

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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

JANUARY 4, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **ELECTION OF OFFICERS**
3. **PLEDGE OF ALLEGIANCE**
4. **APPOINTMENTS**
 - A. **County Attorneys**
 - B. **County Engineer**
 - C. **County Insurance Agent of Record**
5. **ACTION ITEMS**
 - A. **Any group/individual wanting to address the commission**
 - B. **Resolution regarding Commissioner Meetings**
 - C. **Roger Lehman/Building Commission**
re: **Suggested specifications for advertising for weed cutting for the County.**
 - D. **Board Appointment:**
 - E. **Acceptance of County Employees for 1993**
 - F. **Donan Engineering**
* **deferred from 12/21/92**

(1)

G. St. Mary's Letter
re: Street Relief/request waiver of fees at Auditorium

6. DEPARTMENT HEADS

County Attorney Report
Dave Savage ----- Public Works

7. CONSENT ITEMS

A. Travel/Education Requests

Weights and Measures (3)
Knight Township Assessor (3)
Health (1)

B. Engineering Department Requests:

- 1) Acceptance of Warranty Deed/U.S.I. (Verna Bailey-Parcel #18)
- 2) Claims for payment:
 - a) Charles W. Ruston (Invoice # 17) 228.00
 - b) Clerk of Superior Court/
(82D03-9209-CP-1807) 105,300.00
 - c) Verna Lynn Bailey (Parcel #18) 3,900.00

C. Checks Received

- (1) Given and Spindler # 0950 \$ 175.00
re: cutting of lot at corner of Mt. Vernon Road and Red Bank

D. County Treasurers Report for October

E. Invoices for payment:

- 1) Kahn, Dees, Donovan and Kahn.....2,433.80
- 2) H. Norris Robinson.....1,000.00
- 3) Jerry Schenk & Assoc.....2,400.00
- 4) MSD- Washington Township.....3,207.16
- 5) MSD- Decatur.....6,620.10

F. Approval of December 21, 1992 minutes

G. Employment Changes:
* see appendix A

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING RECESSED

Jan 4	Mon	County Commissioners Executive Session	5:00 PM	RM	307
		County Commissioners	5:30 PM	RM	307
Jan 6	Wed	County Council Personnel and Finance	3:30 PM	RM	301

(3)

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1370131	John W. Schwentker Jr.		Bailiff/ Trans. Off.	11,233 00	12/31/92 ✓
26101980	John W. Schwentker Jr.		Week end Work Crew	Other Pay	12/31/92 ✓
26201980	Shannon B. McNary		D.D.S. Clerk	Other Pay	12/31/92 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Tony D. Ricketts DATE 12/18/92

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
1130	Roe, Barbara J.	222 S. Red Bank Rd. 47720	MCH Supervisor	31,062 00	9/18/92
	Employee released from this position but considered on Leave of absence until 12/31/92				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sam Elder DATE 12-21-92

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 4, 1993**

I N D E X

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- Keith Rounder	
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Meeting Adjourned @ 7:10 p.m.	16

**MINUTES
COMMISSIONERS MEETING
JANUARY 4, 1993**

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, January 4, 1993 in the Commissioners Hearing Room with Commissioner Rick Borries presiding.

RE: REORGANIZATION OF BOARD

Commissioner Borries called the meeting to order, introduced Commissioners Tuley and Hunter, welcomed the attendees, and noted the first order of business is the election of officers so the Board can function for calendar year 1993.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, Commissioner Richard J. Borries was elected to serve as President. So ordered.

Upon motion made by Commissioner Hunter and seconded by Commissioner Borries, Commissioner Tuley was elected to serve as Vice President. So ordered.

RE: PLEDGE OF ALLEGIANCE

President Borries asked the group to stand for the Pledge of Allegiance.

RE: APPOINTMENT OF COUNTY ATTORNEYS FOR 1993

Commissioner Borries entertained a motion to appoint County Attorneys for 1993.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter to appoint Alan Kissinger as County Attorney, Dennis Brinkmeyer and Keith Rounder as Assistant County Attorneys, and Kevin Bryant as Collections Attorney for Vanderburgh County.

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

Mr. Borries subsequently asked Attorney Kissinger to join the Board of Commissioners at their table.

RE: APPOINTMENT OF COUNTY ENGINEER

President Borries then entertained a motion concerning appointment to the full time position of County Engineer for 1993.

Motion was made by Commissioner Tuley to appoint John Stull as Vanderburgh County Engineer, with a second from Commissioner Hunter. Commissioner Borries said he will say "So ordered", unless Commissioner Hunter has some objection.

