTILITIES AND STORM SEWER; THREE OVERHEAD SIGN STRUCTURES WERE ELIMINATED AND REPLACED WITH 2 GROUND MOUNTED SIGNS FOR EACH OVERHEAD SIGN STRUCTURE ELIMINATED. IN ACCORDANCE WITH SPECIFICATIONS, (SECTION 109.04 (e), (d) & (c)). THE ITEMS PURCHASED AND UNUSED WILL BE PAID FOR. CALCULATIONS ARE IN THE FOLLOWING TABLE.

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
090	SPAN OVERHEAD SIGN STRUCTURE (CABLE SPAN)	\$530.00 EACH			3.0	\$16,590.00	-43%	-43%
EW	UNUSED POLES AND ASSOCIATED COSTS	\$11,434.14 EACH	1.0	\$11,434.14				
PLACE "EW" FOR EXTRA WORK ITEMS			TOTALS					
PLACE "FA" FOR FORCE ACCOUNT ITEMS			NET	INCREASED DECREASED	\$11,434.14	\$16,590.00		
					ESTIMATED COSTS		\$155,86	

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged.

Contractor Roster Cont By [Signature] Date 4-25-94

Submitted For Consideration	
PE/S <u>HL</u>	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

Approved for Indiana Department of Highways

[Signature]
(SIGNATURE)

[Signature]
TITLE

May 9, 1994
(DATE)



2 of 5

14649 Highway 41 North
Evansville, Indiana 47711

812-867-6635
800-880-6635
FAX 812-867-2302

April 4, 1994

United Consulting Engineers, Inc.
4723 N. Green River Court
Evansville, Indiana 47715

Attn: Mr. Keith Lytton

Re: Reconstruction of North Green River Road
Contract No. R-19511
Change Order - Extra Sign Poles

Dear Keith:

Attached please find the documentation for payment for the six (6) extra sign poles that were not utilized on this project. The final cost for this Item is as follows:

Mounts Electric, Inc. cost	=	\$10,602.00
Koester Markup (10% on 1st \$3000)	=	\$300.00
Koester Markup (7% on \$7,602)	=	\$532.14
		<u> </u>
Total	=	\$11,434.14

Note: Koester markup computed per Section 109.04(f) of the Standard Specifications.

If you have any questions in regards to this matter, please feel free to call me at 867-6635.

Sincerely,

Rick I. Habas
Project Engineer

Enclosures

CC: Mounts Electric, Inc. (Mr. Gus Dean)
File





301-5



951 N. Congress Ave., P.O. Box 3273
Evansville, Indiana 47731
(812) 477-9299 FAX (812) 479-7656
COMMERCIAL—INDUSTRIAL WIRING

March 30, 1994

Koester Contracting
14649 Highway 41, North
Evansville, IN 47711

Attn: Mr. Rick Niehaus
Re: R-19511 North Green River Road

Dear Sir:

As requested by Keith Lytton we submit the following for the cost of the extra poles:

Cost per pole + 5%	\$ 1,625.40
Labor and equipment (crane truck) to unload and storage (Nov. 1992 to date)	<u>141.60</u>
Total Per Pole	1,767.00
	x 6
TOTAL	\$ 10,602.00

Note: Not included is interest on the use of the money from Nov. 1992 to date.

If you have any questions please call. Thank you!

Respectfully,

A. L. Dean
General Superintendent

ALD/mlb

encl.

SUT 5



Mounts
Electric
Inc.
951 N. Congress Ave., P.O. Box 3273
Evansville, Indiana 47731
(812) 477-9299 FAX (812) 479-7656
COMMERCIAL—INDUSTRIAL WIRING

November 10, 1993

Koester Contracting
14649 Highway 41, North
Evansville, IN 47711

Attn: Mr. Rick Nisham
Re: R 19511 - North Green River Road

Dear Sir:

I met with Keith Lytton regarding the permanent signs that will be required as a result of the deletion of (3) sign cable spans, due to lack of area to install the concrete foundations.

This will result in an excess of (6) 26' strain poles with anchor bolts and (3) pole bands each that we have stored in our yard at a cost of \$1,767.00 each; a total of \$10,602.00. This is Item #090.

There will not be a charge for the rebar since it could be used on another project as well as the 3/8" galvanized aircraft cable on the cable spans. This is Item #090.

Since we just received the revised sign schedule on 11-8-93 this adds maintenance of traffic to do the work as follows:

- (1) arrow board
- (1) lane closed ahead sign
- (1) flagger while working in the outside lanes of traffic to install (3) concrete foundations, set (3) poles, install ground mounted signs and build overhead cable spans on (4) sign cable spans.
This is Item #090

For this we ask the amount of Two Thousand Dollars (\$2,000.00) for the above described traffic maintenance.

I will advise you of a delivery date on the signs just as soon as my vendor quotes the price and availability.

If you have any questions please call. Thank you!

Respectfully,

A. L. Dean
General Superintendent

ALD/mjh
.....

Dear Rick,

For the past few weeks I have been in touch with Mercy Ambulance of Evansville concerning the reporting that they provide to the county.

This current reporting is inadequate in providing documentation for our purposes.

I urge you to contact Mercy and insist that they use the reporting format that they currently complete for the city on a quarterly basis. The software obviously is already on line so treating us the same would be easy to accomplish.

Thanks.....Bettye Lou Jerrel

**MERCY AMBULANCE OF EVANSVILLE
 VANDERBURGH COUNTY 911 CALL SUMMARY
 FOR THE YEAR ENDED DECEMBER 31, 1993**

<u>Quarter</u>	<u>Transports</u>	<u>Dry</u>	<u>Total</u>	<u>Total Calls With >13 Minutes</u>	<u>Less: Justified Calls</u>	<u>Net Calls Subject To Response Time Complency</u>	<u>Response Time Complency Percentage</u>
1	215	73	288	24	8	16	94.44%
2	215	84	299	17	7	10	96.66%
3	235	90	325	20	6	14	95.69%
4	211	68	279	30	13	17	93.91%
Total	876	315	1,191	91	34	57	95.21%

Mercy Ambulance Of Evansville
 1993 Extended Response Report for Vanderburgh County

First Quarter Summary:

					Time						
Run #	DOS	District	Dispatch	Arrive	Response	Excess time	Penalty	Justification	Address		
1	11178	01-05-93	3	2334	2350	16		Dry Run	10,600 St. Wendell		
2	11297	01-08-93	3	2139	2153	14		Dry Run	7545 Acre Dr.		
3	11305	01-08-93	1	0109	0127	18	5	\$50	20250 Barton Rd.		
4	11472	01-13-93	3	1505	1522	17	4	\$40	10701 Hillview Dr.		
5	11474	01-13-93	3	1528	1542	14	1	\$10	8508 Yellowstone		
6	11570	01-16-93	1	0728	0739	14	1	\$10	12615 N. Greenriver		
7	11850	01-22-93	1	2331	2345	14	1	\$10	14931 Old Princeton		
8	12049	01-29-93	5	1314	1328	14	1	\$10	5815 Millersburg		
9	12169	02-01-93	3	2132	2148	16	3	\$30	Hwy 65 & I-64		
10	12404	02-07-93	1	1442	1458	16	3	\$30	2340 Schenk Rd.		
11	12461	02-09-93	3	0254	0310	18	3	\$30	16312 Big Cynthiana		
12	12655	02-13-93	3	1601	1617	18	3	\$30	Hwy 65 & I-64		
13	12758	02-15-93	5	1544	1603	19		Dry/ Weather	Hwy 57 & Oakhill Rd.		
14	12971	02-20-93	3	2011	2025	14		Weather	3100 Klettz Rd.		
15	13074	02-23-93	2	1034	1049	15	2	\$20	I-64, west of I-164		
16	13231	02-28-93	1	1942	1958	16		Weather	2840 Oakview Ct.		
17	13381	03-02-93	1	1650	1705	15	2	\$20	St. Joe & Frontage Rds		
18	13758	03-12-93	3	0409	0423	14	1	\$10	10,140 Old L. Mt. Vernon Rd.		
19	13825	03-14-93	3	0003	0017	14		Dry/ Weather	12,701 Big Cynthiana		
20	13928	03-16-93	3	2308	2324	18		Weather	13,235 St. Wendell Rd.		
21	14008	03-19-93	1	0628	0645	17	4	\$40	Hwy 57 & Coalmine Rd.		
22	14162	03-23-93	3	0415	0433	18	5	\$50	18,720 Big Cynthiana		
23	14203	03-24-93	1	1424	1438	14		Dry Run	Hwy 57 & I-164		
24	14509	03-31-93	1	2014	2028	14	1	\$10	18323 Old Princeton Rd.		
Total Penalty								<u>\$400</u>			

Total Justified Calls 8
 Total Calls Subject To Response Time Complacency 16
 Total Calls With Response Times > 13 Minutes 24

Mercy Ambulance Of Evansville
 1993 Extended Response Report for Vanderburgh County

Second Quarter Summary:

1	366	04-09-93	1	2336	2352	16	3	
2	413	04-11-93	3	0310	0328	16	3	
3	860	04-22-93	3	0432	0447	15	2	
4	905	04-23-93	3	0816	0831	15	2	
5	1215	04-29-93	3	2341	2356	15	2	
6	1492	05-05-93	3	2114	2132	16	3	
7	1548	05-07-93	3	1917	1936	19	6	
8	2037	05-18-93	1	0456	0518	22	9	
9	2173	05-20-93	1	1710	1725	15	2	
10	2226	05-22-93	3	0241	0257	16	3	
11	2244	05-22-93	3	1341	1358	17	4	
12	3066	06-11-93	3	0333	0350	17	4	
13	3158	06-13-93	3	0815	0834	19	6	
14	3235	06-14-93	1	1704	1719	15	2	
15	3392	06-18-93	1	1146	1200	14	1	
16	3467	06-20-93	1	0033	0048	15	2	
17	3559	06-21-93	3	1649	1712	23	10	
Total Penalty								<u>\$100</u>
								<u>\$330</u>

	Dry run.	
	Dry run.	
		\$20
		\$20
		\$20
	Code 1 standby for a fire.	
	Dry run.	
	Code 1 standby for a fire.	
		\$20
	Dry run.	
	Dry run.	
		\$40
		\$60
		\$20
		\$10
		\$20
		\$100
		<u>\$330</u>

Hwy 41 & I-64
 Hwy 41/Boonville-NH Rd
 9710 Mid Mt. Vernon
 4220 Bromm Rd.
 9009 Boberg
 Old Henderson Rd
 10,420 Boonville-NH Rd
 Old State & Schroeder
 13113 Browning Rd
 8024 Roth Rd
 13,900 St. Wendall
 5909 Goebel Ln
 Old Henderson @ Kings
 17,425 Owensville Rd
 Hwy 41 @ Arby's
 16,431 Hwy 57
 I-64 @ 18 mile marker

Total Justified Calls	7
Total Calls Subject To Response Time Complacency	10
Total Calls With Response Times > 13 Minutes	<u>17</u>

Mercy Ambulance Of Evansville
 1993 Extended Response Report for Vanderburgh County

Third Quarter Summary:

1	4041	07-02-93	3	1020	1037	17	4	\$40			
2	4128	07-03-93	1	2025	2041	16	3		Dry		10140 Old L. Mt. Vernon
3	4345	07-08-93	3	1529	1545	16	3	\$30			6701 Nisbit Rd.
4	5019	07-23-93	1	1850	1905	15	2	\$20			4435 Orchard Rd.
5	5394	07-31-93	3	2200	2216	16	3		2nd unit in.		19,445 Oweneville Rd.
6	5396	07-31-93	3	2223	2237	14	1	\$10			Boonville-N.H. @ Hwy 65
7	5417	08-01-93	1	0848	0907	19	6	\$60			5312 Koessel
8	6330	08-22-93	1	1754	1808	14	1		Dry.		Busler's Hwy 41 N.
9	6455	08-29-93	3	0348	0408	20	7	\$70			14,930 Bender Rd.
10	6475	08-26-93	3	2007	2022	15	2	\$20			7012 Gartner Ln
11	6478	08-26-93	1	2105	2122	17	4	\$40			8509 #3 School Rd.
12	6548	08-28-93	1	0823	0841	18	5	\$50			11,909 Buente
13	6605	08-29-93	1	1543	1557	14	1	\$10			20,680 Barton Rd.
14	6699	08-31-93	3	1617	1632	15	2	\$20			2620 Volkman Rd.
15	6846	09-04-93	1	0004	0019	15	2		Dry run.		3234 Bromm Rd.
16	6890	09-04-93	3	2224	2242	18	5		Dry run.		I-64 @ I-164
17	7403	09-16-93	1	1902	1922	20	7	\$70			15,208 Old Henderson
18	7472	09-18-93	1	0146	0200	14	1	\$10			16,510 Wallenmeyer
19	7495	09-18-93	1	1335	1349	14	1	\$10			Hwy 41 @ Stecer Rd.
20	7776	09-25-93	1	1618	1633	15	2		Dry		14,114 Petersburg Rd.
Total Penalty								<u>\$460</u>			1810 Volkman Rd.

Total Justified Calls	8
Total Calls Subject To Response Time Complacency	14
Total Calls With Response Times > 13 Minutes	<u>20</u>

Mercy Ambulance Of Evansville
 1993 Extended Response Report for Vanderburgh County

Fourth Quarter Summary:

1	8454	10-11-93	1	1428	1446	18	5	\$50			
2	8709	10-16-93	3	1817	1833	16	3	\$30		1530 Fleener Rd.	
3	8710	10-16-93	3	1835	1850	15	2	\$20		16,301 Volkman	
4	8877	10-19-93	1	2319	2333	14	1	\$10		100 S. Eichoff	
5	9405	10-31-93	1	1727	1741	14	1		Dry run	3300 Baseline	
6	9423	11-01-93	1	0818	0832	14	1	\$10		18,315 Owensville Rd.	
7	9657	11-06-93	1	1836	1859	23	10	\$100		13,041 Young Rd.	
8	9922	11-13-93	1	0741	0802	21	8	\$80		5002 Armstrong Rd.	
9	10289	11-22-93	1	0612	0627	15	2	\$20		Hwy 65, 2 miles south of I-64	
10	10318	11-22-93	3	2026	2045	19	6	\$60		14,240 Browning Rd.	
11	10319	11-22-93	3	2059	2115	16	3	\$30		8500 W. Boonville-N.H. Rd	
12	10430	11-25-93	1	1429	1443	14	1	\$10		8909 Old Henderson	
13	10517	11-27-93	5	1936	1950	14	1	\$10		4745 W. Boonville-N.H. Rd	
14	10521	11-27-93	3	1955	2014	19	6	\$60		2911 Eastview Dr.	
15	10560	11-28-93	3	2253	2311	18	5	\$50		19,720 Cynthiana Rd.	
16	10683	12-02-93	1	0848	0905	17	4		Weather	10,000 Denzer Rd.	
17	10717	12-03-93	3	0526	0547	21	8		Dry run	3525 W. Baseline Rd.	
18	10851	12-06-93	3	0816	0838	22	9	\$90		Hwy 65, 1 mile S. of I-64	
19	10092	12-12-93	3	1039	1046	25	12	\$120		13,320 St. Wendall Rd.	
20	11240	12-15-93	3	1010	1026	16	3		Dry run	19,300 Hwy 57	
21	11267	12-15-93	1	1843	1858	15	2		Weather	300 S Eickhoff	
22	11724	12-25-93	3	1913	1929	16	3		Weather	1910 E. Boonville-N.H. Rd	
23	11740	12-26-93	3	0840	0854	14	1		Weather	2008 Westbrook Blvd	
24	11783	12-27-93	3	0724	0746	22	9		Weather	2919 Kressel	
25	11807	12-27-93	1	1602	1617	15	2		Weather	13,320 St. Wendall	
26	11839	12-28-93	5	0718	0737	19	6		Dry run	ISP Post Hwy 41 N.	
27	11861	12-28-93	3	1727	1741	14	1		Weather	4808 Clover	
28	11863	12-28-93	3	1820	1840	20	7		Weather	2744 Orchard Rd.	
29	11972	12-30-93	1	1555	1611	17	4	\$40		12,593 Apache Pasa	
30	12008	12-31-93	5	1206	1222	14	1		Dry run	6705 Pinehurst	
Total Penalty											Greenriver @ Huntington
									<u>\$790</u>		

Total Justified Calls	13
Total Calls Subject To Response Time Compliancy	17
Total Calls With Response Times > 13 Minutes	<u>30</u>

Memorandum

F41

To: Students working at the Polls for the Primary Election to be held Tuesday, May 3, 1994

From: Dennis Beadles, ^{subleader} Social Studies Department Chairman

Date: April 28, 1994

Subject: Information for working the polls

1. Attached you will find a list showing the ward and precinct at which you are working. The assignment on the list should be the same as the one you received from the political party that contacted you. If there is a difference, let me know immediately. Also on the list is the position on the precinct election board that you will be serving. Remember that once you get to the polls you may be "bumped up"; instead of being a clerk, you may end up being a sheriff or judge. For this reason I've also attached the job descriptions for each of these election board officials.

2. As a reminder - sometime over the weekend, you need to find your polling place to be sure you know exactly where to go on Tuesday morning. Trying to find it for the first time on Tuesday morning may cause you to arrive late at the polls.

3. I know that I have mentioned these things before, but they are extremely important and are worthy of repeating again.

Dress appropriately, you will be working all day in an adult environment.

Behave as a young adult, do not play at the polls, Americans take voting very seriously. Remember you are representing your family, your school and me since I set this up with the Political Parties. Your actions, attitude and performance at the polls will go a long way in opening the way for seniors to participate in this capacity in future elections.

Do not discuss the election with any voter coming into the polls. Your job is to conduct the election and as such you must remain neutral on the candidates. Of course you can express your opinion when you vote - like all of us will do.

NORTH HIGH SCHOOL

1994 MAY 3rd PRIMARY WORKERS

Name:	Position:	Ward/Precinct:	Address:
Barron, Josh (R)	Judge	K-2	Angel Mounds Visitors Ctr 8215 Pollack Ave.
Bergner, David (R)	Clerk	3-10	St. Lucas UCC Annex 33 West Virginia St.
Brockriede, Steve (R)	Sheriff	K-3	Eagles Country Club 6000 Old Boonville Hwy.
Burgdorf, Jennifer (R)	Sheriff	2-4	Washington Middle School 1801 Washington Ave.
Chandley, Ryan (R)	Sheriff	6-11	St. James United Meth. 3111 Hillcrest Ter.
Cook Laurie (R)	Sheriff	3-15	Garvinwood Baptist Church 1611 E. Indiana
Cook, Pamela (D)	Clerk	C-13	Olivet Presbyterian Ch. 5600 Oak Hill Road
Crooks, Stacey (D)	Clerk	C-10	Hamilton Golf Club 6901 Old Petersburg Road
Davis, Eric (D)	Judge	C-2	Westbrook Mobile Home Ct. 5901 N. St. Joseph Ave.
Davis, Jeff (R)	Sheriff	C-3	North Side Congreg. Ch. 820 W. Mt. Pleasant Road
Druschke, Doug (D)	Sheriff	C-10	Hamilton Golf Club 6901 Old Petersburg Road
Durbin Heather (R)	Sheriff	3-16	Delaware School 700 N. Garvin
Esparza, Nicole (D)	Sheriff	5-5	Oaklyn Branch Library 3820 Oak Hill Road
Fain, Toni (D)	Clerk	5-6	Stockwell School 2501 Stockwell Road
Fischell, Eric (R)	Sheriff	K-2	Angel Mounds Visitors Ctr 8215 Pollack Ave.
Fraser, Candy (D)	Judge	2-21	Caze School 2013 S. Greenriver Road
Gander, Drew (D)	Inspector	C-1	Oak Hill School 7400 Oak Hill Road
Grammer, Andy (D)	Judge	5-5	Oaklyn Branch Library 3820 Oak Hill Road

Name:	Position:	Ward/Precinct:	Address:
Grayson, Amy (D)	Clerk	1-16	McGary School 1535 Joyce Ave.
Grogan, Wes (D)	Sheriff	S-1	Scott School 14940 Old State Road
Hallman, Chanda (D)	Judge	1-4	Eastern Heights Bapt. Ch. 6300 Washington Ave.
Hanley, Sean (D)	Clerk	1-12	Dexter School 917 Dexter Avenue
Hanni, Erin (R)	Sheriff	2-1	Evansville Baptist Temple 2231 Burdette Ave.
Holder, Amanda (D)	Judge	1-16	McGary School 1535 Joyce Ave.
Huff, Jason (R)	Clerk	3-3	North High School 2319 Stringtown Road
Hulan, Amanda (D)	Clerk	1-9	Plaza Park School 7301 Lincoln Ave.
Hutchison, Jamie (R)	Clerk	4-18	National Guard Armory 201 S. Rotherwood Ave.
Jordan, Deon (D)	Judge	1-22	Hebron School 4400 Bellemeade Ave.
Lemon, Ben (D)	Judge	1-15	Dexter School 917 S. Dexter Ave.
Martin, Richard (R)	Judge	3-3	North High School 2319 Stringtown Road
Weeks, Brent (D)	Sheriff	2-5	Washington School Aud. 1801 Washington Ave.
Minar, Larry (D)	Sheriff	C-2	Westbrook Mobile Home Ct. 5901 N. St. Joseph Ave.
Mitchell, David (D)	Judge	3-10	Glenwood Middle School 901 Sweetser Ave.
Outlaw, Shannon (D)	Clerk	C-2	Westbrook Mobile Home Ct. 5901 N. St. Joseph Ave.
Payne, Myquesa (D)	Clerk	2-21	Caze School 2013 S. Greenriver Road
Petitjean, Joy (D)	Clerk	1-1	Eastern Heights Bapt. Ch. 6300 Washington Ave.
Powell, Caroline (D)	Sheriff	1-7	Plaza Park School 7301 Lincoln Ave.

Name:	Position:	Ward/Precinct:	Address:
Reitz, Tim (D)	Inspector	C-13	Olivet Presbyterian Ch. 5600 Oak Hill Road
Rice, Tahara (D)	Clerk	1-15	Dexter School 917 S. Dexter Ave.
Riggs, Brian (R)	Clerk	2-1	Evansville Baptist Temple 2231 Burdette Ave.
Robinson, Krista (D)	Clerk	C-1	Oak Hill School 7400 Oak Hill Road
Root, Allison (R)	Clerk	1-16	McGary School 1535 S. Joyce Ave.
Schlachter, Christie (D)	Sheriff	C-1	Oak Hill School 7400 Oak Hill Road
Schwindel, Cathryn (D)	Judge	C-13	Olivet Presbyterian Ch. 5600 Oak Hill Road
Sailer, Rafe (D)	Judge	1-1	Eastern Heights Bapt. Ch. 6300 Washington Ave.
Sheets, Channing (D)	Clerk	1-22	Hebron School 4400 Bellemeade Ave.
Simmons, Angela (R)	Sheriff	C-11	Bethlehem UCC 6400 Oak Hill Road
Simmons, Shawn (D)	Clerk	5-5	Oaklyn Branch Library 3820 Oak Hill Road
Solomon, Aaron (D)	Sheriff	5-6	Stockwell School 2501 Stockwell Road
Solomon, Matt (D)	Judge	5-6	Stockwell School 2501 Stockwell Road
Sumner, Jamie (R)	Sheriff	S-1	Scott School 14940 Old State Road
Williams, Elizabeth (D)	Judge	C-1	Oak Hill School 7400 Oak Hill Road

PRIMARY
CLERKS INSTRUCTIONS

ARRIVE AT POLLS AT 5:00 A.M.
GET SWORN IN BY INSPECTOR
HELP SET UP POLLING AREA

CLERKS ARE RESPONSIBLE FOR ISSUING BALLOTS TO VOTERS. BALLOTS COME IN PADS OF 50. BOTH CLERKS MUST INITIAL THE BACK OF THE BALLOTS.

REMEMBER, THIS IS A PRIMARY, NO WRITE IN CANDIDATES. DO NOT INITIAL SECRECY ENVELOPES!!!

THE VOTERS NAME WILL BE ON THE OFFICIAL SIGN IN POLL SHEETS. SHOW THE VOTER WHERE TO SIGN THEIR NAME AND ADDRESS. CHECK TO BE SURE THAT THE VOTER HAS SIGNED IN THE CORRECT SPACE, THEN YOU WRITE THE BALLOT NUMBER IN THE SPACE PROVIDED. YOU WILL THEN ISSUE THE VOTER A BALLOT AND SECRECY ENVELOPE, (MAKE SURE YOU ONLY GIVE THEM ONE). YOU WILL THEN DIRECT THEM TO THE VOTOMATIC.

PROPER HANDLING OF SPOILED BALLOTS:

IF A VOTER SPOILS THEIR BALLOT, WRITE THE WORD "VOID" ACROSS THE BALLOT. BOTH CLERKS THEN INITIAL THE BALLOT. PUT THE SPOILED BALLOT IN THE "SPOILED BALLOT ENVELOPE", THE INSPECTOR WILL HAVE THIS IN THEIR SUPPLIES. YOU THEN ISSUE THE VOTER A NEW BALLOT AND CROSS OUT THE ORIGINAL BALLOT NUMBER AND WRITE THE NEW BALLOT NUMBER ON THE POLL SHEET.

AFTER CLOSING OF THE POLLS:

ALL BALLOTS MUST BE REMOVED FROM THE BALLOT BOX AND SEPERATED FROM THE SECRECY ENVELOPES. STACK THE BALLOTS SO THAT THE SLANTED CORNERS ARE TOGETHER. PLACE BALLOTS FACE DOWN, SO YOU CAN BE SURE THAT BOTH CLERKS HAVE INITIALED THEM. AS YOU COUNT THE BALLOTS, CHECK FOR ANY LOOSE "CHADS". FILL OUT THE APPROPRIATE FORMS, AND MAKE SURE YOU HAVE SIGNED ALL OF THE FORMS THAT REQUIRE YOUR SIGNATURE.

YOU CAN THEN ASSIST THOSE THAT ARE TAKING DOWN THE EQUIPMENT. IF YOU HAVE ANY PROBLEMS OR QUESTIONS DON'T HESITATE TO CALL THE ELECTION OFFICE, WE ARE THERE TO HELP YOU.

THE TELEPHONE NUMBER IS 435-5123. HAVE A GOOD DAY!

**PRIMARY
CLERKS INSTRUCTIONS**

ARRIVE AT POLLS AT 5:00 A.M.

GET SWORN IN BY INSPECTOR

HELP SET UP POLLING AREA

CLERKS ARE RESPONSIBLE FOR ISSUING BALLOTS TO VOTERS. BALLOTS COME IN PADS OF 50. BOTH CLERKS MUST INITIAL THE BACK OF THE BALLOTS.

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AFTER CLOSING OF THE POLLS:

ALL BALLOTS MUST BE REMOVED FROM THE BALLOT BOX AND SEPERATED FROM THE SECRECY ENVELOPES. STACK THE BALLOTS SO THAT THE SLANTED CORNERS ARE TOGETHER. PLACE BALLOTS FACE DOWN, SO YOU CAN BE SURE THAT BOTH CLERKS HAVE INITIALED THEM.

AS YOU COUNT THE BALLOTS, CHECK FOR ANY LOOSE "CHADS".

FILL OUT THE APPROPRIATE FORMS, AND MAKE SURE YOU HAVE SIGNED ALL OF THE FORMS THAT REQURE YOUR SIGNATURE.

YOU CAN THEN ASSIST THOSE THAT ARE TAKING DOWN THE EQUIPMENT. IF YOU HAVE ANY PROBLEMS OR QUESTIONS DON'T HESITATE TO CALL THE ELECTION OFFICE, WE ARE THERE TO HELP YOU.

THE TELEPHONE NUMBER IS 435-5123. HAVE A GOOD DAY!

SHERIFF INSTRUCTIONS

ARRIVE AT POLLS AT 5:00 A.M.

GET SWORN IN BY INSPECTOR.

HELP SET UP POLLING AREA.

YOUR DUTY IS TO DEMONSTRATE TO THE VOTERS HOW THE VOTOMATIC WORKS. PLEASE TAKE A MORE ACTIVE PART IN THIS PROCEDURE. MANY PEOPLE DO NOT REALIZE THAT UNLESS YOU PUNCH STRAIGHT DOWN WITH THE STYLUS, THE PUNCH WILL NOT PERFORATE THE BALLOT, THEREFORE THE VOTER HAS LOST THEIR VOTE, AND DOESN'T EVEN KNOW IT.

ALSO, SHOW THE VOTER HOW TO INSERT THE BALLOT INTO THE VOTOMATIC. MANY PEOPLE THINK THEY ARE DOING IT CORRECTLY AND ARE NOT.

REMIND THE VOTER TO CHECK THEIR BALLOT AFTER VOTING TO MAKE SURE IT IS PUNCHED ALL THE WAY THROUGH.

REMIND THEM THAT IF THEY NEED HELP AT THE VOTOMATIC THE JUDGES WILL BE GLAD TO HELP THEM.

YOUR JOB IS TO ASSIST THE INSPECTOR. IF ANY INFRACTIONS OCCUR ON ELECTION DAY, THE INSPECTOR MAY ASK YOU TO CALL THE ELECTION OFFICE AND REPORT IT TO THE DEPUTY ELECTION COMMISSIONERS FOR RESOLUTION.

AFTER THE POLLS CLOSE, HELP TAKE DOWN THE ELECTION EQUIPMENT AND GET IT READY FOR THE INSPECTOR TO RETURN IT TO THE CIVIC CENTER.

THE ELECTION OFFICE NUMBER IS 435-5123. DO NOT HESITATE TO CALL IF YOU NEED HELP. HAVE A GOOD DAY!!

JUDGES INSTRUCTIONS

ARRIVE AT THE POLLS AT 5:00 A.M.
GET SWORN IN BY THE INSPECTOR
HELP SET UP POLLING AREA

YOUR JOB IS TO ASSIST THE VOTERS. ASK IF THE VOTER NEEDS HELP. IF A VOTER NEEDS HELP, BOTH JUDGES ARE TO ASSIST THEM. IF A VOTER IS DISABLED OR BLIND, THEY CAN CHOOSE ANYONE THEY WANT TO ASSIST THEM. REMIND THE VOTER TO PUNCH STRAIGHT DOWN, OR THEY MAY NOT PERFORATE THE BALLOT.

WHEN THE VOTER HAS VOTED, MOST VOTERS WILL GIVE THE BALLOT TO YOU FOR DEPOSIT IN THE BALLOT BOX. IF THE VOTER WANTS TO PLACE THEIR BALLOT IN THE BOX THEMSELVES, THEY ARE ALLOWED TO DO THIS. INSTRUCT THEM TO FAN-FOLD THE STUB BEFORE TEARING IT LOOSE FROM THE BALLOT. ALL STUBS ARE TO BE PLACED IN THE "STUB ENVELOPE" PROVIDED IN THE INSPECTORS SUPPLIES.

ABSENTEE BALLOTS:

SOMETIME DURING THE DAY A TEAM FROM THE ELECTION OFFICE WILL BRING OUT THE ABSENTEE BALLOTS. THE INSPECTOR WILL CALL THE NAMES OFF TO YOU. YOU WILL THEN WRITE THE NAME AND ADDRESS OF THE VOTER IN THE SIGN IN BOOK AT THE CLERKS TABLE. YOU WILL ALSO WRITE IN THE BALLOT SERIAL NUMBER, AND PRINT ABS AFTER IT TO SHOW THAT IT WAS AN ABSENTEE VOTE. YOU THEN PUT YOUR INITIALS BESIDE IT, TO SHOW WHO MARKED IT IN THE BOOKS.

AFTER THIS PROCEDURE, YOU TREAT IT LIKE ANY OTHER BALLOT. TEAR OFF THE STUB, AND PLACE THE BALLOT IN THE BALLOT BOX.

AFTER THE POLLS CLOSE:

YOU ARE TO ASSIST THE INSPECTOR IN COMPLETING THE REQUIRED FORMS. MAKE SURE YOU HAVE SIGNED IN THE PROPER PLACES.

ASSIST THOSE THAT ARE TAKING DOWN THE EQUIPMENT.

REMEMBER, THE REPUBLICAN JUDGE MUST GO WITH THE INSPECTOR TO THE CIVIC CENTER TO RETURN THE SUPPLIES.

HOPE ALL GOES WELL, IF YOU HAVE ANY QUESTIONS, CALL THE ELECTION OFFICE AT 435-5123, WE ARE HERE TO HELP YOU. HAVE A GOOD DAY!

North High School

MAY PRIMARY Worksheet 1994

(Please Complete and Return to Mr. Beadles on Wednesday)

Name: _____

1. Your Ward/Precinct in which you are registered: _____

2. The Ward/Precinct in which you worked on November 2: _____

3. The address/location of the polling place at which you worked:

4. On the back of this paper please sketch the arrangement of the polling place at which you worked. Show the location of the sheriff, judge, clerks, ballot box, entrance etc. This is just a sketch not an art project. Be sure to put labels in your sketch.

5. Name of the Inspector: _____

6. Name of the Judge(s): _____

7. Name of the Clerk(s): _____

8. Name of the Sheriff(s): _____

9. Record the number of voters who voted in the primary or each hour in the spaces provided below:

6-7 _____ 7-8 _____ 8-9 _____ 9-10 _____ 10-11 _____ 11-12 _____ 12-1 _____
1-2 _____ 2-3 _____ 3-4 _____ 4-5 _____ 5-6 _____ TOTAL _____

10. Your observations/reactions about your experience at the polls:

RE: CFF 89-220

(ATTACH ADDITIONAL SHEETS IF NECESSARY)

13. CERTIFICATION BY RECIPIENT

It is hereby certified that all activities undertaken by the Grantee with funds provided under the grant agreement identified on page 1 hereof have, to the best of my knowledge, been carried out in accordance with the grant agreement; that the United States of America and the Indiana Department of Commerce (IDOC) are under no obligation to make further payments to the Grantee under the grant agreement; and that the statements and amounts set forth in this summary are, to the best of my knowledge, true and correct as of this date.

The Grantee hereby agrees that any costs under this grant disclosed by a subsequent audit by the Indiana State Board of Accounts which are sustained by the Indiana Department of Commerce (IDOC) will be promptly repaid to the IDOC by the Grantee.

Patrick Tuley, President

Patrick Tuley
SIGNATURE OF AUTHORIZED GRANTEE REPRESENTATIVE

DATE TYPED NAME AND TITLE OF AUTHORIZED GRANTEE REPRESENTATIVE

Board of Commissioners
Vanderburgh County, Indiana

14. DEPARTMENT OF COMMERCE APPROVALS

DOC GRANTS MANAGEMENT UNIT - FINAL MONITORING:

BY: _____ DATE: _____

DOC CONTROLLER BUDGET APPROVAL - GRANT EXPENDITURE BALANCE DE-OBLIGATED:

BY: _____ DATE: _____

DOC APPROVAL FOR DE-OBLIGATION OF NON-EXPENDED GRANT FUNDS:

BY: _____ DATE: _____

State of Indiana
 Department of Commerce
 Community Development Block Grant
 Grantee Performance Report
 Cover Sheet

1. Grantee Name: Vanderburgh County Street Address: 1 N.W. M.L. King, Jr. Blvd. City, State, Zip: Room 306 Civic Center Complex Evansville, IN 47708-1869	3. Report Date: March 94
2. Grantee Phone Number: (812) 426-5580 FAX (812) 426-5384	4. Grant Number: CFF-89-220

5. Grantee Certification:

The grantee's Chief Elected Official certifies that:

- a. To the best of his or her knowledge or belief, the data in this report was true and correct as of the report end date.
- b. The records described in 24 CFR Part 570 are being maintained and will be made available upon request.


5-9-94

 Signature, Grantee's Chief Elected Official Date

Patrick Tuley, President, Board of County Commissioners

 Typed Name and Title of Grantee's Chief Elected Official

6. This report prepared by:

Name: R. Michael Robling
Title: Deputy Executive Director
Community or Company: Department of Metropolitan Development
Address: 1 N.W. Martin Luther King, Jr. Blvd., Room 306
City, State, Zip: Evansville, IN 47708-1869
Area Code and Phone: (812) 426-5580 FAX (812) 426-5399

Do not write in this space. For Department of Commerce Use Only.

DOC Review Performed By: _____ Date: _____ PER Entry: _____

TO: Local Elected Officials

FROM: Jerry Yezbick, Executive Director

SUBJECT: PY94-95 Local Plan of Service for Southwest Indiana

DATE: May 5, 1994



Please find attached, a summary of the PY94-95 Southwest Indiana Service Delivery Area Unified Local Job Training Plan. As per the PIC/LEO Agreement, a majority of elected officials must approve the plan prior to July 1, 1994. A complete copy of the plan will be available at the PIC/LEO meeting in August.

After you review the document, please sign where indicated and return the form by May 31, 1994 to:

Mr. Jeffrey L. Amos
Private Industry Council Administrative Office
943 Bond Street
Evansville, Indiana 47708

Thank you in advance for your prompt attention to this matter. If you have any questions, please do not hesitate to call.

PIC Job Center

Private Industry Council

**INDIANA
WORKFORCE
DEVELOPMENT**



Vanderburgh Co. -- 160 S. Thrd Ave - Evansville, IN 47708 -- (812) 424-HIRE -- Fax 422-2438

Unemployment Insurance -- 160 S Thrd Ave - Evansville, IN 47708 -- (812) 428-2970

I have reviewed a copy of the PY94-95 Unified Local Job Training Plan Summary for the Southwest Indiana Service Delivery Area and my signature hereby approves the plan as it is set forth.

Patricia J. Jolley
Vanderburgh County Commissioner

5-9-94
Date

**PRIVATE INDUSTRY COUNCIL OF SOUTHWEST
INDIANA, INCORPORATED**

SUMMARY - LOCAL PLAN OF SERVICE

PROGRAM YEARS 1994 and 1995

PLAN OF SERVICE

IDENTIFYING INFORMATION

The Southwest Indiana Service Delivery Area is comprised of five (5) counties - Perry, Posey, Spencer, Vanderburgh and Warrick. Vanderburgh County contains one of the largest metropolitan bases in our state and is predominately urban in nature. Perry, Posey, Spencer and Warrick counties are rural and contain significant industrial, professional and social connections to Vanderburgh. Employment and training services are delivered to the public in a decentralized, coordinated structure with Job Centers located in each county.

The Private Industry Council serves as the Administrative Entity and Grant Recipient. The mission of the PIC is:

"To coordinate and focus resources to provide our targeted workforce with the basic and operational skills required to facilitate their placement and retention in the labor market."

The following individuals are responsible for the development and oversight of the Local Plan of Service for the Southwest Indiana Service Delivery Area:

Honorable Frank McDonald II, Mayor, City of Evansville
Chief Elected Official

Lewis A. Plane, President
Private Industry Council

Jerry Yezbick, Executive Director
Private Industry Council

Ernie Payne, Program Manager
Indiana Department of Employment
and Training Services

SUMMARY

The PY94-95 Local Plan of Service was developed jointly by individuals representing the Employment Service, Division of Unemployment Insurance, and the Private Industry Council. The plan covers all JTPA titles and subtitles.

SUBSTANTIAL SEGMENTS

The PIC will make efforts to enroll individuals from the following targeted groups in the same or greater proportion as they occur in the eligible population:

Dropouts	24.5%
Handicapped	4.6%
Older Workers	6.3%
Minority Youth	7.3%
Welfare Recipients	20.9%
Single Head of Household	7.1%
Ex-offenders	.07%

HARD-to-SERVE

In addition to being economically disadvantaged, at least 65% of Title IIA Adults and Title IIC Youth served by the PIC will have additional barriers to employment. The PIC, through the Request for Proposal process, has increased the DOL benchmark to 75% for agencies applying for PIC resources.

The PIC has chosen the following categories as additional barriers that will count towards the multiple barrier requirement:

IIA Adult - Single heads of households who are basic and/or occupational skills deficient.

IIC Youth - An individual who is a member of a family receiving AFDC and who is basic and/or occupational skills deficient.

NON-TRADITIONAL EMPLOYMENT FOR WOMEN

As part of a targeted marketing effort, the PIC will use a video jointly developed by the PIC, local education agencies, labor unions and other community based organizations to target females who may be interested in training for area trades.

Also the PIC will utilize community involvement (parents, teachers, counselors, and employers) to improve access to and success in non-traditional employment opportunities for females. The PIC, for Program Year 1994, has set a minimum of 9% as the goal established for women placed in non-traditional occupations.

ASSESSMENT

As part of the objective assessment process, the PIC will perform an examination of the capabilities, needs and vocational potential of the participant that will be used to develop a service strategy and employment goal. The assessment will be client-centered and a diagnostic evaluation of the participant's employment barriers will be conducted to insure that the following are assessed objectively:

- ... Academic skills
- ... Vocational skills
- ... Life management skills
- ... Job seeking skills
- ... Work maturity skills
- ... Applicant's access to job leads/openings
- ... Physical health
- ... Relationships with family and friends
- ... Basic life resources (food, clothing, shelter, child care and transportation)
- ... Potential sources of legal and social discrimination
- ... Vocational interests
- ... Vocational aptitudes
- ... Substance abuse

The Private Industry Council will utilize the most appropriate means to measure the skills, abilities, attitudes, and interests of the participants. These assessment mechanisms may include interviewing participants individually and use of such instruments as vocational testing, interest inventories, math and reading proficiency testing, and occupational skill proficiency testing.

DEVELOPMENTAL ACTIVITIES

All training activities from the list below will be offered. They will be provided through group workshops and are designed using non-traditional teaching methods which complement identified customer learning styles.

- .Job Coping
- .Job Keeping
- .Job Getting
- .Life Skills
- .Education-to-Work Transition
- .Vocational Exploration
- .Quality Training Contracts (QTC)
- .Individual Training Contracts (ITC)

REGIONAL RAPID RESPONSE

In PY93, the Department of Workforce Development regionalized their rapid response efforts in working with businesses facing downsizings and closings. Four regional coordinators were hired to provide state level rapid response to businesses dislocating 50 or more workers. Prior to the reorganization, local rapid response specialists were the primary agents responsible for assisting all affected employers.

SUPPORTIVE SERVICES

JTPA funds are used, as needed, for:

- ...Transportation to and from training
- ...Child care while in training
- ...Tools and uniforms needed for training and employment
- ...Removal of barriers to employment when other sources of assistance are not available.

FUNDING SOURCES

JTPA IIA Adult	\$704,514
JTPA IIC Youth	488,569
JTPA IIA Older Worker	46,124
JTPA IIB	780,042
JTPA III	425,025
Wagner-Peyser 7(a)	
IMPACT-FS	
IMPACT-JOBS	
8% Education	

SERVICE TRENDS

It is expected that in Program Year 1994, service to Title IIA Adults, IIC Youth and Older Workers will remain at the same level as in PY93. Title III Dislocated Worker programs will continue to expand based on a significant increase in funding.

IMPACT resources and 8% Education funding will not be allocated on a formula basis to Service Delivery Areas in PY94. Local Private Industry Councils and other human service agencies will compete in a competitive bidding process in order to secure resources for the local area.

PLANNED NUMBER TO BE SERVED *

IIA Adult	275
IIC Youth	150
Older Workers	25
Dislocated Workers	500

* Includes individuals carried into the new program year.



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

May 9, 1994

Ms. Melanie Schlegelmilch
AIC, Inc.
101 W. Ohio Street, Suite 710
Indianapolis, IN 46204-1906

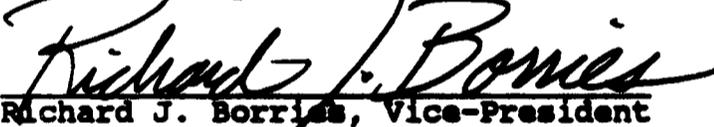
Dear Melanie,

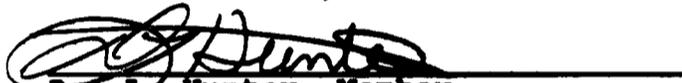
Please accept this letter as our official form of endorsement to host the Association of Indiana Counties 1995 Annual Conference in Evansville, Indiana.

We are excited to know that we are being considered to host such a wonderful event and look forward to hearing from you regarding such.