Commissioner Hunter stated he has no objection.

Commissioner Borries so ordered.

RE: APPOINTMENT OF AGENT OF RECORD/LIABILITY INSURANCE

The meeting continued with Commissioner Borries entertaining a motion to appoint the Agent of Record for Insurance for 1993.

Motion was made by Commissioner Tuley to appoint Dennis Feldhaus, representing Helfrich Insurance Agency, Inc., as Agent of

Record/Liability Insurance for Vanderburgh County. Motion was seconded by Commissioner Hunter. So ordered.

President Borries asked if anyone is present who wishes to address the Commission concerning any item not included on the meeting agenda. There was no response.

RE: RESOLUTION RE COMMISSION MEETING DATES/TIMES

It was noted by President Borries that Item #B under Action Items is a Resolution regarding Commission Meetings. The Resolution is in accordance with I.C. 36-2-6 and basically says that the County Executive -- meaning the Board of Commissioners -- has to hold a regular meeting at least once a month; that is according to State statutes. However, in Vanderburgh County, because of the press of business and the size in population, this County has held **weekly** meetings. What the Commission needs to discuss at this time is the same as in 1992, but this Board would hold meetings at 5:30 p.m. on the First, Second, Third and Fourth Monday. If there is a holiday on Monday, then the meeting would be held on the following business day (Tuesday) unless otherwise stated by the Commission in an open meeting.

The Solid Waste District Board will hold their meetings on the Second Monday of each month at 4:30 p.m.

Rezoning will be heard at meeting on the Third Monday at 7:00 p.m.

Drainage Board Meetings will be held on the Fourth Monday of **each** month, immediately following the Commissioners Meeting. Again this represents no change from 1992. Mr. Borries then entertained a motion to approve the Resolution.

Motion to this effect was made by Commissioner Hunter.

Commissioner Tuley indicated that Joanne Matthews, the secretary, has a comment prior to the vote.

Ms. Matthews said she believes the Commission would also need to address Fifth Mondays in the Resolution. Will the Board hold meetings on the Fifth Mondays?

Commissioner Borries said, "Ms. Matthews, you're probably right. I don't think that is included -- and we do have Fifth Mondays. If we say we're going to meet every week, what is the feeling of his Board? Do you want to put a Fifth Monday meeting in this Resolution?"

Commissioner Tuley responded, "I see no reason why we should not go ahead and hold a regular meeting."

Commissioner Hunter concurred.

Commissioner Borries stated, "I will then amend the Resolution to read the First, Second, Third, Fourth and Fifth Mondays. With that amendment, may I have a motion to approve the Resolution?"

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

RE: BUILDING COMMISSION/SUGGESTED SPECIFICATIONS FOR
ADVERTISING FOR WEED CUTTING FOR THE COUNTY

Commissioner Borries noted that Roger Lehman, Building Commissioner, is not present and this matter will be deferred until later.

RE: APPOINTMENTS TO BOARD OF REVIEW

Commissioner Tuley stated that prior to proceeding with the printed agenda, he would call into question and move that the action taken by the previous Board of Commissioners on December 21, 1992 with regard to the Board of Review be rescinded.

Commissioner Hunter said he would have to take issue with that.

Commissioner Hunter seconded the motion for the point of discussion and asked for a roll call vote: Commissioner Hunter, no; Commissioner Tuley, yes; and Commissioner Borries, yes. Motion carried.

Commissioner Hunter asked, "May I ask why?"

Commissioner Tuley replied, "Their appointment did not end until December 31, 1992 (as did about fourteen to eighteen other Boards). I do not see why the Board of Commissioners chose to appoint those two people to a Board that does not go into effect -- I don't believe the first meeting will be held until January 10th or something -- so I feel it was not necessary for the previous Commission to appoint those people. Therefore, I move to have the action rescinded."

Commissioner Hunter said, "I think I'd better kind of respond or react to this a little bit. Over the months there were lots and lots of criticisms and questions about the operation of the County Board of Review. There were a lot of charges, counter charges, a lot of unkind things said, and there was a lot written about it. So I went back through some of the things that were written and read a little bit to see what some of the main concerns were and I won't burden this Commission with all the material that was written. But two of the things that stuck in my mind -- Number one was somewhere it was said that the public often felt intimidated by the location of the County Board of Review meetings. And there were some members of that Board -- I think two of whom we appointed, that you are now unappointing -- who were concerned about this. The second item that seems to stick in my mind from the reading -- and I remembered this because Commissioner Borries always says that the County Commissioners speak through their minutes -- there was some concern about the kinds of minutes that were taken at that meeting. There were apparently minutes, but the minutes were somewhat difficult to interpret unless you were schooled in that area. And I understand that has now been taken care of, as well. You know, those are open meetings and people should be able to look at those minutes and understand those minutes without somebody from that office explaining what was said. I guess my only question is, we appointed Cheryl Musgrave (a Republican candidate who had served on that Board) and reappointed Mr. Harold Elliott, a democrat, who, in my opinion, had given a lot of service to this County over a long number of years. I guess my one question is, aside from the legal question here which may be up to grab, depending on which attorney you're talking about -- why do you want to do this?"

Commissioner Tuley said, "Let me address it. I served on that Board and I agree with some of your comments with regard to some of the questions that were raised by a particular Board member, Cheryl Musgrave. Indeed, that was the first time there had been questions in nearly the ten (10) years I've been on the Board. I believe those questions were all addressed, a commitment was made to conduct those meetings in a large, open-to-the-public type meeting situation."

Mr. Hunter commented, "I think that is right."

Mr. Tuley continued, "So I would agree in that area. There are also things that I saw going on in that Board whereas I think

Mrs. Musgrave tended -- rather than always having the best interest of the community in mind -- to set her own agenda, for whatever reason, and became personally antagonistic to certain members of the Board; i.e., the Chairman. And that Board cannot function in that environment. Another problem I had with Mrs. Musgrave's appointment -- I believe when she was first appointed she could not work past 2:00 p.m. because she had children who needed to be picked up from school. You know, most of you have that problem to a certain agree -- and I'm about to learn about it. But she argued with the Chairman from the beginning about being paid per diem as opposed to an hourly salary. So whether she was there for one hour, three hours, or eight hours, she was to be paid by the day. I believe in the year of either 1991 or 1992 (I guess it would be 1992) it is my understanding she may have also taken a position in her husband's law firm or a law firm, whereby she could not work past noon. At no time did she offer to resign her position and fulfill her obligation to the Board of Review by attending the meetings from start to finish for which she was being paid. So I have those problems with that appointment. Mr. Elliott, to my knowledge, never served on the Board of Review."

Mr. Hunter commented, "I thought that was a reappointment."

Mr. Tuley replied, "No, that was a new appointment."

Commissioner Hunter stated, "I'm sorry then, I withdraw that one. So you're saying Cheryl Musgrave was not doing her job? Is that what we're saying here?"

Mr. Tuley said, "I was saying to a certain degree that Cheryl Musgrave was doing her job -- but it had gotten to the point where it got beyond her doing her job and got into a personality conflict with certain members of the Board to the point where that Board could not function as a collective Board. Yes, that is my argument."

Mr. Hunter asked, "So she was a detriment to the Board?"

Mr. Tuley replied, "To a certain degree, yes. The key things that I pointed out -- that you pointed out and I agreed with you on, Don, was that she brought to the attention that maybe for many years what we were doing may not have been in compliance with the law in meeting in an open meeting open to the public. And I'm glad she brought that up; that had never been questioned. So from that standpoint I applaud her actions. But outside that there were a lot of things she did that I'm not comfortable with, which I just mentioned -- so I won't go back over it."

Mr. Hunter said, "Okay. Now, who did Harold Elliott replace?"

Commissioner Borries responded, "Bob Kollker."

Mr. Hunter asked, "But didn't Bob Kollker resign early on, with Harold Elliott completing...?"

Mr. Tuley asked, "Remember through all this, after everything was agreed upon the Board went out of session, so I don't believe..."

Mr. Hunter interrupted, "So you're saying Harold never attended a single meeting?"

Mr. Tuley responded, "I don't think so."

Auditor Humphrey said, "Bob Kollker never did either."

Mr. Tuley interjected, "No, Bob Kollker may have attended the first meeting, but could not attend subsequent meetings because he had been in a car wreck. So after all the arguing about where the meetings were going to be conducted and we got a ruling and an

agreement, the Board went out of session in 1992 very early on."

Mr. Hunter said, "Okay. Let me express one more concern here -- and you alluded to it, as well. With Mr. Richey and Mr. Partridge, neither of whom I know, are we going to see the meetings go back into a situation to where the public is not comfortable with what is going on? And are we going to see the minutes which, apparently, were difficult to decipher unless you were trained in that area -- go back again to where they would be difficult to decipher? I guess this is not a Democrat/Republican issue -- it is an issue that we have run for office and we serve the public -- and whatever we need to do to make it easier for the taxpayers. You know all about taxes; you know what a touchy situation that is to start with -- and I don't want to see us regress and I don't want to hear reports again that people are feeling intimidated or this type of thing or that they are not getting a fair shake or that anyone can't pick up the minutes and read through them. I guess this is my real concern."