Sincerely,


Patrick Tuley, President


Richard J. Borries, Vice-President


Don L. Hunter, Member

May 11, 1994

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 14100

FUND GENERAL FUND

\$1,000.00

I HEREBY CERTIFY THAT: CITIZENS BANK

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$1,000.00 DOLLARS

ON ACCOUNT OF REPLACEMENT CHECK FOR CHECK
NO. 85978

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

Citizens National Bank of Evansville, Indiana

CitizensBank

COLLECTION DEPARTMENT

Remitter REPLACE CR#85978

MAY 2 19 94

73674

714/863

PAY TO THE BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY
ORDER OF \$ 1,000.00

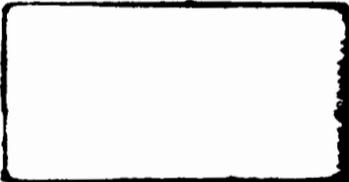
DOLLARS

Sam Humphrey

AUTHORIZED SIGNATURE

Cashier's Check

#073674# #08630004# #102701113#



DESCRIBED BY STATE BOARD OF ACCOUNTS

REVISED COUNTY FORMS NO. 20 - 1947
NO. 21 - 1947

DIRECT PLEASE NOTIFY

09, 1994

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

BOARD OF COMMISSIONERS
AMOUNT PAID REMARKS

200.00 RENT JOB #511

EVANSVILLE, INDIANA

NO. 14044

FUND CO/REV

\$200.00

HEREBY CERTIFY THAT: KOESTER CONTRACTING

AS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
THE SUM OF \$200.00 DOLLARS

ACCOUNT OF GREEN RIVER RD RENT

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

200.00

BOACOM 42211

KOESTER

CONTRACTING CO

14849 HIGHWAY 41 NORTH EVANSVILLE, INDI



71-1
863

DATE CHECK NO.
05/05/94 042211

42211

CHECK AMOUNT
*****200.00

PAY TWO HUNDRED AND NO/100

TO THE ORDER OF BOARD OF COMMISSIONERS
305 ADMINISTRATION B
CIVIC CENTER COMPLEX
EVANSVILLE, IN 47708

*Mark,
Please bring
up under
your receipt.
Thanks
Bj*

D Robert Brown

NOT VALID WITHOUT TWO SIGNATURES OVER \$50,000

⑈042211⑈ ⑆0

May 05, 1994

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 13994

FUND CO REV

\$40,745.98

I HEREBY CERTIFY THAT: TCI GREAT LAKES INC

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$40,745.98 DOLLARS

IN ACCOUNT OF FRANCHISE FEE FOR 1994

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

18

3

Deerfield, Illinois 60015 • (708) 480-9292
CASH WITHIN 60 DAYS

Check #287765 from TCI Great Lakes, Inc.,
the amount of \$40,745.98. This check is
franchise fee from TCI of Evansville to

the financial report of gross receipts

find this information complete and
satisfactory. Should you desire further information
feel free to call upon me directly.

INVOICE NO.	DATE	VENDOR NO.	CHECK NO.	AMOUNT
		21644	287765	

Encs.

1300 North Flynn Ave
P.O. Box 4658
Evansville, IN 47701-4658
910-480-1167
FAX 910-480-1141

A. Earl Nelson

arrant No. _____

Claim No. _____

Date _____

CCC of Evansville, Inc.

Vendor No. 3052

\$ 34,492.57

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Volkman Rd. Br. #2311

Account No. 203-4343

Allowed _____ 19____

In the sum of \$ _____

V. D. [Signature]
Richard J. Barnes
[Signature]

Board of Commissioners

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

Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>74001H</u>	<u>-</u>	<u>5/9/94</u>	<u>203-4343</u>	<u>34,492.57</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 34,492.57

**MINUTES
COUNTY COMMISSIONERS MEETING
MAY 16, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:40 p.m.	1
Introduction & Pledge of Allegiance	1
Approval of Minutes	1
Authorization to Open Bids re Culvert Replacements on Old Petersburg Rd. (Project VC-94-04-01)	1
Vanderburgh Auditorium/Sandra Toten	1
Request to Go On Council Call (3 items)	
Weights & Measures/Loretta Townsend & Lynn Ellis	3
L. Ellis to obtain four quotes on vehicle and submit to the Commissioners on 5/23/94; L. Townsend authorized to go on Council Call; Board declared vehicle an emergency funding to come from CCD Fund	
Lake Side Manor II Residential Development/Bill Spurling	5
County Attorney/Alan M. Kissinger	9
Recap of Bids/Culvert Replacements on Old Petersburg Rd. (J. Stoll to take under advisement and make a recommendation on 5/23/94)	
Request for Settlement Authorization/Hawkins vs. Vanderburgh County (\$500).....Approved	
Superintendent of County Buildings/Mark Abell	10
Surplus Property Laborers International Union (Request for Surplus Parcels) Sheriff's Dept./T-1 Communications Line	
County Highway/Bill Morphey	11
Weekly Progress Report 1994 Paving List Equipment Needs	
County Engineer/John Stoll	13
Waterworks Road Update Change Order/Green River Rd. Request to go on Council Call Covington Heights Subdivision/50% Waiver of Sidewalks Fulton Avenue Project/Request for Progress Reports from the City	
Consent Agenda	14
Election Office/Employment Status Form	
Scheduled Meetings	14
Request for Executive Sessions on June 6, 20 and 27 for Purposes of Discussing Possible & Pending Litigation & Personnel Matters	
Old Business (None)	15
New Business (None)	15
Meeting Recessed @ 6:45 p.m. (Board to Reconvene @ 7:00 p.m. for purposes of hearing Rezoning Petitions	15

(Note: Minutes pertaining to Rezoning Petitions to
be submitted for approval as a separate addendum)

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 16, 1994

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, May 16, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

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

RE: APPROVAL OF MINUTES

President Tuley said the Commissioners have had an opportunity to review the lengthy minutes of May 9, 1994. He asked if there are any comments. If not, he would entertain a motion for approval.

Motion made by Commissioner Borries to approve the minutes as engrossed by the County Auditor, with a second from Commissioner Hunter. So ordered.

RE: AUTHORIZATION TO OPEN BIDS RE CULVERT REPLACEMENTS ON OLD PETERSBURG RD. (VC-94-04-01)

Commissioner Tuley entertained a motion to authorize the County Attorney to open the bids on the subject project.

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

RE: VANDERBURGH AUDITORIUM - SANDRA TOTEN

Ms. Sandra Toten was recognized and stated she has two items to be covered for Council Call, but she would like to add one tonight, if possible; a request for overtime money. If the Commissioners have questions concerning anything she's given them on the Swanson-Nunn bills or the Tiffin Scenic Studio report, she would be glad to answer same.

Motion to approve made by Commissioner Borries, with a second by Commissioner Hunter. Mr. Tuley asked, "I want to make sure -- are you talking about all three (3) requests?"

Ms. Toten said, "Yes."

Mr. Tuley said, "I know you are. But I want to make sure they are."

Ms. Toten said, "Just to make the Commissioners aware, I added union overtime as a necessity. We spent \$26,000 last year. We asked for \$25,000 in that area for 1994 and they gave us \$10,000. I now have plus or minus forty-nine cents, depending upon which ledger you look at. Eighty overtime events in the Auditorium since January 1. I consider an overtime event anything after 4:00 p.m. Monday through Friday, with a total of 850 overtime hours since January 1 of this year. That pretty well depleted the \$10,000. I don't see any way of getting around it -- other than to stop having events, I guess, to pay the overtime, which generates

income."

Mr. Tuley asked, "How much money are you asking for -- for overtime?"

Ms. Toten said, "If we can get another \$10,000 -- hopefully, the summer is going to be a little slow. The guys have indicated that they will work some comp time, which they always have. But we'll see if that \$10,000 will run us through the mid third quarter -- if we can do that. But we are booking -- gotta keep the lights on."

Commissioner Borries asked, "Did the change in the contract, Sandy, provide us with a way to look at supplementing some events with some part time help?"

Ms. Toten replied, "From what I understand from the union -- and I ran ads in the newspaper for part time people and made a lot of calls to universities, etc. -- I had two (2) applicants, who preferred no weekends or evenings -- and they wanted \$6.00 per hour. The way the union has explained it to me -- and maybe Alan can clarify this -- part timers can only be used if union people cannot work. You can't have one supervisor -- like the lead man -- and I got three other guys and they are qualified to work and I bring a part timer in at a lesser wage -- a non-union person -- that is knocking a union person out of work. I can't do it."

Attorney Kissinger commented, "Basically, that is accurate. We have a specific agreement. The exception to that is seasonal employees at Burdette Park. But, yes, what they say is correct."

Ms. Toten continued, "So the bottom line is, the part timers' concept, according to the union, will not be feasible -- unless all my union people are sick or on vacation or cannot come to work except for one."

Attorney Kissinger commented, "They may even have gone further than that in that they indicated perhaps some of the employees at the County Garage who are union employees might have to be checked with first. That was merely a discussion."

Ms. Toten noted, "Well, they wouldn't come over and work for minimum wage."

Attorney Kissinger said, "No."

Ms. Toten continued, "That is all I can pay, you know."

Commissioner Tuley asked, "How much money did you have for overtime at the start of the year?"

Ms. Toten responded, "\$10,000 is what we received."

Mr. Tuley asked, "And you spent \$27,000 last year?"

Ms. Toten replied, "In 1993, we spent \$26,469 plus some change. We requested \$25,000 and received \$10,000 for the whole year."

Mr. Tuley said he thought he remembered that we spent \$26,000 or \$27,000. He then entertained further comments.

Ms. Mayo said, "I just want to make note that, according to our records, it is in the red -- not by a great deal of money -- but it is in the red. I'm sure we're going to continue to get payrolls that have overtime on them in the meantime. But if they do work it, we do have to pay it -- so I do want you to be aware that if Council doesn't fund this appropriation, these people are still going to be getting paid overtime and the County is going to continue to go in the red."

Commissioner Borries commented, "Magic. Magic."

Ms. Toten said, "And I believe I have to report that overtime. We'll have a garage sale."

Commissioner Tuley said, "Good luck."

RE: WEIGHTS & MEASURES - LORETTA TOWNSEND

President Tuley noted the next item for consideration concerns Weights & Measures.

Mrs. Townsend said, "I put in front of you a few minutes ago what I had gone to the County Council asking for before -- the purchase of a heavy duty truck, the reason being -- and documentation backing me up -- the danger of the fumes and that type of thing. That is our main concern. The secondary concern is the amount of weights -- and I think we've gone through this before -- necessary to do this job. The van just won't handle them."

Commissioner Tuley said, "I don't think there was any question -- at least from our standpoint -- about the validity of the need. Last week, I think it was just to get it on the State purchase bid to save us some money."

Mrs. Townsend said, "I think Lynn has talked to them about that."

Ms. Ellis stated, "The State contract expired at the beginning of April. They have an estimated usage of each item that is on the State contract as far as vehicles are concerned and once they meet that magic number they no longer honor that agreement. So, really, in order to take advantage of the State contract as far as vehicles go, you need to get your order in during January."

Mr. Tuley asked, "Loretta, this \$22,500 -- ?"

Mrs. Townsend said, "What the \$22,500 is, Pat, is -- and like I said last week -- it's not a set price, although it is fairly close. I went to three places -- Kenny Kent, Cooke, Dodge (does not make one) and GMC (Bob Wright -- because that is what we have now). The lowest bid was something like \$18,000 or \$19,000. The reason I requested the additional money was because of the camper shell that must be put on it -- the lining, the modification to this vehicle."

Mr. Tuley said, "I guess what I am getting at is -- this is your best guess as to an estimate of one hundred percent of the price -- not 55% -- or the County's share of the cost."

Mrs. Townsend said, "That is right - one hundred percent of the price. And it could very well not be that."

Commissioner Borries asked, "So, Lynn, you're going to get quotes from four (4) vendors and they would be due next week. Is that correct?"

Ms. Ellis replied, "That is correct. We'll treat this as an emergency -- as was declared last week -- and do an informal quote from the four (4) vendors from whom quotes were originally obtained for budgeting purposes and those bids will opened and awarded next week."

Commissioner Borries noted, "As I say, I think the emergency was declared last week and our minutes can verify that. Therefore, I would move that Ms. Ellis proceed with the emergency quotes and that they be presented at the Commission Meeting on May 23rd."

Seconded by Commissioner Hunter. So ordered.

Mrs. Townsend asked, "Do I need to go back through the County Council on this one, too?"

Commissioner Tuley asked Attorney Kissinger that since this is an emergency, does Mrs.

Townsend still have to go back to Council?"

Attorney Kissinger responded, "It is an emergency appropriation but, yes, it does have to be approved by the Council."

Secretary Matthews interrupted, "Commissioner Tuley, I don't believe the Board declared the truck and camper shell an emergency situation. I know you did with regard to the prover. I'm checking the minutes to verify this if you'd like for me to continue checking."

President Tuley said, "I believe you're right."

Commissioner Borries said, "I thought Mrs. Jarrel was here last week and asked for some clarification on this. I thought we had."

Ms. Matthews said, "We did -- on the prover."

Mrs. Townsend said, "We did, Rick, on the prover. The vehicle came up after the discussion on the prover."

Commissioner Hunter said, "The prover we did - but I bet not on the vehicle."

Ms. Matthews directed Mr. Tuley's attention to the proper reference in the minutes (Page 7) and it was determined that the Board did declare an emergency with regard to the prover, but not the vehicle.

Attorney Kissinger commented, "It would be appropriate then tonight to indicate that you do find it to be an emergency. It is my understanding, Mrs. Townsend, that because of the safety aspect of the fumes you may even get a citation because of the fumes."

Mrs. Townsend said, "Yes, that is correct. We've already had the Fire Department and the Health Department over there. So it is our own local people."

Attorney Kissinger said, "And without that vehicle you cannot continue to ..."

Mrs. Townsend said, "We're all going to be boarded up into one truck is what it is going to amount to."

Attorney Kissinger continued, "You will be unable to complete your statutory duties, then."

Mrs. Townsend said, "We'll never make it."

Commissioner Borries noted in referring to the minutes he did find the Board declared an emergency with regard to the Union Township matter, where Mrs. Jarrel spoke about that.

Commissioner Hunter stated the minutes show the Board declared the prover for Weights & Measures an emergency and asked the County Council to appropriate monies from the CCD Fund in the amount of \$7,747.

Mrs. Townsend said that has been set up to go before Council on May 25th and June 1st. But she has done nothing on the vehicle and camper shell, because she hadn't gone through the Commissioners yet.

Commissioner Borries moved this matter be declared an emergency and that CCD funds be used in this purchase, subject to Council approval.

Seconded by Commissioner Hunter.

President Tuley entertained discussion.

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Mrs. Townsend asked, "Well then, do I need to get on the same County Council agenda, or not?"

Mark Abell said, "I think yesterday was the cut-off day for that."

Mrs. Townsend asked, "So then I go again -- at a later date?"

Mr Borries said, "Oh, I think it ought to be added..."

Mrs. Mayo stated, "I think maybe it can be added -- unless the ad has been put in the newspaper."

Mrs. Townsend asked, "All right, it would all be at the same time -- on the 24th and then June 1st? I appreciate that."

Ms. Mayo nodded affirmatively and Commissioner Borries said, "And it will save us on advertising, too."

Mrs. Townsend said, "Okay. Thank you."

Mr. Tuley so ordered.

RE: LAKE SIDE MANOR II RESIDENTIAL DEVELOPMENT/BILL SPURLING

Mr. Jim Morley was recognized, introduced himself and stated, "Bill handed me a copy of the letter that was written the other day by Rose Zigenfus of EUTS and we met last Wednesday with EUTS. To refresh your memory as to where we are, I'll pass this photograph along. What the issue is, of course, is whether Cullen Avenue should extend straight north across the property I've marked in yellow (Goldman, an absentee landowner, who holds that property that is farmed); north of this property is the Hirsch property, and then the Kay Lant property -- and then you hit Lynch Rd. I understand the Lant property is in litigation. Is that correct? That is one of the litigation parcels?"

Attorney Kissinger responded affirmatively.

Mr. Morley continued, "I have no knowledge as to whether or not that litigation involves the location of the access point or the number of access points -- or whether it is jut money."

Attorney Kissinger said, "It's just money."

Mr. Morley continued, "Knowing that it is in litigation -- it probably makes it somewhat difficult to bring, you know, in Rose's letter she suggests that we ought to wait and talk to the adjoining landowners. There are only four (4) landowners involved here, as you can see. That is Lant, the Hirsches, Mr. Spurling and the Mrs. Goldman or whatever that name is immediately to the south. Those are the four landowners that are involved in this property. Although my plans originally prepared for this did not show Cullen coming through at all, Bill is willing to set aside and let it run around the end of the property as shown on that photograph. So that is where we are today on this. As we left the meeting we weren't sure what was expected to be accomplished by meeting -- we don't know who the other landowner is she suggested -- or what was actually going to be accomplished by doing so. Our thoughts are that if we do this -- set aside the property that gives the option of making the connection, at the Wednesday meeting with EUTS Rose did say that as far as the computer model shows, that the computer model would show the same unloading or traffic movement whether or not it moves through the middle of Bill's project or whether it moves around the east end. That the computer model would show a link and that the results would be the same in so far as how the computer model treated this ability to unload traffic. So Bill -- perhaps he'd like to say something now -- is anxious to move forward with something. We're on hold. Thank you."

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Mr. Tuley said, "Bill, the only question I've gotten -- the way this reads -- and I think you said this last week, this is just for the record. I talked to Alan about it and he said there is no way we can require you to do this. But for the record, you have stated, I think, that you would be willing to give up the necessary right-of-way around the eastern end of your property should Cullen ever be extended. Is that right?"

Mr. Spurling responded, "That is correct. I'd agree to that."

Mr. Tuley continued, "We can't require you to do that -- but you, voluntarily -- on your own -- agreed to do that."

Mr. Spurling said that is right.

Attorney Kissinger asked, "Mr. Morley, is that what you anticipated when the commitment was to be made for the future? Or that..."

Mr. Morley replied, "Yes. And I don't know if there's -- what I would do now at this point in time is to re-design the site plan; move all the buildings over and finish the site plan and bring the site plan to the Site Review Committee (which meets every Monday) and show them that site. They will have that down as a commitment. Then, I guess, Bill was concerned about would he dedicate right-of-way in the middle at this point in time in case you did not do it? Or, would he leave it as something he owned, with a commitment to dedicate in the event that it came through in the future? The question is, does it come off the tax rolls or does it stay on the tax rolls?"

Attorney Kissinger said, "Obviously, if he dedicates the right-of-way at this point, it comes off the tax rolls. The only concern that we may have is the possibility that some time in the future Mr. Spurling might not be the owner of this real estate."

Mr. Morley asked, "Is there a way to -- I gather -- we really don't want to transfer the property right now. But, on the other hand, you don't want to lose the commitment."

Attorney Kissinger said, "That's exactly right."

Mr. Morley asked, "What can we do?"

Attorney Kissinger replied, "We can't. We either have to have "A" or "B" -- but in this case we can't have all of them -- or both of them. And, as I said, my concern is -- I don't know what Mr. Spurling's intentions are at the present time. However, he can't plan for next month or next year; anything could happen. And my concern from a legal standpoint is if that right-of-way -- if it is not dedicated right-of-way now or in the very near future, then anything could happen and perhaps we would have a problem as far as extending Cullen in the future was concerned. Now, all that is said with the understanding that if you say, "No, I don't want to do it that way -- I would not advise the Commissioners to deny your petition because of that."

Mr. Morley said, "I don't know."

In response to query, Mr. Morley said they would still drain across it.

Attorney Kissinger commented, "Just no permanent structures or other improvements."

Mr. Morley said, "But you could mow it and there could be, you know"

Attorney Kissinger said, "Quite frankly, for future purposes, that is what I would recommend. That is what I would suggest you consider -- although we can't compel you to do that."

Mr. Morley asked, "Do the dedication of right-of-way?"

Attorney Kissinger said, "Yes."

Mr. Morley continued, "And then we would continue to essentially plant it or whatever -- let it grow up -- and...."

Attorney Kissinger interjected, "Yes, with no permanent structures or permanent improvements be made on it. If you need to drain across it -- you know, water is going to drain its natural way -- and things such as that. It's just because all of us can make these agreements in good faith. Some new owner in the future may come in and say, 'no' -- and there seems to be some very real concern with the various agencies that are involved in this that at some time in the future if they choose to extend Cullen that they have the ability to do so with right-of-way. Because it is not inconceivable at some point that they could come in and say we now want to extend Cullen and you could literally say, 'I know I agreed to that earlier, but I am not legally bound by that and I'm not going to do that.' I'm not saying you would do that. A future owner could do that. And if what we hope to accomplish is that we have that land available for future use if necessary, then that is the only way I know of to do it. Mr. Morley, if you know of another way to do it, I'm open to suggestion."

Mr. Morley said, "I was just about to suggest to Bill that it might -- because it will be reassessed after developed -- and later on -- you know, someone later on could petition -- if a decision is made that Cullen is never going to happen, they could come back and petition for abandonment. But it might be..."

Attorney Kissinger interrupted, "I think that would be totally appropriate."

Mr. Morley continued, "But it might be the best thing almost to dedicate the right-of-way, because that would take it off your taxes and you would still be there. I mean, you could still use it and it might be a tax benefit. We could probably create a vehicle of covenant that would run with the land that would agree to sell that for \$1.00 or \$10.00 and let that covenant run with the deed with the land for the next twenty-five years. And we could create it in that kind of document. But all during that point in time that you did that, you would be paying taxes on it and then the moment they wanted it for \$1.00 they could have it. In other words, there's not much difference between dedicating it and not dedicating it. The only difference here is the tax implications."

Attorney Kissinger asked, "Am I correct, Mr. Morley, that you are going to do some re-design work through a procedure here, so you will be coming back before us at some point?"

Mr. Morley responded, "Yes. Well, before the Site Review Committee. We could, of course, return and show it to the Commissioners before. That's no problem."

Attorney Kissinger, "All we've done is open that topic for discussion and at some future date the final decision can be made."

Mr. Morley asked, "We could create a vehicle either way, couldn't we? We could create that covenant to dedicate it at a point in the future and let it run with the land?"

Attorney Kissinger responded affirmatively.

Mr. Morley said, "Whichever way -- why don't we let Bill think about that and talk it over with his attorney, tax advisor or bank -- determine which way would be most beneficial to him -- then we'll create the document that he comes up with and set it aside."

Commissioner Hunter asked, "I think John Stoll brought this up last week. In the EUTS plan of 1978 or whatever it was -- obviously, it was expected that Cullen would be extended to Lynch Rd. and provisions were made for a curb cut. Now, are we sure there is no problem with us moving the curb cut east?"

Mr. Morley said, "Maybe John could address -- the property owner is the same -- that is the Kay Lant parcel, which they are under litigation."

Commissioner Hunter said, "There was something brought up last week about a plan having been submitted to the State and their approval is based on a curb cut at a certain point."

Mr. Morley said, "I can't answer that very well -- maybe John could."

Mr. Stoll said, "I talked to Rick Bennett over at Bernardin-Lochmueller, who is in charge of their right-of-way acquisition. He told me it would be just a matter of re-writing the legal description, closing up the existing break in limited access right-of-way and relocating it farther to the east if the property owner was agreeable to that. So that is basically all he told me."

Commissioner Hunter asked, "If the property owner -- referring to Lant here -- was agreeable to moving the curb cut from Point "A" to Point "B"?"

Mr. Stoll responded, "Right."

Mr. Hunter asked, "So we're still not sure of that?"

Mr. Borries stated, "I'm not sure we even have a commitment for a curb cut period."

Mr. Hunter said, "Well, I was just a little confused."

Mr. Morley said, "The first set of plans out of their office didn't have any curb cut and I had gone back to Rose and said, "Rose, remember, you had a discussion you wanted one and it's left off the plans."

Commissioner Borries said, "I can't recall that we'd ever discussed a curb cut in the planning of Lynch Rd."

Mr. Morley said, "I think the only planning was this 1987 or 1988 discussion, which Bill brought out at the EUTS meeting -- which, you know, was two years after he had bought the property and had it rezoned. I mean, he was running on this before the 1987 concept that just maybe we might want Cullen to go through."

Commissioner Borries said, "Well, that was a question I was going to ask Bill. From what I can recall, again, not having the volumes of minutes here where we can instantly go back through all of this -- originally, Bill, didn't you rezone the whole thing for some type of commercial development -- that is what you envisioned?"

Mr. Spurling responded, "Yes."

Mr. Borries continued, "And then you developed the concept of providing the residential for the senior citizens, which has been a big success. So that really has changed that whole plan. And I guess my point is -- to me, it seems like a bad plan when you're trying to hang onto some kind of an outdated road concept that is going to go right through a residential area where you have senior citizens. That is bad planning. People go out there because they would want some peace and quiet or some serenity and some kind of a plan. At this point, Bill, in effect, I think you kind of down zoned is what you ended up doing -- because I think originally it was a C-4 -- so the whole concept was based on a C-4."

Mr. Spurling said that is correct.

Mr. Borries continued, "So it seems to me we get into these plans -- particularly with this agency -- I mean, it's come out on Mill Rd., for example, in another one. It comes out on Indiana Street. We seem to sometimes put the horse before the cart. Plans change. People change. I mean, I think as our role in government here we don't have a way of condemning all

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this property and buying all this. I think that this reflection seems to be much better, because it is now of a residential nature out there rather than commercial."

Mr. Morley said, "The primary issue that Bill brought before EUTS Wednesday is that is either or. He either can accommodate Cullen on the east side of the property, or he abandons his project. There is no way that he is about to let Cullen go through the center of an elderly housing development. You cannot do it. That is such bad planning to do that, that you just can't do it. It would be financial disaster. Therefore, if Cullen does go in a straight line, he has to abandon his project and hope for later commercial development in the area. He has to change. There isn't any other real feasible way to develop this."

Commissioner Borries said, "It is bad planning and, frankly, we've got more than enough commercial. I mean we're flat firing away at this commercial. But it is obvious I think, also, from the success of your development out there that we need housing for senior citizens. That is definitely fulfilling a need. And to put a road in the middle of a residential development is bad planning."

In response to query from Commissioner Borries as to the age of the senior tenants, Mr. Morley said it is age 55 and up.

Mr. Borries humorously said, "Some of us are tippy-toeing around. I have a few years yet -- but there might be one of us that is real close -- I'm not saying which one."

Commissioner Hunter said he could stay home and be insulted.

Commissioner Borries continued, "Mrs. Cunningham asked me to make a correction -- bad traffic planning, I'm supposed to say."

Mr. Spurling commented, "Either way, we will dedicate that right-of-way back there outright or we will have a covenant to run with the land so it can happen if -- and when -- Cullen would come through."

Mr. Tuley said, "Just for the record, I'd like to take that copy of Ms. Zigenfus' letter of May 16th and enter it into the record, even though she is not here. He then entertained a motion for approval.

Motion to approve made by Commissioner Hunter, with a second from Commissioner Borries. So ordered. (Copy of letter attached hereto as part of the formal minutes of this meeting.)

RE: COUNTY ATTORNEY - ALAN KISSINGER

Recap on Bids/VC-94-04-01/Culvert Replacements on Old Petersburg Rd.: Attorney Kissinger said the bids have been opened and are as follows:

1) Phoenix Construction Co.	\$76,164.68
2) Deig Bros. Lumber & Construction Co.	\$87,810.00
3) CCC of Evansville, Inc.	\$69,433.00

Commissioner Borries moved that the bids be taken by the County Engineer for one week for review, with a possible recommendation at the next meeting (May 23rd). Seconded by Commissioner Hunter. So ordered.

Request for Settlement/Hawkins vs. Vanderburgh Co.: Attorney Kissinger said he is requesting permission to settle this case. We have an offer to settle from Plaintiff's Attorney for the amount of \$500 that would be paid by the County to settle its portion of the lawsuit. He would recommend that the Commissioners give favorable consideration to approval of that settlement figure.

Motion that the settlement figure of \$500 be approved was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: SUPERINTENDENT OF COUNTY BLDGS. - MARK ABELL

Surplus Property: Mr. Abell said he has two things involving the surplus property. One is we've had a lot of weed cutting notices sent to us by the City -- a whole stack, as a matter of fact -- so he has made some arrangements with Community Corrections to remedy that situation. They are going to cut those properties for us -- not all in one day, probably, but as they can get to it. In response to query from Commissioner Tuley as to whether he has contacted the City so they don't send crews out to cut said weeds, Mr. Abell said he has called the City and told them. He doesn't know how well they received that. He told them we just don't have the money to go out and contract to get this done, because there are about 100 properties. But he did tell them we are going to get to work on it and asked them to please be patient. Therefore, if they go ahead -- they've given us that five day notice; now, if they go ahead and the five days lapses and they sent their contracted people out to cut the weeds, basically they will put a lien on the property, which, he doesn't know how far that would go. Certainly, we wouldn't pay it. But anyway we will get to it and he has told them to be patient.

Laborer's International Union of North America: Mr. Abell reported that he was contacted by Mr. Doyle Wheeler of the Laborers International Union. They have requested two (2) 25 ft. lots that are right next to each other (310-312 Taylor Avenue). They are a not-for-profit corporation and have submitted all necessary paperwork to prove that. They would like to take these two pieces of property. There is now presently a structure on the property that, frankly, needs to be razed. They would like to make the property into a parking lot for the union. With the Commissioners' permission, they would like to have some assurances from us that we intend to do what we are planning to do with Habitat and the others which, he guesses, is sell them for \$1.00 or whatever we plan to do. They would like to be included in that plan with this particular property. None of the other not-for-profit agencies have made that particular request. The Laborers Union would like to get some assurance from us that we plan to do that -- maybe a letter stating that we will do that -- and they will go ahead and start razing the property.

Commissioner Tuley quickly interrupted, "No, they won't."

Commissioner Borries said, "No."

Commissioner Tuley said, "We can give them assurances they will be treated like anybody else. As long as they follow the same guidelines and what have you we will give them the same consideration as all the other not-for-profit agencies. But that doesn't give them any right to go onto that property and do anything at this point in time."

Commissioner Borries interjected, "Because they don't have possession of it. And the only reason, as we've pointed out for the record before, that we have slowed up on this is to make sure that we are exactly correct -- that we have, in fact, title to the property."

Commissioner Tuley said, "Exactly. But let's cross all the t's and dot all the i's before anybody goes onto the property and does anything to it."

Mr. Abell said, "Well, that makes sense. In that case, I guess, we just need to include this request in with the others."

Mr. Tuley said, "Just send them a letter, Mark, and tell them at this point in time no one else has requested that particular property and as soon as we have all our paperwork in order and act on this, they will receive the same consideration as any of the other not-for-profit agencies."

Mr. Abell asked, "So they are not to make any improvements then up to the point where we conduct that hearing or whatever?"

Mr. Tuley responded, "That's right. Exactly right."

Mr. Abell said, "Okay. Understood. I may have given some bad information."

Mr. Tuley said, "If you did, get it corrected."

Mr. Abell said, "Oh, yeah."

Sheriff's Department/Phone Line: Mr. Abell noted the Sheriff's Department had made arrangements for a T-1 telephone line from the Sheriff's Command Post to this building, which is a necessary part of their communications. This was done when they built the Command Post. It was not put under any contractual arrangements, however; they just put it on a monthly billing. T-1's are very expensive and they are dedicated communications lines, basically. By contracting this over the same period that we have contracted our Centrex (which is 10 yrs) we can go from the present monthly rate of \$575.00 for the line down to \$415.00, which is a considerable savings -- by contracting it for a ten year period as opposed to doing this on a monthly basis. He recommends we do this. The Sheriff's Department has looked at it. Corporal Williams has brought this to his attention. It has been signed by the necessary Sheriff's Department personnel. With the Commissioners' permission, they would like to carry forth with that and include it into our Centrex net. This was planned initially when we made the Centrex change.

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

President Tuley asked if the agreement requires the Commissioners' signatures.

Mr. Abell said it is already signed by the Sheriff's Department.

Commissioner Borries said, "We'd better sign this -- or initial it -- because if it has to do with any kind of contractual change this Board needs to act on it."

Mr. Abell said, "Well, that was kind of my thinking."

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted the Weekly Progress Report for period of Friday, May 6, 1994 thru Thursday, May 12, 1994.....report received and filed.

Proposed Paving List: It was noted by Mr. Morphey that the back page is the Proposed Paving List for this year, which does include a couple of roads that the County Engineer's office is planning on doing, as far as contractual work.

Commissioner Borries said, "Good. It looks like this was done on one of your computers."

Mr. Morphey said, "Actually, I had that on both of my computers, but this came out of John Stoll's office. I had a little trouble with mine today -- I think it was the operator."

Commissioner Borries said, "Well, good. This would put us at about 28 miles that our County crews could do. Because of the financial conditions, I don't guess we have anything yet on contractual work."

Mr. Morphey said, "Actually, two of these roads which are large dollar figures are going to be contracted out. John is going to handle that."

Mr. Borries asked, "Waterworks Road?"

Mr. Morphew responded, "No, Sir. That's going to be a third one."

Mr. Hunter asked, "The Waterworks Rd. that you have on here -- is that it?"

Mr. Morphew replied, "Yes. We're going to pave Waterworks Rd. The two the Engineer's office is going to do is New Harmony Rd. and Koressell. New Harmony Rd. is 5-1/2 mi. long from S.R. 66 to the Posey County Line."

Mr. Borries asked, "Is this going to be our total of contractual plus what you're going to do?"

Mr. Morphew replied, "Yes, Sir. That is the contractual plus what we are going to do as far as paving. Some things we're looking into -- and as far as the Melody Hills area -- we don't have a true dollar figure on that, because there is some mill work that needs to be done. This is the pavement itself. That will also come out of the Engineer's office. As far as Other Contractual, I do not have any funds in Other Contractual. And Melody Hills is going to require quite a bit of work."

Mr. Borries noted, "We've already done quite a bit of work out there."

Mr. Morphew said, "Yes, Sir. My plan is to mill the asphalt out there, repair the concrete and also the drains and go back over it with an overlay -- and take care of the curb drains that are out there now that are causing the problems and re-route those -- so that we don't have this continuation of the road failure out there."

Mr. Tuley asked, "And we're going to repair those sections on County Line West?"

Mr. Morphew responded, "Yes, Sir. The only thing this list doesn't really include -- Campbell Rd., which we're going to construct a cul-de-sac at the very end of it -- the property is there now. We're not actually going to pave it this year; we're going to do some drainage work back there and also we will form it with rock."

Mr. Tuley asked if this is the road we had the tree cutting problem on.

Mr. Morphew said it is. We've got that all worked out now -- it's taken care of. They're also going to do some work at Burdette Park. They're going to construct an entrance-exit near the BMX track on the top of Nurrenbern Rd. It will require two or three days work and they're going to start on that this week. They will try to start paving next week.

President Tuley entertained further questions of Mr. Morphew. There were none.

Commissioner Borries said he thinks the road paving list is a good list. He's just concerned, as we all have been, about finances in terms of meeting the needs out there -- because with another hard winter, frankly, we're going to be faced with a decaying infrastructure that we've really worked hard to build up. In the past he thinks this county had made some strong commitment to really improve our whole road system and we have done that. We probably are a bit of the envy of many counties around the state in relation to having paved roads and quality paved roads. He just has some real concerns about that because he knows the needs are not going to go away here and we're going to have to watch this one real carefully. Again, he is not pointing fingers. He's just saying that in some tough financial times here this may not be all the needs we're going to have at some point here.

Mr. Morphew said, "A couple of things we did want to take care of was some major roads this year that were in bad need of repair. If we don't take care of them now, it's going to be far more expensive in the years to come -- Harmony Rd. being one of them and Koressell Rd. being another; Old Petersburg Rd. and Old Henderson Rd. We're looking at a lot of repair down on Old Henderson Rd. in areas. Some of the smaller roads -- they're all important; but the heavier traveled roads are the ones we're trying to concentrate on. I do have some concerns with the equipment. We've waited for two months for parts for our equipment. We have the distributor

which is 30 years old. I can't find parts for it anymore. When we order something for that particular piece of equipment it has to be a special order and you pay twice the amount for it -- because the parts have to be manufactured. The paver is 17 years old and we put a lot of money into it every year -- something I've been trying to talk with Mr. Curt Wortman (County Council) and others about is trying to update some of this equipment so we don't spend a lot of this money on repair unnecessarily."

Mr. Borries commented, "Well, I think that's certainly something we need to begin to plan ahead for if we can get this Cumulative Capital Fund headed in the right direction here and get those kinds of plans in place and look at some capital needs there. You're exactly right, in the long run we're going to have to do something rather than fighting those repair bills."

RE: COUNTY ENGINEER - JOHN STOLL

Waterworks Road Update: Mr. Stoll said that during the past week we've had the soil consultant out there and they have the soil samples. The surveyors have been out there and surveyed the area, so the contractor is now in the process of trying to set up the coffer dam system and once we get that, we can actually get down there to try to determine what caused the failure. We're still not totally sure. So this is where we stand now. They should start driving the piling on the coffer dam tomorrow.

Change Order/Green River Rd. (-\$5,155.86): Mr. Stoll said this was brought up last week and approved. However, INDOT wants the form signed in a particular way. He didn't realize that - and the Change Order needs to be signed by all three Commissioners.

Request to go on Council Call/Appropriation: Mr. Stoll said he has a request to go on Council call for a \$500,000 appropriation from Cumulative Bridge into our contractual account to cover Waterworks Rd. and the culvert replacements on Old Petersburg Rd., for which we opened the bids this evening.

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

Mr. Stoll said he talked with Cindy Mayo earlier. As a result of the COIT money not being put into Roads & Streets, we currently have a deficit of \$313,129 in the R&S account. Therefore, he also needs to go before Council to repeal money in our current line items totaling that amount. He figured the money would come from the Lynch Rd. line item and his contractual line item. It will affect some of the roads on the paving list, as well as potentially slow down the right-of-way acquisition on Lynch Rd. He figured it would be better to take the monies out of those two line items than to affect the County Garage's paving budget and things like that. He was planning on taking about \$150,000 out of each line item, which would give us \$350,000 in contractual and he is not sure what the balance in Lynch would be.

Motion to approve the request was made by Commissioner Borries, with a second from Commissioner Hunter. Commissioner Borries said Mr. Stoll doesn't have any choice. So ordered.

Covington Heights Subdivision: Mr. Stoll noted he has a letter from John Elpers concerning the Covington Heights Subdivision requesting a 50% sidewalk waiver. This is what was discussed at last week's meeting; only, according to his covenants, he will build 100% of the sidewalks in Covington Heights rather than the sidewalk waiver requested last week.

Mr. Hunter asked, "Then he is asking for a 50% waiver; to put in half the sidewalks now and when that half is in, he will transfer the current bond to the second half?"

Mr. Stoll said that is correct. He doesn't have any problem with it if the Commissioners don't.

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

Fulton Avenue Project/Request for Progress Reports: Commissioner Borries said that with the City beginning to look at additional construction now on phases on Fulton Avenue, he thinks it's very important that this Board be updated as to the status of the Fulton Avenue Bridge. He is wondering if we could begin to make some contact with the engineers on that to start some monthly progress reports.

Mr. Stoll asked, "Like some of the other consultants give us? Okay."

RE: CONSENT AGENDA

President Tuley entertained questions, comments, or a motion for approval concerning the Consent Agenda.

Election Office/Employment Status Forms: Commissioner Hunter said he notes there is \$300 on one page for the Election Board and he turns the page and sees \$400 for the Canvassing Board -- same people. He is asking for an explanation on this.

In response to query from President Tuley, Attorney Kissinger said he knows that members of the Election Board get paid separately for their services and then they actually work on election day and he thinks at that time they serve as members of the Canvassing Board and get paid separately for that, as well, and he believes that is perfectly appropriate. He believes it is a total of \$700. The distinction being they perform one set of duties as the Election Board and another set as the Canvassing Board.

Mr. Hunter asked, "The same people fill both slots, is that what it is?"

Attorney Kissinger commented, "That is correct - but not at the same time."

Mr. Tuley entertained further comments. There being none, he entertained a motion.

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

RE: SCHEDULED MEETINGS

It was noted by Commissioner Tuley that a list of scheduled meetings is attached to the meeting agenda. The Insurance Committee meets tomorrow at 9:00 a.m.; Pigeon Creek Committee meets on Thursday at 5:00 p.m.; there is an Executive Session at 4:00 p.m. next week; Commission Meeting at 5:30 p.m. and a Drainage Board Meeting following the Commission Meeting; and a Council Personnel & Finance Meeting on Wednesday, May 25th.

Request for Executive Sessions/June 1994: Motion was made by Commissioner Borries that the Commissioners schedule an Executive Session at 4:00 p.m. on Monday, June 6th, for purposes of discussing Possible & Pending Litigation and Personnel Matters.

Ms. Matthews asked if this is the only Executive Session the Board wishes to schedule at this time -- or do they also want to set meetings for June 20th and June 27th. This was echoed by Commissioner Hunter.

Mr. Borries said he would amend his motion to include Executive Sessions for the same purposes on June 20th and June 27th. Seconded by Commissioner Hunter. So ordered.

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

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RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

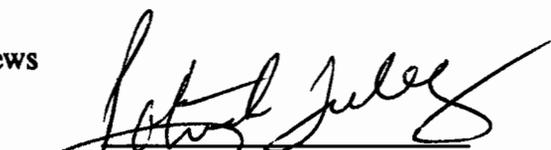
Commissioner Tuley then entertained matters of New Business to come before the Board. There were none.

President Tuley said Rezoning are set for 7:00 p.m. At 6:45 p.m., there being no further regular business to come before the Board, President Tuley declared the meeting recessed until 7:00 p.m. He stated that the Board will reconvene at that time to hear the rezoning petitions.

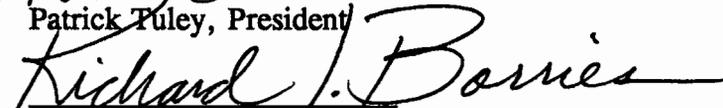
PRESENT:

Patrick Tuley
Richard J. Borries
Don L. Hunter
Cindy Mayo/Chief Deputy Auditor
Alan M. Kissinger/County Attorney
Mark Abell/Supt., County Bldgs.
Lynn Ellis/Purchasing Dept.
Loretta Townsend/Weights & Measures
John Stoll/County Engineer
Bill Morpew/Supt., County Highway
Sandra Toten/Vanderburgh Auditorium
Bill Spurling
James Q. Morley/Morley & Associates
Keith Poff/Sitecon
Roberta Heiman/Evll. Courier
Lisa Daugherty/Spurling Properties
Eric R. Williams/Deputy Sheriff
Hamilton Northcutt/WFIE-TV
Kyle Foster/Evansville Press
Steve Burger/WIKY
Dorothy Rheinhardt
R. m. Rheinhardt
Fred Wittman
Jim Farney/Bernardin-Lochmueller & Assoc.
Fred Barber
Others (Unidentified)

SECRETARY: Joanne A. Matthews



Patrick Tuley, President



Richard J. Borries, Vice President



Don Hunter, Member

(NOTE: Portion of Minutes pertaining to the lengthy discussion
re Rezoning Petitions will be submitted for approval as a separate addendum)



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

May 16, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Approval of Commissioner Minutes
 - B. Any group/individual wishing to address the commission
 - C. Bid Openings:
VC-94-04-01 Culvert Replacements on Old Petersburg Road
 - D. Sandra Toton/Auditorium
re: Council Call
 - E. Loretta Townsend/Weights & Measures, Lynn Ellis/Purchasing
re: Purchase of heavy duty 4-door crew cab truck and camper shell
 - F. Bill Spurling
re: Residential Development
5. **DEPARTMENT HEADS**

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

6. CONSENT ITEMS

A. Travel/Education

*Knight Township (3)
*State Requested

**EMA (2)
**to be paid by SEMA

B. ADA Qtrly report

E. Employment Changes
see attached lists

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

Rezonings at 7:00 p.m.

7800 E. Lloyd Expressway - Final Reading

8944 Big Cynthiana Road - Final Reading

COUNTY ENGINEER'S

CONSENT AGENDA

MAY 16 1994

1. CLAIMS:

CONTRACTUAL SERVICES 203-3930 Community Jobs Club (Inv. #8)	\$ 75.00
LYNCH ROAD EXTENSION 216-4827 Bernardin Lochmueller (#92-032-2(8))	\$12,801.22
GREEN RIVER ROAD NORTH 216-4910 United Consulting (Inv. #12)	\$ 3,250.00
U.S.I. & SR 62 430 BOND Blankenberger Brothers (Est. #17)	\$82,947.23

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department HEALTH-AIDS PREVENTION

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.6-1120	Sarah Stanton	5029 Crossview Terrace Evansville, IN 47715	AIDS DIS	11.468 / HR 23,851.00	4/20/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.6-1120	Sarah Stanton	5029 Crossview Terrace Evansville, IN 47715	AIDS DIS	10.998 / HR 22,862.00	4/20/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 5-12-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1460	Cynthia Wood	5747 Crossfield Dr. Evansville, IN 47726	Clinic Clerk	15,399.00	5/11/94 5/13/94 -PAID 3/2 WAGE DAY AFTER 5/1/94
		NOTE: PAID 68.50 hrs on 5/20/94 P.R.			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 5/12/94

Director

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
26201980	Darren J. Newman		Bailiff Night Court	Other pay 30 00	5/2/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701340	Kendra K. Martin		Bailiff	9.6913/HC 20.158 00	5/6/94 ✓
26201980	Kendra K. Martin		Bailiff MT Night Court	Other pay 30 00	5/2/94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY T. My 10 Dutcher DATE 5-13-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	MARY WILSON	EMP# 05547	PART-TIME CORRECTION OFFICER	7.00 HR	4-24-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	(STILL PD 5/20/94 PL) TANISHA SMITH	EMP# 05518	INTERN	5.00 HR	4-26-94 ✓
136.1-1990	MARY WILSON	EMP# 05547	PART-TIME CORRECTION OFFICER	5.00 HR	4-23-94 ✓
136.1-1990	MARVIN BRYANT (STILL PD 5/20/94 PL)	EMP# 05318	PART-TIME CORRECTION OFFICER	7.00 HR	4-26-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE May 12, '94
JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
118	HELENE HUNTER		DAY CAMP	5 50	4-27-93-94
118	KRISTINA LONDON		OFFICE ASST.	4 75	" " ✓
118	DANIEL TOWNSEND		GROUND CREW	4 25	" " ✓
118	ANDREA RAYMOND		GROUND CREW	4 25	" " ✓
118	ANDRA MUTH		GROUND CREW	4 25	" " ✓
118	JEREMY STEWART		GROUND CREW	4 25	" " ✓
118	JENNIFER MURMET		GROUND CREW	4 25	" " ✓
118	GABE WEISS		GROUND CREW	4 25	" " ✓
118	JAMIE STANLEY		GROUND CREW	4 25	" " ✓
118	MATT BAYNE		GROUND CREW	4 25	" "
118	TOM BIPPUS		GROUND CREW	4 25	" " ✓
118	TODD FEED		GROUND CREW	4 25	" " ✓
118	TAN BUI		GROUND CREW	4 25	" " ✓
118	BEAU SHUMATE		GROUND CREW	4 25	" " ✓
118	MELISSA MUNKSTERNAN		GROUND CREW	4 25	" " ✓
118	SHAWN HELMER		GROUND CREW	4 25	" " ✓
118	QUAN BUI		GROUND CREW	4 25	" " ✓
118	JULIANA MURPHY		GROUND CREW	6 00	" " ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Walter T. Taylor (S) DATE 5-13-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Election office

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101210	Betty Knight Smith		Election Board	400 00	5-11-94 ✓
"	WAYNE trackman		" "	400 00	5-11-94 ✓
"	Thomas MASSEY		" "	400 00	5-11-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Walter Mather DATE 5-11-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	VERDIA M. COURSEY	10911 ST. JOE AVE	PART TIME DEPUTY	PER HOUR 5.00	5-13-94 ✓
11101990	LISA R. MORGAN	5206 PLEASANT RIDGE	PART TIME DEPUTY	PER HOUR 5.00	5-13-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Walter Mather DATE 5-13-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1500	AMANDA LIGON	EMP# 04195	SECRETARY	7.3418 / HR 15,271.00 AN	5-8-94 ✓
136.1-1980	CAROL GRANNAN		INTERN	5.00 HR	4-25-94 ✓
136-1620	AMBER HAAS	EMP# 05486	LAW CLERK	9.5637 / HR 19,903. AN	5-8-94 ✓
136-1990	ROBERT A. HAYS II	EMP# 03269	INTERN	5.50 HR	4-24-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136D- 1160	AMANDA LIGON	EMP# 04195	SECRETARY	7.3418 / HR 15,271. AN	5-7-94 ✓
276-1990	STEPHEN F. ROTH	EMP# 05211	PART-TIME CORRECTION OFFICER	7.00 HR	4-18-94 ✓
136-1620	AMBER HAAS	EMP# 05486	LAW CLERK	9.254 / HR 18,981 AN	5-7-94 ✓
136-1990	ROBERT A. HAYS II	EMP# 03269	INTERN	5.25 HR	4-23-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature]
JUDGE, CIRCUIT COURT

DATE May 12, 94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Election Office

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11401210	Betty Knight Smith		CANVASSING BOARD	300.00	5-11-94 ✓
"	WAYNE TRACKMAN		"	300.00	5-11-94 ✓
"	THOMAS MASSEY		"	300.00	5-11-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 5-11-94

May 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1 121 / 244	2 122 / 243 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners	3 123 / 242 Primary Election Building Closed	4 124 / 241 3:30pm County Council	5 125 / 240	6 126 / 239 Pay Day	7 127 / 238
8 128 / 237 Mother's Day	9 129 / 236 4:30pm Solid Waste 5:30pm Commissioners	10 130 / 235	11 131 / 234	12 132 / 233	13 133 / 232	14 134 / 231
15 135 / 230	16 136 / 229 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Rezoning	17 137 / 228 9:00am Insurance Comm.	18 138 / 227	19 139 / 226 9:00am Steering Comm. 5:00pm Pigeon Creek	20 140 / 225 Pay Day	21 141 / 224 Armed Forces Day
22 142 / 223	23 143 / 222 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Bd.	24 144 / 221	25 145 / 220 3:30pm Personnel & Finance	26 146 / 219	27 147 / 218	28 148 / 217
29 149 / 216	30 150 / 215 Memorial Day (Observed) Building Closed	31 151 / 214 4:00pm Exec. Session 5:30pm County Commissioners				

April

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

VANDERBURGH COUNTY CLERK

ad

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1250	CATHY SELZER			7,1283/HK 16,075.00	5-9-94 ✓
1010-1540	REBECCA A MARTIN			7,7283/HK 16,075.00	5-9-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1250	CATHY SELZER			7,3730/HK 15,336.00	5-9-94 ✓
1010-1540	REBECCA A MARTIN			7,3720/HK 15,336.00	5-9-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Betty Knight Smith DATE 5-12-94





AGENDA REQUEST

NAME OF REQUESTOR: SANDRA TOTON

REQUESTOR TITLE: GENERAL MANAGER

DEPARTMENT: VANDERBURGH AUDITORIUM

REQUEST(S) BEING MADE:

CCD dollars to be used for the payments of Swanson-Nunn
bill \$1,258.12.

Consider using CCD dollars for repair work needed on stage rigging
per safety inspection from Tiffin Scenic Studio. (See letter dated
March 28, 1994 to Pat Tuley).

DATE TO BE PLACED ON AGENDA: April 16, 1994

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



AGENDA REQUEST

NAME OF REQUESTOR: Lynn W. Ellis

REQUESTOR TITLE: Buyer

DEPARTMENT: Purchasing

REQUEST(S) BEING MADE:

Approve the release of bids for the purchase of a one (1) ton
4-door crew cab truck to be used by the Weights and Measures
Department. The bid should be declared an emergency due to
the current circumstances surrounding the vehicles being used
at this time. We ask that invitations to quote be solicited
from four (4) vendors in the Evansville/Vanderburgh County
area to be due on May 23, 1994 at 5:30 p.m. Bids will be due
and awarded at the May 23, 1994 meeting.

DATE TO BE PLACED ON AGENDA: May 16, 1994

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

The
**GOLD
ROOM**
&
**Vanderburgh
AUDITORIUM**

TO: PAT TULEY, PRESIDENT
VANDERBURGH COUNTY COMMISSIONERS
FROM: SANDRA TONON, GENERAL MANAGER
DATE: MARCH 28, 1994
REF: TIFFIN SCENIC STUDIOS, INC. SAFETY INSPECTION

On February 9, 1994, Tiffin Scenic Studios, Inc., Tiffin, Ohio conducted a safety inspection of all stage rigging systems in the Auditorium area.

According to Tiffin, a complete safety inspection has not been conducted since installation. The inspection cost of \$1000.00 will be submitted for payment through account number 1440-4100 Light and Sound. The cost for Tiffin to make all needed repairs in order to bring the stage rigging up to standard is \$65,000.00. This amount will have to be appropriated as a capital improvement.

In my opinion, it is vital that the repairs be addressed and completed immediately before a major problem develops. It is also vital that proper safety inspections be conducted at least every two (2) to three (3) years. I have attached a copy of the full inspection results and letter of cost from Tiffin. Please review.

As a point of interest, on February 12th, during late hours the fire curtain line broke due to age and fell only to be stopped by EPO chairs and music stands. If this would have happened mid-morning, several orchestra members would have been setting in those chairs.

Please contact me with any questions you may have concerning the matter.



cc: Andy Davidson, Given & Spindler Management

SWANSON-NUNN

ELECTRIC COMPANY, INC.

FORM 1419

CALL SWANSON-NUNN

400 S. E. EIGHTH STREET • P.O. BOX 508
 EVANSVILLE, INDIANA 47703 • TELEPHONE (812) 464-3700
 CONSTRUCTION • ENGINEERING • WHOLESALE SUPPLIES • MOTOR REPAIR

=====

INVOICE

=====

VANDERBURGH AUDITORIUM AND
 ATTN: SANDY
 CONVENTION CENTER
 715 LOCUST ST
 EVANSVILLE

IN 47708

Page - 1
 Date - 4/06/94
 Account - 43887
 Invoice - 2962

Task Description	Date	Hours	Rate	Amount	T
INVOICE 22-7338-1 13/19					
.					
.					
MARCH 8, 1994					
FURNISH LABOR TO REPLACE (3)					
20 CONDUCTOR CABLES FOR STAGE					
LIGHTING.					
.					
.					
.					
LABOR					
JOURNEYMAN ST	03/31/94	24.00	38.42	922.08	
APPRENTICE ST	03/31/94	15.50	21.68	336.04	
Total For: VANDERBURGH AUDITORIUM AND				1,258.12	

Payment Terms: NET 30 DAYS

Van Ausdall & Farrar, Inc.
1214 North Meridian Street
Indianapolis, Indiana 46204
Phone (317) 634-2918
Fax (317) 636-1843



Citation Equipment • Computers • Copiers • Facsimile
Business Telephone Systems • Electronic Typewriters

May 11, 1994

Vanderburgh County Sheriffs Department
ATTN: Corporal Eric Williams
1 NW Martin Luther King Blvd.
Evansville, IN 47708

Dear Corporal Williams:

Following is the information we discussed regarding the Sheriffs Department T-1 monthly service charges.

The current monthly rate is \$ 575.00. The other optional rates are as follows:

60 months	\$ 545.00
84 months	\$ 465.00
120 months	\$ 415.00

Please review the above rates and let us know the options that may be of interest to the Sheriffs Department. The County did sign a 120 month agreement with Ameritech for the telephone service.

There would be no changes required for this agreement, it is simply a paperwork change.

Please review and call with any questions or concerns.

Thank you,

Kelly Culiver
Kelly Culiver

Lafayette, 47906
410 N. Earl Ave.
448-4586

Muncie, 47305
301 N. Madison
284-1778

South Bend, 46814
2825 S. Michigan
289-4006

Terre Haute, 47688
3075 S. Canal Rd.
829-1828

Columbus, 47201
888 Washington St.
679-0289

Evansville, 47711
2581 Georgetown Rd.
434-6738

Fort Wayne, 46826
1819 Magnolia Way
482-1547

REMINDER TO CUSTOMER

With your order for telephone service you have selected a payment option known as the "Variable Term Payment Plan" which is now available under the tariff on file with the Public Commission of Indiana. The rates and terms of this payment option are contained in the tariff. We want to provide you with this reminder of your rights and responsibilities under the tariff and suggest that you keep this for future reference. This by no means attempts to cover all of the terms of the tariff but is intended only as a reminder of some options that may be of future interest to you. It is important to remember that the rates and terms under the tariff can change from time to time and that the tariff controls the relationship between Indiana Bell and its customers irrespective of any other agreement of communication.

Term of Payment Period

The Variable Term Payment Plan includes alternative payment periods, with alternative rates for various types of equipment and service. You have selected one of the payment periods now available under the tariff. The rate applicable to your order is in part based upon the length of the payment period you have selected. The monthly rates that you will be billed vary inversely with the payment period you have selected i.e. the monthly rate for shorter periods normally is greater than that for longer periods.

Before expiration of the current payment period a customer may elect to replace the remaining balance of the period with another period then available under tariff, and termination charges will not apply so long as the replacement period is equal to or greater than the time remaining under the initial payment period. The new period begins with the date of the customer's election of a new payment period and the rates applicable to the full term of the replacement period will be fixed by the tariff in effect at the time of such election. During the life of any elected payment period the monthly rate is not subject to Telephone Company initiated change by application to the Public Service Commission.

Changes to this service, whether by addition, conversion or down-grade, may affect the payment period and rates you have selected. If at some later time you wish to consider changes to your system, the effect of those changes can be explained to you based upon the tariff provisions in effect at that time.

Delay, Cancellation and Termination

In the event of any delay of installation caused by the customer or cancellation of the order after costs have been incurred by the Telephone Company, those costs may become immediately payable, all as more specifically covered in the tariff. In the event that any item of service is terminated prior to expiration of the payment period elected by the customer, a termination charge will become due as provided in that tariff. A termination of service will occur when there is a move to a new location without an interruption of service or when equipment is removed, changed, downgraded, or substituted. The termination charge applicable to the service is dependent upon the payment period selected by the customer. It is figured as follows:

<u>Payment Option</u>	<u>Termination Charge</u>
1 Month	None
12 Months	9 Months of payments or 75% of remaining amount due, whichever is less.
36 Months	24 Months of payments or 75% of remaining amount due, whichever is less.
60 Months	36 Months of payments or 75% of remaining amount due, whichever is less.

Prepayment Option

The tariff permits customers to prepay all of the remaining monthly recurring rates that will become payable during the full period elected by the Customer. The Customer obtains no ownership interest in the equipment by virtue of any prepayment. Ownership remains with the Telephone Company. When the prepayment covers all future charges and the remaining period is six months or longer, a prepayment credit will be given to the Customer. The tariff presently provides that this credit will be an allowance of 00375 for each month of prepayment. This factor is multiplied by the total billings to be paid during the remaining life of the term and the product is then reflected as a credit. Prepayment credits are not allowed for less than all items of equipment covered by any one order (letter of election), including subsequent additions.

If a customer prepays the fixed monthly charges for the full term of the contract and then terminates that service, any applicable credit for unused prepayment amounts allowed under tariff will be credited to the customer net of applicable termination charges. When a customer who has prepaid later elects to change the length of term by replacing the remaining term with a new term of equal or greater length, the unused portion of the prepayment will be credited to the customer (net of termination charges, if any). At such time as any question arises on these subjects, you should request an explanation of the method of computation and the resulting dollar amounts.

Deferred Payment Option for Non-Recurring Charges

Qualified customers may be allowed to defer payment of certain non-recurring charges. The tariff presently permits a minimum of \$1,000 in non-recurring charges to be paid in monthly installments, which include interest. This deferred payment option must be requested before the applicable service provision date. The applicable rate of interest also must be fixed as of the service provision date. Continued availability of the deferred payment option is not guaranteed and, since the interest rate and availability are susceptible to change your order for service and your election of a payment period can in no way be contingent upon the future availability of the deferred payment option.

Customers who have elected the deferred payment option may pay the unpaid principal balance of deferred payments at any time.

**OPTINET BASE RATE
LETTER OF ELECTION
FOR**

VANDERBURGH Co. Sheriff's Dept.
(Customer's Business Name)

The undersigned customer hereby acknowledges its order for services and equipment shown on following page. Also shown are the non-recurring charges, the Variable Term Payment Plan period selected by the customer and the rates applicable to the payment period selected by the customer.

This letter is intended to serve as a written record of the undersigned customer's selection of the indicated rate option now available under the Variable Term Payment Plan Tariff. The customer should retain a copy for future reference.

It is understood that the Tariff in all respects controls the terms and conditions of the service. The payment option indicated will apply for the time period shown and will not be subject to any Telephone Company initiated rate change during that time period. Any additions or upgrades to the service will be co-terminous with the original circuit, unless otherwise specified by the customer.

It is understood that at the expiration of the time period selected (or sooner), the customer may elect to continue with any available pricing option for an additional term then available under the Tariff. If no additional or renewal payment option is selected, the service charges will, at the end of the present payment period, revert to the month-to-month rates in effect at that time pursuant to the Tariff.

In the event that any item of service is cancelled prior to installation, or installation is delayed by the customer, or service terminated prior to the expiration of the elected term of months, then the applicable cancellation, delay or termination charges will become due as provided in the Tariff.

Month-to-month charges not associated with the Variable Term Payment Plan are also listed on following page. These are services and equipment not under contract and subject to Telephone Company initiated rate change.

In addition, the customer will pay all applicable one-time charges for service establishment, installation and service order work.

Business Name VANDERBURGH Co. SHERIFF DEPT. Authorized Sales Representative Van Ausdall + Farrar
 Signed By X Stephen G. Woodall Salesperson's Name Kelly Culiver
 Printed X Stephen G. Woodall Date 5/16/94
 Title X Chief Deputy Date 5/16/94 IBT Contact Name Norm Davenport
 Bus. Address 1 N.W. M.L. KING JR. BLVD. OPTINET BASE RATE Billing Tel. No. (605) 6401790
 City EVANSVILLE IN, 47708 OPTINET BASE RATE Circuit No. 9DHAT5827.101

Defer Installation Charges
 Yes No Length _____

Patricia Juley (5/16/94)
Rick Barnes
[Signature]

DISTRIBUTION: ORIGINAL — IBT, Send to: Contract Retention, 240 N. Meridian, Rm 800
 YELLOW — Customer
 GREEN — Authorized Sales Rep/IBT Account Service Administrator

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, MAY 6, 1994 THRU THURSDAY, MAY 12, 1994

FRIDAY, MAY 6, 1994

Gradall and one crew worked on Old Henderson Road.
Grader and one crew graded and rocked roads in the Bottoms.
Two patch crews worked on work orders.
Grader, belt loader, broom and three crews pulled shoulders on
Old Boonville Hwy and Burkhardt Road.
Tiger Mower worked on Lenn Road, Pollack and River Road.
Weed crew cut and trimmed intersections.

MONDAY, MAY 9, 1994

Gradall and one crew replaced a driveway culvert at 6216 St. Joe
and worked at Oakgrove and Virginia.
Two patch crews worked on Orchard Road.
Grader, front loader, broom and five crews pulled shoulders on
Old Boonville Hwy and Burkhardt Road.
Gradall and one crew built shoulders on Old Henderson Road.

TUESDAY, MAY 10, 1994

Gradall and one crew replaced culvert at 2100 Woodland Hills.
Gradall and one crew repaired shoulders on Old Henderson Road.
Two patch crews patched Orchard and Bromm Road.
Grader, front loader, broom and five crews pulled shoulders on
Old Boonville Hwy.
Two crews rocked roads on Huebner Lane and in the Bottoms.
Ford mower worked on Baseline Road.

WEDNESDAY, MAY 11, 1994

Gradall and one crew replaced culvert on Woodland Hills Drive and
placed rip rap on Motz Road.
Gradall and one crew worked on Seminary and Old Henderson Road.
Two patch crews worked on work orders.
Two graders and four crews graded and rocked Seminary, Happe,
Long, King and Golden Rule Roads.
Tiger mower and one crew mowed St. Joe Ave, weed crew worked on
Mesker Park, Mill Road, Tekoppel and Broadway.
One crew rocked Hilltop and Outer Darmstadt, one worked on paver.

THURSDAY, MAY 12, 1994

Gradall and one crew cleaned ditch and placed rip rap on Motz Rd.
Gradall and one crew removed tree limbs on Mimosa and Bottoms.
Two patch crews worked Baseline and Mann Road.
Two graders and four crews graded and rocked Seminary, Happe,
Long, King and Golden Rule Roads.
Tiger Mower and one truck worked on Green River Road, weed crew
worked on Green River and Boonville New Harmony intersection.
One crew worked on paver in the garage.

**OPTINET
DS-1 SERVICE
LETTER OF ELECTION**

<input type="checkbox"/> New Service <input checked="" type="checkbox"/> Conversion <input type="checkbox"/> Renewal	SECTION A VARIABLE TERM PAYMENT PLAN (VTPP)	Installation Date _____
VTPP Option Selected: <input type="checkbox"/> month-to-month* <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months <input type="checkbox"/> 84 months <input checked="" type="checkbox"/> 120 months		

SERVICE/EQUIPMENT	QUANTITY	TOTAL MONTHLY	TOTAL ONE-TIME CHARGE	USOC
Local Distribution Channel 1 NW Martin Luther Kg.	1	120. ⁰⁰		LLHP 2
Local Distribution Channel 5601 Hwy 41W.	1	145. ⁰⁰		LLHP 6
Local Distribution Channel M. Leage 65/60/50	3	150. ⁰⁰		LLHP A
Local Distribution Channel				LLHP__
Local Distribution Channel				LLHP__
Multiplexing Assembly				VUM
Centrex Open Interface — New Contract <input type="checkbox"/>				OP3
Centrex Open Interface — Coterminous with Existing Centrex <input type="checkbox"/>				
EXCHANGE TARIFF VTPP CHARGES		415. ⁰⁰		

**SECTION B ADDENDUM
The Following Charges Are Not Covered By The VTPP***

SERVICE/EQUIPMENT	QUANTITY	TOTAL MONTHLY	TOTAL ONE-TIME CHARGE	USOC
Channel Mileage				1L Px
Plug-Ins: (list type below)				

EXCHANGE TARIFF NON VTPP CHARGES				
TOTAL EXCHANGE TARIFF CHARGES				

*A minimum billing period of 12 months applies.

DISTRIBUTION: ORIGINAL — IBT Copy - Send to Contract Retention, 240 N. Meridian, Rm 800
 YELLOW — Customer
 GREEN — Authorized Sales Rep BT Account Service Administrator

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, MAY 6, 1994 THRU THURSDAY, MAY 12, 1994

FRIDAY, MAY 6, 1994

Crew #1 - cut brush from culverts and guardrail on Tekoppel and Broadway bridges.
Crew #2 - cut weeds on guardrail and bridges on Darmstadt Road northeast.

MONDAY, MAY 9, 1994

Crew #1 - install concrete driveway pipe at 6216 St. Joe Ave., cut grass around guardrails and bridges on Broadway and Northwest.
Crew #2 - install concrete driveway pipe at 6216 St. Joe Ave., rip rap end of pipes on Hillview, St. Joe Ave, Barton Road, and remove limb from 5th Ave. Bridge.
Crew #3 - dig out Orchard Road culvert, haul rip rap to Hillview, St. Joe Ave., and Barton Road.

TUESDAY, MAY 10, 1994

Crew #1 - install 12"X30' alum pipe and 18"X32' concrete pipe across Woodland Hills Drive.
Crew #2 - cut bridges and guardrails southeast, Green River Road, Pollack, Hersch, etc.
Crew #3 - haul 53's to Woodland Hills Drive.
Backhoe - dig out Bromm Road and Orchard Road, pick up 4X8X1/2 plywood for Orchard Road Bridge.

WEDNESDAY, MAY 11, 1994

Crew #1 - finish installing pipe on Woodland Hills Drive, cut Pollack Ave, Lynn Road and South Weinbach.
Crew #2 - cut plywood for Orchard Road Bridge #158 for grouting, also Korressel Road Bridge #1140.

THURSDAY, MAY 12, 1994

Crew #1 - take sewer lid from yard to E. Virginia, cut weeds on St. Joe Avenue, and Baseline Road.
Crew #2 - drill holes on Korressel Road for grouting and work on wooden forms.
Crew #3 - Backhoe - dig out pipe on Baseline and Mann Roads.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for May 16, 1994

1. Waterworks Road update
2. Change order for Green River Road resulting in a decrease in cost of \$5,155.86
3. Council call request for an appropriation of \$500,000 — *Res. 1514.*

Monthly Progress Reports - Fulton Avenue

Notice to Bidders
Sealed Proposals or Bids for
CULVERT REPLACEMENTS
ON OLD PETERSBURG ROAD
VC 94-04-01 in Vanderburgh
County, Indiana will be re-
ceived at the office of the
County Commissioners,
[REDACTED] 8:30 p.m. on
[REDACTED]

Acts of the Indiana Legisla-
ture in Chapter 172, year
1987, at which time all bids
will be publicly opened and
read aloud in the County Com-
missioners Hearing Room
307.

• Any bids received after the
designated time, for any rea-
son, will be returned
unopened.

• Contract documents are on
file in the Office of the Van-
derburgh County Engineer.

• Bids shall be delivered in a
sealed envelope bearing the
name and address of the bid-
der indicating identification
of the project and the branch
of the work on which is being
bid.

• Bids shall be submitted on
the standardized Proposal Form
included in the contract docu-
ments and on Indiana Form
84, revised in 1987, provid-
ed separately, with a non-oc-
clusion affidavit, also provided
in the contract documents; all
properly executed, signed
and sealed. The non-occlu-
sion affidavit must also be
properly executed.

• Bids shall be accompa-
nied by a bid bond, secured

either, contractor's check, bank
treasurer's check or bank
money order in the amount of
five percent (5%) of the total
bid.

• No bid shall be withdrawn
after the opening of the bids
without the expressed con-
sent of the Vanderburgh
County Commission for a pe-
riod of thirty (30) days after
the scheduled time of the bid
opening.

• The Contractor receiving
the award will be required to
furnish a performance bond,
Indiana Form 88A revised in
1947, in the amount of one-
hundred percent (100%) of
the award amount, which is
to remain in effect for twelve
(12) months from the date of
acceptance of the completed
work.

• Attention is called to the
fact that prevailing wage
minimum salaries and wages
are set forth in the Contract
Documents. The Contractor
shall list any subcontractors
and the percentage of the
contract to be performed by
each subcontractor in the bid
submitted.

• Construction and installa-
tion shall be in full accor-
dance with the contract
drawings, specifications and
special provisions. Construc-
tion and installation shall be
in full accordance with the
contract drawings, specifica-
tions, and special provisions.
Applicable sections of the
1983 Edition of the Indiana
Department of Transportation
Standard Specifications
and any current Supplemen-
tal Specifications to the
1983 Standard
Specifications.

The Vanderburgh County
Commissioners reserve the
right to reject any and/or all
bids and waive any informal-
ity in the bidding.

DATED THIS 18TH DAY OF
APRIL 1984.

VANDERBURGH COUNTY
BOARD OF COUNTY
COMMISSIONERS
COUNTY OF VANDER-
BURGH, INDIANA
Patrick Tuley, President
Richard J. Borries, Vice
President
Don L. Hunter, Member

ATTEST:
Sam Humphrey
Vanderburgh County Auditor
RECOMMENDED:
John Stoll

Vanderburgh County
Engineer
(Courser & Press April 28 and
May 5, 1984)

NOTICE TO BIDDERS



Z of 5

14649 Highway 41 North
Evansville, Indiana 47711

812-867-6635
800-880-6635
FAX 812-867-2302

April 4, 1994

United Consulting Engineers, Inc.
4723 N. Green River Court
Evansville, Indiana 47715

Attn: Mr. Keith Lytton

Re: Reconstruction of North Green River Road
Contract No. R-19511
Change Order - Extra Sign Poles

Dear Keith:

Attached please find the documentation for payment for the six (6) extra sign poles that were not utilized on this project. The final cost for this Item is as follows:

Mounts Electric, Inc. cost	= \$10,602.00
Koester Markup (10% on 1st \$3000)	= \$300.00
Koester Markup (7% on \$7,602)	= \$532.14
	=====
Total	= \$11,434.14

Note: Koester markup computed per Section 109.04(f) of the Standard Specifications.

If you have any questions in regards to this matter, please feel free to call me at 867-6635.

Sincerely,

Rick I. Niehaus
Project Engineer

Enclosures

CC: Mounts Electric, Inc. (Mr. Gus Dean)
File



INDIANA DEPARTMENT OF HIGHWAYS
CHANGE ORDER

Project No. MAM-E340 (6)

Contract No. R-19511

Change Order No. 10

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended. (Give location, description and reason)

DUE TO RIGHT-OF-WAY RESTRICTIONS AND MANY CONFLICTS WITH UTILITIES AND STEAM SEWER; THREE OVERHEAD SIGN STRUCTURES WERE ELIMINATED AND REPLACED WITH 2 GROUND MOUNTED SIGNS FOR EACH OVERHEAD SIGN STRUCTURE ELIMINATED. IN ACCORDANCE WITH SPECIFICATIONS, (SECTION 109.04 (2), (d) & (c)). THE ITEMS PURCHASED AND UNUSED WILL BE PAID FOR. CALCULATIONS ARE ON THE FOLLOWING PAGES.

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
090	SPAN OVERHEAD SIGN STRUCTURE (CABLE SPAN)	5530.00 EACH			3.0	16,590.00	-43%	-13%
EW	UNUSED POLES AND ASSOCIATED COSTS	11,434.14 EACH	1.0	11,434.14				
PLACE "EW" FOR EXTRA WORK ITEMS			TOTALS			16,590.00		
PLACE "FA" FOR FORCE ACCOUNT ITEMS			NET	INCREASED DECREASED	ESTIMATED COST \$	5,558.86		

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged.

Contractor Koster Cont By William R. Heron Date 4-25-94

Submitted For Consideration	
PE/S <u>KL</u>	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

Natrick Juley
Richard J. Barnes

Natrick Juley
(SIGNATURE)

Approved for Indiana Department of Highways
W. G. Commissioner
(TITLE)

May 9, 1994
(DATE)



P.O. BOX 5486
EVANSVILLE, IN 47716-5486
TELEPHONE: (812) 473-5486
FAX: (812) 473-1867

INVOICE

4 of 5

REF. NO. 161618

INVOICE DATE 10/16/92

CUST. NO. 13221

S Mounts Electric Inc.

D P.O. Box 3273

T O Evansville, IN 47731

S
H
I
P
T
O

DATE ORDERED	CUSTOMER ORDER NO.	DATE SHIPPED	TERMS	BACKORDER INFORMATION		
3/3/92	4370	10/16/92	Direct 2			
QUANTITY ORDERED	B/O	SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	TOTAL PRICE
1	4	4	30' strain poles, steel with 6 span wire clamps each pole and anchor bolts	ea.	1,638.00	6,552
2	14	14	Cable span sign poles, galv. steel with 3 span wire clamps each pole and anchor bolts	ea.	* 1,548.00	21,672
<p>CERTS ✓</p> <p>14798</p>						

MATERIALS CHECKED AS FOLLOWS				
ORDER	UNTD	LOADED	DETD	RCDD

ALL MATERIAL SIGNED FOR ON THIS DELIVERY SLIP IS CONSIDERED THE SIGNER'S RESPONSIBILITY.

SIGNER'S SIGNATURE

DATE

TERMS KEY: JM
 N - NET 30
 1 - 1% 10TH PROX - NET 30
 2 - 2% 10 - NET 30
 3 - OTHER (specify)

TAX	Exempt
TOTAL	28,224

For Payment Remit Freight Bill to: VALMONT INDUSTRIES, INC.,
 c/o Cass Transportation Services, P.O. Box 87, St. Louis, MO 63168
 Customer's Order No. _____
 Shipper's Job #: 4J174-92

**Shipper's Bill of Lading Number must appear on all Delivery Receipts and Correspondence, send to:
 VALMONT INDUSTRIES, INC., 57843 Charlotte Ave., Elkhart, IN 46517

Total Weight 20,200

*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is carrier's or shipper's weight

VALMONT INDUSTRIES, INC. Shipper _____ Agent _____
 57843 Charlotte Ave., Elkhart, IN 46517
 Per _____

Permanent Post Office Address of Shipper, VALLEY, NEBRASKA 68084



301-5



951 N. Congress Ave., P.O. Box 3273
Evansville, Indiana 47731
(812) 477-9299 FAX (812) 479-7656
COMMERCIAL—INDUSTRIAL WIRING

March 30, 1994

Koester Contracting
14649 Highway 41, North
Evansville, IN 477711

Attn: Mr. Rick Niehaus
Re: R-19511 North Green River Road

Dear Sir:

As requested by Keith Lytton we submit the following for the cost of the extra poles:

Cost per pole + 5%	\$ 1,625.40
Labor and equipment (crane truck) to unload and storage (Nov. 1992 to date)	<u>141.60</u>
Total Per Pole	1,767.00
	<u> 6</u>
TOTAL.	\$ 10,602.00

Note: Not included is interest on the use of the money from Nov. 1992 to date.

If you have any questions please call. Thank you!

Respectfully,
A. L. Dean
A. L. Dean
General Superintendent

ALD/mlb

encl.

COUNTY ENGINEER'S

CONSENT AGENDA

MAY 16 1994

1. CLAIMS:

CONTRACTUAL SERVICES 203-3930 Community Jobs Club (Inv. #8)	\$ 75.00
LYNCH ROAD EXTENSION 216-4827 Bernardin Lochmueller (#92-032-2(8))	\$12,801.22
GREEN RIVER ROAD NORTH 216-4910 United Consulting (Inv. #12)	\$ 3,250.00
U.S.I. & SR 62 430 BOND Blankenberger Brothers (Est. #17)	\$82,947.23

S 017 5



Mounts
Electric
Inc.
951 N. Congress Ave., P.O. Box 3273
Evansville, Indiana 47731
(812) 477-9299 FAX (812) 479-7656
COMMERCIAL—INDUSTRIAL WIRING

November 10, 1993

Koehler Contracting
14649 Highway 41, North
Evansville, IN 47711

Attn: Mr. Rick Niehaus
Re: R 19511 - North Green River Road

Dear Sir:

I met with Keith Lytton regarding the permanent signs that will be required as a result of the deletion of (3) sign cable spans, due to lack of area to install the concrete foundations.

This will result in an excess of (6) 26' strain poles with anchor bolts and (3) pole bands each that we have stored in our yard at a cost of \$1,767.00 each; a total of \$10,602.00. This is Item #090.

There will not be a charge for the rebar since it could be used on another project as well as the 3/8" galvanized aircraft cable on the cable spans. This is Item #090.

Since we just received the revised sign schedule on 11-8-93 this adds maintenance of traffic to do the work as follows:

- (1) arrow board
- (1) lane closed ahead sign
- (1) flagger while working in the outside lanes of traffic to install (3) concrete foundations, set (3) poles, install ground mounted signs and build overhead cable spans on (4) sign cable spans.
This is Item #090

For this we ask the amount of Two Thousand Dollars (\$2,000.00) for the above described traffic maintenance.

I will advise you of a delivery date on the signs just as soon as my vendor quotes the price and availability.

If you have any questions please call. Thank you!

Respectfully,

A. L. Dean
A. L. Dean
General Superintendent

AJD/mlb

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name Blankenbiller Bros.

Vendor No. 481

\$ 82,947.23

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Gr. River Rd.

Account No. 216-4910

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
Richard J. Barnes
Richard J. Barnes

Board of Commissioners

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

May 13, 1994

John Stall
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>EST. #17</u>	<u>—</u>	<u>5/5/94</u>	<u>216-4910</u>	<u>82,947.23</u>
_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 82,947.23



EVANSVILLE URBAN TRANSPORTATION STUDY

Civic Center Complex, Room 316, 1 N.W. Martin Luther King, Jr. Blvd. Evansville, IN 47708-1833 (812) 426-5230
FAX-(812) 426-5399 Hearing Impaired/TDD (812) 426-5483

ROSE M. ZIGENFUS, M.P.A.
EXECUTIVE DIRECTOR

TO: Patrick Tuley, President, Vanderburgh Commission
FROM: *RZ* Rose M. Zigenfus, Executive Director, EUTS
SUBJECT: North Green River Road Site Impact Analysis
DATE: May 16, 1994

The North Green River Road Site Impact Analysis report was prepared by EUTS in January, 1987. The analysis was conducted to address the potential problems created by intense commercial and residential development in the area east of North Green River Road between Oak Grove Road and Heckel Road. One of the recommendations made in the report was for the development of an internal road network to serve the forecasted developments in the area. This network included the extension of Cullen Avenue from Negley Avenue north to the Lynch Road Extension. The Lynch Road Extension project was designed to include the intersection of Cullen Avenue as outlined in the 1987 EUTS report.

On January 24, 1994, EUTS held a meeting with the property owners in the area of the proposed Cullen Avenue extension to reestablish the importance of Cullen Avenue to the future transportation network in this area. It is my understanding that all parties involved were in agreement with the project as proposed.

Since that time, Mr. Bill Spurling has submitted a site development plan for Lake Side Manor Phase II, the continuation of his retirement development, which does not include provisions for the extension of Cullen Avenue. To avoid disrupting his land development plans, Mr. Spurling has indicated that he might be willing to provide the needed right-of-way along the eastern side of his property for the extension of Cullen Avenue. This would require a change in the Cullen Avenue extension alignment as previous designed by Bernardin Lochmuehler and Associates (BLA) for the Lynch Road Project and presented at the January 24 meeting to the affected property owners.

At the May 11, 1994 EUTS Technical Committee meeting, the issue of Cullen Avenue extension and Mr. Spurling's proposed site development plan was discussed. Because the extension of Cullen Avenue involved the cooperation of several property owners, the Technical Committee decided that before an alternative alignment could be considered, a meeting should be held with the property owners in the area to determine if the new alignment is agreeable to all the property owners affected by the proposed new alignment. EUTS is in the process of contacting the parties involved and setting a day and time for a meeting.

I would recommend that the Commissioners delay any action on this matter until discussion with all the property owners can occur. Should you have any questions, please contact me. Thank you for the opportunity to comment.

RMZ/PLS/jw

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name BERNARDIN LOCHMUELLER

Vendor No. 216-4827

\$ 12,801.22

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Lynch Co. Ext.

Account No. 216-4827

Allowed _____ 19____

In the sum of \$ _____

Richard J. Borries

Board of Commissioners

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

May 13, 1994

John Stoll
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>92-032-2(8)</u>	<u>—</u>	<u>4/28/94</u>	<u>216-4827</u>	<u>12,801.22</u>
_____	_____	_____	_____	_____
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TOTAL 12,801.22

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 16, 1994
ADDENDUM - REZONING PETITIONS

I N D E X

<u>Subject</u>	<u>Page No</u>
VC-2-94/Petitioners, Robert & Dennis Fehrenbacher (Approved on Third Reading)	1
VC-20-93/Petitioner/Joseph Hartmann, et al d/b/a/ Hartmann Farms (Deferred; Public Hearing to be held within 60 days; Petition to be Refiled by June 20, 1994)	2

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 16, 1994

ADDENDUM - REZONING PETITIONS

The Vanderburgh County Board of Commissioners reconvened promptly at 7:00 P.M. for purposes of hearing Rezoning Petitions. President Tuley called the meeting to order and stated the Board has before them tonight two (2) Third Readings, as follows:

VC-2-94/Petitioners, Robert & Dennis Fehrenbacher: Commissioner Tuley said the premises affected are 8944 Big Cynthiana Road with a requested change from Agricultural to C-4.

Attorney Les Shively was recognized, introduced himself and stated, "Good evening, Ladies and Gentlemen. My name is Les Shively and with me this evening is Mr. Dennis Fehrenbacher, one of the co-petitioners. Briefly, this is a request to rezone two (2) acres out on Big Cynthiana Road for continuation of the Fehrenbacher cabinet business. This is a second generation cabinet shop. I think everybody has heard of Fehrenbachers. It's a local success story. Basically, this is to continue the development of their facility right there in the area where they have been for years. Let me show you two sets of photographs, if I could. These show the present facility and how it was laid out. These other two photographs show you what we are acquiring. We are going to tear down the old farmhouse and that concrete block building and the new facility will be something similar in composition. This, in fact, Pete McCullough is a well known residential architect -- he is the one who is designing this building. We have filed with you all as part of the Area Plan Commission records a Consent by all of the adjacent property owners, except for Mr. Tom Johnson and Mr. Johnson and his wife have entered into private covenants with Dennis and Robert and they are satisfied with what we are going to do. One point I'd make -- in fact, you are looking at that map and the consent right now, I believe -- is that originally we were going to rezone three (3) acres. We're only rezoning two (2) acres and we're going to leave the third acre agricultural. The two that we're rezoning by way of the private covenant -- just for your information, we're not asking you to do anything, we're just letting you know for your information -- officially this can only be used in conjunction with the Fehrenbacher cabinet business. In the event it is used for any other purpose, they will be required to move any detached buildings and required to rezone back to the Agricultural. But that is a private covenant with Mr. Johnson that was executed this evening that we'll privately place in record -- but I'm just letting you know that, because his name is the only name that is not on the Consent. He was at the Plan Commission meeting and I think he expressed that the general terms of that agreement and the APC records will show unanimously recommended approval of this request. Mr. Fehrenbacher and I are here to answer any questions you might have."

President Tuley entertained questions of the Commissioners. Both having verbally indicated they had none, Mr. Tuley entertained discussion. There being none, a motion was entertained.

Motion to approve VC-2-94 was made by Commissioner Hunter, with a second from Commissioner Borries.

President Tuley then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Borries, yes; and Commissioner Tuley, yes. Motion passed by unanimous affirmative roll call vote. So ordered.

Attorney Shively requested permission to check with City Council to see where they are on the

agenda -- they might be on the Collis bond issue, which might allow him to go forward with the second rezoning petition.

Commissioner Tuley advised Attorney Shively he forgot to ask if there were any remonstrators with regard to the Fehrenbacher petition. He then did so and there was no response from the audience.

Attorney Les Shively returned to the meeting and stated that City Council is still discussing the first item on their agenda. If President Tuley would like, he can get started on the Hartmann rezoning and, if summoned, he would ask that the Commissioners allow him to take a brief recess.

All three Commissioners voiced their approval of this request.

VC-20-93/Petitioner, Joseph Hartmann, et al d/b/a/ Hartmann Farms/Owners of Record/Martha Jean Deuerling, Norbert Hartmann, Joseph Hartmann and Mary Ann Hoffmann: Mr. Tuley said the premises affected are 7800 E. Lloyd Expressway. Requested rezoning is C-4 from Agricultural.

Attorney Shively had returned to the meeting and was recognized. He said, "Mr. President, and members of the Board of Commissioners, this rezoning request involves twenty-one (21) acres at the approximate location of the northwest corner of the intersection of I-164 and the Lloyd Expressway. I have given each of you a folder and in the side pocket should be a summary of my presentation this evening to make sure I cover everything -- so you can have ample information to question us later. I also have included six (6) documents which I think are significant for your discussion here this evening.

Let me, first of all, address the rezoning request. These twenty-one (21) acres that we're seeking the change in classification from Agricultural to C-4, first of all, have been platted as what is known as the Nurrenbern Commerce Center, consisting of approximately two (2) lots. This is part of a sixty-four (64) acre tract that is owned by the Hartmann family. The Plan Commission has given primary plat approval subject to several conditions, which we'll talk about in a moment. And the Plan Commission -- at the same meeting, March 2, 1994 -- by majority vote, recommended a change in zoning classification from Agricultural to C-4. I would note, as I've placed on my written presentation to you all, that the comprehensive plan designates this area for commercial use on the year 2010 conceptual land use map. As you all probably know, this property is located just north or across the Lloyd Expressway from Eaglecrest (where we're seeing a lot of commercial development) and it's just east of the Center Pointe development, which has been previously rezoned, platted and now is under way with full commercial development -- the last project of note is the Builder's Square facility. I don't believe anybody has any concerns about the land use classification. The concerns which have been raised basically stem from the concerns about ingress and egress, specifically the utilization of a frontage road which has been designated as L.S.R. 4, which entrance point forms the beginning of what is known as Cross Pointe Boulevard. The entrance is on the Cross Pointe property. What I thought I would do this evening on the ingress/egress question is to summarize basically how we got to the situation where we are today.