Commissioner Tuley replied, "I'll make it my personal obligation that we'll bring it back before the Commissioners -- just like it was before -- if those kind of things come up. I agree. I served on that Board for ten (10) years and I agree that it has to be done upright, in front, out in public. I agree that is the way it should be done. I think there are enough members on that Board who are going back to that Board that, after the lengthy discussions we had last year, fully understand that now and will comply with that order."

Commissioner Hunter said, "Okay. Thank you."

Auditor Humphrey remarked, "Don, I'd like to suggest something, too. I've served on that Board for seven (7) years, I believe, and in my office the bottom line is that is where everything ends. All of the decisions based upon that Board end in my office. As a result, I've had countless numbers of people come in and discuss it with me. I've never had one person say that they were intimidated by that Board -- not one single person."

Mr. Hunter said, "As I said, in the articles I read in the media there was alleged intimidation."

Mr. Humphrey countered, "I understand that. But I've never had one single person ever say that they were intimidated because of where it was held. That was an issue that...."

Mr. Hunter said, "I hope that is not true, and I hear what Patrick is saying here, that that will not happen."

Mr. Humphrey continued, "And I guess the other thing that bothers me a little bit is the source of those minutes. We do a complete verbatim minute schedule for this Board as a courtesy -- as a courtesy. The law requires us only to record the motion and the action taken period."

Commissioner Hunter commented, "Yes, but we also serve the public ..."

Mr. Humphrey interrupted, "Yes, that is true."

Mr. Hunter continued, "And for that reason we do it. And the minutes on the Board of Review -- to understand those minutes, you've got to know a little bit about it to start with. And if you don't know a little bit about it you're not going to be able to interpret them no matter what we do on the Board. But they are very clear to me and they are very clear to anybody who is knowledgeable on that Board just exactly what happened."

Mr. Hunter asked, "But aren't they open to the public?"

Mr. Humphrey replied, "Certainly."

Mr. Hunter stated, "My question is, could the public understand them? Could any of those people sitting in here pick up those minutes and understand them?"

Mr. Humphrey responded, "I doubt it. I seriously doubt it."

Mr. Hunter continued, "Then I guess that is my real concern."

Mr. Humphrey said, "And I don't know how to make it any clearer, because it is a very complicated procedure that they go through on there."

Commissioner Borries, "Let me just make a couple of comments here, too, to express my feelings about this matter. I think there are few things as emotional -- and I might also say as thoroughly confusing -- as taxes, particularly property tax assessments in the State of Indiana. But be that as it may, what I also have seen transpire over the last year has been a barrage of personality differences that, in my opinion, if Ms. Musgrave, for whatever reason, wants to run for office, then she certainly may do so. But perhaps one of the difficulties we might have had in relation to understanding the minutes was because of the barrage of constant personality problems that transpired in these meetings. I think it would be very hard for anyone to decipher tit for tat exactly what was going on in those particular meetings.

Secondly, in regards to space -- I think the County Assessor has been very clear that if he would receive additional space, he would consider moving where the Board of Review is held. And there were discussions with the previous Recorder to see if some space could be used out of that particular area. That particular Recorder apparently did not feel that he could devote that specific space to that. But 1993 is a new year and we have a new Recorder; perhaps since she has said that she wants to computerize that some of that can be placed on computer and some of those dead files could be moved out of that office and she might consider giving some of that space just -- just as the former Treasurer, Pat Tuley, had done when he gave space out of his Treasurer's office as computerization occurred. So I think there could certainly be some continued negotiations where if that Board of Review were placed near the Assessor's office you could also avoid people going up and down and leaving the meeting to retrieve records, etc. And then there is also the final matter of confidentiality -- because there are some business schedules and some people who, frankly, although they are vitally interested in their own particular property, there are certain confidentiality problems that also surface during those times. So I would think sometimes when you have problems -- and it was my feeling -- that perhaps we needed to have some new persons on this particular Board. Some of the other people are elected positions and the people have elected them and thus they must serve."

Commissioner Hunter said, "Okay."

Mr. Borries said, "If this discussion is over, we do have some other Board appointments and at this time we would consider motions concerning the following."

ABC BOARD: Motion made by Commissioner Tuley and seconded by Commissioner Hunter to appoint Curt John. So ordered.