First of all, let me make it very clear -- the Hartmann family are not land speculators. This is farm land that has been in the Hartmann family for years and years and years -- and because of the construction of I-164 and the Lloyd Expressway the whole complexion of things has changed. It is no longer conducive to agricultural purposes. It is now right for commercial development. Well, back several years ago the State of Indiana -- and I would ask you to kind of follow along with the exhibits -- in looking at Exhibit #1, the State of Indiana sought to acquire part of this 80 acre tract and they sought to acquire the area the State cross-hatched. As you can see, there is a corner up in the northeast corner of this 80 acre tract, then they sought to acquire a strip running parallel to what we used to refer to as Division Street. The reason for this acquisition was to construct I-164 and the leg that comes off I-164 and goes to

the Lloyd Expressway as a limited access configuration. The Hartmann family was presented an offer of just compensation for not only the property actually being taken as right-of-way, but also just compensation for what impact this taking would have on what we call the residue -- what's left. What was not cross-hatched and what they now own today. They hired an appraiser which county has hired and which the city has hired -- a gentleman who is very well thought of in this community,

Mr. David Matthews. Mr. David Matthews analyzed the offer by the State and I would note that Mr. Matthews has done a lot of condemnation work for the State -- most of the valuation work on the Lloyd Expressway. So he's worked on both sides of the valuation question and just compensation questions for landowners, as well as condemning authorities. In reviewing all the facts, including not only the location of this property after I-164 would be constructed, he also noted the fact that the State of Indiana had agreed to build L.S.R.#4 to provide access to this particular property. In so noting this, he made the statement -- and his appraisal is in there in its totality, so you can review it -- that basically the residue, in his opinion, suffered little or no damage because of its great location after I-164 would be built and the fact that they would have this access, which is now the entrance to Cross Pointe Boulevard and the road to be constructed to the east to provide access to their property. Subsequent to the acquisition of their property, they paid for that land on the supposition they would have access. The Evansville Urban Transportation Study recognized that commercial growth was eminent. And they made several recommendations in this particular area and other areas close by. As you all know, the EUTS people have always wanted to utilize frontage roads and a system of what they call the grid system -- and part of that plan included the construction of Indiana Street, which would run parallel to the frontage road and part of it would then not only cross the Cross Pointe property, but would extend further east to the east line for the Hartmann property. Well, in 1990, the developers of Cross Pointe took an option on the Hartmann property and shortly thereafter filed a petition to seek property plat approval for what we now refer to as the Cross Pointe Commercial Subdivision. They first presented it to the Plan Commission which, as you know, has exclusive jurisdiction over plats -- and unfortunately, you all don't get a chance to have any input on that as a body of Commissioners. That goes to the Plan Commission. The Plan Commission had the first opportunity to review this in April of 1990, and I have included the minutes for that meeting as your third exhibit. During that meeting, the President of the Plan Commission (Mr. Bauer) knowing that this was obviously going to be a quality development, raised concerns that what they were proposing was not consistent with what EUTS had proposed -- mainly because -- and you can see part of Cross Pointe here and what we now refer to as the Builder's Square property. Indiana Street, remember, I told you, was supposed to be parallel to the frontage road and extend eastward and their plan called for a cul-de-sac at the east terminus point and allowed this gap in here so that it could never be extended to the east. That was contrary to what EUTS recommended. In addition, as you can see, in here they proposed to take this access (this curb cut created by the State), extend it and at the beginning point install a boulevard. Well, we can all see that the boulevard makes some physical concerns or problems with regard to utilization coming from the east. Obviously, if you're accessing from property from the west it is not as problematic for this particular development. Although these concerns were raised and this matter was continued to the May meeting so that these matters could be addressed, I reviewed the minutes of the May 19, 1990 Plan Commission meeting and I don't know why (well, I think I was at the meeting on another matter) -- but nonetheless they approved the plat at Cross Pointe which dead-ended Indiana here, and left those medians in the center of Cross Pointe Boulevard -- encroached on what the State had designed as that access point for L.S.R. #4. When the Hartmann family sought to -- well, let me point out something else, too, that happened significantly. Shortly after Cross Pointe was platted, the Cross Pointe developers decided not to renew or exercise their option with the Hartmanns. The Hartmanns were basically on their own to develop their property -- so, they proceeded to do so. In presenting their first plat they sought to utilize that frontage road as it exists. And when that was reviewed by the Subdivision Review folks, they raised concerns about safety utilizing this at this point. EUTS was pretty strong on this. In fact, they really didn't want any utilization by the Hartmann property for access to L.S.R. #4 and this raised great concerns -- because it is the petitioners' position that they were compensated by the State under the thought they would always have that for access purposes and, more importantly, they wanted to be able to develop their property just as their neighbors to the west developed their property -- utilizing that access,

utilizing that frontage road thus created. And because of that, they wanted to develop the property. This is their retirement, if you will; this is their inheritance and they want to develop the property, but also recognize some of these concerns raised by the technical folks who are with the County. What they did in conjunction with requesting approval of the Nurrenbern Commerce Center plat was to propose what is shown here in red -- the relocation of this frontage road which has been named on the plat, for purposes of discussion, as Hartmann Drive. And what this relocation would do is shift the gradual curve of the frontage road up a little further north so as to go up and above the median that was constructed on Cross Pointe Boulevard. Now, when they did this they also recognized concerns about (inaudible). That may be fine if you're developing lots in designated area, but what happens when you go further north? So they also proposed that when this intersection dropped below certain objective standards set out by the Indiana Department of Transportation in terms of efficiency and moving traffic safely and appropriately, they would be required to construct what we are seeing here in blue and green, which would be a roadway heading north and then connecting with the future Virginia Street to provide that grid system that EUTS originally wanted for access to all of this area. The conditions for the primary plat approval were basically as follows -- and I can summarize that. The Petitioners be able to relocate and effectuate this change in Hartmann Drive and be required to construct these other roadways as we see it here. The reason why the frontage road utilization is important, according to the people who have analyzed the value of this real estate, is you lose conservatively about \$1/2 million in value, if not more, if you do not have road frontage. Those conditions in more detail are set out on Exhibit #5 in your handout. Now, before we went to the Plan Commission meeting in March, we had Mr. John Stoll (your County Highway Engineer) to review this to make sure it was functional and Mr. Stoll's letter to you all (which I think you've seen before) is also included as your final exhibit in your packet this evening. He found generally that it would be workable, however, Mr. Stoll expressed his concerns that we make sure this gets constructed when, in fact, this intersection is no longer efficient. Now, to effectuate this plan, probably what we are going to have to do is vacate this right-of-way, acquire part of the property owned by this property owner (Dersch Oil -- they're building a Shell Convenience Store there), purchase property from the Builder's Square developers, purchase the property from people in the development at Cross Pointe. The Dersch Oil representatives here this evening have agreed under certain conditions to provide the real estate on their land to do this plan -- anticipating a vacation. We have not had any direct feedback from the developers at Builder's Square. We're fairly confident that they will be very amenable to this because the result is going to be they're going to get road frontage they didn't have before. So we feel that will be one of the easier sales to make. Regency is this little square right here -- has expressed opposition to this plan and we -- the last meeting we had with representatives of Regency was on April 13, 1994 --at that time they indicated they would be submitting to us in writing a proposal somewhat related and the alternative other proposals for ingress and egress. Last week I contacted their attorney and asked why I hadn't received it yet -- I was hoping to have it here this evening. He said they'd been very, very busy. This is a busy time for them -- but said they would be submitting some type of proposal. I have no idea of what they are proposing. Let me just say this in summary -- I know I've gone a little long here -- we believe it is essential to maximize the value of the Hartmann property. This plan will work. Your engineer has seen this plan. And it will work, providing (as I said before) that we understand that it will not be the sole ingress/egress for this entire 64 acres. But would, in fact, as we said before -- when it starts generating a certain amount of traffic that (inaudible) through the rest of this so as not to exaggerate a particular problem any further there. If that is done it will work and we have committed to do that. We believe we have come up with a plan that can be effectuated. We would say this in closing. We didn't create the problem -- you all didn't create the problem -- but we believe you all certainly have the power and authority to solve this particular problem. What we're asking you to do this evening -- and then I'll open it up for questions -- is we're asking you to grant the rezoning request (the Plan Commission did recommend approval) and then what we'd like to have happen as soon as possible -- hopefully, within thirty (30) days or less if we can do it -- we'd like to have a public hearing to address the ingress/egress problem. Let me tell you why we'd like to do that. Number one, this question involves (regardless of what happens) Eagle Crest. Eagle Crest, as you know, is growing very rapidly. They are located south of this area. They tie into here. They've informally committed, when necessary, to a traffic signal as well as we have -- as well as the

Cross Pointe developers have, I believe. They have an interest in seeing how this is done. And the public, in general, has an interest in seeing that this is done correctly so that Lloyd Expressway operates the way it is supposed to, and so if this exit coming off I-164 operates the way it is supposed to work. We think it's more involved here than private concerns. There's a public interest to see that this is done correctly. One reason we'd like to see it done as soon as possible in terms of a public hearing to look at the various alternatives, to look at the concerns and then take action in terms of a plan, is that we right now have entered into a very contingent purchase agreement for a substantial portion of this real estate with the Hays group out of Louisville -- and one of the many contingencies is to work out this ingress and egress plan. I would note this -- they have consented to the relocation of the frontage road now known as Hartmann Drive. I appreciate your patience. I know I went a little long. Yet, I tried to cover what I thought were some of the concerns you have. I know it's not land use. Your main concerns are the ingress and egress and an update as to what steps we've taken to try to effectuate some sort of solution. I believe we have done that and we ask your cooperation to approve this rezoning this evening and then set a public hearing to get this ingress/egress problem resolved. With that, I'll open up for questions and note that Mr. Jim Farney, who designed this, is here this evening; and the Dersches are here this evening, as well as my clients. Thank you.

President Tuley asked if there is anyone else who wants to address this issue. If so, he would ask that they come forward to the microphone and state their name for the record.

Mr. Fred Wittman, was recognized, approached the podium, identified himself and stated, "I am here representing the Regency interest. We have no objection to the rezoning. The current plan for the access, as Mr. Shively mentioned, is not acceptable to us. We are working on alternatives both within our organization and with outside consultants. We anticipate getting back with them within the next two to three weeks with some alternate proposals. I would also say that a hearing within thirty (30) days for a matter such as this does not seem to be sufficient time to prepare.

Commissioner Hunter asked, "Alternatives to what? This proposal?"

Mr. Wittman responded "To this proposed Hartmann Drive in its present configuration."

Commissioner Tuley asked, "Could you explain what your particular concerns are with their proposal as it stands -- other than that you control the land they're wanting to go through?"

Mr. Wittman said, "Specifically, with this being two ways -- cars coming up here to get onto the Lloyd Expressway are going to back up. They're going to back up back in here and back up along here (pointing to the plans) because of the short distance."

Mr. Tuley asked, "How far is that, Mr. Wittman, do you know?"

Mr. Wittman responded, "I do not know exactly. Mr. Farney might know."

Mr. Tuley asked, "Is it enough not to have a back up?"

Mr. Farney replied, "It is 281 ft." (Further comments made were inaudible, as he was not speaking from the microphone.)

Commissioner Borries said, "I've heard the term a lot of total quality. We're tossing that kind of rhetoric around and I know that one of your persons is involved in total quality and, frankly, in my experience in rezonings (which are all tough) I don't see this plan as a total quality situation.

(Attorney Shively exited the meeting, having been summoned to the City Council meeting.)

Commissioner Borries continued, "I think the very day it was opened it would be congested and

present some serious problems. But on the same token, as much as we want to plan and we want to talk about government doing this and that and the other, I don't know how much total quality is going to come out of your development. You know, when Builder's Square opens, for example -- I never envisioned that a Builder's Square was going to be out in that area. Does that close another Builder's Square someplace else? Are the jobs merely going to be traded? When we planned to have an Indiana Street that was going to be open and on the original grid, as you can see in some of this information, all of this was going to be worked out. Now all of a sudden we have a building right in the middle of it. So I can't really say that from a standpoint of maximum quality development that I am in sync and agreement with what has been done even thus far. But I know that I have some grave concerns about repeating the same mistakes, because one of the concerns that I would have in any rezoning is public safety. And shame on us if we commit the same mistakes twice on public safety. Here we have the Lloyd Expressway which carries some 56,000 cars per day -- I mean, the big tomato in Vanderburgh County -- and this thing is going to do nothing but carry more traffic as development occurs. And magic -- I use that term a lot -- but it seems like, you know, the popular rhetoric of some politicians is 'Let's don't raise taxes or do this -- magic will take care of all this'. Magic is not going to take care of all of this. The cars aren't going to go away as more development occurs. In fact, there will be more cars there, more congestion -- which is going to have a bigger public safety problem than anything I can envision in that particular area. And I'm not satisfied, for example, hearing that we're going to have to -- I mean, does Regency have a portion of this? I mean some of this is on your property? Am I correct on this?"

Mr. Wittman stated that is correct.

Mr. Borries continued, "So in other words we'd be approving a rezoning on somebody else's property here.

Mr. Wittman responded, "That's correct.

Mr. Borries continued, " And you say you're not willing at this point to give any of your property to provide an access?"

Mr. Wittman said, "We've already given this current..."

Mr. Borries said, "So if we do one thing then we're going to cause a problem in the other. And those serpentine kind of weaving access roads that we've seen occur so often in other parts of the Lloyd do nothing but just again provide further congestion. And it seems to me that if we're going to get a total quality development here and really put not only our money, but our actions where we want to envision -- I just have some concerns from a public safety standpoint on this whole aspect. I read in the Area Plan meeting notes from a Mr. Dale E. Lucas, who was the Vincennes District Engineer, and back on December 20, 1993 (about half a year ago) he says that L.S.R. #4 (this little access road) if it's intended to be used as a main entrance to commercial developments, a typical section of roadway should probably be increased. That's understated, I would think. Due to the geometrics of L.S.R. #4 as it relates to the Lloyd Expressway, I feel that it could possibly cause major traffic congestion at the entrance of the Lloyd Expressway in the future. Therefore, other areas of egress/ingress should be considered. Now if L.S.R. #4 was to be agricultural -- a farm access road, which I envision that is what it was at that time -- then this can be suitable and it may be right now under production for agriculture and its suitable for that. But when you talk about commercial -- we're talking about another level here. Those are my concerns, Mr. President. I just -- I don't know how you -- I mean we can't force anyone to build roads. Historically, the only way roads have gotten done in this county is through the cooperation of various developers. We've seen that done with our help to coordinate on Virginia Street and on Vogel Road -- those roads have been put in at the developers' expense simply because the county is budgeted only for Federal projects which, in some cases, has taken an enormous amount of money. We've already transferred money tonight out of I've forgotten which road account -- which means we may not have funds to build the projects we currently have designed. So we have to have the cooperation of developers to assist in so far as they are going to be the ultimate beneficiaries anyway -- and Virginia Street seems

May 16, 1994

to be some logical choice. But I guess it's putting the cart before the horse. I think we need to have a public hearing before we rezone -- not after."

Commissioner Tuley asked, "What is the public hearing going to do?"

Mr. Borries responded, "Well, either that -- or somehow, the developers -- to have and envision a total quality development -- pull all these people together, because this road, as I understand, isn't this supposed to be a major connector road in the future that goes north to what -- Morgan Avenue?"

Mr. Wittman said there are easements where they can access the apartments properly -- there is an easement going up Cross Pointe Boulevard and then across the future street. So there is already that access once those roads are built.

President Tuley asked, "Rick, do you care if I try to paraphrase or make sure I understand what you are saying? You got a problem with that development as it is?"

Mr. Borries responded, "I have a problem from a public safety standpoint with the way this plan works for commercial development. For agricultural development, I understand -- from a local road there, I understand that. Historically, that is where it has been. But from a commercial standpoint."

Mr. Tuley asked, "But you're talking about mainly the public safety back there in terms of egress and ingress with the design as it is laid out?"

Mr. Borries replied, "Yes, that is correct."

Commissioner Hunter asked, "Mr. Wittman, I'm sitting here reading the April 4, 1990 minutes of the Area Plan Commission and if I am reading these correctly, it appears you guys are renegeing on something you made a commitment to do. Judy Rueger, 'There were a lot of questions brought up about east and west access into the Hartmann property.' Judy Rueger, 'I worked with the Regency Trust in the development of Cross Pointe. It was my understanding that when this design was conceptualized they were consulted with Rose Zigenfus of EUTS and these are the streets that she asked us to put in there -- the east-west thoroughfares; they are named East and West Indiana.' She has studied those and I understand at Sub Review Barbara and someone else in the Sub Review has asked about roads. Her comment is that while she was very much in agreement with the way they were designed...so, suddenly I am looking at something here where you've got a cul-de-sac on Indiana. Yet, if I am reading this correctly, there was a commitment made that Indiana would extend on across there on April 4, 1990."

Mr. Wittman said, "I am not familiar with what happened in 1990. Those were the plans. At that time there was an option on the property and what caused those plans to change I am not sure."

Commissioner Hunter said, "Well, I'm not either -- because I wasn't at the meeting on April 4, 1990. But it looks like somebody representing Regency made a commitment."

Mrs. Cunningham said, "I do remember when the subdivision first came in we were looking for Indiana to extend, as we were looking for Virginia to extend. But by the time the project was zoned and got subdivision approval, the developer at Regency wanted Virginia Street to be the main street and he wanted to have some controls over Indiana at that point. So Indiana was never designed to go completely through to the Hartmann property at that time."

Commissioner Hunter said, "But there must have been some sort of agreement here on access for a person to have mentioned this. I don't see anything in here saying it would end in a cul-de-sac."

Mrs. Cunningham asked, "Is that the zoning that you're reading? I mean, are they talking about the zoning or the subdivision?"

Mr. Hunter said, "They were talking about the subdivision, I thought. There have been all kinds of questions asked in here about access."

Mrs. Cunningham said, "It was never dedicated right-of-way."

Mr. Hunter continued, "Carolyn McClintock talks about the closing of the farm road -- it says, 'The bottom line is, what's going to happen if I own property to the east and I come to Regency Associates and I would like to develop my property like yours and use your roads to get to my property? What is it going to cost me to develop? Will there be a user's fee or a toll gate?' Mr. Morley says, 'No, but you're going to agree with Regency's opinion of what they're trying to do.' So apparently there was concern about this to the east..."

Mrs. Cunningham interrupted, "And I don't doubt that. We've all had concern about the roads in the area. But the final upshot was that in a public meeting it was determined that Indiana would not be public right-of-way."

Mr. Hunter asked, "Does it say that in here somewhere?"

Mrs. Cunningham replied, "I don't know what you have."

Mr. Hunter said, "I have the April 4, 1990 Area Plan..."

Mrs. Cunningham again interrupted, "I mean, I don't know whether you have a complete set of minutes or you just have excerpts. You might not have that or....it possibly went to the next month."

Mr. Hunter said, "I don't know. I'm just looking at what I have. Because I agree with Commissioner Borries that the way it is set up here is not an ideal situation -- particularly with the comment that is made by Dale Lucas, the Vincennes District Engineer."

Commissioner Tuley commented, "I'm like Don, I had some questions about some of the wording in the meeting of the APC -- but that doesn't -- and it's unfortunate, because I feel sorry for the Hartmanns, because I'm not sure they've been treated -- I'm not saying from a legal standpoint -- but from a moral standpoint -- I don't know if they were really given the value of the loss of that land that the State took, given the circumstances of the APC meeting that came out later -- I'm not a developer, but I just can't imagine that the value of their land is going to be as good to go way up here and cut across Virginia and come back down here to get access to this property that sits on Lloyd Expressway and I-164. It seems like -- and I've heard the argument and I work in Indianapolis and they do it up there all the time. But this is a different community down here. People in this community don't like to be inconvenienced. They want to go somewhere -- they don't want to wait in line; they don't want to do anything else. But the bottom line is that two wrongs don't make a right. And like the other two Commissioners, I have real concerns about getting traffic safely in and out of there -- and any of you who have gone a little further west down the road and that snake is a nightmare trying to get in and out of that place. So I don't know who -- if anybody -- that the Hartmanns have a legal problem with it. But from my standpoint I find it difficult unless some other arrangement can be made with the other developer."

Mr. Borries asked, "Mrs. Cunningham, our Attorney might be able to advise us. What are our options here at this time in consideration of this particular request? This is the limit this evening, is that right?"

Mrs. Cunningham replied, "You are at Day 75. You must take action by Day 90 or the Plan Commission action stands. And Plan Commission recommended approval with the admonition

that the entrance and ingress/egress be worked out. They told Don Hunter to be sure that got worked out, as they left. You can..."

Mr. Borries asked, "In your opinion, Mrs. Cunningham, has the ingress/egress been worked out?"

Mrs. Cunningham responded, "In my opinion, it has not. If this is in contention -- that this section is owned by someone else, then the subdivision plat they have is not a workable plat. This has never been intended to be anything but a farm access."

Mr. Borries asked, "There is no curb cut is there at the mouth of that farm access road that would even make a cut? Not right at the entrance of Center Pointe there is not."

Mrs. Cunningham said, "You can drive straight."

Mr. Borries said, "There's a curb cut there? Oh, I'm sorry I'm not making myself clear. There is no median cut. There is no cut in the median."

Commissioner Hunter interjected, "Yes, there is no way to make a left hand turn out of there."

Mr. Borries said, "But at Cross Pointe Boulevard there is no cut in the median to make a left hand turn."

Commissioner Tuley asked, "Is there any way -- is there any way this could be made for entrance only -- one way across here?"

Mrs. Cunningham said, "Remember, that was talked about at one time -- but it was not a very workable -- but you'd have to do all the other roads, too."

Mr. Tuley said, "Oh, yes, I understand that in order to get out someone is going to have to commit..."

Mrs. Cunningham said, "They're doing 21 acres now but there are 60 some odd acres in the whole -- but they brought the request in to APC to work with a smaller area."

Mr. Tuley said, "If there were, is Mr. Wittman's company willing to back off their (inaudible)...."

Mr. Wittman said, "I can always say that one of the options being considered is making some(inaudible)....we've not formulated all the possibilities."

Mrs. Mayo requested that Mr. Wittman come to the microphone.

Mr. Wittman came to the podium and continued, "I just simply said we haven't completed the possibilities, but making portions of the access one way would certainly help some of those problems. And you're right, Dersch has some concerns and it may be that a small section of it there would be too wide just coming out of the gas station, but then further on down it is one way so that there could be no return."

Commissioner Borries commented, "Like the streets downtown, which still confuse me."

Mr. Wittman continued, "Here, again, though -- I have to say this is the kind of thing we're doing, trying to look at all possibilities to make something that is acceptable and we are continuing to work on this and we will be back with the Hartmann interests in the next two or three weeks."

Commissioner Tuley said, "We're willing to take some kind of action though from what I heard about it being 75 days....."

Mr. Hunter said, "We have to take some action...."

Attorney Les Shively said, "Mr. Tuley, I think I might be able to allay some of your concerns if I could -- in terms of what your options might be. I just wanted to add something that may not have been said -- I don't know whether it was covered or not. The only way that we can sell the real estate we're rezoning here this evening to the perspective buyer is in a platted form. That primary plat, right now, is subject to effectuating this particular ingress and egress plan. Now -- which includes the construction of these roadways here as those conditions dictate. The point I'm simply saying is this, we cannot complete the sale or complete the development until we have an ingress/egress plan that has been one way or the other approved or sanctioned by all parties concerned. And so when you rezone this property, all we're doing this evening is obtaining the classification. We're still bound by the conditions for the primary plat which were made March 2, 1994 and that is what we're going to have to sell the property. If we can't sell it that way we're going to have to start the process all over again with a new plat for the Plan Commission and a new plan. We have come up with a plan and Regency says they don't like it and we're waiting for their input. They say they can't have something in thirty (30) days. I'm sure we can work with them on that. I just don't want this thing to drag on. I'd like to have a public hearing within a reasonable period of time, because the prospective buyers are giving us a window smaller than thirty (30) days to satisfy the zoning contingency and the contingency with regard to the frontage road or the ingress/egress access plan. If they don't have some type of usable frontage, the deal falls through. I think that the appropriate thing to do would be satisfy the zoning. The only remonstrator this evening is not really a remonstrator against the land use -- it's a remonstrator against the ingress/egress. You, as the Commissioners, have sole authority in this county over public right-of-ways, public thoroughfares, and I strongly urge you to"(turning to Mr. Wittman of Regency, Attorney Shively asked, "How long do you need?"

Mr. Wittman responded, "Sixty (60) days."

Attorney Shively continued, "Sixty (60) days -- set a public hearing, devote the entire evening or whatever time of day you choose and everybody come in there and through that meeting, as I say in the last part of my presentation, we negotiate on a solution. I think that's fair -- especially when you take into consideration -- and I keep repeating myself on this -- we're trying to undo a problem that you didn't create and that we didn't create. And in all due respect to the Plan Commission back in 1990, if Indiana Street was left where it was supposed to be and they made it go all the way from the property line (at a designated point on the map) we'd be in a different situation and this project would be a lot further along. We don't have any frontage to work with unless we can do this. By the way, I would note that Indiana has been vacated; it no longer exists - it's part of Builder's Square now. I think we've done everything that has been asked of us to this point in time and we're willing to go that extra step and participate honestly, openly and with authority to negotiate some type of solution on the ingress and egress."

President Tuley entertained further comments.

Mr. Farney offered brief comments, but they were inaudible for the most part because he was not speaking from the podium. "And I understand your concern, Mr. Borries, that these are not ideal. What we're trying to say is there are several other instances where other people have come in....."

Mr. Borries said, "I understand that."

Mr. Farney continued, "But this is even worse. This is the one in front of Wal-Mart. You know, I'm not here to say anything bad about anybody. Regency is concerned about this one tonight, yet it

slipped right through on this one somehow."

Mr. Tom Dersch of Dersch Energies was recognized and introduced himself. He said, "A while ago a question was asked with regard to whether we would be in favor or opposed to making that one road one way. The answer to that would be, so long as our motorists could get in and out of there, the rest of the road could become one way in the event it was deemed necessary. From Day 1 we have taken the position that we do not want to hurt anyone nor do we want to get hurt. We don't want to see the City or the County hurt, we do not want to see public safety compromised, we do not want to see anything out there get hurt, nor do we want ourselves to get hurt. If making that a one way at some juncture in the event it would become a problem -- in the event that would be a possible solution to this, again, in the event it became a problem - - we would not be opposed to that. Obviously, if it never became a problem then it wouldn't be a problem and it may not be necessary. But the comment was made that perhaps we'd opposed that concept at one point -- and we have not opposed that concept."

Mr. Hunter asked, "Mr. Dersch, where do you envision your curb cuts on this project? Can you point them out on the map to us?"

Mr. Dersch said, "We have a curb cut approved to just north of designated area and, of course, this is our exit cut or egress cut (another designated area on the map) that comes across the median. What we've been asked to do is give up exclusive ingress/egress from this northern curb cut. That is what we've been asked to do -- to give up exclusive ingress/egress in exchange for other designated points on the map... to utilize this road as a way of getting out of our property. So people would come in off the Lloyd, run across Cross Pointe Boulevard into our proposed property. They'd rather we be shifted down to where the old agricultural access road is right now. That we be allowed to ingress/egress at designated point on the map."

Mr. Tuley said, "That is my concern -- that those people coming at that intersection and making a left hand turn to get out of there."

Commissioner Borries asked, "Mr. Dersch or Mr. Shively, or whoever, can you envision an automobile dealership with a huge 18 wheeler full of cars -- you're saying you think they could make that turn right there at the beginning of that?"

Mr. Dersch said, "They could not make this turn currently. But the way Mr. Farney has designed this, they can make the turn here (designated point on the map)."

Mr. Tuley asked, "What about your trucks bringing your gas? Same problem?"

Mr. Dersch replied, "We're not using the current frontage road as our point of ingress. We're using a point to the north of that as ingress. Of course, we already have this point established. Currently, this point right here is exclusive ingress/egress in front of our lot. What we're giving up eventually is that exclusive ingress/egress from southbound motorists on Cross Pointe Boulevard. Northbound motorists on Cross Pointe Boulevard already have access from the cut here that has already been approved by the County Engineer. But we have the same concerns that we believe everyone does, we don't want to see this become a bottleneck because they'd get in but couldn't get out. And they won't do business with us if they can't get out of here. So we believe it is imperative that safeguards be put into place to insure that this does not become a back up intersection. Because were it to become a back up intersection, not only would it create a problem for us, but it would create a public safety problem. And that is where there have been agreements to extend the road on out in the event this would become a problem intersection, although that may not assure that it solves the problem -- but certainly making this a two way to a certain point and then a one way would likely safeguard that. But I don't know if EUTS, the County Engineer, the APC or whoever even has the authority to do that, as to whether that was a possibility."

Attorney Shively said "The primary plat states right now that when this drops below a surface

level of "C", which is the standard used by INDOT, regardless of how much we develop or sold here, the lots below efficiency level "C" in terms of right now on the plat, the developer of the property will be required to put this road all the way over here on the Cross Pointe property and tie in down here. And that is triggered by an objective standard so that that bottleneck will be averted. I don't know of any development in Vanderburgh County, at least from my fourteen to fifteen years of doing this, where you had in a condition of an automatic trigger point that would cause that construction to occur and the process here this evening of approving the rezoning, then going to a public hearing to negotiate out the rest of the ingress/egress problems continues that type of planning. I think it's good planning because, as I say, it is according to the conditions of the plat."

Mr. Dersch said they have been working with Mr. Shively all along and they appreciate all the cooperation of him, Mr. Farney and the Hartmanns -- and he thinks that certainly is a step in the right direction. By the same token, what if - by putting these roads through -- it is still congested here? Then, do we have a solution? The one way that was mentioned earlier would be a possible solution. But in the event it doesn't rectify it -- if and only it doesn't rectify it -- then if that option is available, it could take care of it. But we're here to work with the Hartmanns and we're here to work with the County to help -- not to hurt -- and not to get hurt."

President Tuley noted, "You've only got one problem. You're still trying to go across land you don't have any right-of-way on yet."

Attorney Shively said, "I understand that. Let me note one piece of land -- property owned by Cross Pointe. This particular plan obviously would require some type of acquisition of that property. The property right now is encumbered by a drainage easement, which limits its value considerably. It can be acquired by the County or it can be acquired by the private property owner. That is what we think should be the subject matter of a public hearing on the ingress/egress question. As I said before -- and I showed the map that showed the south side - - how this is done here doesn't just affect this side of the road, it affects both sides of the road. And we have made an engineeringly sound plan here that goes about as far as any developer has ever gone in terms of commitments and still reserving \$1/2 million or better of the property. If you want us to be without the frontage road, then we need to talk about how the Hartmanns get back that value they lose. Rather than talking about that, we'd like to take it in steps as we have. We started out with the 64 acres. We were asked to only rezone what we're actually going to develop initially and have brought it down to 21 acres. We were asked to plat that. We were asked to put certain conditions on it for ingress/egress. We're taking it in steps and this is the next step to rezone the property so we satisfy the one contingency to keep the purchaser on line. The next step is to have a public hearing within sixty (60) days to, hopefully (and I think we can) negotiate out the ingress/egress question. What we're asking you tonight is to please approve the rezoning. Let's keep the ball in the air, because this is a tremendous asset in terms of commercial development that will add to the tax base of this community. If the rezoning is not approved, then that is not going to happen in the near future and then these folks have to look at other alternatives -- and they don't want to look at other alternatives. They want to develop this ground and I certainly think they've made more than a good faith effort to resolve the problems that they didn't create."

President Tuley turned to Attorney Kissinger and asked, "Alan, just for the record, if, in fact, let's just talk in wonder land here -- if this were approved in a public hearing, as he has indicated, and nothing comes out of it from the standpoint that Cross Pointe won't agree, if I heard Mr. Shively correctly he said that we have the right to take that property. And my short term experience has been that we don't have the right to take that from....."

Attorney Shively said, "Mr. Tuley, I might have mis-spoke when I said that. I think you still have to have a public hearing -- make a showing of public necessity -- there would have to be a public hearing; there would have to be a record made that it was a public necessity for that acquisition."

Mr. Tuley said he may have misunderstood Mr. Shively.

Attorney Shively said, "I may have mis-spoke. But that is why a public hearing is necessary - to make that kind of record."

Attorney Kissinger said, "And the question obviously is whether or not that public need or necessity could be established and that's total speculation at this point."

Commissioner Tuley asked, "Then what happens?"

Commissioner Hunter asked, "Yes, how would we determine whether that need was established at a public hearing?"

Attorney Kissinger responded, "I suppose you would probably ask someone like me -- in which case, based on what I have heard tonight, I think there'd be a big stretch in establishing a public need."

Mr. Tuley said, "If I heard you right, it would push the interpretation real far."

Attorney Kissinger countered, "My preliminary answer on that would be -- especially in consideration of this microcosm that we're dealing with. We're not talking about a throughway or a highway. Showing a public necessity in this particular instance would be a very difficult matter to deal with. We might even go through the whole procedure and file lawsuits, only to get the Courts and the Judge tell us that we had not met that requirement. My first reaction is that if we took that type of action, the primary benefit would be to the private property owners developing and not to the public generally. Obviously, anyone objecting could come in and say, 'If you don't build it the public won't use it' -- and, therefore, there is no public need."

Commissioner Hunter asked, "If it went through the courts and all of this, how long would it take?"

Attorney Kissinger replied, "Oh, it could take ages. It would require the filing of lawsuits very quickly after a determination had been made, etc."

Attorney Shively said, "Mr. Tuley, let me just suggest this -- and not to argue with Counsel here -- but noting the fact that I have researched pretty thoroughly and looked at this more closely a little longer in detail -- this is why I think a public hearing is necessary. Say today you had plenty of money and didn't have to worry about funds -- today someone came to you with a project to approve Burkhardt Rd. in some fashion to accommodate what occurred out there with K-Mart, there'd be no question in your mind but that it was a public necessity. No question in mind."

Commissioner Borries said, "Mr. Shively, that is precisely why I have said we are putting the cart before the horse. You cannot have the public hearing **after** you have rezoned something. To me, a public hearing -- we have to act on what is tonight -- and there are many unanswered questions, frankly, in my mind about that. But you're going to have to have public hearing; it's going to have to involve -- I use the term (we need to get away from the rhetoric of talking about this microcosm) a **total quality development** all the way out here -- and that can't happen on the hip and to come as our Attorney has advised us here. You're representing one piece to this gigantic puzzle. It's our role to look at the **entire** aspect, and, frankly, this creates a lot of other pieces in the puzzle here that are unanswered at this point."

Attorney Shively stated, "I beg to differ with you. We're not putting the cart before the horse. We're, in fact, trying to avoid a problem. We are not the County Commissioners. We are not a legal condemning authority. We're not an authority to build roads. All we can do is come up with a design and, you know, no one else has come up with a solution. We've come up with a design that is engineeringly sound - I mean, everybody who drives the street is not a highway engineer. We've gone to professionals; we've had it reviewed by independent professionals; we've given it our best shot and no one else has provided anything to counter it -- or another proposal -- other than to say, 'We don't want you to have any other frontage' -- and build all

of this and have access only up here. And that's not really a solution, because you have a substantial loss in value and I don't think anyone wants to see it occur. It doesn't help anybody when that occurs. That's why, you know, I think we have a public hearing on the ingress/egress; I think we can come up with a solution short of the hammer of eminent domain. I think we can negotiate something out. But the Commissioners would hope to take the leadership position by having this hearing and encouraging -- Regency (Cross Pointe) has already indicated that they will in that time period have a proposal -- and it may solve the problem. I don't know -- I haven't seen it. I had asked for that back on the 13th of April and haven't received it yet. But we just want to keep the ball in the air and keep going and I think we have proceeded more than in good faith. We have made some real tangible efforts to resolve, as I said before, a problem that we didn't create. If EUTS' plan had been followed and Indiana Street had been kept here and extended all the way to our property line, we would have had that available. We would have a whole different position. This project -- instead of digging dirt out there, we'd be out there putting in the foundation and you'd be out there working. That didn't happen because of what occurred back in 1990 -- but you all didn't have any say-so on it and we didn't have any say-so on it. We're trying to take this situation and make the best out of it. I think we've come a long way and we want to keep moving in that direction."

Commissioner Tuley said, "I'm going to leave it up to you other two -- but I have real concerns with approving this and then worrying how the heck we're going to get people in and out of there."

Commissioner Borries said, "Mr. President, if there is no further testimony -- you might ask -- I'd move....."

President Tuley asked if there are any further comments.

Attorney Shively said, "Before you vote, let me ask you this. It is entirely up to you -- it's your prerogative what you want to do. But if the rezoning is denied, we're out for a year."

The three Commissioners simultaneously stated, "Not necessarily."

Attorney Shively said, "Well, there must be a change in the ordinance somewhere."

Commissioner Hunter said, "The three of us can request that it be heard by Area Plan again."

Mrs. Cunningham offered comments -- but they were inaudible, for the most part, because she was not speaking at the podium.

Attorney Shively said, "One other point is, that would put us at a substantial disadvantage because even though we petition back, we only have thirty (30) days following this vote to do something regarding that vote. I would again reiterate that if this rezoning is denied, the sale is gone and all their investment they've made in this property to this point is gone. They've certainly made a good faith attempt, gentlemen."

Commissioner Borries moved that VC-20-93 be approved.

Seconded by Commissioner Hunter.

President Tuley said we have a motion and a second. He would now ask for a roll call vote: Commissioner Hunter, no; Commissioner Borries, no; and Commissioner Tuley, no.

Commissioner Borries said he would move that the Ordinance indicating that this matter and the time length that this matter could be considered by the Area Plan Commission be waived.

Seconded by Commissioner Hunter. So ordered.

Commissioner Borries said, "I would move that it be waived for sixty (60) days. And during

Commissioner Borries said, "I would move that it be waived for sixty (60) days. And during that sixty days, what I would like to see this Board do -- probably within the next thirty (30) days -- is talk about the total quality development that I envision. I mean, we're doing this piecemeal here. That is what has happened all up and down the Lloyd Expressway and, you know, we get property owner after property owner, Attorney after Attorney, or conflicting judgments here going on. What has to happen from Burkhardt Rd. all the way through here for this thing to go -- I mean, we may as well talk about a stoplight down here at the Lloyd -- that's got to come. Otherwise, where is the money going to come from? This is going to be a huge entrance here, so you're going to have a traffic light here and another one here at Burkhardt Rd. I would envision we have a public hearing and have those interested properties all the way over to Burkhardt Rd. to look at this whole area here as to how it is going to develop -- and then maybe we'll be able to see our way clear as these developers can make some commitments to assure us here that we can truly have a total quality development out in that area -- something that is going to last for a few years, rather than put a band-aid on it for the next two or three years, if that. That would be my solution to it. I'd like to see a public hearing be held and the matter be considered before the Area Plan Commission within sixty (60) days."

Mrs. Cunningham said, "I am understanding that you want a sixty (60) days period and that you maybe want Mr. Shively to file it after that."

Attorney Shively said, "The sixty (60) days doesn't do us any good, gentlemen, because the problem is we have a thirty (30) day window under the law to proceed on any remedies. My question is, would the County also waive the thirty (30) days?"

Commissioner Borries said, "That is what I am suggesting."

Commissioner Hunter said, "No, no, no, no."

Mrs. Cunningham said, "No, that's a different thing. That's the filing."

Attorney Shively said, "If you would waive and say that we keep that..."

Attorney Kissinger interrupted, "Les, we can't do that."

Attorney Shively said, "That's my problem."

Attorney Kissinger said, "No, that is not necessarily your problem. Your problem is that you haven't made a decision as to what you are going to do. And I appreciate that you have to consult your client before you make that decision. But basically what you are saying is will we give you time to sue us -- and the answer is no."

Attorney Shively said, "The point I'm simply saying is -- sixty (60) days -- what do you want to see in sixty (60) days?"

Commissioner Borries said, "Another plan. A different plan with some remedies that would ease my concern over public safety."

Attorney Shively said, "Mr. Borries, we've used our engineer and my point is..."

Mr. Borries said, "I understand. You're talking about a public hearing. I'm offering the aspect for a public hearing; not only from where you're talking about, but for a wider scope of area -- something that could last into the 21st Century."

Attorney Shively asked, "Are you talking about a public hearing before it would come up for rezoning in sixty (60) days?"

Commissioner Borries replied, "Yes. Yes."

Attorney Shively asked, "So when would that public hearing be scheduled?"

Mr. Borries replied, "Within thirty (30) days."

Mr. Shively asked, "So we're going to have a public hearing here within thirty (30) days and then bring this back as a new petition in sixty (60) days?"

Mrs. Cunningham again offered comments; but, again because she was not speaking from the microphone, they were inaudible for the most part.

Attorney Shively said, "We'd rather proceed in that direction."

Commissioner Borries said, "That's my feeling -- my compromise -- to set some deadlines to pull in a lot of different developers, because we're only talking about two developers on Virginia Street and, frankly, Virginia Street has to, to Burkhardt Rd. It's got to go over there and so does Vogel Rd."

Attorney Shively said, "This is May, so we're talking about coming back to you all in July?"

Commissioner Borries replied, "Yes."

Attorney Shively said, "That would have to be triggered by a new petition; is that what you are saying Mrs. Cunningham?"

Mrs. Cunningham said, "And that would have to be filed by May 31st for July or June 20th for August."

Attorney Kissinger said, "If I may -- if you do file your new petition and your new petition is denied, then once again..."

Attorney Shively said, "I appreciate that fact. And now that I see the way we are going, that may be the way to proceed -- providing that is what they decide to do."

Attorney Kissinger said, "Of course -- of course."

Attorney Shively said, "And that makes sense. Once again, I'm trying to think of the timing on this. I know we've spent a lot of time on this -- but we all agree it is very important. If we have to file by June 20th, Mrs. Cunningham..."

Mrs. Cunningham said, "If you file by June 20th, you'll be heard the 1st of August and you can have the public hearing in between."

Attorney Shively asked, "How does that sound?"

President Tuley said, "Whatever it takes."

Attorney Shively said, "Okay. We can have the public hearing some time the latter part of June or early July. If you all could really give us some guidance on the type of thing you'd like to see, that would really help us."

Attorney Kissinger said, "Les, if I may, for the Commissioners -- obviously, something needs to be done about your proposed Hartmann Drive there. I don't want to let the cat out of the bag and I don't think I am. I think Mr. Wittman already understands that they kind of hold the control here. But something needs to be firmed up on that agreement. You know, otherwise everyone is kind of buying a pig in a poke here. But the agreement in reference to Hartmann Drive and where it is to come out -- if that can be firmed up, I think even the Commissioners would feel better about discussing the rest of it."

Mrs. Cunningham commented, "I was going to say that if you want a suggestion of some things that maybe would help the Commissioners, if when you brought it back you did it with a Use & Development Commitment -- much as you did the four things on the subdivision -- that probably would be helpful, too."

Attorney Shively said, "But I want to make sure that I understand. Even if this plan were part of the Use & Development Commitment, re you saying the Commissioners still would not have liked it?"

Mrs. Cunningham responded, "The problem is that you don't have that (designated) section. You don't have that and I think that is the problem."

Attorney Shively asked, "So you want that signed, sealed and delivered?"

Mrs. Cunningham responded affirmatively.

Commissioner Borries stated, "Mr. President, I amend my motion to ninety (90) days, which would allow for the filing date to be June 20th with the Area Plan Commission."

Seconded by Commissioner Hunter. So ordered.

Commissioner Hunter said, "Mr. Wittman, I believe you said early in the meeting that you had engineers and various folks who were going to come up with a plan within sixty (60) days?"

Mr. Wittman said, "We hope to have some sort of plans available within the next couple of weeks. I said thirty (30) days was not sufficient time and I meant to say thirty days is not sufficient time to get everything together."

Commissioner Borries asked, "Mr. Wittman, do you understand our concerns about your development? You see, that's the same thing -- we can move forward on a flat piece of paper here as Mr. Shively asked us to do, but all things can change. Things change. Different developers come in here. What I am saying here is that is why I want to see a public hearing out here. This is a rapidly developing thing and I feel very confident that the Hartmanns, your firm, others are going to benefit enormously from this - enormously. It is going to happen. But the problems government deals with is that something in the future here is just not going to happen by happen chance -- otherwise, we end up with a mess in the future; literally a mess. And I think that there has to be some agreement among a lot of different developers as to how this network is going to work. How do people get in and out of there?"

Mr. Wittman said, "That's right, we agree. I mean, our concern is basically the concern of public safety. You have a development going all along that Hartmann Drive which is going to be at least a stack of twelve cars. And we agree with you, Mr. Borries, we'd like to see that whole area be

Mr. Borries said, "Good. Thank you."

At 8:25 p.m., President Tuley said, "This meeting is adjourned."

PRESENT:

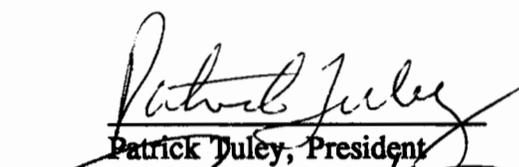
Patrick Tuley
Richard J. Borries
Don L. Hunter
Alan M. Kissinger/County Attorney
Cindy Mayo/Chief Deputy Auditor
John Stoll/County Engineer

COMMISSION MEETING
May 16, 1994

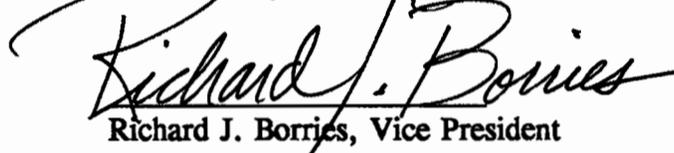
18

Barbara Cunningham, Director/Area Plan Commission
Les Shively/Attorney
Dennis Fehrenbacher
Fred Wittman/Regency Properties
Jim Farney
Tom Dersch/Dersch Energies
Others/ Unidentified)
Jim Beck/Evansville Courier
Kyle Foster/Evansville Press
Steve Burger/WIKY
Hamilton Northcutt/WFIE-TV

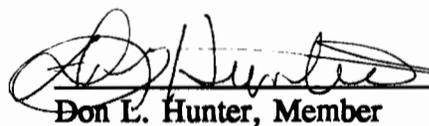
SECRETARY: Joanne A. Matthews



Patrick Duley, President



Richard J. Borries, Vice President



Don L. Hunter, Member

PRESENTATION

May 16, 1994

1. Petitioner is requesting to rezone approximately 21 acres from agricultural to C-4 for property located at the Northwest corner of the intersection of I-164 and Lloyd Expressway.
 - A. This is an amendment of an original petition to rezone the entire 64 acres limiting it to only the 21 acres which have been granted primary plat approval as Nurrenbern Commerce Center.
 - B. Comprehensive plan designates this area for commercial use on the year 2010 conceptual land use map.

The Area Plan Commission recommended approval of the rezoning request at its March 2, 1994 meeting.

2. Ingress and Egress problem.

The State of Indiana acquired a portion of the Hartman property for the I-164 project. The I-164 project called for a limited access design along the area of the I-164 proposed right-of-way and Lloyd Expressway. The design plan also provided for the construction of a local service road (L. S. R. #4) to provide access to the Hartman property, as well as access to the property to the West. C. David Matthews, MAI SRPA, a local real estate appraiser, reviewed the offer by the State to determine just compensation due to the Hartmans for this acquisition. He found little, if any, damage to the remaining property due to access provided by the State and the frontage along I-164 and Division Street.

EUTS has recognized the potential for commercial growth in this particular area and made several recommendations regarding an appropriate road system to accommodate such commercial growth. Included among those recommendations were the creation of a grid system of roadways including Indiana Street, which would run parallel to the frontage road to the North to provide access to the properties in this particular commercial corridor including Cross Pointe Development properties and the Hartman properties.

The developers of Cross Pointe optioned the Hartman property. During the period of time of this option, the developers of Cross Pointe sought primary plat approval for Cross Pointe. This request did not include any of the Hartman property, but only the property immediately to the west of the Hartman tract. On April 4, 1990, the Area Plan Commission of

Evansville-Vanderburgh County (APC) considered the application of the developers of Cross Pointe Subdivision for primary plat approval. The plan submitted to the APC showed a cul de sac at the east end of Indiana, and a remaining two-foot buffer of land which would make it impossible to extend Indiana Street to the East to provide access to the Hartman property. In addition, the Cross Pointe Development plan showed the installation of a boulevard in the center of a roadway to be known as "Cross Pointe Boulevard," which included the curb cut access point for L.S.R. #4. Concerns about the legality of the Cross Pointe roadway plan and its consistency with the EUTS plan for roadways in this area was discussed at the April 4, 1990, Area Plan Commission meeting. No modifications, however, were required by the APC and the APC at its May 2, 1990 meeting granted primary plat approval. Subsequent to primary plat approval, the developers of Cross Pointe allowed their option of Hartman property to expire. Subsequent to the platting and construction of Cross Pointe, the developers of Cross Pointe replatted a portion of the subdivision which resulted in the vacating of the right-of-way for Indiana Street in conjunction with the sale to the owners of the Builders Square project.

EUTS has expressed concern with the utilization of L. S. R. #4 as access to the Hartman property, and it further suggested that the Hartman property be developed without any frontage access.

The Petitioners believe that this would be unfair since it would penalize the Petitioners for conditions which Petitioners did not create. More importantly, it would deprive the Petitioners of the right to develop their property in the same manner as the developers of Cross Pointe. The Petitioners prefer, however, to pursue a course of conduct which allows the Petitioners to develop their property in an economical manner, but at the same time address concerns regarding ingress and egress.

3. Petitioners' ingress and egress proposal.

The Petitioners' ingress and egress proposal is best described by the drawing prepared by Jim Farny of Bernardin, Lochmueller and Associates. The implementation of this plan is more particularly set forth in the letter of March 2, 1994, from Leslie C. Shively to Ms. Barbara Cunningham, which was made a part of the record of the March 2, 1994, APC meeting, and incorporated in the conditions to primary plat approval of Nurrenbern Commerce Center. In effect, this plan calls for relocation of the frontage road and the construction of a future access drive and roadway system to accommodate development to the North. Dersch Oil (owner of the Shell C store in Cross Pointe) has indicated its willingness to cooperate in the relocation of the frontage road. The developers of Builders Square have not been approached as of this date, however, given the fact that this relocation would result in Builders Square acquiring additional road frontage, Builders Square's cooperation is expected. The developers of Cross Pointe, however, are not in agreement with this proposed relocation of the frontage road and have expressed their opposition. It should be noted that the land which would have to be acquired from Cross Pointe is encumbered by a drainage easement.

John Stoll, Vanderburgh County Highway engineer, has reviewed this plan and has found it to be a workable alternative. The access plan is also consistent with existing commercial access points presently existing along the Lloyd Expressway (Metro Center East, Wal-Mart Shopping Center.)

Petitioner is not aware of any other alternatives which would allow Petitioner road frontage and meet ingress and egress concerns. Representatives of Cross Pointe, however, following a private meeting on April 13, 1994, indicated that they would be proposing other alternative ingress and egress plans for the subject property. None, however, have been received as of this date.

4. Consideration and Requested Action.

The Petitioner has entered into negotiations to sell a portion of the subject real estate to Hays Group of Louisville, Kentucky. The prospective buyer has consented to the relocation of L. S. R. #4. In order to close the sale, Petitioner needs to resolve the zoning and ingress and egress issues as soon as possible.

Petitioner is therefore, requesting that the County Commissioners approve the rezoning request tonight and set a public hearing as soon as possible to receive input and review alternatives for resolving the ingress and egress question.

It is hoped that through such a public hearing all parties and the public in general can present the concerns and viable alternatives which will result in a negotiated solution allowing this vital commercial project to move forward.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue

Room N755

Indianapolis, Indiana 46204-2249

(317) 232-5533

FAX: (317) 232-0238

EVAN BAYH, Governor

Frederick C. P'Pool, Commissioner

Writer's Direct Line:

December 20, 1993

REPLY TO:

Evansville Area Plan Commission
1 Northwest Martin Luther King, Jr. Blvd.
Civic Center Complex, Room 312
Evansville, Indiana 47706

Vincennes District
P. O. Box 376
Vincennes, Indiana 47591
(812) 882-8330
FAX: (812) 882-8330

RE: L.S.R. #4 (Nurrenbern Commerce Center)

Dear Sir or Madam:

The purpose of this letter is to respond to your request as to the intended use of L.S.R. #4.

L.S.R. #4 was designed and built by the Indiana Department of Transportation to primarily handle low volume and low axle load vehicles.

If this roadway is intended to be used as a main entrance to commercial developments, the typical section of roadway should probably be increased. Due to the geometrics of L.S.R. #4 as it relates to the Lloyd Expressway, I feel that it could possibly cause major traffic congestion at the entrance to the Lloyd Expressway in the future, therefore, other areas of egress and ingress to this properties should be considered.

Sincerely,

Dale E. Lucas, P.E.

Vincennes District Development Engineer

DEL/cli

cc: File

RECEIVED

DEC 22 1993

AREA PLAN COMMISSION

NURRENBERN COMMERCE CENTER

May 16, 1994

INDEX

1. State of Indiana takings site plan.
2. October 8, 1986, report of C. David Matthews, MAI SRPA, to Martha Deuerling.
3. April 4, 1990, Area Plan Commission minutes, pages 6 through 13.
4. Drawing showing Cross Pointe and subject property.
5. March 2, 1994, letter from Leslie C. Shively to Barbara Cunningham, Executive Director, Area Plan Commission.
6. January 19, 1994, letter from John Stoll, Vanderburgh County Engineering Department, to Area Plan Commission.

ARCEL NO. 49
PROJECT NO. I-64-42)
OAD NO. I-164

OWNER: HOFFMAN, MARY ANN ET AL.
~~DEED RECORD~~, PAGE , DATED
Pro. O.B. 342, # 18, # 8-6-74

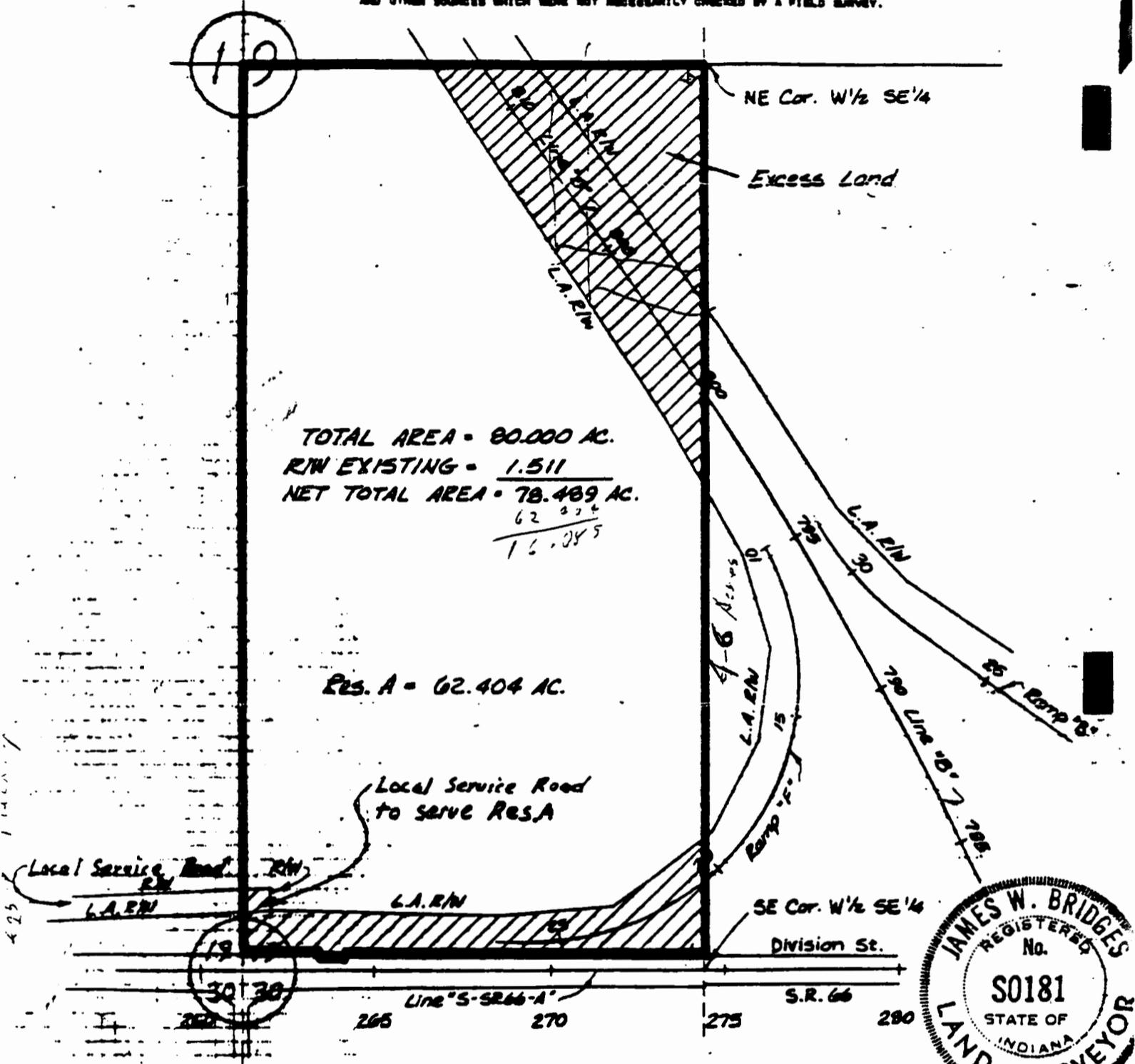
DRAWN BY: D.R. West 12-4-85
CHECKED BY: M.W. Teepe 1-13-86

TOWNSHIP : Vanderburgh
SECTION : 19
RANGE : 9 W.

 HATCHED AREA IS THE APPROXIMATE TAKING

SCALE: 1" = 400'

THIS PLAN WAS PREPARED FROM INFORMATION OBTAINED FROM THE RECORDER'S OFFICE AND OTHER SOURCES WHICH WERE NOT NECESSARILY CHECKED BY A FIELD SURVEY.



TOTAL AREA = 80.000 AC.
RW EXISTING = 1.511
NET TOTAL AREA = 78.489 AC.
$$\begin{array}{r} 62.274 \\ 1.215 \\ \hline 63.489 \end{array}$$

RES. A = 62.404 AC.

Local Service Road to serve RES A



4/15/86
James W. Bridges

October 8, 1986

Martha Deuerling
413 S Harlan Avenue
Evansville, IN 47714

Re: Estimate of just compensation on Parcel 49, Project I-164-1
(2), Highway I-164, Vanderburgh County, Indiana

Dear Ms. Deuerling:

In accordance with a request by Joe Hartman I developed an opinion of just compensation owed you due to the acquisition of a portion of your property for the new I-164 project. The property was inspected as of October 8, 1986.

Just compensation is defined as the difference in market value before acquisition and after acquisition and can also be estimated by adding the value of the part taken plus damages to the residue.

'Market Value' is hereby defined and qualified:

"The most probable price in terms of cash, terms equivalent to cash, or in other precisely revealed terms, for which the appraised property will sell in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably and for self-interest, and assuming that neither is under undue duress.

Fundamental assumptions and conditions presumed in this definition are:

- a. Buyer and seller are motivated by self-interest.
- b. Buyer and seller are well informed and are acting prudently.
- c. The property is exposed for a reasonable time on the open market.
- d. Payment is made in cash, its equivalent, or in specified financing terms.
- e. Specified financing, if any, may be the financing actually in place or on terms generally available for

- the property type in its locale on the effective appraisal date.
- f. The effect, if any, on the amount of market value of atypical financing, services, or fees shall be clearly and precisely revealed in the appraisal report."*

*The Dictionary of Real Estate Appraisal, American Institute of Real Estate Appraisers, Chicago, Illinois, 1984, p. 194-195.

From the engineers sketch provided me the Indiana Department of Highways intends to acquire 16.085 acres of net usable land off the appraised property. The appraised property before acquisition contains 80 acres with an existing right of way of 1.511 acres leaving a net total of 78.489 acres. Acquisition will leave a residue of 62.404 acres of irregular shape. Acquisition will include a triangular piece off the northeast corner and a strip off the south end of the property. Access to the property will be provided by a local service road entering the subject property at the southwest corner of the residue from a highway entrance several hundred feet west of the property.

The appraised property consists of a level tract of agricultural crop land before acquisition. The property borders Nurrenburn Ditch on the west. The legal description of the property is Pt S 1/2 Section 19, Township 6 South, Range 9 West, Vanderburgh County, Indiana. The street address is 7900 Outer Division, Evansville, Indiana.

Zoning of the property is agricultural.

The highest and best use of the appraised property before acquisition without consideration of the I-164 project is for interim use as agricultural row crop production until some type of development occurs. This development would most likely be in the form of residential land usage if I-164 were not to be built.

The value of the subject property has been based upon several land sales that have occurred in the Evansville area in recent years. The sales are shown below in chart form.

BEFORE VALUATION

LAND SALES

Item	Subject	Sale 1	Sale 2
Price/acre		\$5,102	\$6,607
Address	Hwy 66 Vanderburgh Cty	Hwy 66 Warrick Cty	Old Boonville Hwy & Burkhardt Vanderburgh Cty
Date	10/86	4/86 =	3/86 =
Location	average	average- +10%	average =
Size	80 acres	49 acres -5%	28 acres -15%
Zoning	agri	R-1 -2%	R-1 -2^
Shape/Topo	rect/level	rect/rolling =	rect/level to rolling =
Other			flood plain on north +5%
Net Adj Ind. Value/Ac		+3% \$5,255	-12% \$58,14

Item	Sale 3	Sale 4	Sale 5
Price/acre	\$6,835	\$5,269	\$7,500
Address	8400 blk Newburgh Road Vanderburgh Cty	Green River & Kickas Vanderburgh Cty	300 blk Kimber Vanderburgh Cty
Date	12/84 +5%	6/81 +10%	6/81 +10%
Location	average+ -10%	average =	average+ -15%
Size	29.7 acres -15%	12.82 acres -15%	10.5 acres -15%
Zoning	R-1 -2%	R-1 -2%	agri =
Shape/Topo	irreg/rolling +10%	"L" shaped/level =	rect/level =
Other	adj owner -10%		contract sale -5%
Net Adj	-22%	-7%	-25%
Ind. Value/Ac	\$5,331	\$4,900	\$5,625

Indicated value range \$4,900/acre to \$5,814/acre. Mean \$5,382/acre. All sales were given some weight but most weight was given to Sale 1 & 2 because these sales required small adjustment and were the most recent.

Indicated before value is \$5,400/acre x 80 acres = \$432,000

JUST COMPENSATION

The acquisition involves the take of 16.085 acres. The value of the part taken is calculated as follows:

$$\$5,400/\text{acre} \times 16.085 \text{ acres} = \$86,859$$

Damages to the residue are created by the irregular shape and restriction of access. However, these damages are offset by the benefits created to the property by the construction of the I-164 interstate highway and the interchange it will have with Division Street. The subject property will have frontage along both I-164 and Division Street. This new highway project will create

commercial demand for the subject property which will benefit the market value of the appraised property. These benefits offset any damages created due to the irregular shape of the subject site. Therefore, it is my opinion there are no net damages that accrue to the subject property.

Total compensation due the property owner because of the acquisition of the land is \$86,859 SAY \$86,900.

Before value	\$432,000
After value	<u>345,100</u>
Total Compensation	\$ 86,900

It is my opinion total compensation owed the property owner as of the date of this appraisal due to the acquisition of land for the I-164 project is \$86,900.

Respectfully submitted,

C. David Matthews, MAI SRPA

drive and all other lot access be determined at Site Review. Building Commissioner requires a soil report before construction on unconsolidated fill. May I have a motion. Mr. Helfrich made the motion. Mr. Myers seconded the motion and the secretary called the roll.

Ayes: Finch; Helfrich; Herrin; Laughlin; Lindenschmidt; Lowe; McClintock; Myers; Raider; Woehler; Bauer.

Nays: None.

There being 11 ayes and 0 nays, 5-S-90 has been approved.

6-S-90 North Pointe Estates Part of the east half of the southwest quarter and part of the west half of the southeast quarter of section 4, township 5 south, range 10 west, located on the south side of the intersection of Old State and Browning Roads. This has been continued until the May meeting.

NEW BUSINESS
SUBDIVISIONS

8-S-90 Cross Pointe Part of the southwest quarter of section 19, township 6 south, range 9 west, located north of Lloyd Expressway west of I-164.

Jim Morley presented the petition. I represent the owners of this property, Buente Land Trust and Regency Associates. Most of you have already seen the preliminary information on this commercial development at the Lloyd Expressway and I-164 interchange. It is located at the very first access off of Lloyd Expressway, west of I-164. The plan is for an office park development which you heard during the presentation at the rezoning. The plat before you tonight is for 48 acres, 26 lots. On this plan you can see some extensive landscaping along the roadways in the project. For this reason, the owners desire that these roadways remain private and under their control and under their maintenance of these landscapings. I will be glad to answer any questions you may have at this time.

Ms. McClintock - Tell us why you are not going to dedicate these roads?

Mr. Bauer - That is a point that you all need to be aware of this evening, just what is being proposed?

Mr. Morley - I will try to explain why they are not dedicating the roads and then Judy Rueger, who is the project manager for Regency Associates, can perhaps expand further. The reason that they don't want to dedicate the roads is that they are creating something that is new for Evansville, and that is a very high quality campus environment where there are very strict covenants regarding the signs in the development, the types of buildings, and regarding the amount of care that everyone has to do regarding landscaping. They want everyone involved, everyone that comes in there, to be involved in it. Furthermore, they don't want to see that destroyed

by the adjoining properties and I know that is a concern that Mr. Bauer has to the adjoining properties. Regency wants to reserve that right of dedicating the ingress/egress so that they may enforce those restrictions, that they also share in the same type of compatible development and the same type of street maintenance. They want to create an area out there that is different from anything we currently have in Evansville.

Mr. Bauer - Before we hear from Ms. Rueger, let me tell you what I think you are saying and what I think we need to be aware of. What I think they are doing from a development standpoint, is superb because it seems like we would want to encourage streets that have additional landscaping and unique designs, and that is the kind of situation that we need to be in favor of. On the other hand, there are some legalities I think, there are some questions of what we can do to place these strict requirements on adjacent property owners. At this point, because what you are looking at in front of you, is just in this particular subdivision there is, at this point, ground both to the east, north and west of this proposed site. What this particular project represents is exactly, or really close to, what EUTS is requesting as a transportation network for the whole area so those roads are going right where EUTS wants them. The question is, then, should we restrict any of the other surrounding property owners the right to access these roads which we think are right where they are supposed to be. I don't think that we should do that. In other words, if these are the roads that are transportation networks for this area, it is in our interest to allow everyone in the area to be able to access through them. What they are saying is if we do something special, how are we going to maintain that or how can we keep it looking the way we want it to look and who should share in the cost and those are good questions. I don't really have an answer. I think I can say that the City and County are not interested in maintaining that for them but they are interested in having it developed in that particular manner. I don't have any real clearcut answers and I don't think anyone does but I don't see anyway that we can restrict, or allow the restricting, of access to these streets as they go off to the north, east and west. I don't think that we should put these in private hands which is basically what I think the owners certificate is stating.

Mr. Morley - The owners are not saying that they want the full right to deny. What they want is the ingress/egress from the adjacent property to be on conditions and the conditions are compatible development and agreement to maintain the same type of street structure in the area and that is what they want. That is an objective that is something that is not harmful to the City of Evansville.

Mr. Laughlin - If they do not agree to your restrictions, they will then come to us to seek additional curb cuts off of the Lloyd Expressway.

Mr. Morley - And they can't get those, Sonny. There is limited access on the Lloyd Expressway. The only place they can get anything is right here. They do have access except that it is on that little farm frontage road and you are not going to allow them to develop off of it.

Mr. Bauer - We do not want any development off of that farm frontage road, therefore, I think they can come to us and say, "how can you restrict the use of our ground by forcing us to use Regency's streets?" I don't think we can do that.

Ms. McClintock - So basically these people that are on the east,
.

Mr. Morley - No one is landlocked. East, west and north of this property, all have their own access to a public way.

Ms. McClintock - But not onto the Lloyd Expressway.

Mr. Morley - East and west both have access on the Lloyd Expressway.

Ms. McClintock - I thought you said it was a farm frontage road.

Mr. Morley - It is a farm frontage road that accesses on the Lloyd Expressway.

Ms. McClintock - But we are going to close that.

Mr. Morley - But you are not going to close it, you are not going to let anyone develop if they don't go to some other location.

Ms. McClintock - What is the bottom line here? What is going to happen if I own property to the east and I come to Regency Associates and I want to develop my property like yours, and use your roads to get to my property, what is it going to cost me to develop it?

Mr. Bauer - That is a good question, what is it going to cost?

Ms. McClintock - Will there be a users fee or a toll gate?

Mr. Morley - No, but you are going to agree, in Regency's opinion, of what they are trying to do, that you as a neighboring developer, are now going to agree to do the same quality of development as they have done.

Ms. McClintock - The same size roads, the same landscaping, etc?

Mr. Morley - The same size roads, the same landscaping and the same type of compatible development. In other words, they would not want to approve that next piece over to become a borrow pit and then haul dirt trucks over their roads. They don't want that next road over to become like on Highway 41 north where this guy is selling junk equipment above Koesters, he has junk equipment lined up for a half mile along the road. They don't want that to happen where these people come through their beautiful area to get to somebody that wants to creat a junkyard. They want to keep these private and ask for compatible development. They do not want to deny access. - They want condition to access.

Mr. Bauer - They want condition to access, that is a good way to put it. I think that the only way we can consider that is, if for some reason this did not affect the street network which we are looking at. If it was just a development closed within itself, I think that maybe we could look at it that way but under this way, I don't see any possible way that we can. It is too vital of a part of the transportation network of this whole large area. I don't think that we can condition egress. That is my opinion.

Mr. Laughlin - I would like to ask Mr. Vowels, what can we do?

Mr. Vowels - To do this violates four or five of the provisions of the Vanderburgh County Subdivision's code. My suggestion is, and Mr. Morley, I know you are not going to like this, but my suggestion is that the owner's certificate be amended deleting - well I will just read it to you. "The undersigned Owner of the real estate shown and described hereon, does hereby layoff, plat, and subdivide said real estate as shown and designates it as Cross Pointe. All easements shown are hereby dedicated to public use for public utility service, (delete the next phrase) and for storm water drainage. All roadways shown hereon are dedicated for the public use." That is it, delete the rest of the paragraph. It is part of the transportation network, I don't see how you can put this in unless they want to buy the land east of Indiana Street all the way north.

Mr. Morley - They have the option on the land north of this.

Mr. Bauer - This has the potential of being one of the best developments in the area.

Mr. Laughlin - I understand that but at the same time we simply can't be in violation of the Vanderburgh County Zoning Code. Could I make a suggestion? Why don't you take this back and discuss it and make the decision whether or not you want to make the deletions as outlined by Attorney Vowels. If you don't, that is alright too but come back next month and present it either with a modified owner's certificate or let it fly like it is. You have heard our objections to it so I think this would be the best thing to do at this point.

Mr. Bauer - Or we could approve it subject to the conditions that we have talked about this evening.

Mr. Morley - Could we incorporate the two things together here, an approval subject to the revision of the wording that removes this limitation that Mr. Vowels excepted or return back next month with the attorney's wording or revised wording.

Mr. Bauer - I would prefer for you to come back and I would also like for you to address one more problem. It is related to this but who will maintain the landscaped area? We need to make some provisions and as much as we want those, I don't think the City or County is in a position to maintain them for you. I know you are saying that you want it private and we don't want it to be private but we still want you to put it in and to maintain it. There needs to be a legal mechanism for that.

Mr. Morley - That legal mechanism has already been prepared. Judy has the covenants and we could present them, they are already here and ready to be recorded.

Mr. Bauer - Is that like a homeowners association?

Mr. Morley - Yes it is, and it is a very thorough list of covenants.

Mr. Bauer - I think we would want them on the plat.

Mr. Morley - There are too many, we don't normally do that on the plat.

Mr. Bauer - Normally in a subdivision, where there is a homeowners association, we would prefer that the homeowners association be in charge of maintaining things.

Mr. Morley - Tom Williams, the City Engineer, made a comment out in the hall before we came in and it addressed this matter of landscaping and maintenance of landscaping and public rights-of-way. His statement to Regency was, "the City will allow that to be done so long as it is maintained, if you don't maintain it, we will cut it down." He said, "as far as I am concerned, the City doesn't have any problem with it, if you like it landscaped, then you maintain it landscaped, if you don't maintain it, we will cut it down." His feeling is, the City has no problem. Understand, we are in the County currently until this area would be annexed, and of course Mr. Williams is not speaking for the County Commissioners. That was his attitude, you either maintain it privately or they cut it down.

Mr. Vowels - As a point of fact, it is in the County. I think that you probably should get some comments from EUTS on this and what the expectations for the transportation network design for that area would be and also what the County Engineer might think about the utility service as well.

Mr. Bauer - We are pretty well aware of what EUTS' feelings are since they were at the Subdivision Review Meeting on this as far as the transportation network entails.

Mr. Vowels - I agree with you, Mr. Bauer, but I would like a record if we are going to make him impose these conditions, I want a definitive record so I can hang my hat on it.

Mr. Laughlin - Would you object to a month's delay on this so you could go back and discuss this matter with your people and decide whether or not you are going to change the Owner's Certificate as requested?

Judy Rueger - I work for the Regency/Buente Trust and I am project manager for the development of Cross Pointe. It is my understanding that when this design was conceptualized, they were consulting with Rose Zigenfus of EUTS and these are the streets that she asked us to put in there, the east/west thoroughfares, they are named East and West Indiana, the east and west. She has studied those and I understood at Subdivision Review that Barbara or someone else in the Subdivision Review had asked Rose about a letter and

her comment on it was that she was very much in agreement with the way that they were designed.

Mr. Laughlin - I think that the problem that we have is not how the streets are or where the streets are but who is going to own them and maintain them. I think that is the question that needs to be commented on by the Evansville Transportation Study. Was the question to the Owners Certificate raised in Subdivision Review?

Ms. Rueger - It was raised by Mr. Bauer.

Mr. Laughlin - My question is, to move us along here this evening, do you object to us continuing this for 30 days to give you a chance to make the modifications as outlined, or do you want us to make a motion for approval based upon the new owners certification as outlined by Mr. Vowels? We would like for you to tell us what you want to do.

Ms. Rueger - We have had several meetings with the utilities and they are all comfortable with the owners certificate that we have here. What Mr. Vowels was suggesting to delete, specifically addressed the utilities' rights. Our question was, we had something that we had submitted here tonight for approval, is it possible for us to have a vote on what we have here tonight?

Mr. Vowels - I don't think that you should vote.

Mrs. Cunningham - If they vote tonight and it is denied, then you would have to apply as a new subdivision next month. It would delay you longer than the 30 days if the vote was in the negative here tonight. It would be to your best interest and would move much more quickly, if you continue this for 30 days. You can ask for a vote but it would move much more quickly if it goes forward as it is now.

Mr. Bauer - You either need to continue or move on it subject to the conditions.

Mr. Morley - I think what we are trying to do is the right thing to do. We are not trying to deny access, we are trying to raise a standard of quality in that area and set a standard and be able to adhere to it and we don't know any other way to do that for that whole area but this way and it is something that you should want to happen. It is something that you normally don't have the actual power to control on adjoining properties. Do we have any support at all from Members of the Board as far as your thoughts as to what we are trying to do, whether it is right or wrong? I understand the problem of access.

Mr. Bauer - I don't think that we can delegate that to your partnership or your company. I think that if we want to raise the standards of development, we have to do that through the Subdivision Ordinance which we have control over and the ordinances of local government. I don't think that we can just say it is a good idea and we want to do it so we no longer have any responsibilities, we are going to give them to you. I just don't think we can do that.

Mr. Finch - Mr. Morley, one thing that I was looking at, without the dedication of those streets, what would keep you from putting a guard gate, a toll gate or restricting traffic from going in there?

Mr. Morley - That is not the intent.

Mr. Finch - I know that is not the intent but that very well could happen.

Mr. Laughlin - Your intentions are wonderful and we do admire them and we think that your goals are good. Your way of getting there violates four or five provisions of the Vanderburgh County Code and we just can't vote for it that way.

Ms. Rueger - There is certainly an access today for the current use. As we stated before, we do have the option on developing the parcel next to us and if we do that there would be no reason why we wouldn't develop it the same way as you see today. The property owner to the west of us has already agreed to our standards. I don't believe that I have ever seen EUTS have any plans of going over the top of I-164 or underneath the I-164 as it now exists so it will come to a dead-end at the interstate.

Mr. Bauer - That is correct and that is exactly the point that we maintain is that if there was some type of boundary, and I-164 is, but what we are looking at here this evening does not go to I-164. You say that you have an option, that is fine and you do have an option.

Ms. Rueger - It is recorded.

Mr. Bauer - But it has not been presented to us here this evening. Are there any remonstrators present on this petition. I would suggest that we either (1) vote and entertain a motion for approval subject to the conditions outlined by Mr. Vowels or (2) make a motion to continue for 30 days. What is the pleasure of the Board?

Mr. Morley - Is it not possible if we say the first option, which is to agree to the wording that Mr. Vowels has indicated regarding ingress/egress, then I assume it would pass since that is the only problem we have. My question is, if you pass this and Regency's attorney finds out that they have a disagreement with the wording, can we bring it up for discussion at next month's meeting?

Mr. Laughlin - That is what I suggested originally that you go back and talk to your people, talk to the owners.

Mr. Morley - If we have a hangup on the language, can we come back and discuss it at next month's meeting?

Mr. Laughlin - I would rather that you have all the problems solved before you come back next month.

Mr. Bauer - I think that our concerns can be summarized very distinctly by what Mr. Morley said. Dedicated right-of-ways is the main thing that we are talking about. It is a vital part of the transportation network at that particular location.

Mr. Laughlin - I will make a motion that we continue this for 30 days.

Ms. Rueger - Is Mr. Vowels suggesting that we delete the sentence that says, the owner reserves the right to dedicate these roadways and the private access easement to public use and maintenance at any time?

Mr. Vowels - Everything from the sentence that ends, "All easements shown are hereby dedicated to public use for public utility service and for storm water drainage."

Ms. Rueger - I think that without our legal counsel or Mr. Buente's legal counsel, we cannot make that agreement here today. There is not a way that something could be voted on the subdivision plat with the ability to review and accept the certificate, that everything else could be accepted and we would have the ability to review what you are amending, is that possible?

Mr. Vowels - No.

Ms. Rueger - I don't think that you give us any choice, we are going to have to postpone this for 30 days.

Mr. Bauer - May I have a second to Mr. Laughlin's motion to continue?

Mr. Myers - I second the motion.

Mr. Bauer - Will the secretary call the roll?

Ayes: Finch; Helfrich; Herrin; Laughlin; Lindenschmidt; Lowe; McClintock; Myers; Raider; Woehler; Bauer.

Nays: None.

There being 11 ayes and 0 nays, 8-S-90 has been continued until next month's meeting.

Ms. Rueger - May we have a copy of the minutes from this meeting as soon as possible?

Mrs. Cunningham - Yes, as soon as they are available.

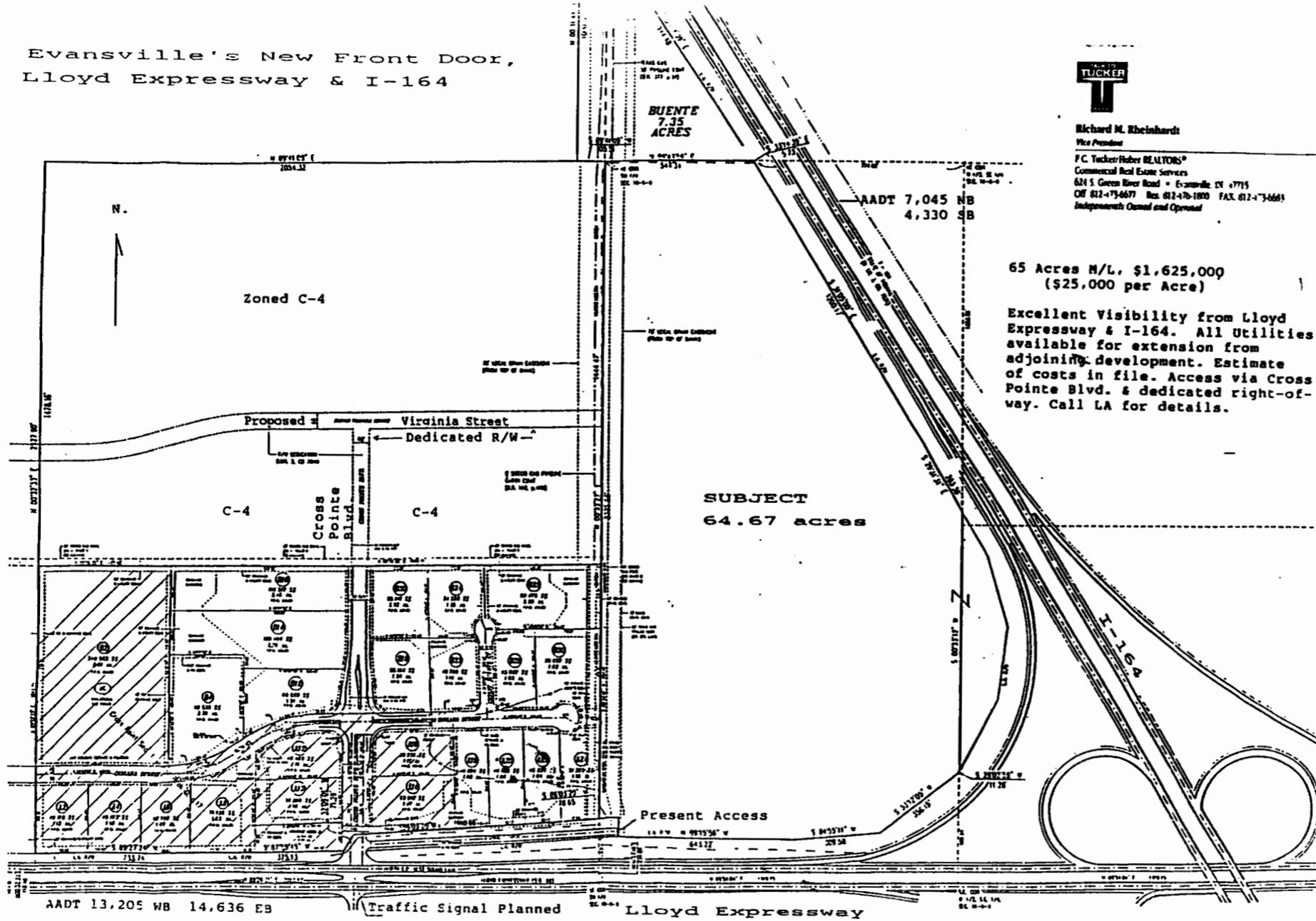
Evansville's New Front Door,
Lloyd Expressway & I-164



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AREA PLAN COMMISSION
EVANSVILLE-VANDEBURGH COUNTY
Room 312 Civic Center Complex
1 N. W. Martin Luther King, Jr. Blvd.
Evansville, IN 47708
Phone (812) 435-5226

TO: Area Plan Commission Members
FROM: Barbara L. Cunningham / Blaine Oliver
DATE: March 2, 1994
SUBJECT: Nurrenbern Commerce Center (Hartman)

Indiana law allows local government to zone property "for the purpose of securing adequate light, air, convenience of access, and safety from fire, flood and other dangers; lessening or avoiding congestion in the public way; and promoting the public health safety, comfort, morals, convenience and general public welfare. This broad zoning power applies only to local governments that have adopted a comprehensive plan, as zoning is a tool to implement the goals, objectives and policies in the local government's plan.

The state enabling legislation authorizing the use of zoning powers also contains factors to be considered by the local government for evaluation of rezoning requests. These factors are listed in Section 153.159 of the Zoning Code for the City of Evansville and Vanderburgh County (see copy attached).

Two of these evaluation factors are whether or not the petition conforms to the Comprehensive Plan, and the extent to which it is responsible growth. In regard to the Hartman property at the northwest corner of the I-164/Lloyd Expressway interchange, the property does not currently have adequate access for high intensity commercial uses. The only existing access is via the agricultural service road adjacent to the Lloyd Expressway. Because of the insufficient distance between the frontage road and Lloyd Expressway intersections with Cross Point Blvd., intense commercial uses accessing the service road would cause significant traffic congestion and safety problems at these two intersections.

The transportation element of the Comprehensive Plan contains a goal calling for "Orderly development which maximizes access and minimizes traffic congestion....." A policy in this portion of the plan also discusses the use of transportation impact analysis in reviewing development proposals to identify and to ensure construction of the road improvements required to adequately serve new development.

Use of the existing service road for access to the Hartman property would be in conflict with this transportation goal and does not provide road improvements adequate to serve the new development. The Areawide Urban Development Action Plan outlined in the Comprehensive Plan includes a policy requiring the provision of "a transportation network . . . which will support and encourage the desired development pattern." Even though the site is designated for commercial use on the 2010 Conceptual Land Use Map, an adequate transportation network must be in place to serve the development. This initially could just entail relocating a portion of the service road to the north at Cross Pointe Blvd. If the service road could be relocated as proposed, increasing the distance from Lloyd Expressway, access via this road would be improved. Development of the Hartman property beyond the 20-acre subdivision would require construction of links in the future road network for the area proposed by EUTS or some other acceptable access.

The term responsible growth in the state statute and the zoning code is subject to individual interpretation. However, responsible growth would not include development that causes significant traffic congestion and safety problems, or development that does not support the desired development patterns including the desired future road network.

(3) If the petition is to be heard by the Area Plan Commission, as provided in Subpart 2 hereof, the petitioner shall again notify all abutting property owners (listed in the affidavit filed pursuant to Subsection 153.158 (F)) and counsel of record by certified mail.

(4) If a use or development commitment is to be included in an ordinance adopted by the Common Council of the City of Evansville to rezone property, the ordinance shall contain the following provisions:

"The subject property herein rezoned shall be used and developed only in accordance with the use or development commitment which is attached hereto and incorporated herein and no improvement location permits shall be issued until the petitioner records said use or development commitment in the office of the Recorder of Vanderburgh County."

(62 Code, Art. 9, Ch. 29 §1)(Am. Ord. G-76-10, passed 2-28-77)(Am. Ord. G-78-13, passed 5-8-78)(Am. Ord. G-88-29, passed 11-21-88)(Am. Ord. G-89-17 as amended, passed 5-24-89) Penalty, see §153.999.

§ 153.159 COMMISSION ACTION AND COMMITMENTS

(A) Following a public hearing at which any interested person may appear to testify against or support the petition, the Area Plan Commission shall recommend either the passage, denial, or passage with amendments of the petition and ordinance.

(B) The Commission and the legislative body shall pay reasonable regard to the following:

- (1) The amendment conforms to the comprehensive plan.
- (2) Current conditions and the character of current structures and uses in each district.
- (3) The most desirable use for which the land in each district is adapted.
- (4) The conservation of property values throughout the jurisdiction.
- (5) Responsible development and growth.
- (6) The zoning classification of the property is improper and the amendment will correct the improper classification.
- (7) Major physical, economic, or social changes have substantially altered the area in a manner not

anticipated in the comprehensive plan, and the amendment will assist the development of the area consistent with the changes.

(C) The commitments and recommendations of the Commission shall become part of the record.
(62 Code, Art. 9, Ch. 29 §2)(Am. Ord. G-76-10, passed 2-28-77)(Am. Ord. G-89-17 as amended, passed 5-24-89) Penalty, see §153.999.

§ 153.160 COMMON COUNCIL ACTION

(A) Within 30 days after the hearing on the proposed ordinance for amendment or repeal of the zoning ordinance, the secretary of the Area Plan Commission shall provide to the Common Council of the City of Evansville a written report that indicates the recommendations of the Commission concerning the ordinance. Within 90 days after receiving the report of the Commission concerning the proposed ordinance, the Common Council of the City of Evansville shall vote on the proposed ordinance without further amendment. If no vote is taken within 90 days after the Commission's recommendations, the action of the commission is final.

(B) Each zoning ordinance adopted by the City under I.C. 36-7-4-606, I.C.36-7-4-607, and I.C. 36-7-4-608, may be vetoed by the Mayor of the City pursuant to I.C. 36-7-4-609.
(62 Code, Art. 9, Ch. 29 §3)(Am. Ord. G-76-10, passed 2-28-77)(Am. Ord. G-78-13, passed 5-8-78)(Am. Ord. G-89-17 as amended, passed 5-24-89) Penalty, see §153.999.

§ 153.161 TIME LIMITS

(A) The denial of a petition by the Common Council or the withdrawal of a petition by the petitioner from the Common Council prohibits the Area Plan Commission or Council from hearing a petition for amendment of that property or any part thereof for 12 months after the date of denial or withdrawal by the Commission or petitioner.

(B) An exception may be made to division (A) above by unanimous vote of the Common Council.

(C) Nothing contained in divisions (A) and (B) shall prevent the Common Council from reconsidering a petition which has been previously defeated. A two-thirds (2/3) vote of the elected members of the Common Council shall be required to approve the motion to reconsider. If the motion to reconsider is approved, the petition shall be returned to third reading. The hearing on third reading shall be not less than twenty-five (25) days from the date of the vote on the motion to reconsider. The petitioner shall notify all adjoining property owners and the attorney for the remonstrators, if any, of the date of the hearing on third reading and of the reconsideration of the petition. The notice

**MINUTES
COUNTY COMMISSIONERS MEETING
MAY 23, 1994**

I N D E X

Subject	Page No.
Meeting Opened @ 5:40 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes (May 16, 1994)	1
Waterworks Road/Steve Rudolph/J.H Rudolph & Co. (Deferred; Mr. Rudolph is to be placed on the meeting agenda for next week - May 31, 1994)	1
C.A.P.E./Request for Renewal of Contract	1
(Board authorized extending current contract on a month-to-month basis until such time as this service can be re-bid)	
C.A.P.E. also may come back to the Board concerning assistance with funding for a replacement van	
Weights & Measures/Vehicle	3
Authorization given to open bids and take under advisement; Bid cannot be awarded until June 6th meeting, subject to funding by Council on June 1st	
Community Corrections/Harris Howerton	4
Approval of Community Corrections Advisory Board's Grant Amendment Approval of Juvenile Grant (\$30,085)	
County Attorney/Alan M. Kissinger	5
Recap of Bids for Weights & Measures Recommendation re Union Employee at County Highway Garage following Hearing	
Superintendent of County Buildings/Mark Abell	6
Approval of Claim in the amount of \$5,455 to repay Intelx, the company that purchased the Used Rolm Telephones; we did not have as many phones to be sold as initially estimated	
County Highway/Bill Morphey	7
Weekly Progress Report Paving Program Mowing of Grass Waterworks Rd. Project Safety Program (A. Kissinger to review when he returns and provide comments)	
County Engineer/John Stoll	8
Omicron Industrial Park/Approval of Road Plans & Sidewalk Waiver Awarding of Bid/Culvert Replacements on Old Petersburg Rd. (CCC of Evansville, Inc. - \$69,433) West Wind Subdivision/Acceptance of West Wind Drive for County Maintenance Lynch Rd. Project/Reimbursable Agreement w/Water & Sewer Dept./ & Change Order for Lynch Rd. USI Project/Request from SIGECO to Proceed with Relocation of Gas Line Waterworks Rd. Project/Levee Authority Meeting Minutes (A. Kissinger to work with D. Bunner re possible monies	

Consent Agenda (approved)	10
Scheduled Meetings	10
Old Business	10
Scheduled Public Hearing/Nurrenbern Commerce Center to be held at 5:30 p.m. on July 11, 1994 during regular Commission Meeting; B. Cunningham to coordinate contacting property owners, developers, various governmental units, etc.	
Auditorium Task Force Report (R. Borries to contact Rolland Eckels to see if he will come to Commission Meeting on May 31st and give their report -- if the report is available.	
New Business	11
Appointments to Trade Licensing Board Display of Flags/Civic Center (Information to be forwarded to Steve Utley/Building Authority	
Meeting Adjourned @ 6:40 p.m.	12

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 23, 1994

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, May 23, 1994 in the Commissioners Hearing room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

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

RE: APPROVAL OF MINUTES

Commissioner Tuley said the minutes from the regular business portion of last week's meeting have been submitted for approval. The minutes for the lengthy rezoning portion of the meeting will be submitted as a separate item -- maybe next week. He then entertained a motion for approval.

Motion to approve the minutes of May 16th (except for the rezonings) as engrossed by the County Auditor was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

President Tuley said now is the time for any group or individual wishing to address the Commissioners who does not find their name or particular item of interest listed on tonight's agenda to come forward. There was no response from the audience.

RE: WATERWORKS ROAD - STEVE RUDOLPH/J. H. RUDOLPH & CO.

It was noted by Commissioner Tuley that Mr. Rudolph called and said that, for some reason, he could not be here tonight.