AREA PLAN COMMISSION: Motion made by Commissioner Tuley and seconded by Commissioner Hunter. Commissioner Hunter said he seconds that motion oddly enough because during his first year Rick Borries served -- and it takes a lot of heat off; and he was going to volunteer to do it anyway (He figured he'd get put on it anyway).

Commissioner Tuley said Commissioner Hunter is right about that -- the spirit of cooperation is in effect already.

Continuing, Mr. Hunter said he would like it to be just a one year shot and next year he'd like for Commissioner Tuley to serve on that Board -- it is a real experience; he is not saying positive or negative -- but a real experience.

Commissioner Borries said having served on that Board for six years, he concurs. He then so ordered.

Civil Defense Advisory Board: Motion made by Commissioner Tuley and seconded by Commissioner Hunter to appoint John Buckman, Ray Hamner and Jess Roberts. So ordered.

County Board of Review: Motion made by Commissioner Tuley to appoint Jerry Richey (Democrat citizen member) and Donald Partridge (Republican citizen member) with a second from Commissioner Hunter, who requested a roll call vote: Commissioner Hunter, no; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

EUTS: Motion made by Commissioner Tuley and seconded by Commissioner Hunter to appoint Commissioner Rick Borries. So ordered.

EVANSVILLE-VANDERBURGH LIBRARY BOARD: Motion made by Commissioner Tuley and seconded by Commissioner Hunter to appoint Lana Burton. So ordered.

CONVENTION & VISITORS BUREAU: Motion made by Commissioner Tuley and seconded by Commissioner Hunter to appoint Michael Vandever. So ordered.

VISION 2000: Motion made by Commissioner Tuley and seconded by Commissioner Hunter to appoint Commissioner Rick Borries. So ordered.

Commissioner Borries said, "Let me state what that appointment usually consists of. Usually, whoever the individual is who serves as President of the Board of Commissioners serves on the Vision 2000 Board."

CENTRAL DISPATCH BOARD: Motion made by Commissioner Tuley to appoint Mark Owen.

Commissioner Hunter said, "I take issue with that. I guess I'd like some explanation as to why a County Chairman is being put on a board of this type."

Commissioner Tuley said, "I believe Mark has had some experience with Central Dispatch through his years on the Council in trying to get funding and getting that Board started. So I think it is not that he is a County Party Chairman that is important, it is the fact that Mark has been around and helped get that thing off the ground as a former County Councilman."

Auditor Humphrey said Mr. Owen probably has more experience on that than anybody else in the County.

Commissioner Borries stated, "I might also add, as a Commissioner, this is one of the areas in which he, as a County Councilman, did move forward on providing for our Central Dispatch facility and also work to set up the initial board. I think the ordinance has changed now that citizen members can be appointed to serve in lieu of

elected members. If my understanding is correct on that, I think a couple of them had difficulty in attending some of those meetings. That is also further reason as to why his name is mentioned at this time."

Commissioner Hunter said, "I will second and ask for a roll call vote."

Commissioner Hunter, no; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

DATE PROCESSING REVIEW BOARD: Motion made by Commissioner Tuley to appoint Mike Russ. Commissioner Hunter said he commends that appointment and certainly seconds it.

Commissioner Borries said, "Good, I'm glad you do. Because you had also voted to take him off a couple of years ago -- but Mike Russ is an outstanding person who is the Information Systems Person for the Evansville-Vanderburgh School Corporation and I would concur with you, he is an outstanding choice."

E.A.R.C.: Motion made by Commissioner Hunter that Commissioner Pat Tuley be put on this Board (provided he comes up with the \$200,000 they need to repair the roof). Motion seconded by Commissioner Borries, who stated he promises no miracles or money at this time. That roof has been a problem ever since the creativity of somehow having to park on the roof. The whole building has always had some problems. Not being an architect or an engineer, anytime you're parking on a roof, Commissioner Borries said he thinks you're going to have a lot of problems. That building is a very creative exercise in architecture, but it does have some problems.

EMERGENCY MANAGEMENT APPOINTMENTS: Motion made by Commissioner Tuley to also appoint John Buckman, Ray Hamner, and Jess Roberts to serve on this Board, with a second from Commissioner Hunter. So ordered.

Commissioner Borries said he believes that covers all of the appointments to be made at this time.

RE: **ACCEPTANCE OF COUNTY EMPLOYEES**

Commissioner Borries submitted list of County Employees for 1993, explaining this is an annual formality. In response to query from Commissioner Hunter, Commissioners Borries and Tuley stated the forms are submitted by all County Departments to the County Auditor, for acceptance by the Board of Commissioners. Motion to approve was made by Commissioner Tuley and seconded by Commissioner Hunter, to accept the master list of County Employees for all Departments for 1993. So ordered.