Mr. Abell noted Mr. Rudolph is out of town, but said he would like to be re-scheduled next week, if possible.

Mr. Tuley asked if this meets with the approval of the other Commissioners.

Mr. Borries nodded, saying he would like to hear from him.

RE: C.A.P.E./REQUEST FOR RENEWAL OF CONTRACT

The meeting continued with Commissioner Tuley stating that Lynn Ellis of Purchasing will address this particular item.

Ms. Ellis said her request is to extend the current contract on a month-to-month basis until we can either renew or re-bid. From the information she has, there were no provisions for renewing the contract, so her desire was to re-bid it. The Attorney would have to advise if we can do otherwise. But from the reading she did, there were no provisions for extending the contract. Again, she would like to extend it on a month-to-month basis, so there would be coverage -- and that is allowed. But she would want to extend for a couple of months until we

can have a bid let and awarded.

Mr. Tuley asked if the expiration date of the current contract is fast approaching.

Ms. Ellis said it expires at the end of this month.

President Tuley asked if the C.A.P.E. representatives have comments.

Mr. Al Riecken, Jr., Finance Director for C.A.P.E. said that C.A.P.E. would be willing to go with a month-to-month extension as long as it is at the same rate. Mr. Riecken said, "From our discussions last year with Mr. Kissinger, I had thought it was indicated at that time that it wouldn't need to be re-bid."

Attorney Kissinger interjected, "No. No. I didn't say -- I should not have given you that impression, if I did. But there were some changes that were requested, if you will recall -- and, yes, it does have to be re-bid."

Mr. Riecken continued, "Okay. That's fine. What we were here today for was to request a renewal of the contract -- just as it is written right now with no changes, you know. We're satisfied with the funding level. In accordance with the Financial Report, we're just about on schedule -- although we haven't yet received payment for the first five months of this year -- January through May. That payment usually comes in March or April (or, it has for the last couple of years).

Attorney Kissinger asked, "Have you submitted a claim for it?"

Mr. Riecken responded, "I believe we have. They usually pay through December and then pay for the next few months after that."

Commissioner Tuley asked if Mr. Riecken would be kind enough to check his records to make sure he has submitted a claim. He also asked Mark Abell to check on our end to see -- it sounds as though something might have fallen through the cracks somewhere. We want to get that cleared up.

Mr. Riecken continued, "So, basically, we were here to see if you would approve a new contract for the full year. If it needs to be re-bid, we'll be happy to respond to that."

Commissioner Hunter asked, "And you are willing to continue giving services you currently give as long as it is at the same rate?"

Mr. Riecken replied, "At the same annual funding amount of \$52,179. So one-twelfth of that until such time as you let a new contract, sure."

Mr. Tuley entertained a motion.

Motion to approve the request to extend the contract at the same rate until such time as this item can be re-bid was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

President Tuley advised Mr. Riecken that the current contract will be extended on a month-to-month basis and when the services are re-bid, C.A.P.E. will be given ample opportunity to bid just like whoever else may want to bid, as well.

Mr. Riecken said he was also asked to bring up another item -- although it is not listed on the agenda. On the first page of the statistics about the ridership, at the bottom it says the age of the vehicle is a 1982 Ford Van, which has a wheelchair lift and tie-downs that accommodate two wheelchairs. It has 207,000 miles on it. They installed a new motor in 1992 and have logged in a little over 100,000 miles since then. If the Commissioners will look at the maintenance cost

for that vehicle on the front page, it's \$3,500 for brakes, transmissions, oil changes, tires, etc. They're looking to get a new vehicle. They're not asking for any kind of approval today; they just wanted to kind of mention that if they can find a good used vehicle for around \$15,000 that they could use in this program, they may be coming back to ask the Commissioners' assistance -- either in total or in part -- for something like that to replace the equipment -- because it is getting old.

Commissioner Borries humorously noted that Loretta Townsend has a used one -- but it is not very good.

Mr. Riecken stated theirs is still in good working condition; it's just got a lot of mileage on it. They do have a real good maintenance program whereby they keep all of their vehicles serviced regularly and take care of all the problems when they need to be taken care of. But it is 12 years old and has over 200,000 miles.

Commissioner Borries asked, "Al, isn't this kind of what I would describe as a joint department? Don't you get some City funding, as well?"

Mr. Riecken replied, "No, we don't get City funding. We get funding from our Head Start Program to transport the Head Start children."

Mr. Borries asked, "So you don't get any City funding at all?"

Mr. Riecken replied, "No. We used to operate a very similar contract to this for the City of Evansville, which the bus department has taken over -- Mets Mobility, I believe it is called. When we operated it, it was called Project S.M.I.L.E. -- and we operated that for three or four years."

Mr. Tuley asked, "But this contract that we're paying for -- if I read it correctly, it either ends in the County or originates in the County? So it sounds like you're serving the County."

Mr. Borries said, "Yes. The only reason I was asking was in relation to the funding for that vehicle. I thought if it was a joint department we might be able to get some share of funding from the City. The other thing would be that -- you don't submit any kind of formal budget to the County, do you?"

Mr. Riecken replied, "No, Sir. What we're looking at is maybe some transportation funds to purchase a new vehicle. And, you know, sometimes -- there used to be a 25% match required. We may ask for assistance on that. Or, like I said, if we can find a used vehicle that is in real good shape -- we may come back on that."

RE: VEHICLE FOR WEIGHTS & MEASURES (ONE TON CREW CAB PICK-UP TRUCK

Ms. Ellis said that last week the Commissioners gave her permission to seek bids for a truck for Loretta's group and the bids have been received. We have three bids and she is requesting permission for those bids to be opened and she and Loretta will analyze those and make a recommendation later in the meeting -- so, hopefully, the bid can be awarded tonight.

Ms. Mayo said this won't go on Council Call until June 1st -- so she doesn't know whether the bid can be awarded tonight or not.

Commissioner Hunter asked, "Can we award it subject to?"

Ms. Townsend said she is going to City Council for the City's 45% in about an hour and a half.

Mr. Hunter again asked, "Can we award it subject to?"

Attorney Kissinger said, "Basically, once we have a bid and we have awarded it, we're bound.

Basically, we have entered into a contract."

Commissioner Borries asked Ms. Ellis if she could wait until June 6th to come back and give the Board a written evaluation or recommendation.

Ms. Ellis said, "I can."

Mr. Borries said, "Council will meet on June 1st. We meet on May 31st but, again, we're in the same situation."

Ms. Townsend commented, "We're a different kind of breed over there. I mean, we do what we gotta do."

Ms. Ellis said, "Right. Delivery is expected to be at least 60 days, so the longer we postpone it the further we are waiting."

Commissioner Borries said, "I don't think any of us want to. But on the advice of our attorney, plus I think my own sense of what is right and wrong in this whole job here is we can't award a contract without the funding in place."

Commissioner Tuley asked, "But we can open the bids?"

Attorney Kissinger said, "Yes. You can open the bids and take them under advisement."

Ms. Townsend said, "It's been sort of a stab in the dark for me to ask for a certain amount -- because I don't really know."

A motion was entertained to open the bids.

Motion to authorize Attorney Kissinger to open the bids was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: COMMUNITY CORRECTIONS/HARRIS HOWERTON

Formal Approval of Community Correction Advisory Board's Grant Amendment: Mr. Harris Howerton was recognized and said that back in April he came before the Commissioners and told them about the Community Corrections Advisory Board's request for grant money from the Department of Corrections. He is happy to tell them today that he received an approval for \$262,469 and he is asked to bring the documentation to the Commissioners so they can sign the contract and return same through the State channels. He also told the Commissioners about an amendment to the grant. Because of the shortfall this year they have had negotiations with the Department of Corrections people and have told them we need approximately \$240,000 above and beyond the grant the Commissioners are signing tonight. The Community Corrections Advisory Board met and approved an amendment. It is short and sweet. He did pass that out last week to the Commissioners. They just need the Board's approval on that and he has prepared a letter for the Commissioners to sign. That \$240,000 will basically be used to pay the balance of the part time help that is needed to the tune of about \$150,000. With other benefits, etc., they come to approximately \$161,475 in personnel matters and then \$78,525 for food so they can continue to feed the participants out there. -- for a total of \$240,000. They would like the Commissioners' approval on that.

Juvenile Grant (\$36,085): Mr. Howerton said that Judge Lensing has asked the Community Corrections Advisory Board to approve a grant request to transport juveniles to relieve the Sheriff's Department of a more costly method of transporting the juveniles to the proper facilities. He is asking for \$36,085 of the Department of Corrections to buy a vehicle, some beepers, for a transportation officer and some money to maintain the equipment and some contingency money to the tune of \$36,085. Again, that was approved by the Community Corrections Advisory Board and they would ask for the Commissioners' approval.

President Tuley asked, "Silly question -- but the Sheriff wants you to do this, does he not?"

Mr. Howerton replied, "I don't know. I have not been privy to that particular conversation. But I would think so, because he ties up two deputies at a time, I think, when they have that transportation and it's use on their vehicles. Yes, I would assume so."

Mr. Tuley said, "I couldn't imagine it wouldn't -- it's just that I haven't heard one way or the other."

Mr. Howerton said, "Judge Lensing brought it up that the Sheriff would prefer that the Court pick up the tab. And if we can get the money from the Department of Corrections to do it, it is worth our while to ask."

Commissioner Borries asked, "Harris, the first grant you talked about tonight -- not the \$240,000 but the \$262,469 -- is that a one time grant?"

Mr. Howerton said, "No, Sir. That is our annual grant. That is the grant we've been getting for years. This \$240,000 is above and beyond that."

Mr. Tuley asked, "This \$240,000 is the additional because of the County's financial situation?"

Mr. Howerton again said, "Above and beyond. Yes, that is correct."

Mr. Tuley asked, "So the State was able to find some extra money to share?"

Mr. Howerton replied, "Yes. They had monies held back in a contingency in hopes of bringing on other counties and to help out with other counties. But they see the need to help us out."

Mr. Tuley said, "Okay. Discussion?" There being none, Mr. Tuley entertained a motion for approval.

Motion to sign the \$240,000 grant application was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Motion to sign the Juvenile Grant for \$36,085 was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Commissioner Borries said he guesses the only thing he would think about in terms of the Juvenile grant application, does Harris know if this is just for one year? A one time thing?

Mr. Howerton said, "That is a one year grant. Now, whether or not it is a one time thing...."

Mr. Borries interrupted, "So you think he might try again?"

Mr. Howerton replied, "Oh, I think he will. The Juvenile Program is, quite frankly, in its infancy. There are a lot of questions, as you know, as to how we go with the juvenile programs. This is a start and I think here in the future that the Community Corrections Advisory Board and Judge Lensing will be talking about more and more funding from the Department of Corrections to handle juveniles."

RE: COUNTY ATTORNEY/ALAN M. KISSINGER

Recap of Bids/Vehicle for Weights & Measures: Attorney Kissinger said there were three (3) bids, as follows:

- | | |
|--------------------------------|-------------|
| 1) Kenny Kent Chevrolet | \$24,975.00 |
| 2) Cooke Chevrolet GEO | \$22,536.21 |
| 3) Wright Pontiac-Cadillac GMC | \$22,315.36 |

* 4) Cooke Chevrolet GEO \$19,962.56

Mr. Bill Samuels, Fleet Manager for Cooke Chevrolet, was recognized and stated, "There are two bids within our envelope. We bid it one way of ordering it and the other way out of stock. We found a unit that matches what you're looking for in southern Georgia. The \$22,000 is out of stock.

(*Attorney Kissinger confirmed that is correct; there are two bids. The second bid from Cooke is \$19,962.56. He will make an additional entry for Cooke Chevrolet GEO on the recap sheet.

Mr. Samuels noted, "So it is cheaper to order the vehicle then." (Mr. Samuels offered additional comments, but they were inaudible since he was not at the podium.)

Mr. Borries said this puts us in a little bit of a bind.

Ms. Ellis said the bids will have to be analyzed. But in the bid document we specified that delivery was important -- the scheduling -- because of the situation that Loretta has. That is why Cooke bid two different options. One because of the budget restraints would be significantly cheaper, but the other bid would meet our more demanding time schedule. And that was the reasoning for the two bids. Also, included in that -- and she is not sure without looking at the bids -- how many actually responded. But there was also the option, based on the County Councilman's request, to include a lease-purchase option and there should be documentation in there. She knows Cooke provided that, but she is not sure about the other two bidders. But that also would be an option and that was addressed in the bid document.

Hearing re Union Employee at County Highway Garage: Attorney Kissinger said the last thing he has to report concerns a hearing held re a union employee at the County Highway Garage. He is prepared to make a recommendation as a result of that hearing. He recommends that the Commissioners consider approving a severe written reprimand -- that reprimand to be held in the file for a period of twelve (12) months as opposed to the standard eight (8) month period. The reason for the recommendation is the severity of the offense and the monetary damage is separate. The reason that the matter should be kept in the file for a period of twelve (12) months, once again, is because of the nature of the incident. The recommendation, he thinks, may have been for a greater penalty except that this particular employee has a long record -- not only of satisfactory, but of exemplary service, in his job at the County Highway Garage. He recommends the written reprimand be maintained in the employee's file for a twelve month period and, obviously, any other problems or offenses between now and that time would be dealt with according to the union contract.

President Tuley entertained comments or a motion.

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

Motion that the bids on the vehicle for Weights & Measures be taken under advisement by Ms. Ellis and Ms. Townsend was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS/MARK ABELL

Refund Claim/Sale of Old Used Rolm Telephone Equipment: Mr. Abell said he would like to think we'd seen the last of the old telephones but, unfortunately -- well, we have seen the last of them, but according to the bid we put out to sell, we didn't quite have as many phones as we said we would. Therefore, we need to refund a little money to the company who purchased them from us for the ones we did not deliver. We just over estimated. Our bid stated, too, that it was an estimate. Intelx sent us a check based on that estimate. In fact, we didn't have all that many phones. He has prepared a claim in the amount of \$5,455 to repay the money to Intelx and just needs the Board's signature on the claim.

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

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted the Weekly Progress Report for period of May 13, 1994 thru May 19, 1994.....report received and filed.

Paving Program: Mr. Borries asked if they've started paving yet.

Mr. Morphey said they have not, but will begin this week. They are going to do some paving out at Burdette Park to test out the paver. They filled the distributor with oil this afternoon -- so they are making preparations.

Mowing: In response to query from Mr. Tuley as to how we're doing on the grass, Mr. Morphey said it is growing fast. They have their two big mowers out every day.

Waterworks Rd. Project: Mr. Borries said he is glad the County Highway crew is working on the Waterworks Rd. project, because we certainly should see some savings as the result of using our crews.

Mr. Hunter said that is right -- because the contractor's truck is something like \$65.00 per hour if they do it. So we're saving some good bucks.

Mr. Morphey said we finished hauling dirt out there around 11:00 a.m. today.

Mr. Hunter said, "By the way, Steve Rudolph was very complimentary regarding Mr. Morphey's crew. He said they worked very well with his people."

Mr. Morphey said, "Thank you. I'll let them know that."

Safety Program: Mr. Morphey said he has given the Commissioners a ledger for review in so far as the safety program they had started at the County Garage. It's just some ideas -- straight out of the OSHA Standards as far as constructions standards. It is some safety rules and regulations and an idea for a safety program. He was wondering if the Commissioners would review and make their recommendations.

Commissioner Borries said, "Bill, I think it is very important work you are doing in terms of starting that safety program. Can we refer that to the Attorney for his review?"

Mr. Morphey replied, "Yes, Sir. I have given Mr. Kissinger a copy for his review. I was going to ask him to do that and maybe get some ideas or information back to me.

Commissioner Hunter said, "I was going to ask about enforcement. You have Safety Rules for Vanderburgh County Highway Department -- and they are excellent rules. There are eleven (11) of them here. I'm looking at the first one -- a 10 mph speed limit on the VCHD grounds. How do you enforce that?"

Mr. Morphey replied, "Disciplinary action."

Mr. Hunter said, "Okay. In the normal way you would anything else then?"

Mr. Morphey said that is correct.

Attorney Kissinger said, "Bill, I don't want to break in on your time, but this may be a good time to tell the Commissioners -- since I neglected to do so otherwise -- that I will not be here for next week's meeting. Do you want to put this into effect very quickly? Because if I am going to review it, I may assign it to someone else."

Mr. Morphew said, "No. I have given this to you for review. A couple of weeks would be fine."

Attorney Kissinger said, "I will return for the June 6th meeting."

Mr. Morphew said he knows things aren't done overnight.

President Tuley asked if Mr. Morphew will make sure the letter is taken care of with regard to the recommendation of the Attorney concerning the union employee at the County Garage.

Mr. Morphew said he will do that.

RE: COUNTY ENGINEER - JOHN STOLL

Omicron Industrial Park/Approval of Road Plans & Sidewalk Waiver: Mr. Stoll submitted the road plans for Omicron Industrial Park for approval, saying this is the extension of a road that was constructed off Mt. Pleasant Rd. just east of Highway 41. Right now there is a Deaconess MEC type center there. Currently only a small portion of the road is there. Mr. Stoll said it is his recommendation that the plans be approved.

Mr. Hunter said he knows exactly where this is. Pointing to the plans he stated Emil Weber owns land in designated area, which was recently rezoned. We also relocated a ditch and did some drain work on Baumgart Rd. He then asked, "And they're asking for a sidewalk waiver on this?"

Mr. Stoll said that is correct. He also would recommend the sidewalk waiver.

Motion to approve the road plans and the sidewalk waiver was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Awarding of Bid/Culvert Replacements on Old Petersburg Rd.: Mr. Stoll said there were three bids on this project last week and it is his recommendation that the contract be awarded to the low bidder -- CCC of Evansville, Inc. -- in the amount of \$69,433.

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

West Wind Subdivision/Street Acceptance/West Wind Drive: Mr. Stoll said he would like to request street acceptance of West Wind Drive in West Wind Subdivision. The street was constructed according to plan. It is a concrete street with curb and gutter (775 l.f.). It is his recommendation that it be accepted.

Motion to accept this street for County maintenance was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Lynch Rd. Project/Reimbursable Agreement with Water & Sewer Dept. & Change Order for Lynch Rd.: Mr. Stoll said he has some plans from the Water & Sewer Department. What they are wanting to do is put an \$80,000 water line extension out along the Lynch Rd. project that would replace the work that they had originally proposed. The agreement that Pat has in his hands -- rather than us reimbursing the utility, it will be the opposite -- the utility will reimburse us for the work actually done. It will be handled as a "Z" item in the contract, which just means it would be handled with all local funds. This allows the utility to reimburse us and keep it as part of the Federal Aid project. He doesn't know if Alan wants to review it or not. It is just the opposite from the way the standard County Utility Agreement goes. Rather than we pay them -- they pay us.

Attorney Kissinger commented, "It's no problem -- it can certainly be done."

May 23, 1994

Mr. Stoll said, "Okay. They want to do it as part of the Lynch Rd. job rather than after the fact. This just provides us with the means to make sure we are reimbursed. I would recommend the agreement be signed - if everything is okay with Alan."

Attorney Kissinger asked, "John, as far as this is concerned -- is it going to basically be in the same location over right-of-way we've already...."

Mr. Stoll responded, "Right. It will be alongside the right-of-way; it is just a modification of their original plan."

Attorney Kissinger said, "As far as the contract is concerned -- no problem, as long as we have the money in place and they can reimburse us."

Motion to approve the County Utility Agreement which applies to certain portions of Lynch Rd. was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Mr. Stoll said he also has the Change Order, which allows it to be part of the contract through INDOT. He would also recommend that it be approved.

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

USI Project/Request from SIGECO to Proceed with Relocation of Gas Line: Mr. Stoll said he is requesting the Board's authorization to give SIGECO a verbal notice to go ahead and relocate a gas line that has been encountered out on the USI project. The gas line would only have a foot of cover, based on where they were going to cut this ditch -- and they want a minimum three foot (3 ft.) cover. It is within right-of-way and it will be reimbursable. It needs to be done. It's just that we need to give them the okay to go ahead and do it. It will involve us spending the additional \$7,280.

Mr. Hunter asked if we'll get it all back.

Mr. Stoll replied, "No. They have an easement out there. They have already surveyed it and it is reimbursable. We have to pay SIGECO the cost associated with moving it. It's within their easement, not ours.

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

Waterworks Road Project/Levee Board Meeting Minutes: Mr. Stoll said the only other thing he has concerns Waterworks Rd. He has copies of the minutes of the Levee Board Meeting held on May 5th -- whenever this was discussed at their Board meeting -- if the Commissioners would like to review same.

The Commissioners all expressed an interest in reading same.

Commissioner Borries said, "In fact, this does -- a little reminder here of the comment that I did talk with Mr. Cunningham. I expressed my concerns about perhaps the concern of this Board about who was going to pay for all of this. That we were not into finger pointing and that regardless of what he felt. When he called he said he apologized for any misunderstanding. And if our Attorney could work with their Attorney, perhaps as we proceed through this some payment could be worked out. So, if it is agreeable with this Board, I would move to authorize our attorney to work with their Attorney, Mr. David Bunner, to proceed in this particular fashion."

Seconded by Commissioner Hunter. So ordered.

Attorney Kissinger said he certainly hopes the Commissioners approve that -- in consideration

of the fact that he has already had a conversation with David Bunner along those lines.

Mr. Borries said, "Whatever they think, it may be a County legal drain and there may be ways in which we can proceed from that fashion. But for the farmers -- particularly Freddie Bumb and others -- there is no doubt that this is part of the levee. If it were not part of the levee they would never be able to plant -- particularly as the water rises. And if it rises suddenly after they have planted, without those flap gates on those pipes their crops would be under water due to the sudden rush of water in that river. So the water that is pumped along that ditch comes from the Levee Authority pumping station; it is in their right-of-way."

President Tuley said, "Well, I think permission was given to Alan to work with Attorney Bunner."

RE: CONSENT AGENDA

President Tuley said that under Consent items it looks like the requests to travel are for State-called meetings for the Assessors and the County Clerk. Legal Aid's travel is paid for out of their United Way funds.

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

RE: SCHEDULED MEETINGS

Commissioner Tuley said it should be noted that this Board does not meet next Monday night because of the holiday. However, they will meet next Tuesday night at 5:30 p.m., following an Executive Session. The latter begins at 4:00 p.m.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There were none.

Scheduled Public Hearing/Nurrenbern Commerce Center: Commissioner Borries said that based on the meeting they held last week concerning the whole area of what is known as that rapidly developing area east of Burkhardt Rd. south of Morgan Avenue and north of the Lloyd and west of I-164, in talking with Ms. Barbara Cunningham, Director of the Area Plan Commission this past week, she felt -- or he had asked if she'd consider coordinating part of the efforts to contact all of the concerned parties as well as some other units of government about this particular issue and a public hearing that we wanted scheduled. She suggested that in order for all the parties to be properly notified, as well as some negotiations to be considered between some adjoining property owners -- that this meeting could be held in conjunction with one of our regularly scheduled meetings -- on July 11th this year -- if that would be agreeable to the Board.

Mr. Tuley asked, "As opposed to holding a separate meeting? That would be better for me."

Commissioner Hunter also voiced his agreement.

Motion was made by Commissioner Borries that the hearing be scheduled for Monday, July 11, 1994, with Mrs. Cunningham coordinating contacting the property owners, developers and various governmental units who would be affected by the proposed rezoning in that area.

Commissioner Hunter said he also believes she suggested the letter come out of the Commission office -- and he thinks that is a good idea.

Mr. Borries said, "Sure. Sure."

Auditorium Task Force: Mr. Borries said, "One other item. I have not yet talked with Mr. Rolland Eckels regarding the proposed report on the Auditorium. Well, I think they're finished with their deliberations, but I haven't had the opportunity to talk with him and I have not seen the report. I simply haven't seen it in this office. But could I ask him to come to our meeting next week (May 31st) and give that report -- if it is available."

President Tuley said he would recommend that Mr. Borries do that.

RE: NEW BUSINESS

Appointments to Trade Licensing Board: President Tuley said he has a letter from Roger Lehman, Building Commissioner, asking the Board to consider the following appointments to the Trade Licensing Board, in the order and area listed by the Building Commissioner. In one area their recommendations were people who lived in Newburgh. He and Mark Abell got together with Roger Lehman today and talked to him about the Commissioners' comments and their feelings that this is a Vanderburgh County-City of Evansville Board that they probably should reside in the City of Evansville, or at least Vanderburgh County. With that having been said and what have you, the suggested appointees are as follows:

- | | |
|-------------------|----------------------|
| 1) George Hoffman | Building Contractors |
| 2) Jesse Merrill | Limited Roofing |

There were no questions on the foregoing from the beginning.

- | | |
|------------------|-------------------------|
| 3) Carl Shepherd | Residential Contractors |
|------------------|-------------------------|

It was noted by Mr. Tuley that Mr. Shepherd does belong to the Metro Homebuilder's Association and we did want their input. Mr. Shepherd was recommended in another area, but they subsequently moved him to the Residential Contractors. It is his recommendation that the Commissioners go ahead and approve Messrs. Hoffman, Merrill and Shepherd.

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

Display of Flags: Commissioner Tuley said he received a telephone call from Mr. Roger Emge concerning our display of flags. He will forward this information from Mr. Roger Emge to Mr. Steve Utley, Building Authority, for his review and determination as to whether our flags are being improperly displayed.

Commissioner Hunter said that he, too, received a call this past week about this matter. He talked to Mr. Roger Emge and met with Bob Hinton. It turns out that we, indeed, are doing it correctly -- according to the diagram. And there seems to be some question though they were both reading out of the same bible with regard to the proper etiquette for displaying the flag.

Commissioner Borries said he talked with Mr. Emge and sent him copies. Mr. Hinton was part of an Honor Guard in the United States Army that served in Germany and he thinks he was very familiar with the flag. Mr. Abell had helped and we obtained all this information. He doesn't know --

Mr. Hunter said as it turned out, it just seems that Mr. Emge and Mr. Hinton have a difference of opinion on what should be done. Mr. Hunter said it is his opinion after looking at all of the information that what we were doing is correct.

Mr. Tuley asked if they've already taken the flags down today. In looking at the diagram, it shows the U. S. flag to the left as you face it.

Mr. Hunter said, "But you need to read the fine print. You see, I thought so, too. But these

are only for special kinds of flags -- municipalities, etc."

The Commissioners spent several minutes perusing the information. Subsequently, it was determined that the information will, as stated, be forwarded to Mr. Steve Utley.

Mr. Hunter said he thinks that Messrs. Hinton and Emge need to work this out -- not to be the middle man in this -- because they're reading from the same book.

Mr. Tuley said, "Just like attorneys -- but they don't read it the same way."

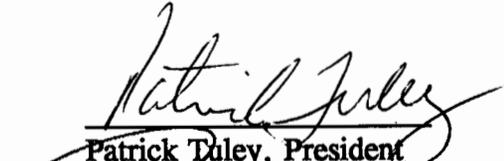
Commissioner Hunter said, "Or preachers."

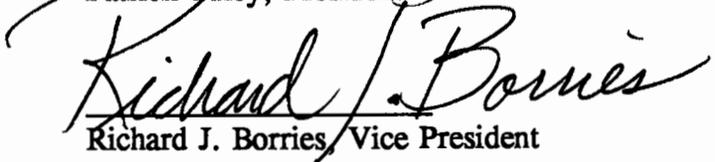
President Tuley entertained further matters of business to come before the Board. There being none, he declared the meeting adjourned at 6:40 p.m., noting that the Drainage Board will convene following a brief recess -- just long enough for the Commissioners to finish signing some paperwork from their session.

PRESENT:

Patrick Tuley
Richard J. Borries
Don L. Hunter
Alan M. Kissinger/County Attorney
Cindy Mayo/Chief Deputy Auditor
Mark Abell/Supt., County Bldgs.
John Stoll/County Engineer
Bill Morphew/Supt., County Highway
Harris Howerton/Community Corrections
Lynn Ellis/Director of Purchasing
Loretta Townsend/Weights & Measures
Alfred Riecken, Jr./C.A.P.E.
M. Cundiff/C.A.P.E.
Jan Brocksmith/C.A.P.E.
Bill Samuels/Cooke Chevrolet
Hamilton Northcutt/WFIE-TV
James W. Beck/Evansville Courier
Kyle Foster/Evansville Press
Steve Burger/WIKY
Others (Unidentified)

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President


Don Hunter, Member

(Submitted 5/25/94)



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

May 23, 1994

5:30 P.M.

1. CALL TO ORDER

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

A. Approval of Commissioner Minutes

B. Any group/individual wishing to address the commission

**C. Steve Rudolph/ J.H. Rudolph Co.
re: Waterworks Road**

**D. CAPE
re: quarterly reports/contract renewal request
Lynn Ellis/Purchasing

E. Harris Howerton/Community Corrections
1) Formal approval of the Vanderburgh Community Correction
Advisory Board's grant amendment
2) Formal approval of the Juvenile Grant (\$36,000.00)

5. DEPARTMENT HEADS

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

FINAL

6. CONSENT ITEMS

A. Travel/Education

*Center Assessor (3) *German Assessor (3) *County Clerk (4)
**Legal Aid (1)
*State called meeting **United Way Funds

B. Claim for payment:

1) Given & Spindler.....3,846.89
* reimbursement for expenses per contract

C. Employment Changes
see attached lists

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

1) Appointment to Trade License Boards(Building Commission)

10. MEETING ADJOURNED

DRAINAGE BOARD IMMEDIATELY FOLLOWING
See attached agenda

COUNTY ENGINEER'S

CONSENT AGENDA

MAY 23, 1994

1. EMPLOYMENT CHANGES/APPOINTMENTS:

Chad Jordan (Extra Help) \$7\hr. Effective 6/13/94

2. CLAIMS:

OHIO ST. BRIDGE #3C 203-4345

Bernardin Lochmueller & Assoc. (#91-068-1(23) \$ 234.15

LYNCH ROAD EXT. 216-4827

Bernardin Lochmueller & Assoc. (90-038-1(25) \$ 18,730.60

USI & SR 62 430 BOND

Bernardin Lochmueller & Assoc. (93-003-2(11) \$ 19,522.54

Blankenberger Brothers (Est. #18) \$111,063.87

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department RECORDER'S OFFICE 1040

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1040-1990	LAURIE KLEIN	2040 POLARIS	Pt. Time	5.00 per hour	06/06/94
1040-1990	NICK HERMANN	5601 BEAVER TRAIL	Pt. Time	5.00 per hour	06/06/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty J. Hermann DATE 5/23/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Rate Approved By Council

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
203-1990	Chad Jordan		Rate MIP	\$7.00 hr	6/13/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Johi Hill DATE 5/17/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department German Township Assessor

al

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120-1990	Kenneth A Elsfelder	1564 Maxwell	extra help	5 00/hr	5-1-94
1120-1990	Ronald A Mayer	7217 W St Joe Rd	extra help	500/hr	5-1-94
1120-1990	Linda L Freeman	841 E Olmstead	extra help	5 00/hr	5-1-94
1120-1990	Wanda L Herrell	3300 W Mill Rd	extra help	500/hr	5-1-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Tom Schep

DATE

5-1-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department German Township Assessor

al

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120-1990	Cheryl L Freeman	319 Chandler Ave	extra help	5 00/hr	5-1-94
2490-1120-1990	Branda C Mossberger	4820 Seib Rd	Extra help	7 00/hr	5-1-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Tom Schep

DATE

5-1-94

DRAINAGE BOARD MEETING
MAY 23, 1994

AGENDA

1. Meeting Opened
2. Bridge #5 and #7 (John Stoll) Over Pond Flat Ditch
3. Preliminary Review
 - A. Windsor Place Boonville-New Harmony
4. Old Business
5. New Business
6. Meeting Adjourned



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

AGENDA REQUEST

NAME OF REQUESTOR: COMMUNITY ACTION PROGRAM OF EVANSVILLE
AND VANDERBURGH COUNTY INC.

REQUESTOR TITLE: Ms Marylou Cundiff, Transportation Coordinator
Mr Al Riecken, Finance Director
Ms Gale Brocksmith, Planner

DEPARTMENT: Transportation

REQUEST(S) BEING MADE:

TO RENEW CONTRACT WITH COUNTY FOR TRANSPORTATION WITHIN THE COUNTY
BUT OUTSIDE OF THE EVANSVILLE CITY LIMITS.

Conditions remain the same:

- 1) No fee charged for transportation to customer.
- 2) Trip must either originate or end in county outside of city limits.

Amount to remain the same: \$52,179.00 annually

(QUARTERLY REPORTS ATTACHED)

DATE TO BE PLACED ON AGENDA: MONDAY, MAY 23, 1994

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

COMMUNITY ACTION PROGRAM OF EVANSVILLE

COUNTY TRANSPORTATION

JUNE 1, 1993 - APRIL 30, 1994

REVENUES

RECEIVED (6/1/93 - 12/31/93)	\$30,437.75
DUE CAPE (1/1/94 - 5/30/94)	21,741.25
TOTAL REVENUES	<u>\$52,179.00</u>

EXPENDITURES

PERSONNEL	31,250.68
CONTRACTUAL	857.82
STAFF DEVELOPMENT	259.14
SPACE COSTS	3,567.66
SUPPLIES	1,091.72
EQUIPMENT LEASE	700.13
GAS AND OIL	4,141.83
VEHICLE MAINTENANCE	3,518.97
VEHICLE INSURANCE	2,503.02
PRINTING/ADVERTISING	290.30
TELEPHONE/POSTAGE	1,025.21
TOTAL EXPENDITURES	\$49,206.48
April 30, 1994 Balance	\$2,972.52

TRANSPORTATION REPORT

COUNTY

May 1, 1993 - April 30, 1994

WHEELCHAIR	895.00
ELDERLY	151.00
HANDICAPPED	1,265.00
UNDER 60	1,465.00
TOTAL TRIPS	3,776.00

WHITE	3,639.00
BLACK	137.00
FEMALE HEAD OF HOUSE	2,046.00

1982 Ford Van with lift and 2 wheelchair tie downs

Mileage - **207,694**

107,694 since new motor put in in Jan 1992

Average Miles Per Trip - **8.22**

Average Miles Per Gallon - **7.5**

TRANSPORTATION MONTHLY REPORT FOR JUNE, 1993

COUNTY

WHEELCHAIR	64.00
ELDERLY	49.00
HANDICAPPED	66.00
UNDER 60	171.00

WHITE	302.00
BLACK	48.00
FEMALE HEAD OF HOUSE	179.00

TRANSPORTATION MONTHLY REPORT FOR JULY, 1993

COUNTY

WHEELCHAIR	83.00
ELDERLY	9.00
HANDICAPPED	68.00
UNDER 60	105.00

WHITE	242.00
BLACK	23.00
FEMALE HEAD OF HOUSE	139.00

TRANSPORTATION MONTHLY REPORT FOR AUGUST, 1993

COUNTY

WHEELCHAIR	89.00
ELDERLY	12.00
HANDICAPPED	83.00
UNDER 60	105.00

WHITE	287.00
BLACK	4.00
FEMALE HEAD OF HOUSE	165.00

TRANSPORTATION MONTHLY REPORT FOR SEPTEMBER, 1993

COUNTY

WHEELCHAIR	95.00
ELDERLY	18.00
HANDICAPPED	42.00
UNDER 60	101.00

WHITE	256.00
BLACK	
FEMALE HEAD OF HOUSE	149.00

TRANSPORTATION MONTHLY REPORT FOR OCTOBER, 1993

COUNTY

WHEELCHAIR	91.00
ELDERLY	1.00
HANDICAPPED	74.00
UNDER 60	89.00

WHITE	249.00
BLACK	6.00
FEMALE HEAD OF HOUSE	137.00

TRANSPORTATION MONTHLY REPORT FOR NOVEMBER, 1993

COUNTY

WHEELCHAIR	55.00
ELDERLY	14.00
HANDICAPPED	141.00
UNDER 60	116.00

WHITE	324.00
BLACK	2.00
FEMALE HEAD OF HOUSE	195.00

TRANSPORTATION MONTHLY REPORT FOR DECEMBER, 1993

COUNTY

WHEELCHAIR	50.00
ELDERLY	4.00
HANDICAPPED	137.00
UNDER 60	156.00

WHITE	343.00
BLACK	2.00
FEMALE HEAD OF HOUSE	175.00

TRANSPORTATION MONTHLY REPORT FOR JANUARY, 1994

COUNTY

WHEELCHAIR	58.00
ELDERLY	10.00
HANDICAPPED	96.00
UNDER 60	86.00

WHITE	250.00
BLACK	
FEMALE HEAD OF HOUSE	154.00

TRANSPORTATION MONTHLY REPORT FOR FEBRUARY, 1994

COUNTY

WHEELCHAIR	61
ELDERLY	2
HANDICAPPED	154
UNDER 60	140

WHITE	357
BLACK	
FEMALE HEAD OF HOUSE	204

COUNTY

WHEELCHAIR	120.00
ELDERLY	14.00
HANDICAPPED	152.00
UNDER 60	146.00

WHITE	410.00
BLACK	22.00
FEMALE HEAD OF HOUSE	222.00

TRANSPORTATION MONTHLY REPORT FOR APRIL, 1994

COUNTY

WHEELCHAIR	73.00
ELDERLY	4.00
HANDICAPPED	131.00
UNDER 60	118.00

WHITE	324.00
BLACK	2.00
FEMALE HEAD OF HOUSE	138.00

TRANSPORTATION MONTHLY REPORT FOR MAY, 1993

COUNTY

WHEELCHAIR	44.00
ELDERLY	14.00
HANDICAPPED	110.00
UNDER 60	97.00
<hr/>	
WHITE	241.00
BLACK	24.00
FEMALE HEAD OF HOUSE	168.00



AGENDA REQUEST

NAME OF REQUESTOR: Lynn W. Ellis

REQUESTOR TITLE: Buyer

DEPARTMENT: Purchasing

REQUEST(S) BEING MADE:

1. Extend the current contract for Transportation Services
for the Elderly and Handicapped on a month-to-month basis
until such time as a new bid can be let and awarded.
2. Authorize the bidding of Transportation Services for the
Elderly and Handicapped.

Advertise: May 26 and June 2, 1994

Open bids: June 13, 1994

DATE TO BE PLACED ON AGENDA: May 23, 1994

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



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

RICHARD J. BO
DON L. HUNTER
PATRICK R. TU

AGENDA REQUEST

NAME OF REQUESTOR: Lynn W. Ellis

REQUESTOR TITLE: Buyer

DEPARTMENT: Purchasing

REQUEST(S) BEING MADE:

Open and award bid for the purchase of a one (1) ton crew cab
pick-up truck for Weights and Measures.

DATE TO BE PLACED ON AGENDA: May 23, 1994

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

Bid Recap
VC-9408

ONE TON CREW CAB TRUCK FOR WEIGHTS & MEASURES
DEPARTMENT

<u>BIDDER</u>	<u>AMOUNT</u>
Kenny Kent Chevrolet	\$24,975.00
Cooke Chevrolet - GEO	\$22,536.21
Wright Pontiac, Cadillac, G.M.C.	\$22,315.36
Cooke Chevrolet - GEO	\$19,962.56

ACTION TAKEN: DEFERRED FOR REVIEW

Board of Commissioners

of the
County of Vanderburgh
305 ADMINISTRATION BUILDING
CVC CENTER COMPLEX
EVANSVILLE, INDIANA 47708



CAROLYN MCCLINTOCK
DON L. HUNTER
RICHARD J. "BOCK" BORRIES



TEL. (812) 426-8241

AGENDA REQUEST

NAME OF REQUESTOR: Harris Howerton

REQUESTOR TITLE: Director of Court Services

DEPARTMENT: Vanderburgh County Correction Complex

REQUEST(S) BEING MADE:

1.) Formal approval of the Vanderburgh County Community Correction
Advisory Board's grant amendment.

2.) Formal Approval of the Juvenile Grant totalling \$36,000

DATE TO BE PLACED ON AGENDA: May 23, 1994

ACTION x CONSENT OTHER

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
FRIDAY, MAY 13, 1994 THRU THURSDAY, MAY 19, 1994

FRIDAY, MAY 13, 1994

Gradall and one crew installed culvert at 6301 Kremer, placed rip rap on Motz Road.

Gradall and one crew worked on Old Henderson Road.

Two patch crews worked on Boonville New Harmony, Millersburgh and Old State Road.

Grader, belt loader, and four crews graded and rocked roads in the Bottoms.

Mowers worked on Millersburg, Kansas, Heddon, Old 57, Seven Hills and Barton.

One weed crew worked on eastside intersections, one worked on Mahrenholz, Hogue, Red Bank, and Middle Mt. Vernon.

One crew worked on Paver in the garage.

MONDAY, MAY 16, 1994

Gradall and one crew replaced a driveway culvert at 10425 Hogue, and finished ditch on Motz.

Two patch crews worked on Old Henderson.

Grader and four crews graded and rocked roads in the Bottoms.

Two tree crews worked on Diefenbach and Westmore.

Gradall and one crew repaired holes and shoulders on Old Henderson.

Mowers worked on St. Joe Ave, Harmony Road, Korressel & Marx.

Weed crew worked on intersections.

TUESDAY, MAY 17, 1994

Gradall and one crew ditched at 9100 Denzer Road.

Gradall and one crew repaired shoulders on Old Henderson Road.

Two patch crews worked on Booker and Old Henderson.

Grader and six crews graded and rocked roads in the bottoms.

One crew worked on Waterworks Road.

Mowers worked on Owensville, Nisbet Station, St. Joe, and Mesker Park.

One weed crew cut weeds at the garage and one cut north intersections.

WEDNESDAY, MAY 18, 1994

Gradall and one crew ditched at 9100 Denzer Road.

Gradall and one crew worked on Old Henderson Road.

Two patch crews worked on Old Henderson Road.

Five crews hauled rock to the Bottoms.

Mowers worked on Nisbet Station, Mesker Park and Mill Roads.

Weed crews worked on westside intersections, Waterworks Road and at the Garage.

THURSDAY, MAY 19, 1994

Gradall and one crew ditched at 9100 Denzer Road.
Grader graded roads in the Bottoms.
Two patch crews worked at Burdette Park.
Three crews hauled dirt from Waterworks Road to city garage.
One crew hauled rock to Burdette Park.
Two crews rocked roads in the Bottoms.
Mowers worked on north and west sides.
Tree crews worked on Waterworks Road.
One crew worked at the garage on the paver.
One crew worked on paver in the garage.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, MAY 13, 1994 THRU THURSDAY, MAY 19, 1994

FRIDAY, MAY 13, 1994

Crew #1 - install driveway culvert at 6301 Kremer.
Crew #2 - grout Orchard Road and Korressel Road.
Crew #3 - cut Mesker Park, Kremer, Kleitz, Big Schaeffer.

MONDAY, MAY 16, 1994

Crew #1 - replace driveway culvert at 10425 Hogue Road, cut guard rails and culverts on Korressel, Koring, St. Joe Road and New Harmony Way.
Crew #2 - cut Old Princeton Road and Overpass down Frontage, also Owensville Road and Overpass.

TUESDAY, MAY 17, 1994

Crew #1 - hand cut weeds on Korressel, Koring, Five Dollar Road, Upper Mt. Vernon, Red Bank, etc.
Crew #2 - finish building forms for Korressel Road, work on St. George, Stringtown, and Darmstadt Road culverts.

WEDNESDAY, MAY 18, 1994

Crew #1 - install 12" alum culvert across road into drop box, approx 44 feet, work on drop box at 729 Mels Drive.
Crew #2 - add 6 ft alum pipe to culvert at 3401 Allens Lane, cut grass around guard rails on St. Joe Ave.
Crew #3 - clean yard and tools.

THURSDAY, MAY 19, 1994

Crew #1 - saw Boehne Camp Road for pipe, check 9301 Fischer Road, finish cutting weeds.
Crew #2 - install guard rail at 3215 Red Bank Road.
Crew #3 - work on bridges.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for May 23, 1994

1. Omicron Industrial Park road plans and sidewalk waiver request
2. Award the Petersburg Road culvert replacement to CCC of Evansville in the amount of \$69,433.00
3. Street acceptance request for West Wind Drive (775 LFT)
4. Reimbursable agreement with the Water and Sewer Dept. for the Lynch Road project and change order for Lynch Road
5. Request to give SIGECO a verbal authorization to proceed with the relocation of a gas line for the USI interchange

VANDEBURGH COUNTY ENGINEERING DEPARTMENT
Old Courthouse, Suite 307
201 N.W. Fourth Street
Evansville, IN 47708

DATE: May 23, 1994
(812) 435-5773

Tel.

Vanderburgh County Board of Commissioners
Rm. 305 Civic Center Complex
Evansville, IN 47708

RE: Acceptance of Street Improvements in
West Wind Drive

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on May 23, 1994. These Improvements were constructed/finished on/by May 19, 1994. All streets were constructed with concrete in accordance with the approved plans.

The following is a summary of the length of the completed 29' to back of curb wide streets in the subject Subdivision:

R/W Length

WEST WIND DRIVE 50' 775 lf .15m

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

John Stoll
County Engineer

Accepted for Maintenance by the
Board of County Commissioners

Victor Julez
President
Richard J. Borries
Vice President
Bob Hunter
Member

CC: Developer
Design Engineer
Co. Highway Dept.
Road File
APC

1-94

Proposed Water Line Extension Change Order Agreement

The Evansville Water and Sewer Utility (EWSU) acting through its Board of Directors requests to add the following work to the Lynch Road State Highway contract # R20843.