RE: **DONAN ENGINEERING/UPDATE/TREATABILITY STUDY**

Mr. Eric Welling was recognized and said he is present for purposes of presenting a Status Update Report with regard to the Treatability Study that they discussed with the Commission a couple of months ago. They were here on October 19, 1992 and had presented the finding of the Treatability Study to the Commission and had gone over what the alternatives are for the remediation projects at the County Garage. They subsequently forwarded that report to the Indiana Department of Environmental Management and gave them a little over thirty (30) days to review it. They then followed up on the submittal to them and found out it had been forwarded to a lady by the name of Rosemary Cantwell. She was in charge of assigning it to a Reviewer. At the time Donan called, it had not been assigned to a Reviewer -- so they asked that it be

assigned and given some attention, at which time it was assigned to a lady by the name of Audrey Sherife with the office of Solid Hazardous Waste Management at IDEM. John Donan and himself met with Ms. Sherife on December 11, 1992 and she had only had the report for a day at that time -- but had through it one time and said preliminarily that the report looked to her, but they had to read the details and she anticipated having a review and comments back within thirty (30) days. Again, that was December 11th, so within the next week or so Donan expects comments back from IDEM on the Treatability Report so they can move ahead with the remediation. By January 18th Donan should have something prepared to present to the Commission with a summary of their findings.

Mr. Borries asked if Mr. Welling will be back in touch with the Commission before action is needed on the part of the Board.

Mr. Welling confirmed that this is correct.

Mr. Borries said he remembers the last report and thinks there had been some concerns re some of the cost and some of the alternatives in relation to this -- so he will be very interested in hearing back from Mr. Welling.

Mr. Welling said they are very interested in getting IDEM's response on this, because obviously they have the ultimate say-so in the remediation alternatives. If they deem that any of the three alternatives are feasible, then they will be bringing this back to the Board so further action can be taken on the matter.

RE: SUGGESTED SPECIFICATIONS FOR ADVERTISING FOR WEED CUTTING FOR THE COUNTY

Commissioner Borries said he did find the subject specs in his meeting folder. He is not sure whether either Commissioner Tuley or Commissioner Hunter has seen these. Both Commissioners advised they had not seen the specs until tonight. Commissioner Borries said that again gives the Board reason to defer this matter, at the same time making note of two things. First of all, Mr. Lehman be called for any questions the Commissioners might have and that he be present at the next meeting. Secondly, that this matter be deferred to January 11th, the next Commission meeting. The other two Commissioners concurred.

RE: REQUEST FOR WAIVER FOR AUDITORIUM RENTAL FEE FOR STREET RELIEF FUND RAISER

The meeting continued with Commissioner Borries presenting a letter from St. Mary's Hospital with regard to the subject matter.

Commissioner Hunter noted this was discussed at last week's meeting and the Board asked them to try to get a sponsor and then come back to the Commission with a difference in price. He then asked Mr. Abell if the Board didn't deal with this in the last meeting.

Mr. Abell responded he doesn't remember whether they did or not. He then asked Mrs. Ferrell if she recalls.

Mrs. Ferrell said she thought so -- but she wasn't sure.

Mr. Hunter said he thinks the Board suggested they go out and try to find a sponsor to defray some of the cost of the rental of the auditorium and then come back to the Commission and we would negotiate from that point.

Commissioner Tuley asked if this letter is a response, since the last Commission meeting was December 21st -- or is there just a mix-up someplace?

Mrs. Ferrell said this one is actually from St. Mary's. The other letter was from WSTO. St. Mary's asked that this be put on the agenda and requested a waiver.

Commissioner Borries said he recognized the name of Brian Jackson, so it must be the same fund raiser. You obviously run into a problem -- there are so many wonderful and needy persons and we have a number of charitable projects and ongoing requests. If you begin to set precedent which, in this case, would waive the entire fee, then he is afraid we are setting a precedent wherein the Board will be deluged with a number of other worthwhile charitable situations. He thinks the Board did suggest that they try to find some kind of additional sponsor, as pointed out, and report back to the Commission. Perhaps the Board needs to send a letter that this is the consensus of the Board and that at this time the Board is unable to give approval that they get the Vanderburgh Auditorium at no charge.

In response to query from Commissioner Borries, Commissioners Hunter and Tuley concurred. Commissioner Tuley so moved, with a second from Commissioner Hunter. So ordered.

Commissioner Tuley asked if the Board shouldn't also have Mark or somebody contact WSTO to see where they are on this?