Additional work:

3015'- 12" Class 52 Ductile Iron Pipe laid from Sta. 93+00 to Sta. 123+15. The water main to be laid 5' inside the North limited access right of way and per the plan and profile drawings provided. It is agreed that the EWSU will reimburse the Vanderburgh County and INDOT for all costs incurred per the existing construction contract with the Contractor.

Code	Item	Desc.	Quan.	Unit	Unit Pr.	Amount
96670	071	Pipe,12"DI,Water	3015.0	lft	26.40	79596.00
02060	013	B Borrow Str Bfil	101.6	cy	10.00	<u>1016.00</u>

Additional Contract Cost to be reimbursed by EWSU... 80612.00

Modification of work:

The added water main work will require only a slight modification to the Water Relocation contract work already under contract between the INDOT, County and Contractor. The EWSU will furnish fittings to accommodate these modifications. The modification design per the revised plan and profile drawings submitted. No additional cost shall be incurred to INDOT /County for the current Contract work.

Material by EWSU:

	<u>Ea.</u>	<u>Ext.</u>
2- 12" MJ Gate Valve	498.95	997.90
4- Long Valve Box	30.00	120.00
1- 12" X 12" MJ Tee	177.49	177.49
1- 12" X 12" Solid Sleeve	89.55	89.55
1- 12" MJ Plug Tapped 2"	42.00	42.00
1- B.O Assembly	73.57	73.57
3- 12" Mega Lug Gland	59.70	<u>179.10</u>

Cost To EWSU.....Total:.. 1679.61

Material eliminated from INDOT/County Contract w/Contractor due to modifications:

Code	Item	Desc.	Quan.	Unit	Unit Pr.	Amount
97162	072	Bend,12",90 Deg.	1	Ea.	185.00	<u>185.00</u>

Credit to existing Contract.....Total 185.00

Exhibit "B"

COUNTY UTILITY REIMBURSEMENT AGREEMENT

THIS AGREEMENT, made and entered into this 23rd day of May
A.D. 1974 by and between:

Vanderburgh Board of County Commissioners
1 N.W. M. L. King Blvd- Room 305
Evansville, Indiana 47708 (hereinafter referred
to as the LPA)

and the : Evansville Water and Sewer Utility
1 N.W. M. L. King Blvd - Room 104
Evansville, Indiana 47708 (hereinafter referred
to as the Utility)

WITNESSTH:

WHEREAS, the LPA desires to make certain highway improvements, consisting of projects for the construction of Lynch Road Project R20843 and the utility improvements thereon, and,

WHEREAS, due to the said highway construction, certain adjustments and improvements of the existing facilities of the Utility will be made as shown on Exhibit "A" attached hereto and by this reference made a part of this agreement, and,

WHEREAS, it is the best interest of the Utility and the LPA, for the LPA to make the necessary adjustments and improvements of the utility facilities as shown on Exhibit "A" based on the unit prices of the existing LPA contract with Blankenberger Construction.

NOW, THEREFORE, for and in consideration of the mutual covenants herein recited, the Utility and the LPA do herein agree as follows:

The LPA will be reimbursed for its actual costs of the work in Exhibit "B" upon presentation of itemized bills to the Utility from the LPA; said itemization being shown as attached project description, the reimbursement is to exceed the calculated cost of \$80,612.00

The payments to the LPA will be made on the basis hereinafter set forth;

Progress or Final Billing. The LPA may submit progress billings reflecting the actual cost incurred or it may submit a final billing upon completion of the project. It is further agreed that upon receipt of a final bill, the LPA shall be reimbursed for such items of project work within thirty (30) days after issuance of the final bill.

IN WITNESS HEREOF, the parties hereto separately and severally have caused this instrument to be executed in their respective names by and through their duly authorized officers.

THE LPA:

BOARD OF COUNTY COMMISSIONERS

Patrick Tukey
(Signature)
PATRICK TUKEY Pres.
(Name Printed and Position)

Richard J. Borries
(Signature)
RICHARD J. BORRIES
(Name Printed and Position)

Don L. Hunter
(Signature)
Don L. Hunter
(Name Printed and Position)

ATTEST:

Sam Humphrey cm
Sam Humphrey
(Name Printed)

ACKNOWLEDGMENT

State of Texas County of Vanderburgh SS

Before me, the undersigned Notary Public in and for said County, Pat Tukey, and Richard J Borries, and Don L. Hunter respectively, of the Board of Vanderburgh County and stated the above agreement was signed and attested in the behalf of said County.

Witness my hand and seal the said last day.

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

Joanne A Matthews
(Signature)
Print Joanne A Matthews
(Notary Public)

THE UTILITY:

EVANSVILLE WATER AND SEWER UTILITY

(Signature)

(Name Printed and Position)

(Signature)

(Name Printed and Position)

(Signature)

(Name Printed and Position)

ATTEST:

(Name Printed)

ACKNOWLEDGMENT

State of _____ County of _____ SS

Before me, the undersigned Notary Public in and for said

County, personally appeared _____

(Names and Offices of signers of Utility)

(Name of Utility)

and acknowledge the execution of the foregoing contract on
this ____ day of _____, 1994.

Witness my hand and seal the said last day.

My Commission Expires _____

(Signature)

Print _____

(Notary Public)

**INDIANA DEPARTMENT OF HIGHWAYS
CHANGE ORDER**

Project No. STP-MASTP-DSB-M-E185(1) Contract No. R-20843

Change Order No. 02

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended. (Give location, description and reason)

As Per Evansville Water & Sewer Utility's Proposal, the addition/Revision of 12" water Main is to be included in this Contract in accordance with their revised plan & profile drawings (see attachments). This addition is due to their future expansion distribution plans. All associated costs arising from this revision are to be paid fully by Vanderburgh County and said County to be reimbursed fully by EWSU.
Furthermore, due to original omission, 11 1/4 degree Bend & 6" retainer glands were required to relocate the proposed force main sewer line as shown on Plans. Also no need for 8" DI retainer glands.

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
96 EW	Bend, 8", MS, 11 1/4 degree	105 ⁰⁰	1 ea.	105 ⁰⁰			+100	+100
97 EW	Retainer Gland, PVC, Hoga-lug, 6"	78 ⁰⁰	3 ea.	234 ⁰⁰			+100	+100
56	Retainer Gland, D.I., 8"	85 ⁰⁰			5	425 ⁰⁰	-100	-100
71 1/2	Pipe, Water Main, DI, 50, 12"	264 ⁰⁰	3015'	79,596 ⁰⁰			+1160	+1160
72	Bend, 12", 90 degree	185 ⁰⁰			1	185 ⁰⁰	-50	-50
PLACE "EW" FOR EXTRA WORK ITEMS			TOTALS			610 ⁰⁰		
PLACE "FA" FOR FORCE ACCOUNT ITEMS			NET	INCREASED DECREASED	ESTIMATED COST \$		79,325 ⁰⁰	

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged.

Contractor Blankenhorn Bros By David M Blankenhorn Date May 20/94

Submitted For Consideration	
PE/S <u>DF</u>	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

[Signature]
[Signature]
[Signature]

Approved for Indiana Department of Highways

(SIGNATURE) (TITLE) (DATE)

MINUTES

EVANSVILLE-VANDERBURGH LEVEE AUTHORITY DISTRICT

May 5, 1994

The rescheduled meeting of the Evansville-Vanderburgh Levee Authority was held on Thursday, May 5, 1994 at 9:00 a.m. in Room 301 of the Civic Center Complex according to the rules of the board. Notice of the rescheduled meeting was published in both Evansville newspapers.

Present were: Jack Cunningham, President; Connie Davis, Vice-President; Kelley Lawrence, Superintendent; Jim Morley, Engineer; Dave Bunner, Attorney; Joni Evans, Recording secretary.

Visitors: Frederick Bumb, Eagle Slough Gate Association; John Stoll, Co. Engineer

On motion made by Connie Davis and seconded by Jack Cunningham, the board approved the minutes of meeting dated 4/5/94.

Mr. Bumb explained to the board his association was concerned about the Eagle Slough gate structure where Waterworks Road had caved in. He said he was interested in what plans were being made for repairing the pipes in the gate structure. Jack Cunningham explained Eagle Slough was outside levee protection and Mr. Bumb would have to contact the County Commissioners about their plans. Mr. Bumb said he recalled an agreement with the Levee Authority. Mr. Cunningham said the Levee Authority gave the gate association the gates for operation and maintenance. Mr. Bumb said they had been operating the gates, but no maintenance had been done on them. Mr. Bumb said he would like some guidance on this issue. Mr. Stoll asked the board why they had no involvement since the gate structure was on levee right-of-way and since there are pump stations that discharge into Eagle Slough and run through these gates. Jack Cunningham said the board had no knowledge of what was being done and who was doing it. Mr. Stoll said he had been in contact with Kelley Lawrence and Jim Morley. He said the county intended to put the pipes and road back the way they were even though they did not think it was their primary responsibility just because the top few feet of road belonged to them. Jack Cunningham said it is a county ditch, a county road, and outside the flood protection and is no part of the flood protection. John Stoll said the Levee Authority pumps their water into Eagle ditch. Mr. Stoll said the county has a contractor clearing the debris on an emergency basis in order for the ditch to drain into the river. He said plans will be drawn up to replace what was there and bids will be taken to get the best price. Jack Cunningham said the board was

advised legally and by the controller, it would have to be shown as a benefit or problem to the flood protection system before the Levee Authority could participate in the project and there was no evidence to support this claim. Dave Bunner said Eagle ditch is a county legal drain and drains storm water from various parts of the city and county. Mr. Bunner said the Levee Authority pays a ditch assessment yearly to maintain or clean the ditch. He said he did not think because the ditch was on levee right-of-way obligated the Levee Authority. John Stoll asked if the legal drain was established before or after the levee right-of-way was established. Dave Bunner said the ditch was somewhere before the levee was constructed. He said he believed the ditch was rerouted when the levee was built by the Corps of Engineers. He said the ditches and drains are not a part of the levee system but they may facilitate some of the levee system through the drainage. Kelley Lawrence said water is pumped into Pigeon Creek, but it does not make Pigeon Creek levee responsibility. Mr. Stoll said Pigeon Creek is not levee right-of-way. Dave Bunner said the Levee Authority owns to the middle of the creek in certain locations. John Stoll said the commissioners wanted the Levee Authority to participate in the cost of the project. Jack Cunningham said the board had no legal justification for the costs. Jim Morley said the Levee Authority would have to go before the city and county councils to get the funds. He asked when the commissioners would be going before the city/county councils to see where the funding would come from. Mr. Morley said if the money would come from the taxpayers of Vanderburgh County both councils would have to get involved. Mr. Stoll said he would pass along the Levee board's comments to the commissioners. Jack Cunningham asked Mr. Stoll to have the commissioners contact the Levee Authority when they have a cost estimate and if need be the Levee Authority will call a special meeting for further discussion. Mr. Bumb said he would like to compliment the county for trying to get the drain open and flowing. He said there is water on ground that should be planted and none of their tiles are functioning. Mr. Bumb said he hoped for cooperation in getting the structure repaired.

1. Howell levee - A) Schenk property lease - Mr. Bunner said the notice would be going to the newspaper. B) Victor Funke - Mr. Bunner is still working on the details.
2. Remote control of pump stations - Kelley Lawrence said the purchase order has been issued for the maintenance contract. He said ESUSA still has to make adjustments on the meters. Jim Morley said the as-built drawings have been received from ESUSA and are being reviewed by PCI.
3. Pump stations - A) H4 drainage - Kelley Lawrence said the Sewer Dept. has let a contract for the work, but he has not been notified of a start date. B) H5/K2 deactivation - no response from the Corps. C) Protection ladders - Kelley Lawrence said the river has been up and he has not let Crane begin installation yet.

4. Transformers - Jim Morley said the certificate of disposal from ENSR dated 4/12/94 should be received and filed. He said Lee McClellan has been contacting ENSR every week trying to get their proposal to remove and dispose of the old transformers from the K4 pump station.
5. Union Township - A) overpass - Kelley Lawrence said Dave Bunner sent his letter dated 3/4/94 to the Board of Public Works concerning responsibility of the concrete barrier wall. The board received and filed the letter. Mr. Lawrence said he meant to ask John Stoll if the flapgate had been ordered. Jim Morley said his office had reviewed and approved the shop drawings and returned them to John Stoll. Mr. Morley assumed the drawings had been sent back to the contractor to be ordered. B) ditch dredging - Kelley Lawrence said the river has been up and the contractor has not started the project. C) Hahn land swap easement - Dave Bunner said he is reviewing the legal descriptions.
6. Pigeon Creek section - A) Unit I - Floodwall joint sealing - Jim Morley said the Corps feels resealing the joints is important to prevent deterioration of the rubber bulb water stop embedded in the center of the wall between the two concrete sections. He said the only reasonable method of doing the reseal is to route the joints, apply a backer rod and silicone the joint. Mr. Morley said one or two of the specialty contractors would be in town next week to look at the project. He said the cost was in the masonry saw to saw out the joint to expose the concrete. Kelley Lawrence said he hoped the board would authorized Morley & Assoc. to draw up the plans for the work. On recommendation of the superintendent, Connie Davis made a motion authorizing Morley & Assoc. to begin plans and specifications for the project. Jack Cunningham seconded the motion. Mr. Lawrence said when he and Mr. McClellan inspected the floodwall they also looked at the concrete wall on the riverfront and found the joints to be in need of resealing. He asked if the riverfront was the responsibility of the Levee Authority. Jack Cunningham said he was told the Board of Public Works took care of the riverfront. Jim Morley said it would have to be determined how serious the problem is. Jack Cunningham asked Mr. Morley to inspect the area and report back to the board. B) Unit II, Part I - Fulton Ave. extension - Kelley Lawrence said the board is still waiting for the deed. He said the letter from Jean Isiminger dated 4/7/94 outlined her requests to finalize this matter. Mr. Lawrence said the Levee Authority is waiting for the deed so they can get the money for the property. The board received and filed Mrs. Isimingers letter of 4/7/94. Kelley Lawrence said he received the drawings from Herb Butler for the project and gave one copy to Morley & Assoc. for their review. He said the city would like Levee board approval at the next levee meeting and requested written approval at that time.

7. Greenbelt (Knight & Pigeon creek levees) - Jim Morley said he thought the plans would be presented within the next week and he would be able to make a report at the next levee board meeting.
8. The board received and filed the approved IDEM permit for Southern Indiana Materials.
9. On motion made by Connie Davis and seconded by Jack Cunningham, the board approved the bills and payrolls.

Aratex	311.43		
AT & T	3.06		
Auto Wheel & Rim	108.87		
Boetticher & Kellogg	67.44		
Builders Square	209.22		
Central Glass	205.96		
Certified Labs	117.41		
City of Evansville	12,877.40,	23.90,	47,423.00
Endress & Hauser	593.82		
Home Oil & Gas	21.54		
Marshal Glove	108.77		
Mason Tractor Sales	76.00		
Raben Tire	44.75		
Royal Office Products	162.30		
SIGECO	4,729.99,	7,398.85	
Wannemuehler Oil	970.94		
Waterworks	56.75		
Welders Supply	103.79		
Zee Medical	18.97		

Kelley Lawrence told the board he and two employees picked up the new crew cab trucks on Friday.

Mr. Lawrence said two new employees transferred in from other departments and were still on probation. He said Carolyn Ellis transferred from Mesker Zoo and Michael Forcum transferred from the City Highway Garage.

Mr. Lawrence told the board the welder had been put on the new trailer and he would like to get rid of the 1972 International pickup truck. He said someone had offered \$400 for the truck. On motion made by Connie Davis and seconded by Jack Cunningham, the board declared the truck surplus and authorized it to be sold for parts.

The board received resolution L-94-2 for the transfer of funds. The recording secretary explained the money was to be sent to another department for an employee who transferred to the Parking Meter Dept. On motion made by Connie Davis and seconded by Jack Cunningham, the board approved and signed the resolution.

May 5, 1994

page 5

There being no further business to come before the board at this time, Connie Davis made a motion to adjourn the meeting. Jack Cunningham seconded the motion.

Dated this ____ day of _____, 1994.

Jack Cunningham, President

Jean

NEW BUSINESS

May 23, 1994

Upon the recommendation of the Building Commissioner, we are approving the appointments of the following people:

- 1) Building Contractors -- George Hoffman
- 2) Residential Contractors -- Carl Shepherd
- 3) Limited Roofing -- Jesse Merrill

These appointments are for one year and will be automatically renewed unless either party indicates otherwise.

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name BRANKENBERGER Bros.

Vendor No. 481

\$ 111,063.87

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USI FSR 62

Account No. 430 BOND

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
[Signature]

Board of Commissioners

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

May 20, 1994

John Stull
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>Est. #18</u>	<u>-</u>	<u>5/16/94</u>	<u>430 BOND</u>	<u>111,063.87</u>

TOTAL 111,063.87

Warrant No. _____

Claim No. _____

Date _____

BERNARDIN LOCHMUELLER

Vendor No. 985

\$ 18,730.60

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Lynd - Phase 2

Account No. 216-4827

Allowed _____ 19 _____

In the sum of \$ _____

Richard J. Bonis
Chris Howard

Board of Commissioners

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

May 20, 1994 John Steel
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>90038-125</u>	<u>—</u>	<u>5/13/94</u>	<u>216-4827</u>	<u>18,730.60</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 18,730.60

Warrant No. _____

Claim No. _____

Date _____

BERNARDIN LOCHMUELLER

Vendor No. 985

\$ 19,522.54

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USI SR 62

Account No. 430 Bond

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
[Signature]

Board of Commissioners

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

May 20, 1994

[Signature]
Signature of Office Holder

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

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

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>93-003-2(11)</u>	<u>—</u>	<u>4/29/94</u>	<u>430 Bond</u>	<u>19,522.54</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 19,522.54

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: MAY 17, 1994 DEPARTMENT: Vanderburgh County Clerk

EMPLOYEE(S): BETTY K. SMITH

TERRI PACE, VIRGINIA SEYBOLD

DONNA TOWNSEND

DATE(S) OF TRAVEL: JUNE 27, 28, 29 & 30

DESTINATION: INDIANAPOLIS

PURPOSE: ANNUAL CLERK'S CONFERENCE

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

LODGING REQUIRED: RADISSON PLAZA AND SUITE HOTEL 3 nights

MEANS OF TRAVEL: _____ COUNTY VEHICLE NUMBER: _____
OTHER: 72 D. 5

REIMBURSEMENT CLAIMED

Mileage Parking
 Per diem Registration
 Air fare Other

APPROVED: _____
Department Head

APPROVED: Betty Knight Smith
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 23rd day of May, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 5-13-94 DEPARTMENT: CENTER ASSESSOR

EMPLOYEE(S): REBECCA A. GALEY

MICHAEL MOERS

PAULA SUE MAJORS

DATE(S) OF TRAVEL: JULY, 10, 11, 12, 13, 1994

DESTINATION: HOLIDAY INN COLUMBUS, INDIANA

PURPOSE: STATE BOARD OF TAX COMMISSIONERS INSTRUCTIONAL SESSIONS

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

LODGING REQUIRED: JULY 10, 11, 12, 13, 1994

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: _____
OTHER: _____

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

APPROVED: *Kevin E. Stucke*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 23rd day of May, 1994

Patrick Tuley
PATRICK TULEY, PRESIDENT

Don Hunter
Don Hunter, Vice President

Richard J. Barries
Richard J. Barries, Member

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 5-13-94 DEPARTMENT: German Township Assessor

EMPLOYEE(S): Tim Schaefer
Deirdre Van Allen
Jean Elsfelder

DATE(S) OF TRAVEL: July 10- July 13, 1994

DESTINATION: Columbus, IN

PURPOSE: Indiana Assessor's Conference

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

LODGING REQUIRED: July 10- July 12, 1994

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: _____
OTHER: personal vehicle(s)

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

APPROVED: _____
Department Head

APPROVED: Tim Schaefer
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 24th day of May, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 5/17/94 DEPARTMENT: Legal Aid

EMPLOYEE(S): Sue Ann Hartig

DATE(S) OF TRAVEL: 6/15 & 16

DESTINATION: Bloomington

PURPOSE: Seminar w/ 9 hrs continuing legal education

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

LODGING REQUIRED: \$50 nite x 2 = 100

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

(117 x 2 x 2)

REIMBURSEMENT CLAIMED	<u>65.52</u> Mileage	_____ Parking
	<u>24 x 2 = 48</u> Per diem	<u>80.00</u> Registration
	_____ Air fare	_____ Other

*paid for with
United Way...
funds*

APPROVED: Sue Ann Hartig
Department Head

APPROVED: Sue Ann Hartig
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 23rd day of May, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

**MINUTES
COUNTY COMMISSIONERS MEETING
MAY 31, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes (May 23, 1994 and Rezoning Minutes of May 16, 1994)	1
Waterworks Road Progress Report/Steve Rudolph	1
*Copies of Photos attached hereto	
Auditorium Task Force Report/Rolland Eckels	4
*Copy of Written Report attached hereto	
Assistant County Attorney/Keith Rounder	7
Superintendent of County Buildings/Mark Abell	7
Acceptance of Check (\$1,147.42/Loss Control Fund)	
Letter of Appreciation re Richard Cappelletti	
Vehicle for County Carpenter	
County Highway/Bill Morpew	9
Weekly Progress Report	
Paver	
Mann Road	
County Engineer/John Stoll	9
Mann Rd./Bixler Rd. Area	
Acceptance of Virginia Street	
Waterworks Road	
Consent Agenda ..(approved).....	12
Claim/American Red Cross (\$1,500) added and approved	
Scheduled Meetings	12
Old Business (none)	12
New Business	12
Board declared emergency with regard to existing debts for Patient/Inmate Care (\$146,443) and Contractual Services/County Garage Remediation Project (\$74,720); to be paid out of CCD Funds as recommended by Council	
Letter of Appreciation/Richard Cappelletti	
Meeting Adjourned @ 6:35 p.m.	14

MINUTES
COUNTY COMMISSIONERS MEETING
MAY 31, 1994

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Tuesday, May 31, 1994 in the Commissioners Hearing room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Buildings, Assistant County Attorney Keith Rounder, Commissioner Rick Borries, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo and Joanne Matthews, the Official Recording Secretary for the Board). He then asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

Commissioner Tuley said the Board has two sets of minutes for approval today. Minutes of last week's meeting (May 23, 1994) and the lengthy Rezoning portion of the May 16, 1994 meeting. (Minutes from the regular portion of the May 16th Commission Meeting were approved last week.) He then entertained comments or a motion.

Motion to approve the minutes of May 23, 1994 as engrossed by the County Auditor was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Motion to approve the Rezoning minutes of May 16, 1994 as engrossed by the County Auditor was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

President Tuley then asked if there are any groups or individuals in the audience who wish to address the Commission but do not find their name or particular item of interest on this evening's agenda. If so, now is the time to come forward. There was no response.

RE: WATERWORKS ROAD PROGRESS REPORT/ BY STEVE RUDOLPH

Mr. Steve Rudolph of J. H. Rudolph & Company was recognized. Commissioner Tuley stated that Mr. Rudolph is here to speak with reference to Waterworks Road. (Before he gets started, Mr. Tuley said he is glad Mr. Rudolph isn't wearing a tie -- that makes him feel better.)

Mr. Rudolph said it's too hot for a tie! They should have seen him on Friday. He was covered with mud from head to toe. Continuing, Mr. Rudolph said, "I just wanted to bring you up to date a little bit on the hole that we're working on down on Waterworks Road. We started on this back at the very first of May and began with the excavation of the unsuitable material out there. If you will recall, the entire area had collapsed. The pipes, themselves, had collapsed. It was causing the water to back up Eagle Slough and it was carrying quite a bit of soil and contaminant material down into the river. When we started excavating the area we found there was a tremendous amount of water pressure on the back side of Eagle Slough and that all three (3) of the pipes were collapsed. Having excavated it, we now feel that probably the reason is that possibly the bottoms of those corrugated metal pipes may have rusted. There was also a tremendous amount of heavy fill that had been dropped on those pipes over the course of time. From the original Corps drawings to the present structure the road had been widened considerably, which added additional pressure on the pipe. We also found buildings and basements and excavated materials -- huge boulders and rocks; one guy told me there was a whole building in one of those pipes -- probably stuff left over from the 1937 Flood -- possibly

that this was done in 1939 -- who knows what was down there. I brought you some pictures of the current status of the project. To give you a verbal review, we excavated the area entirely. In order to relieve the pressure on the outstanding slopes, we had to remove all the old material -- which caused us to open it up into a big V-shape section and that allowed the pressure to be taken off the pipes where we could eliminate all the extra material that was being forced down the slough. That eliminated a lot of material going into the Inland Marina. As we excavated that material we relieved the pressure on the slough and finally got it down to the point to where since the pipes were collapsed, we had to let it break through the bridge we had built across it and let it flow on out to equalize the pressure. We then went to design a piling structure to try to save as much of the area as we could. We finally came up with a bench that protects the area on the Inland Marina side of the property. That bench has been sheeted on all sides and we have our crane right now sitting on top of the bench. The purpose of the piling there is to protect that bench so we've got a working area. Rather than the original proposal of building a 80 ft. x 150 ft. coffer dam, we came up with a revised plan which requires us only to build the bench and we're using the existing headwalls on each end as part of our coffer dam structure to contain the water. We have -- the Inland Marina side has been sheeted off. We've dropped the gates on the Inland Marina side on two of the slough skates. We found that two of the gates are in good condition. A third gate is going to need a little work. There is a gap of probably 1-1/2 to 2 inches from where it has been bent. But it appears at the present time from our excavations that both the inlet headwall and the outlet headwall are in excellent condition. They were poured back in the 30's. They're reinforced concrete structures. We have not been able to get down as far as the apron slabs -- which are the bottom slabs where the pipe water goes into. But from all indications there is going to be very, very little work required on any of those inlet or outlet structures. That, in itself, is a considerable savings. We kind of held our breath -- and when we got down that far we found we had something we could work with there. We're waiting presently on the engineers to give us a design on the pipe structure. That is the most critical issue and is really the thing we need an answer on as quickly as we can. We were able to excavate the large majority of the area with a clam bucket from our bench with a crane. We were able to get well out into the Inland Marina off the apron and we've cleaned out all the pipe structure areas. We're prepared now -- once the river goes down and we get rid of some of the rain from over the weekend -- to dam up the inlet structure and then we'll pump out the center structure to allow the work to proceed in the area with the pipe structure. The real question that needs to be answered by the engineer's office is simply what kind of pipe to put in there and what that pipe design would be. We're to the point now where that material needs to be ordered so that we can go ahead and continue with the project. To date, we feel like we've been extremely successful in utilizing the County's forces out there. The County furnished the trucks and drivers to haul off a tremendous amount of material. We guess we've moved close to probably 15,000 cubic yards of unsuitable excavation. What we could salvage we've salvaged and it's over by the Waterworks Treatment Plant. The balance of material has been hauled off for fill someplace else. I brought some pictures to show you of the present status of the project today and I'll pass these around to you. These are the pipe structures that we tore out. They are crushed somewhat by their own weight as well as the damage we had to do to them to get them out. But you can see what was there. This is a picture looking down the slough and you can see how much trash, garbage and debris there is. That's after having excavated the large majority of that material. This is a picture looking from the far side; it shows the bench that we constructed to hold the bench up. This gives you an end view of that same thing. We did that in order to eliminate the need for a much larger crane rig. By stepping down onto the bench, we know that if the river gets too high the area is going to flood. But we're prepared to disband the coffer dam temporarily and let it flood until the river goes down and then we'll pump it out again. We're not trying to fight too much water that way. Here's a picture of the outlet fall structure. Now, that's been cleaned out. You can see here on the back side of that how those pipes of that outfall structure were damaged and crushed. These are pictures taken this morning and you can see how much more of the area has been cleaned up. It is ready for the pipe structures to go back into place. It still has water flowing through it. We've got two large pumps on it and we will continue to pump until we've got the majority of the water out. We're hoping not to have to block up that inlet structure. That's from this morning and this is from this afternoon -- you can see how the water has dropped. You can also tell from that picture -- we've done quite a bit of cleaning out of the outfall into

May 31, 1994

the Inland Marina. We went out as far as our 110 ft. boom would allow us to with a clam bucket and picked up all the concrete and a lot of the debris that was out there toward the Marina -- on the Marina side. We also got rid of all that trash and debris, etc., that was inside the area that the pipes were in. All in all we've had just excellent weather. We've seen the river drop a good 10 feet, I guess, during the process of construction. It was well above the outfall structure when we started the work. We've followed the river down and worked as the river would allow us to. But we've been working continuously every day. We're to the point now to where once a decision is made on the type of pipe structure and that material is ordered and installed, we can go ahead and install those pipe structures, the backfill on it, and start bringing the fill back in."

Commissioner Borries said, "That's great."

Commissioner Tuley said he'd like to hear from John Stoll.

Ms. Matthews stated Mr. Stoll is on the phone with Dave Franklin, who had called him.

Commissioner Borries said, "Well, Steve, I want to thank you and your crew for your fine efforts. As you know, this is a true emergency -- because we were not budgeted to do any of this and if we didn't take steps in the confused situation as to whose responsibility it was -- the Levee Authority, the City, the County, the Army Corps of Engineers, or whatever -- I told one of the Councilmen last time who questioned this that we might have been able to plant a Christmas tree out there somewhere, because we simply couldn't wait to get this thing moving forward. Hopefully, if we're down now to the type of pipe and can get that design here and we get some good weather, will you still maybe be shooting for a target date toward the end of June?"

Mr. Rudolph responded, "Absolutely. Mr. Borries, it's important that you recognize the significance -- and you did, as Commissioners -- the significance of the problems that we had out there. With the tremendous amount of head pressure from the water in Eagle Slough -- and that drains all the east side of town -- this area was sitting there ready to explode, because once the road collapsed, all the pipes collapsed and there was no place for the water to go. So this head pressure was building up and it was like the little boy sticking his finger in the dike -- do you remember? It was exactly the same problem. Water finds its way through the fissures in this area and it had begun to seep through and it was finding its way out. What was happening though, there was so much top pressure on this that it was continuing to dam the slough and as the water pressure built up and it found its way through more and more fissures, it was to the point of just exploding out. It would have gone out in one big lump -- just a huge explosion of debris, mud, etc., would have found its way out finally through there. So by going in there and relieving all this pressure on top of it and taking that material out and allowing the slough to go out slowly, you prevented a tremendous amount of damage. It also allowed us to save the benches that I mentioned. When we got down and excavated it, we were able to save all those areas and it eliminated a large, large amount of sheeting which would have been required out there. Also, by removing that pressure and salvaging the inlet and outlet structures, as well as the banks on both sides -- which we haven't had to change or move yet -- we've created a coffer dam inside those structures. Had we waited and not removed that extra material, all of that would have been lost. So, I think, by getting on it when you did, it has saved the County a lot of money and a lot of danger, as well."

Commissioner Borries said, "Yes, you're right. That whole Eagle Slough drains the east side. And, at one point -- I guess when we first got into this -- there would probably have been a 10 ft. difference, wouldn't there?"

Mr. Rudolph replied, "At least."

Commissioner Hunter said, "At one point it was 31 ft. on the Eagle Slough side and 20 ft. on the river side. And that's a lot of pressure."

Mr. Borries said, "And the river was continuing to drop all the time, which was increasing the amount of head pressure."

Mr. Hunter commented, "Dramatically. But Eagle Slough was sitting at 31 ft."

Mr. Rudolph said, "We were able to get that material out and I think the farmer has started plowing his field again. We hope it will stay that way."

Commissioner Tuley said, "I talked to John this morning and he gave indication that you might within two (2) days have all your pilings driven?"

Mr. Rudolph replied, "Yes. We're pretty well to the point of having the piling driven -- all we want to do out there for the time being. We have extra sheets on site in the event we need them. But our plan presently is that in a couple of more days we'll have all that work done and be ready for the pipe structures."

Mr. Tuley asked, "And you're just waiting on the engineer's report on design then?"

Mr. Rudolph responded, "Yes. I know he's been working on that. He had to wait until we had a lot of the area excavated to determine the type of material that is on the bottom. And it's going to be up to their soils analyses now to determine what type of pipe structure to put back. But as soon as we can make that determination we will order the materials and start smacking it in there."

President Tuley said, "Okay. Sounds good."

Commissioner Borries said, "That's great. Thank you, Steve."

Commissioner Hunter said, "Thank you, Steve, for coming in."

RE: AUDITORIUM TASK FORCE REPORT - MR. ROLLAND ECKELS

Mr. Rolland Eckels, Chairman of the Auditorium Task Force, was recognized. Mr. Eckels stated, "Thank you, Mr. Tuley, and members of the Commission. You will recall that this Committee was established in the latter part of last year. It consisted of twenty-five (25) men and women, all of whom volunteered to serve on the Task Force. The Committee was subdivided into three sections. One was a Management Sub-Committee chaired by Louis Iaccarino; a Yards & Grounds or Physical Facilities Sub-Committee chaired by John Beard; and a Utilization Review Sub-Committee chaired by Dick Harris. Unfortunately, -- well, I guess it's unfortunate for us, but not for him, he's on vacation traveling somewhere this evening.

The Auditorium, when it was built, was part of an effort to re-build Evansville. Some of you as old as I am remember the Fantus Report which was published in the late 50's and it recommended that we create a New Evansville. And one of the recommendations was a Civic Center. The Auditorium was the first building in what ultimately became the Civic Center, as you all know.

It should be noted that the Auditorium was never intended to be a state-of-the-art music hall or first class theater. It was designed to be a general purpose building which would broadly serve the needs of our community for such things as commencements, dances, etc.

Early in our deliberations the Task Force -- and each of our Task Force Sub-Committees met several times -- developed several conclusions that the Auditorium Gold Room complex is useful and should be preserved and enhanced. Secondly, after twenty-eight (28) years of use, the complex needs certain cosmetic and building changes. Thirdly, the citizens of Vanderburgh County need a general use facility for such events as commencements, school dances,

community meetings and small trade shows. And lastly, never in the initial conceptual and planning stages of the complex development was there belief that the facility should be self supporting. Zoos, parks, museums, theater groups, community orchestras, etc., are examples of publicly needed and endorsed activities and rarely are such facilities and activities self sustaining.

There were a number of problems uncovered with both buildings. In the Auditorium, obviously a new sound system is needed. The heating, ventilation and air conditioning need improvement. The orchestra pit needs renovation. It's too small, it's been stated, to bring in quality productions. Here it should be noted, however, that the Owensboro Auditorium is slightly smaller and does receive a significant amount of corporate support. The Auditorium has inadequate rest rooms. The loading dock is inadequate. The curtains need cleaning or replacing. The sound insulation between the Auditorium and the Gold Room and the lobbies needs improvement. Safety is a consideration in the Auditorium. It takes too long to evacuate it when productions are over. Some of the problems with the Gold room are that it is too small for some organizations. For example, Old National Bank finds the Gold Room too small now for it to hold its annual meeting there. Kitchen facilities are inadequate for the larger groups. Arrangements for a small theater, perhaps with a temporary stage, need to be made in the Gold Room. A new sound system is also needed. Heating and air conditioning need to be updated and better sound insulation from the Auditorium is needed.

We found certain assets of this complex. Parking is generally adequate. It is debt free. Its central location is a plus. Its dressing rooms are very bright and clean and attractive and, in fact, have solicited many favorable comments from groups that have used the dressing rooms. Basically the complex is attractive. It's an aesthetic asset in the downtown area and needs to be preserved and improved. Therefore, we are recommending a total expenditure of \$5-1/2 million to rehab and improve the complex. Most members of the Task Force concur that the present size of the Auditorium is sufficient for most of our community's needs. This is not to say, however, that in the future we might not need to expand it. But there is a rare event that sells out the Auditorium. The only one I am aware of at the moment is the Pops Concert, which does occasionally sell out the Auditorium. Our area is growing and it may be necessary to expand it in the future. But at the present time it is our belief that the Auditorium does not need additional seating capacity.

I want to add here that we are indebted to Mike Shoulders of the firm of Knapp, Givens, Veazey & Shoulders, who supplied us with many of the cost figures that are on the next page of the report. He was very generous with his time and was invaluable to us. And I should say that much of what we are recommending is taken from the study that was done by the consortium in 1987, which was headed by Knapp, Given, Veazey & Shoulders.

The management of the Auditorium was considered. Several options were discussed. One was to turn the Auditorium and the Gold Room over to the Building Authority. Another was to let it be managed by the Visitor's & Convention Bureau. Thirdly, continuing the complex under private management. And lastly, returning it to a manager appointed by the County Commissioners. Under private management, utilization of the complex has increased, revenues are up and the deficit continues to decrease. Therefore, we recommend that the Auditorium-Gold Room Complex be continued under private management. Our recommendations, we know, are not ideal. But our Task Force is cognizant of the economic realities in our community and, in that spirit, we recommend the expenditures that you see on the sheet in front of you. You will note that we are recommending \$1-1/2 million for the Auditorium, \$3 million for the Gold Room. The \$3 million for the Gold Room does envision a significant expansion of the Gold room for trade shows and other meetings. A total expenditure of \$5-1/2 million. I wish to thank the members of the Committee who gave of their time. The assistance we received from the County Commissioners office was very helpful. If you have questions about our report I will try to answer them. Or, I have Louis and John with me, or perhaps Mike Shoulders can answer some of them."

President Tuley said, "Mr. Eckels, on behalf of the Commissioners I'd like to thank you and everybody involved in taking your time and efforts you've given to this community and this project, in particular, considering you guys were paid the handsome fee of nothing. You put a lot of time and effort into it and I appreciate it. At this point, I think I'm going to turn it over to Commissioner Borries, since he is the one who envisioned this group and asked that it be formed and what have you, and let him take it from here."

Commissioner Borries stated, "I just want to say that you, indeed, have been generous with your time. And in the true spirit of a person who has long been an Evansville leader I think, again, you have come through with a very concise, good report. It really hones in on the things that appear to be very critical needs at the Auditorium, as well as setting the stage for the future. I certainly want to also thank Lou, John and Beverly Beard and Mike Shoulders and many other people who were on this committee. I continue to believe that the Auditorium is a treasure by design. Until you were finished with this report I did not want to, in any case, appear to have any agenda in this other than to see -- as you have so well pointed out -- this is a statement that was part of the history of renewing Evansville -- and it needs to be there. I don't know what the future is concerning the Victory Complex and this and certainly don't want to get into a situation where we appear to be at conflict. But the reality of it is, as you have so well pointed out, it is a community asset; it's middle aged by the way buildings go, and we have to do something. If we don't, shame on us for the future of, you know, not only this facility -- but, also, I think, of the community. So I do thank you for your work on this."

Mr. Eckels commented, "I would like to point out that we had a number of people on our committee who are supportive of the Lowe's Victory project, as am I, and we believe that we need both in our community -- because we are growing."

Commissioner Hunter said, "I am very pleased with the results of what you have done. I think it needed to be said publicly -- a long time ago perhaps. The Auditorium is kind of like the Wizard of Oz -- it was designed to be everything to everybody and nothing to any particular group. And I am also pleased to see that a good bit of our revenue generated comes from the Gold Room -- and you have recommended \$3 million versus \$1-1/2 million for the Auditorium, itself, and I think that is simply good business. I think the numbers you have come up with and the suggestions that you have made are realistic numbers. \$5-1/2 million is what the community can deal with. I noticed you also built in \$1-1/2 million contingency fund, which I think is an excellent idea, and another \$500,000 for fees, administration, financing and what have you. I could reiterate what these two gentlemen have said, we highly appreciate the work that you have done and your committees have done. I think we tried to approach this in a unbiased fashion. If you look at the next page, media, you will see who the members of this committee were. It was, we thought, an excellent cross section of the community representing lots of different areas. And I think they have given you their input; they have given you their recommendations and, quite honestly, I think you have substantiated some things that maybe the three of us had in the backs of our minds a long time ago, but I like the part 'it's paid for'. Yes, that's a nice item - - to have something paid for. And, yes, it does have adequate parking. And we're not trying to turn it into a concert hall or a theater, we're trying to provide all facets of this community with a facility they can use and be proud of. So, again, I thank you and all the rest of the committee."

Commissioner Borries said, "And you're not done yet! If I, personally, can ask you. Certainly on this last day of May you have fulfilled the requirements of our charge -- which was to prepare a report for us to consider to give to the County Council. We can propose, but we cannot dispose in terms of moving ahead in the funding. And despite the fact that we've had a very tight financial year this year, things look better for next year. There are going to be other sources out there -- cumulative funds and others -- where I think we could plan and draw on. As you point out, since 1987 I think Mike Shoulders' firm has been involved with this facility. He has extensive background with other art complexes and has provided some useful figures here -- and I hope that, if you would, be an advocate with us as we prepare a proposal for the County Council to consider. It's very important for us to have that kind of support from you and other members of your Committee."

Mr. Eckels said, "I'd be very happy to. You have it."

The Commissioners then, once again, thanked Mr. Eckels.

RE: COUNTY ATTORNEY

President Tuley noted that County Attorney Alan Kissinger is not here tonight. He then asked Attorney Keith Rounder, who was sitting in for Attorney Kissinger, if he has anything to report.

Attorney Rounder gave a negative response.

RE: SUPERINTENDENT OF COUNTY BUILDINGS

Acceptance of Check: Mr. Abell said he is glad to say he has a check to be quietused in. The check is in the amount of \$1,147.42 from Willis Faber & Dumas Limited, which goes into the Loss Control Fund.

Letter of Appreciation for Mr. Richard Cappelletti: Mr. Abell said he also has a letter of appreciation for Mr. Richard Cappelletti from Mr. Alvin Stucki, which he will pass on down to Mr. Tuley.

Vehicle for County Carpenter: Mr. Abell said the County carpenter, Mr. Benny Gossar, has been driving a 1979 1/2 ton pick-up that has been undergoing some recent rehab. It has gotten to a point -- and he thinks Bill Morphew can perhaps add more to this, if needed -- but it has gotten to the point to where he doesn't know if we should spend more money on the vehicle. He talked to Commissioner Hunter about this, because he was at the County Garage at the time - - and he will let him give his comments on it.

Commissioner Hunter said, "Gentlemen, I was at the County Garage last Friday afternoon and this vehicle happened to be there. It looked so bad that I asked Benny to take the County logo off of the side of it. I'm serious. I was ashamed to have Vanderburgh County on there. I mean, this thing looks like -- well, the one Sanford & Son used on T.V. was a credit to this one. That's how bad it is. I don't know if it's safe or not -- but I would hate to drive more than 50 ft. or 60 ft. in it. It was loaded up that day, headed for the dump."

Mr. Abell said he uses it to take care of our surplus properties in a large way. Most importantly, he uses it to transport tables and chairs for the elections. And, you know, you really need to have a reliable piece of equipment to do that -- because you'd hate to get to the day of the election and not have your tables and chairs there. Secondly, he has been maintaining the surplus properties by cleaning off debris and that sort of thing. It has 191,000 miles on it. It looks like somebody shot it with a shotgun.

Mr. Hunter said, "It ought to be in a T.V. commercial. And I'm not sure they haven't shot at it."

Mr. Abell interrupted, "But I'm kind of in a dilemma. I don't know exactly how to go about getting a new truck. I think we need to get him a new truck -- and this is not a good year to do that kind of thing."

Mr. Borries said, "I talked with members of Council last week at their pre-budget hearing and kind of paved the way. And truly, if there ever was an emergency. So I think we are well within justification of doing that. There seemed to be some receptivity to doing that -- again, using some of those Cumulative Capital Development Funds that we can allocate."

Commissioner Hunter interrupted, "We'll let Bill talk about it. But I think there are some vehicles available at an excellent price -- isn't that what you told me -- about five vehicles and...."

Mr. Abell said, "I've got those. Those were bid out earlier in the year for the bridge crew, I believe. And they are still available at that price. They are 3/4 ton pick-ups."

Mr. Morhew approached the podium and said, "We had put out for bid two foremen's vehicles -- 3/4 ton pickup trucks. The only way a manufacturer could get these trucks painted with the color code we wanted was for them to purchase five (5) of them. At one time they were going to get two red trucks and bring them down and paint them orange. I told them that wouldn't work, they'd have to gut the truck. If we're going to pay that much money for a truck, when I open the door I want to see orange -- I don't want to see red. So what they did, they went back and ordered three more. They bought five (5) trucks, the only difference being the two we ordered were automatic transmission. The other three are 5-speed manuals. They are 3/4 ton, 8,600 GBW; they have air, digital clock radio, power steering/brakes; some additional things. I don't recall everything we asked for. The bid price on these trucks was a little over \$14,000. Normal price on these trucks is close to \$18,000. I asked Mr. Spurling to send me over some information on lease-purchase and he did that by fax. If Mark was to try to buy one of these trucks he could get it at the same bid price we got these trucks for, instead of paying the \$18,000 he could get these trucks for \$14,300. The lease-purchase is a little over approximately \$300 per month for four years with a \$1.00 pay off. At the end of the four years you own the truck."

Mr. Abell said, "There's a cost in doing that."

Commissioner Borries said, "Yes. I don't know but what it would be better if we could get the funds to go ahead and pay for it. What I am concerned about, I am a little confused over what bid specs we used. Have you talked with Lynn Ellis on this?"

Mr. Morhew said he has not

Mr. Abell said he did. She said she didn't see a problem with it, but suggested he check with Council on it just to be absolutely sure.

Mr. Morhew said, "Mr. Spurling at Cooke Chevrolet said that you could get the trucks at the same bid price."

Commissioner Borries said he would certainly be happy to declare it an emergency and ask for CCD funds.

Commissioner Hunter said, "If that is a motion, I will second it -- because I've seen the truck."

Mr. Morhew said they've worked on Benny's truck quite a bit this year, alone. The tail gate is wired on -- it will not even close. He has 4 ft. sideboards on the truck. Benny does all of the auction work. He moves all the file cabinets, the desks, the tables, the chairs and what have you from all the county buildings and hauls them in this truck and stores them at the County Garage until ready for the annual auction. He carries quite a bit of weight in that truck and it is a 1/2 ton truck. He does need a 3/4 ton vehicle to carry the weight he carries.

Mr. Hunter said, "Bill, you might also want to add that this truck is used in every election, because Benny also has to haul the tables and chairs and help set up the various precincts. So it is critical that he does have something that is dependable."

Mr. Morhew said the vehicle Benny currently has is a 1979 F-150 Ford and it has 191,000 miles on it.

Mr. Tuley said he will so order. He then asked if Mr. Abell will get the paperwork downstairs to the Auditor's office and make sure it comes out of the CCD Fund .

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphew submitted the Weekly Progress Report for period of May 20, 1994 thru May 26, 1994.....report received and filed.

Paver: Mr. Morphew stated they tested their paver today and it seems to work fine. They're going to be paving at Burdette Park tomorrow -- the upper parking lot by the pools, where they've had to do some construction work. They also need to pave the new exit they put in and some other small areas. Poolside needed a First-Aid area, wheelchair accessible and they need to pave a small patch in through there.

Mr. Tuley said it's that time of year where they will have something to do every day -- between the weeds and the roads.

Mr. Morphew agreed.

Mr. Borries said he is glad to hear that everything is gearing up and they will appreciate Mr. Morphew's reports as he begins paving in different areas.

Mann Rd.: Mr. Borries noted the Commissioners have a request through the Drainage Board to begin looking at Mann Rd. where they are going to install some new bridges -- to see if it's paved. He frankly thinks a lot of that will continue dust-wise, whether or not we get the cooperation we need to get the bridges in.

Mr. Morphew said Mann Rd. needs to be widened.

Mr. Borries said there is a portion between Bixler and where it ends at Montgomery -- he believes that is the area. It might be something we can look at, but he thinks it depends on some additional right-of-way granted out there. If we can get the cooperation of one particular person, maybe we can consider that if there is available funding and some time to do that.

President Tuley entertained questions of Mr. Morphew. There were none.

RE: COUNTY ENGINEER - JOHN STOLL

Mann Rd./Bixler Rd. Area: Mr. Stoll said while the Commissioners are on this subject, he wanted to bring in a copy of the manual on Uniform Traffic Control Devices because of an issue raised last week when the bridges were approved -- saying we would have to have narrow bridge signs posted at those bridges. As the Commissioners can see, we won't have to post narrow bridge signs since we will be at 24 ft. rather than at the 18 ft. to 22 ft. bridge width that they specify in this standard. The bridge, itself, will also be wider than the approach pavement, so in both of those cases we won't have to post a narrow bridge sign. That was one of the things that was of concern last week when the bridges were approved -- and he wanted to point out that this won't be a factor.

Acceptance of Virginia Street: Mr. Stoll said he is requesting acceptance of Virginia Street from Royal Avenue to Metro Avenue and then the section that K-Mart built from Kimber Lane over to Burkhardt Rd. This results in all of Virginia Street being completed.

Mr. Borries asked, "That is now open, isn't it?"

Mr. Stoll replied, "They were planning on waiting until the acceptance was finalized. It should be open first thing in the morning.

Commissioner Hunter asked if Mr. Stoll is recommending that the Commissioners accept it.

Mr. Stoll replied affirmatively.

Motion made by Commissioner Hunter to accept, as recommended, with a second from Commissioner Borries. So ordered.

Commissioner Borries stated, "And I want to commend your leadership on that. I think it's a pretty complicated project, even as we look ahead to what we are going to face in July. It takes a lot of cooperation. It takes the work of a lot of people involved in this. We do not have budgeted funds to put these roads in. Yet, in the interest of public safety and in order to move traffic on Burkhardt Rd. as well as Green River Rd., these roads have really been needed. I think with what I have been able to see now that this K-Mart operation is going with a 7 day per week, 24-hr. per day operation that there is not a tremendous crunch of traffic in any one given situation. I think sometimes if you advertise door busters and you've got everybody getting there at 10:00 a.m. or the store closes and suddenly everybody leaves there at 9:00 p.m., then you've got a lot of traffic problems -- particularly during certain hours. But I haven't seen that. Sometimes there will be some turn lanes if you're going east from the Lloyd to get on Burkhardt where there is some stack-up in the storage lane. But I haven't seen any problems, particularly since the city installed that additional lane there.

Mr. Stoll said they got it all striped last week and it looks real good. It's striped all the way up to Virginia. It turned out looking good and he hopes it addresses all the traffic problems. That, with the opening of Virginia Street, should at least provide better access to K-Mart.

Mr. Borries said he thinks it should.

Mr. Stoll said that Dave Franklin deserves a lot of credit on that. He spent a lot of time out there -- on both sections the county built, as well as the section built at Metro Center -- in making sure it was getting done and getting done right.

Mr. Borries said he really appreciates Mr. Stoll's work on that.

Waterworks Road: President Tuley asked Mr. Stoll if everything is moving along according to Mr. Stoll's liking with Mr. Rudolph's report.

Mr. Stoll replied he was on the telephone with Dave Franklin so he didn't hear all the details. He was talking to Dave about Waterworks Rd. with regard to pump sizes in order to try to pump the water down and make sure we had proper size pumps to make sure we're going to get rid of the water, rather than the pumps down there today, which didn't seem to be doing the job Dave said. He's trying to address that now.

Mr. Borries said, "He said that, you know, the headwalls and apron and everything look okay. Then it gets to the point about the engineers giving us the design structure and what type of pipe to put in there. What is your feeling on that? Are we going to get that pretty quickly?"

Mr. Stoll said he hopes so. The consultants were waiting to see -- once the water is all pumped out of the coffer dam, they wanted to see if the water had undermined the headwalls in any way, in order for them to be able to have a better basis for what kind of bedding to put the pipes on once the pipes are installed. So once the coffer dam is totally set up and the water has been pumped out, then they can proceed with that. The soils consultants said they could be here on one day's notice once we get to that point.

Commissioner Hunter asked, "What kind of pipes do you plan to go with?"

Mr. Stoll replied, "United Consulting is planning on going with either corrugated metal or concrete, depending upon what price we get on the two options. They are expecting the concrete to be higher, but as far as how much higher they are not real sure. They said they thought it might come in somewhat competitive to the metal."

Mr. Hunter asked, "Would the corrugated pipe have any kind of liner in it that would increase the life of them or not?"

Mr. Stoll replied, "Most of the liners I've seen and heard about are done after the fact, so whether or not it is bituminous coated, I would assume it would be fully bituminous coated like the last one was -- but I'm not sure at this point."

Mr. Hunter asked, "Is that just standard -- the bituminous coating on that type of pipe?"

Mr. Stoll said, "You can do it either way -- but that would probably help prolong its life."

Commissioner Borries commented, "Well, this one lasted some 50 odd years."

Mr. Stoll said, "The reason United was planning on specifying the two different pipes was to see if we did get a competitive price on both -- and the concrete would probably last longer than the metal. So that may be an option we'll want to consider when we get to that point. Right now we need to get the water pumped out of the site and let the consultants take a look at it one last time to make sure there hasn't been any channel cut underneath the headwalls and take it from there."

Commissioner Hunter said, "One point. I think legal counsel said that in order to declare it an emergency we had to put it back the way it was. I remember him saying that in a meeting. That is the reason we quickly eliminated the moving of a legal drain down there. Do we have some latitude in the type we can use in putting it back the way it was?"

Mr. Stoll replied, "I would have to check with him."

Mr. Borries said, "I don't think it specified..."

Mr. Hunter interrupted, "As long as we put it back in the same area?"

Commissioner Borries said, "Right. In a sense that is what we are doing -- by doing it this way this is going to help those farmers in the future when they need to have flood control situations and if, at some future point, some future board wants to change the legal drain, they certainly need to consider that more in a long term plan rather than on a crisis basis."

Mr. Stoll said another issue we'll need to address soon -- once we get the clear data -- is the dredging from the debris that has washed down into the Marina. We have some of that data and once I get more complete data I'll bring that."

Commissioner Hunter asked, "Wasn't there somebody working down there over the weekend that was preparing to do some dredging?"

Mr. Stoll said, "That would be a pipe basically for the on going dredging for the Marina. They'll have a place to discharge. You've probably seen their lines down there."

Mr. Hunter said, "Yes. I called you and then went over to the other side to see who was working on Saturday at time and a half -- and realized it was not our money. So I said I really didn't care. They can do whatever they want. But I gathered they were putting that in so they could do some dredging."

Mr. Stoll said, "Right --so the Marina can pump it across Waterworks Road -- and off to the side of Eagle Slough."

Commissioner Borries said, "Well, I appreciate your continuing vigilance on that and I know you've had some on going worries. And, certainly, I think Dave Franklin and Bill Higgins (who were initially out there, too) -- Dave Franklin has done an excellent job down there. He stays right with them. He watches that money and watches what's going on and he asks a lot of

questions. If he doesn't get the right answers, he just keeps asking questions until he gets the answer he needs. So I've been impressed with Dave's work down there. We just need to hang in there. It's been a tough one -- but if the weather cooperates, Steve Rudolph indicated that if we get these pipes sized and get them in there, maybe the end of June we're still shooting for. So, let's hope. Thanks for your work, John."

President Tuley also expressed his thanks.

RE: CONSENT AGENDA

Claim/American Red Cross: Mr. Tuley said that along with the claim listed for the Glenwood Neighborhood Association/Local Drug Free Communities Fund in the amount of \$2,000.00, late this afternoon he received a claim to the Southwestern Indiana Chapter of the American Red Cross in the amount of \$1,500.00 out of the same account. He would ask that this claim be added to the Consent Agenda at this time. These monies do not come out of the General Fund.

Motion to approve the addition of this claim to the Consent Agenda was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Motion to approve the Consent Agenda items was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

In directing the Board's attention to the calendar of scheduled meetings, President Tuley noted that County Council meets tomorrow. Next Monday there's a Department Head Meeting at 3:30 p.m., Executive Session at 4:00 p.m. and Commission Meeting at 5:30 p.m.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

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Commissioner Borries said that at Council's meeting last week, they looked at some of the requests the Commissioners have and they talked a bit about the emergencies that could be declared under this Cumulative Capital Development Fund. Really, in some cases this money could have been used through the General Fund, but we are now half way through the year and are, he thinks, wisely using this. It's been a tight year -- but we are going to get through it okay. One of the items he talked with Councilwoman Jarrel about and Council suggested that if the Board could declare an emergency -- particularly in the outstanding accounts that we have in Patient/Inmate Care -- this money is not going to go away. This is one of those things where our office holds their breath every time we get something from the Indiana Department of Corrections or some group and one of these bills comes through. But we still owe \$146,443 in that account. We owe for Contractual Services to get this garage remediation payment finished or up to date \$74,720. So that would be a total of \$221,163 that could be paid through a declaration of an emergency through his fund. That would leave approximately \$200,000 for any future allocations that need to come out of that. If this Board is willing to do that, this is a way in which we could at least resolve some outstanding debts that we have at this point.

President Tuley asked, "This is at Council's recommendation?"

Commissioner Borries replied, "Yes. Yes."

Motion that the Board of Commissioners declare an emergency for the purpose of using

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President Tuley asked, "This is at Council's recommendation?"

Commissioner Borries replied, "Yes. Yes."

Motion that the Board of Commissioners declare an emergency for the purpose of using Cumulative Capital Development Funds to pay off existing debts in the Commissioners' accounts. Seconded by Commissioner Hunter. So ordered.

Commissioner Hunter said, "I think we also ought to -- we talked about this before, Rick -- I think we need to begin to formulate some kind of a long range plan so that next year whoever is sitting here won't be badgered by the Council and everybody else wanting to use that money."

Commissioner Borries said, "I know John is very good at looking ahead. You know, we need to do this at Burdette. We are getting in a formal report here today that we're going to have to digest and go through and see what can be done in terms of the Auditorium. But there are critical needs at the Auditorium and we'll have some critical needs at the County Highway. I think if we could get our department heads to begin to plan out for about five years, this would give us some good information to share with the Council in the wise use of funds we're going to have. Next year should be a better year. We don't want to waste this money."

Commissioner Hunter said, "I agree."

President Tuley said, "I think we all agree. I think that is what we envisioned when we enacted it."

Commissioner Hunter said, "That's right. That was the whole purpose of that -- so we could do long range planning."

Commissioner Borries said, "Mr. President, I would move at this time to ask each of our department heads under our authority to begin to develop a five year plan to be presented to this Board and also the County Council, which would summarize and highlight capital improvement needs. We're not talking about people. We're trying to use this for capital expenses."

President Tuley said he will ask them at next Monday's meeting to begin to prepare said plan for submission to the Board."

Letter of Appreciation re Richard Cappelletti: President Tuley said the only other item he has is the letter from Alvin Stucki with regard to Data Processing/Reassessment Equipment, as follows:

May 25, 1994

Vanderburgh County Commissioners
Room 305 - Administration Building

Honorable County Commissioners:

As a Township Assessor of many years, watching the changing times, I would like this opportunity to say thank you to Mr. Cappelletti.

This county could not have found a more capable, objective person than he. The amount of time needed to study everything presented to him had to have been a colossal task; yet, Mr. Cappelletti never wavered from the bounds of the law. He never let personality cloud his vision. He stayed professional through allegations, heated discussions and mounds of paper work. He is a man to be admired.

This task could not have been completed so well had it not been for Mr. Cappelletti's help.

Thank you, Cap!

Sincerely,

Alvin E. Stucki

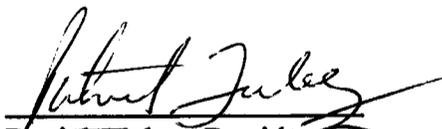
Commissioner Hunter said he would like to see that letter placed in Mr. Cappelletti's personnel file, if there is such a thing. I think it should be shared with him -- and if he has a file, the letter should be put in the file. The other Commissioners agreed and Mr. Tuley said he will make sure that is done.

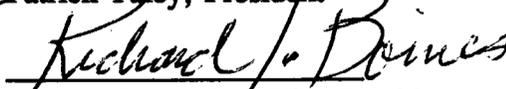
There being no further business to come before the Board at this time, President Tuley entertained a motion to adjourn. Motion to this effect made by Commissioner Borries, with a second from Commissioner Hunter. So ordered. Meeting adjourned at 6:35 p.m.

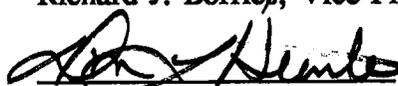
PRESENT:

Patrick Tuley
Richard J. Borries
Don L. Hunter
Keith Rounder/Attorney
Cindy Mayo, Chief Deputy Auditor
Mark Abell, Supt./County Bldgs.
John Stoll/County Engineer
Bill Morphew/County Highway
Andy Davidson/Given & Spindler
Sandra Toten/Auditorium
Laura Collier-Holmes/Auditorium
Louis Iaccarino/Auditorium Task Force
Rolland Eckels/Auditorium Task Force
Steve Rudolph/J. H. Rudolph & Co.
Beverly Beard/Auditorium Task Force
John Beard/Auditorium Task Force
Kenneth McWilliams/Citizen
Mike Shoulders/KGV&S Associates
Eric Williams/Deputy Sheriff
Calvin Hughes/WTVW T-V
Jim Beck/Evansville Courier
Angela Geriack/WEVV-TV
Kyle Foster/Evansville Press
Hamilton Northcutt/WFIE-TV
Herb Thompson/WFIE-TV
Steve Burger/WIKY
Others (Unidentified)

SECRETARY: Joanne A. Matthews


Patrick Tuley, President


Richard J. Borries, Vice President


Don L. Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

May 31, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Approval of Commissioner Minutes
 - B. Any group/individual wishing to address the commission
 - C. Steve Rudolph/ J.H. Rudolph Co.
re: Waterworks Road
 - D. Auditorium Task Force Report
*presented by Mr. Rolland Eckels, Chairman
Auditorium Task Force
5. **DEPARTMENT HEADS**

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

6. CONSENT ITEMS

A. Travel/Education

*Perry Assessor (3) *Pigeon Assessor (4)
**County Assessor(1) **Knight Assessor (1)
*State called meeting **Will be paid from their funds

B. Claim for payment:

Glenwood Neighborhood Association.....2,000.00
*County Drug Free Community Fund

C. Employment Changes
see attached lists

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

COUNTY ENGINEER'S

CONSENT AGENDA

MAY 31, 1994

1. CLAIMS:

Engineering Equipment 203-4429
Postal Instant Press (Inv. #23197) \$ 51.30

Lynch Road 216-4827
Vanderburgh County Treasurer \$9,605.42
Correction: Should be out of 203-4395 (Lynch Rd. Bridges)

June 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 152 / 213 3:30pm County Council	2 153 / 212	3 154 / 211 Pay Day	4 155 / 210
5 156 / 209	6 157 / 208 3:30pm Dept. Head 4:00pm Exec. Session 5:30pm Commissioners	7 158 / 207	8 159 / 206	9 160 / 205	10 161 / 204	11 162 / 203
12 163 / 202	13 164 / 201 4:30pm Solid Waste 5:30pm Commissioners	14 165 / 200 Flag Day	15 166 / 199	16 167 / 198 5:00pm Pigeon Creek	17 168 / 197 Pay Day	18 169 / 196
19 170 / 195 Father's Day	20 171 / 194 4:00pm Exec. Session 5:30pm Commissioners 7:00pm Rezoning	21 172 / 193 9:00am Insurance Comm.	22 173 / 192	23 174 / 191 9:00am Steering Comm.	24 175 / 190	25 176 / 189
26 177 / 188	27 178 / 187 4:00pm Exec. Session 5:30pm Commissioners 6:30pm Drainage Brd.	28 179 / 186	29 180 / 185 3:30pm Personnel & Finance	30 181 / 184		

May

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

TAMUCC COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

l

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JENNIFER FREEMAN		GROUNDS	4 25	5-11-94 ✓
1180	CHRIS THOMAS		GROUNDS	4 25	5-11-94 ✓
1180	TERESA BLAND		GROUNDS	4 25	5-11-94 ✓
1180	COY DANKS		GROUNDS	4 25	5-11-94 ✓
1180	BLAKE SHUMATE		GROUNDS	4 25	5-11-94 ✓
1180	JON-DAVID SWIFT		GROUNDS	4 25	5-11-94 ✓
1180	MATT BROWN		GROUNDS	4 25	5-11-94 ✓
1180	VINCE BOREN		GROUNDS	4 25	5-11-94 ✓
1180	ANDY HART		GROUNDS	4 25	5-11-94 ✓
1180	ERIN DEICKEN		GROUNDS	4 25	5-11-94 ✓
1180	CHASTITY SPINDLER		GROUNDS	4 25	5-11-94
1180	MICHAEL DAVIS		GROUNDS	4 25	5-11-94 ✓
1180	BRYAN GALLOWAY		GROUNDS	4 25	5-11-94 ✓
1180	WILLIAM BEASLEY		GROUNDS	4 25	5-11-94 ✓
1180	TRACY BAGBY		GROUNDS	4 25	5-11-94 ✓
1180	DONNA SMITH		GROUNDS	4 25	5-11-94 ✓
1180	AARON RALEIGH		GROUNDS	4 25	5-11-94 ✓
1180	TROY COCKRUM		GROUNDS	4 25	5-11-94 ✓
1180	JEFFREY YAN		GROUNDS	4 25	5-11-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tully DATES 2-27-94

|

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JACK BREUNIG		DAYCAMP	5 50	5-11-94 ✓
1180	VANESSA KOLB		GROUNDS	5 00	5-11-94 ✓
1180	KIMBERLY VEECK		CONCESSION	4 25	5-11-94 ✓
1180	DARRELL LESLIE		GROUNDS	4 25	5-11-94 ✓
1180	CYNTHIA NAGEL		GROUNDS	5 00	5-11-94 ✓
1180	JENNA MARTIN		FLOATSTAND	5 00	5-11-94 ✓
1180	APRIL ADDISON		FLOATSTAND	4 35	5-11-94 ✓
1180	RON NELSON		DAYCAMP	5 25	5-11-94 ✓
1180	NANCY C. GOINS		CONCESSION	4 25	5-11-94 ✓
1180	LEE SCHELLER		GROUNDS	4 25	5-11-94 ✓
1180	JONATHAN KOCH		GROUNDS	4 25	5-11-94 ✓
1180	MELISSA GREATHOUSE		GROUNDS	4 25	5-11-94 ✓
1180	KIMBERLY HERR		GROUNDS	4 25	5-11-94 ✓
1180	KAMMY FERENBACHER		GROUNDS	4 25	5-11-94 ✓
1180	BROOKE MCFALL		GROUNDS	4 25	5-11-94 ✓
1180	RYAN NIX		GROUNDS	4 25	5-11-94 ✓
1180	ANDREW ASHBY		GROUNDS	4 25	5-11-94 ✓
1180	JASON HEIM		GROUNDS	4 25	5-11-94 ✓
1180	SCOTT BASHAM		GROUNDS	4 25	5-11-94 ✓
1180	RYAN KARN		GROUNDS	4 25	5-11-94 ✓
1180	MELISSA HAMPTON		GROUNDS	4 25	5-11-94 ✓
1180	BRIDGETT MONTGOMERY		GROUNDS	4 25	5-11-94 ✓
1180	(MATHW HAYNLE)	No SS # FILLED OUT ON BEN FORM	GROUNDS	4 25	5-11-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tully DATE 5-27-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 108 - Prosecutor's Office *sd*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1080 1010 1080	Jonathan J. Parkhurst	818 S.E. Riverside	Dep. Prosecutor	17,877.44 ✓ 18,175.00 per hour	26 May 1994 ✓
		#A, Evansville, IN 47713.		37,800.00 ✓ 37,185.00	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108M 1140 108M	Jonathan J. Parkhurst	818 S.E. Riverside	Dep. Pros.	18,173.00 per hour	25 May 1994
		#A, Evansville, IN 47713		37,800.00 ✓ - - - - -	

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Stanley H. Levco* DATE 24 May 1994
Stanley H. Levco

*Note - ONLY - 37,185.00
APPROPRIATED THIS
LINE*

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT *sd*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701230	Sue G. Steele		Court Reporter	12,627.44 IHR ✓ 26,265.00	6/1/94 ✓
13701340	Darren J. Newman		Bailiff	10,162.99 IHR ✓ 21,139.00	5/23/94 ✓
13701380	Deborah J. Mosby		Bailiff	10,658.11 IHR ✓ 22,169.00	6/1/94 ✓
13701560	Amy L. Helfert		Riding Bailiff	10,698.11 IHR ✓ 22,251.00	6/1/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701230	Debra M. Settle		Court Reporter	13,243.26 IHR ✓ 27,551.00	5/31/94
13701380	Amy L. Helfert		Bailiff	10,162.99 IHR ✓ 21,139.00	5/31/94
13701560	Sue G. Steele		Riding Bailiff	10,200.00 IHR ✓ 21,217.00	5/31/94
13701770	Deborah J. Mosby		Clerical Assistant	10,658.11 IHR ✓ 22,169.00	5/31/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *W. D. Dutch* DATE 5-27-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-	130 Nancy Flittner	757 Lombard	Coordinator II	8.9942/HR 18,708 00	5/26/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-	190 Nancy Flittner	757 Lombard	Extra Help	7 00 per hr	5/25/94
		(STILL PAID ON 6/3/94 P.R.)			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shirley Rader
Chief Deputy
Knight Twp Assessor

DATE 5/27/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701770	Carolyn J. Profaizer		Clerical Assistant	9.2423/HR 19,224 00	6/1/94 ✓
13701803	Stephen C. Haas		Public Defender	Other pay 1,250 00	5/16/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701802	Carolyn J. Profaizer		Misdemeanor Secretary	19,224 00	5/31/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Tim A. Distek DATE 5-27-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1000- 1150-1990	Donna M. Viehe	2251 Viehe Dr.	Part Time	Hourly 5 00	5/30/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-1990	Duane D. Hagedorn	516 S. Kentucky	Data Coll. Part Time	Hourly 7 00	5/27/94
2490- 1150-1990	Henry E. Outlaw	756 W. Michigan St	Data Coll. Part Time	Hourly 7 00	5/27/94
2490- 1150-1990	Johnnye G. Rohner	2831 Turnberry Ln.	Data Coll. Part Time	Hourly 7 00	5/27/94
2490- 1150-1990	Donna M. Viehe	2251 Viehe Dr.	Data Coll. Part Time	Hourly 7 00	5/27/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

David A. Fox DATE 5/26/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-2600 1990	Karen E. Scott	3513 Bexley Ct.	Part Time Data Coll.	Hourly 7 00	5/27/94
		(STILL PAID ON 6/3/94)			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

David A. Fox DATE 5/26/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 1081 - IVD Child Support - Prosecutor's Office

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1081 199	LeShel L. Reynolds	4135 Norwich Place Evansville, IN 47711	Temporary part-time clerical	\$5 per hour	5-16-94 ✓
1081 199	Amy E. Meyer	440 Stonegate Road Evansville, IN 47711	" do.	95 per hr do.	5-16-94 ✓ 5-16-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 24 May 1994
Stanley M. Levco

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 213.2 Health 2

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1180	HASSEL, CARYL	4229 Wethersfield Dr Evansville, IN 47711	Nurse	26,685	00	7/11/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Kennedy*

DATE May 26, 1994

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 213.2 Health/MCH 2

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1190	THOMAS, MARTHA	1107 Harrelton Court Evansville, IN 47714	Nurse	26,685	00	7/11/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Kennedy*

DATE May 26, 1994

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1120	DEBRA SETTLE		COURT REPORTER	13.2450 / HR 27,551.00 AN	6-1-94 ✓
136.1-1180	REGINA JOHNSON <i>Si, 1112</i>	EMP. #05173	ADMINISTRATIVE ASSISTANT <i>TRANS. OFFICE</i>	9.7269 / HR 20,232.00 AN	5-22-94 ✓
5052-1260	TERESA DYER <i>5/23/94</i>	EMP. #04932	WORK RELEASE OFFICER	8.7644 / HR 18,230.00 AN	5-22-94 -
136-1980	MELISA WOOLEMS	EMP. #04990	OTHER PAY	SUPPLEMENTAL	5-25-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1120	LUCILLE SMITH	EMP. #01944	COURT REPORTER	13.3551 / HR 28,902.00 AN	5-31-94 -
136.1-1180	DARREN NEWMAN	EMP. #03439	ADMINISTRATIVE ASSISTANT <i>TRANS. OFFICE</i>	10.6975 / HR 22,251.00 AN	5-22-94
5052-1260	REGINA JOHNSON	EMP. #05173	WORK RELEASE OFFICER	9.5596 / HR 19,530.00 AN	5-22-94 ✓
136-1980	DARREN NEWMAN	EMP. #03439	OTHER PAY		5/22/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Beverly H. Carr JUDGE DATE 5/24/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Beck, Erik	436 S. Weinbach Avenue Evansville 47714	Vector Control Technician	\$5.25/ hr.	6/6/94
1990	Eifert, Eric N.	4324 Joyce Lane Mt. Vernon, IN 47620	Vector Control Technician	\$5.25/ hr.	6/6/94
			!		

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Sam Elder Director DATE 5/25/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 108 - Prosecutor's Office

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108M1140108M	Kelli E.U. Carl	451 South Ruston Ave Evansville, IN 47714	Deputy Prosecutor/ Director	18.3582 per hour or \$38,18 per annum	26 May 1994

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108010101080	Kelli E.U. Carl	451 South Ruston Ave Evansville, IN 47714	Dep. Prosecutor	17.8774 per hour 37,185.00	25 May 1994

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 24 May 1994

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department County Commissioners # 1300

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0-1990	Beth A. Wilcutt	2313 E. Iowa	Intern ***	5 00	5/23/94
0-1990	Stephanie Elpers	7220 Henze Road	Intern	5 00	5/23/94 6/3/94
***	This is only for corrected account		number		

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED Patricia July DATE 5/27/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1000- 1150-1130	^{pk} Steven S. Mohler	2202 W. Illinois	Real Estate Deputy	Yearly 19,295 00 Hourly 9.2764	5/23/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-1990	^{pk} Steven S. Mohler	2202 W. Illinois	Part Time Data Coll.	7 00	5/22/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

David G. Fox

DATE 5/23/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	VERDIA M. COURSEY	10411 ST. JOE AVE	PART TIME DEPUTY	PER HOUR 5 00	5-27-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	SHIRLEEN CHASE	6010 ROCKFORD DR	PART TIME DEPUTY	PER HOUR 5 00	5-27-94
		(STILL PAID ON 6/3/94 P.R.)			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shirley Chase

DATE

5-27-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY ELECTION BOARD

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120	JANE A WILKIE		CLERK	6 00	5-20-94 ✓
1110	BETTY KNIGHT SMITH		CLERK	OTHER	5-20-94 ✓
1210	ELMER E TORNAITA		CLERK	6 00	5-20-94 ✓
1120	PAMELA A DANIELS		CLERK	6 00	5-20-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 5-26-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY ELECTION BOARD

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120	NANCY KLEIMAN		CLERK	6 00	5-20-94 ✓
1210	JOHN L JONES		CLERK	6 00	5-20-94 ✓
1120	MARY L BASSEMIER		CLERK	6 00	5-20-94 ✓
1120	KATHLEEN L PAJAK		CLERK	6 00	5-20-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 5-26-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Cooperative Extension Service - 1230

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1230-1220	Tricia Dilger	4831 St. Wendel-Cynthiana Rd. Poseyville, IN 47633	4-H Summer Staff	4.65	5-24-94 ✓
1230-1220	Margo Jones	1322 S. Alford Blvd. Evansville, IN 47716	"	4.65	5-24-94 ✓
1230-1220	James Reese	7801 Joest Rd. Wadesville, IN 47638	"	4.65	5-24-94 ✓
1230-1220	Angela Reininga	12440 Old State Rd. Evansville, IN 47711	"	4.90	5-24-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Jack McCall

DATE

5/26/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY ELECTION BOARD

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120	CAROL J PRIMM		CLERK	6.00	5-20-94 ✓
1110	WAYNE S TROCKMAN		ATTY	OTHER	5-20-94 ✓
1110	THOMAS A MASSEY		ATTY	OTHER	5-20-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Betty Knight Smith

DATE

5-26-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	ETHAN BROWNING		INTERN	\$4.75	HR	5-10-94 ✓
136-1990	TIMOTHY FALLEN		INTERN	\$4.75	HR	5-10-94 ✓
136-1970	CHAD GROVES		PART-TIME BALIFF	\$5.00	HR	5-10-94 ✓
136.1-1990	JASON SHANKS	EMP. #05548	PART-TIME CORRECTION OFFICER	\$7.00	HR.	5-22-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	JASON SHANKS	EMP. #05548	PART-TIME CORRECTION OFFICER	\$5.00	HR	5-22-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Beverly K. Coe DATE 5/24/94
JUDGE

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	OMAR SCHOFFSTALL		INTERN	\$4.75	HR	5-17-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

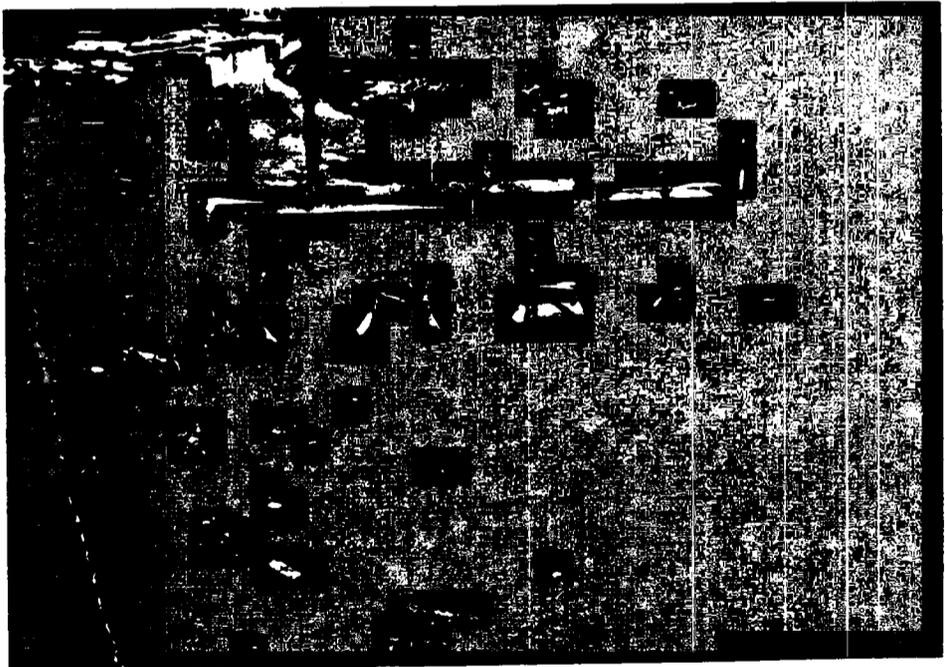
SIGNED BY Beverly K. Coe DATE 5/25/94
JUDGE

COPIES OF PHOTOS

WATERWORKS ROAD PROJECT

May, 1994









AUDITORIUM TASK FORCE REPORT

When the Vanderburgh County Auditorium and Convention Center was dedicated in 1967, the complex was the "answer to our needs" according to an Evansville Courier headline. The complex dedication was the culmination of several years of planning which had as its focus "building a new Evansville".

The Auditorium/Gold Room complex was the first construction of what eventually became the Civic Center, though only the Auditorium Gold Room complex is under county jurisdiction. The balance of the Civic Center is managed by the Building Authority and the Federal Government.

It should be noted the Auditorium was never intended to be a state of the art music hall or theater. It was designed to be a general use building serving diverse groups. Individuals and groups who offered opinions to the Auditorium Task Force mostly agreed that the Auditorium and Gold Room had been in the main mostly adequate for our community's needs.

Early in our deliberations the Task Force reached several preliminary conclusions based on the Task Force members' collective concensus and opinions expressed by other individuals and groups.

Initially it was believed by the Task Force:

- * the Complex was and is useful and should be preserved and enhanced
- * after 28 years of use the Complex needs certain cosmetic and building changes
- * citizen's of Vanderburgh County need a general use facility for such events as commencements, school dances, community meetings and small trade shows
- * never in the initial conceptual and planning stages of the Complex development was there a belief the facility would be self-sustaining . Zoos, parks, museums, theater groups, and community orchestras are examples of publicly needed and endorsed activities. Rarely are such facilities and activities self-sustaining.

Problems discussed were:

Auditorium

- * A new sound system is urgently needed
- * Heating ventilation and air conditioning need improvements
- * Orchestra pit needs renovation
- * It's too small to bring in quality productions. Here it should be noted the Owensboro Auditorium is slightly smaller and receives corporate support
- * Inadequate rest rooms
- * Loading dock is inadequate
- * Curtains need cleaning or replacing
- * Sound insulation between the Auditorium and Gold Room and

lobbies need improvement

- * Safety additional exists are needed to facilitate evacuation in the event of an emergency

Gold Room

- * Some organizations find the room too small for their use
- * Kitchen facilities are inadequate for larger groups
- * More rest rooms are needed
- * Arrangements for a small theater in the Gold Room should be made
- * A new sound system is needed
- * Heating, Air Conditioning need to be up-dated
- * Better sound insulation from Auditorium is needed

Assets of the Auditorium-Gold Room Complex

- * Parking is adequate
- * It's debt free
- * Central location is a plus
- * Auditorium dressing rooms are bright, clean, and generally attractive and in fact have elicited many favorable comments from users
- * Basicly the building is attractive and an aesthetic asset to the downtown area

Recommendations

A total expenditure of approximately \$5.5 million is recommended. This will remedy most of the expressed defects in the Complex. Though it should be noted,

additional seating is not recommended. Most members of the Task Force concur that the present size of the Auditorium is sufficient for most of the Community's needs. This is not to say however that there may not be a need to expand seating capacity at a later date. Our area is apparently growing and the dynamics of riverboat wagering and the continuing expansion of retail and service areas may in the future dictate a need for more seating.

We are indebted to architect Michael Shoulders who has furnished us cost estimates for the improvements listed on the next page. His assistance and the generous amount of time he gave us are deeply appreciated.

Management

Options considered were: management by the Building Authority, management by the Visitors and Conventions Bureau, Continuing the Complex under private management; returning to a Manager appointed by the County Commissioners.

Under private management, utilization of the complex has increased. Revenues are up and the deficit continues to decrease. Therefore, we recommend the continuation of private management of the complex.

Our recommendations are not the ideal; but the Task Force is cognizant of the economic realities of our community and in that spirit recommends the following:

**Vanderburgh Auditorium / Gold Room
Renovations and Expansion**

Auditorium

South Lobby Restrooms	\$ 150,000.00
Loading Dock Improvements	25,000.00
HVAC Improvements	225,000.00
Lighting System Upgrade	200,000.00
Sound System Upgrade	180,000.00
Roof Repairs - (Entire Bldg.)	295,000.00
Auditorium Seats - Renovate	170,000.00
Stage Floor Renovation	20,000.00
Lighting/Sound Booth	45,000.00
Carpet/Paint/Misc. Repair	125,000.00
ADA/Building Code	<u>65,000.00</u>
Total	\$1,500,000.00

Gold Room Improvements

Site/Kitchen/Dock/Catering	\$ 400,000.00
New Main Level Floor Space	1,140,000.00
Gold Room Renovations/Lighting	1,000,000.00
New Lobby/Restrooms	300,000.00
New Bandstand/Storage	75,000.00
New Sound System	<u>85,000.00</u>
Total	\$3,000,000.00
Contingency	500,000.00
Fees/Admin./Finance	500,000.00
Grand Total	\$5,500,000.00

Respectively submitted,

Rolland Eckels

Rolland Eckels, Chairman

Auditorium Task Force

UTILIZATION COMMITTEE
TEAM LEADER-DICK HARRIS

- 1) MARVALINE PRINCE
- 2) JERRY SCHEIDLER
- 3) BEVERLY BEARD
- 4) LORI CLOUSER
- 5) JIM REIS
- 6) JOY LEDUC
- 7) HELENE HUNTER
- 8) GENE LATHAM
- 9) RAY ARENSMAN

BUILDINGS AND GROUNDS COMMITTEE
TEAM LEADER-JOHN BEARD

- 1) AMY WALKER
- 2) ANDY LINDAUER
- 3) ED ZIEMER
- 4) BOB REID
- 5) MIKE HINTON
- 6) DR. TOM TOPPER

MANAGEMENT COMMITTEE
TEAM LEADER-LOUIS IACCARINO

- 1) JON HILL
- 2) IRA NEAL
- 3) JOHN BEARD
- 4) PETE HELFRICH
- 5) JOE VEZZOSO
- 6) DEBBIE CASTRALE

VANDERBURGH COUNTY ENGINEERING DEPARTMENT
Old Courthouse, Suite 307
201 N.W. Fourth Street
Evansville, IN 47708

DATE: May 31, 1994

Tel. (812) 435-5773

Vanderburgh County Board of Commissioners
Rm. 305 Civic Center Complex
Evansville, IN 47708

RE: Acceptance of Street Improvements in
K-MART & METRO

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on May 31, 1994. These Improvements were constructed/finished on/by May 20, 1994. All streets were constructed with Concrete and/or HAC in accordance with the approved plans.

The following is a summary of the length of the completed 29 feet wide streets in the subject Subdivisions

	R-O-W	LENGTH
Virginia Street	60'	976 lft
Virginia Street (36' wide)	60'	200 lft
Virginia Street	60'	425 lft
Virginia Street	60'	702 lft
	TOTAL	<u>2303 lft</u> .44 miles

These 4 sections of Virginia St. with 2 previously accepted sections completes Virginia St. from Burkhardt Road west to city limits.

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

John Stoll
County Engineer

Accepted for Maintenance by the
Board of County Commissioners

Richard J. Barnes
President
Richard J. Barnes
Vice President
Alan J. Hunter
Member

CC: Developers
Design Engineers
APC
VC Highway Dept.
Road Files

2C-21 NARROW BRIDGE Sign (W5-2)

Yellow background with black legend and border



W5-2
30" x 30"



W5-2a
30" x 30"

The NARROW BRIDGE sign is intended for use to indicate a bridge or culvert, regardless of length, having a clear two-way roadway width between vertical surfaces of approximately 18 to 22 feet inclusive, or any bridge having a roadway clearance between vertical surfaces of less than the width of the approach pavement.

Additional emphasis of the conditions may be provided by the use of delineators, object markers, pavement markings, or a combination of these. Field investigation will determine the posting of structures having a clear roadway of 16 + to 18 feet as either a one lane bridge or a narrow bridge.

The symbol sign with a word plate below may be used as an alternate.

2C-22 ONE LANE BRIDGE Sign (W5-3)

Yellow background with black legend and border



W5-3
36" x 36"

W5-3-A
48" x 48"

The ONE LANE BRIDGE sign is intended for use to mark all bridges having a clear roadway width of 16 feet or less between vertical surfaces. Additional definition of the roadway narrowing to one lane may be provided by the use of delineators, object markers, pavement markings, or a combination of these.

A field investigation will determine the posting of bridges having a clear roadway width 16 + to 18 feet as either being a one-lane bridge or a narrow bridge.

ALVIN E. STUCKI
CENTER ASSESSOR
VANDERBURGH COUNTY
ROOM 223, CITY-COUNTY ADMINISTRATION BUILDING
EVANSVILLE, INDIANA 47708
PHONE 438-5274

MAY 25, 1994

VANDERBURGH COUNTY COMMISSIONERS
ROOM 305 ADMINISTRATION BUILDING

RE: DATA PROCESSING/REASSESSMENT EQUIPMENT.

HONORABLE COUNTY COMMISSIONERS:

AS A TOWNSHIP ASSESSOR OF MANY YEARS, WATCHING THE CHANGING TIMES,
I WOULD LIKE THIS OPORTUNITY TO SAY THANK YOU TO MR. CAPPELLETTI.

THIS COUNTY COULD NOT HAVE FOUND A MORE CAPABLE, OBJECTIVE PERSON
THAN HE. THE AMOUNT OF TIME NEEDED TO STUDY EVERYTHING PRESENTED
TO HIM HAD TO HAVE BEEN A COLOSSAL TASK; YET MR. CAPPELLETTI NEVER
WAVERED FROM THE BOUNDS OF THE LAW. HE NEVER LET PERSONALITY CLOUD
HIS VISION. HE STAYED PROFESSIONAL THROUGH ALLEGATIONS, HEATED
DISCUSSIONS AND MOUNDS OF PAPER WORK. HE IS A MAN TO BE ADMIRERD.

THIS TASK COULD NOT HAVE BEEN COMPLETED SO WELL HAD IT NOT BEEN FOR
MR. CAPPELLETTI'S HELP.

THANK YOU CAP!

SINCERELY

ALVIN E. STUCKI

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME VANDERBURGH Co. Treasurer # 386

On Account of Appropriation for 216-4827 Lynch Rd. EXT.

Invoice No.	Itemized Claim	Amount
	INVOICES PAID OUT OF 216 ACCT	
	SHOULD BE PAID OUT OF	
	203-4395	
92-032-1(4)	\$ 4493.08	
92-032-1(5)	\$ 3758.74	
92-032-1(6)	\$ 1096.01	
92-032-1(7)	\$ 257.59	
	<u>\$ 9,605.42</u>	
	CHECK TO BE DEPOSITED	
	INTO ACCT. # 203-4395	
	LYNCH RD BRIDGES	
		\$ 9605.42

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

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

John Stoll
Name
County Engineer
Title

Date 5/24, 1994

Commission Meeting

May 31, 1994

Name

Affiliation

Andy Davidson

Legislative Committee

Sandra Toton

John T. Anderson

Richard Eckels

STEVE RUDOLPH

Calvin Hughes

Dwight Baker

John Baker

Kenneth McWilliams

MIKE SHOULDERS

ERIC WILLIAMS

JIM BECK

ANGELA GERIACK

KYLE FOSTER

Hamilton Northcutt

Herb Thompson

Steve Butcher

Given & Spindler

Auditorium

Auditorium Given & Spindler

Auditorium Task Force

" " "

J. H. RUDOLPH & Co, Inc

Channel 7

Auditorium Committee

"

Citizen

KEV & S ASSOC. - ARCH

SHERIFF

COURIER

CHANNEL 44 WENW

PRESS

WFIE-TV 14

"

WIKY