Commissioner Hunter asked if anyone contacted WSTO following the December 21st meeting.

Mr. Abell said he did not -- he thought they had left it where WSTO was to contact the Commission.

Ms. Matthews stated the minutes reflect the Commission was to send a letter to WSTO asking they work with Auditorium Management in an attempt to find an additional sponsor. If unsuccessful, they are to come back to the Commission.

Mr. Tuley said he thinks it important the left hand know what the right hand is doing. He is not sure that they don't. But with this letter coming out three days after WSTO was here -- let's not leave it on them. He thinks we should make a call to both WSTO and St. Mary's and let them know what we are doing.

RE: COUNTY ATTORNEY

Commissioner Borries said we have a new County Attorney and he probably is not prepared to report too much this evening.

Attorney Kissinger said there is nothing to report.

Commissioner Borries said that, again, the Commission wants to welcome Attorney Kissinger aboard.

RE: PUBLIC WORKS/DAVE SAVAGE

Speed Limit Ordinance: Mr. Savage said that the Speed Limit Ordinance discussed at the last meeting was given to the County Engineer's office to review the speed limits in the existing code. Those have been reviewed and corrected and he has the Ordinance for signatures at this time.

Commissioner Borries asked if Mr. Savage has had the opportunity to review these?

Mr. Savage said he has not, but Messrs. Kercher and Higgins in the engineer's office have and can state that the streets in the prior ordinance have been corrected insofar as names, spellings, and speed limits. Since the last meeting there has not been an opportunity to drive every road in the county. It is possible that there would be a road with a sign with other than the 45 mph speed

limit that was not in the prior ordinance. But everything in the revised ordinance is correct

Commissioner Hunter asked, "What about the concern expressed at the last meeting about a section of Highway 57 that had been relinquished to the County?"

Mr. Kercher said we've agreed to go ahead and make it 45 mph and post it.

Mr. Hunter asked if people will go from a 55 mph to a 45 mph and back to a 55 mph?

Mr. Kercher said they felt it would be confusing everything outside a State road being a County road at 45 mph, this disqualified that and it does dead end at the frontage road. We probably won't maintain the road as the State did at 55 mph, so they are comfortable with the 45 mph speed limit.

Mr. Borries said he doesn't think any action is required at this time.

Ms. Matthews asked if the Board is giving her permission at this time to go ahead and advertise the ordinance and set the hearing dates?

Mr. Borries confirmed this is correct. (Original ordinance also given to the secretary to hold for the public hearings.)

Claim/Chrysler Corp.: Mr. Savage submitted claim in the amount of \$6,807.00 for payoff of the Dodge pick-up used on the Union Township overpass project. This was discussed at a meeting in December and the money was transferred. The vehicle would now become the property of the County. Up to this point it has been a leased vehicle. It will be used on the USI Overpass project, also, and he recommends payment. So ordered.

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

Schmitt Lane: Mr. Tuley said that back when the election was still going on he was approached by some people out on Schmitt Lane. Where are we and what is the status out there?

Mr. Savage responded, "The contractor was not able to start until just in the last couple of weeks. Rather than opening things up before the Christmas holidays we suggested he either wait for a window of warm weather or wait until the spring. We've been in contact with the residents and he believes the two residents who had some water damage have been agreeably dealt with.

Commendations/Dave Savage: Commissioner Borries said, "David, just let me say that speaking personally here that you are a person that I admire very much, have known for some time, and certainly appreciate your service to the County. I think you've been a very difficult situation. It's always pressure packed in this particular position. You've really worked hard at it and, as I say, in the capacity in which you've been asked to serve it is truly a touch situation."

Mr. Savage said, "I appreciate your words."

Mr. Borries continued, "The person this Board has acted on this evening you know. He is an Evansville resident -- a Vanderburgh County resident. We have to take official action and have done so at a public meeting. He is currently employed as an engineer with the Evansville Urban Transportation Study and will have to submit a resignation at this time. I think there will probably be a two week lag time in relation to that. Could I ask you to continue

your duties during these two weeks? We're not going to be able to pay him, nor would he be able to move into that capacity for two weeks. Secondly, we'd ask for your full cooperation to ease this situation.

Mr. Savage responded, "Certainly. I have a longstanding relationship with John and in this two week period we'll get together and I can pass along to him some insights I might have from the last few months."

Commissioner Tuley said, "David, before you step down, I've told you privately -- but I would also like to extend my thanks to you under a most difficult situation that you worked during the last several months and appreciate your help."

Commissioner Hunter said, "Well, I don't know how difficult the situation was, but I sure think you did an excellent job. In my opinion, you have dealt with this Board and you have dealt with the public in a very professional manner. Of course, I don't think it's any secret that I would have loved to have seen you be the County Engineer. And I want to thank you for the things you have done."

Mr. Savage responded, "I appreciate those words and I do hope that we can maintain a consulting relationship in the future as you have need for design services."

Mr. Borries said, "Certainly, our differences, as stated have not been one of personality but certainly the work load and the parameters within which you had to work in terms of the twenty hour commitment. I'm sure in many cases it went over. But those have been my concerns and that was why I felt it imperative to move forward here to get a full time person so we can regroup and focus on what that department ought to do. Again, I commend you for your very fine service."

Mr. Savage responded, "As I have stated, I agree that you do need a full time person. There were things left undone and there are valid points for both management schemes and I think if you can get on with a full time engineer now you will be in good shape."

Mr. Borries said, "We have a young man who I think is going to be very excited about his appointment and, again, I think he will appreciate your guidance."

RE: CONSENT AGENDA

Travel Requests: In proceeding with the Consent Agenda, Mr. Borries said he would like to briefly go through these various items. The first is a travel request from Weights & Measures.

Mrs. Townsend said she has two travel requests. One of the requests is requesting that she and her two deputy inspectors attend a workshop on the fuel module, because 75% of their business evolves around fuel testing of one sort or the other. She would normally request that only one individual go, but at this time she believes it truly important that everybody go. The other requests concerns equipment certification, which they go through every year. In response to query from Commissioner Borries that the program to be attended by all three individuals is a national program, but also endorsed through the Indiana Department of Health.

There being no objections or questions, the Commissioners were in agreement with the request.

Mr. Borries said there is also a request from Knight Township Assessor, Mr. Al Folz, regarding a State Board of Tax Commissioners annual meeting to be held in Indianapolis.

There is also a travel request from the Health Department concerning a Childhood Lead Poisoning Management Workshop.

Acceptance of Check/Given & Spindler: Mr. Borries said this is a check for weed cutting on property either owned or managed by Given-Spindler.

Claims: Also to be approved and signed are checks for attorneys fees and Jerry Schenk & Associates.

Mr. Borries said he also has claims for Metropolitan School District of Washington Township and Decatur Township. Are these for transfer tuition payments?

Ms. Ferrell replied that they are.

Mr. Borries said he might add that the Commissioners probably have no choice but to approve these, but they are truly an uncontrollable cost which are put in their budget and the Commissioners have absolutely no way of controlling this. These apparently are for some kind of educational services that this school corporation (the third largest in the State) can't provide.

Auditor Humphrey said that in regard to that the Association of Indiana Counties is having a mutual Legislators Government Day on Tuesday, March 9th, and one of the high priorities on the Auditors legislative request is the addressing of the transfer tuition payment. They're bad enough for us -- but they're just as bad for smaller counties that can't afford these and that should be addressed. He'd like to see all of the Commissioners go to that session. It will be from 8:30 a.m. our time until 5:30 p.m. our time.

Commissioner Borries said he knows it is becoming a problem and he doesn't single out the need for services, but he surely does find it hard to understand with the comprehensive kind of school corporation that we have here that we get these costs and, as he stated, we really have no authority or control over paying these.

Approval of Minutes/December 21st: Mr. Borries said these minutes need to be approved and employment changes are listed on the agenda.

Commissioner Borries then entertained questions concerning any of the items on the consent agenda. There being none a motion was entertained.

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

RE: OLD BUSINESS

Union Township Overpass: Commissioner Borries said he has a Faxed communication from David Bunner concerning the Union Township Overpass and the Levee Authority District, which was received today. They said they were informed the project was complete and they subsequently inspected the portion of the project constructed on Levee Authority property. As a result of the inspection the Levee Authority has some questions with the contractor. They, at this point, are requesting that the Commissioners do not accept the project as completed or authorize final payment and/or retainage release to the General Contractor until the Levee Authority is satisfied that its requirements have been met. If the Commissioners have any question about that they can contact David Bunner, Attorney for the Evansville-Vanderburgh Levee Authority District.

Mr. Hunter asked, "We still have some retainage on that, don't we - - so we're okay?"

Mr. Borries responded, "Apparently. There are some discussions going on and I will refer this to you, David Savage, and if you would talk with our new engineer about it and distribute this to other people in your office. If there is some retainage and some disagreements here we need to continue to work through this."

Mr. Savage said he had pulled the retainage because he knew there were some questions about this. He is not sure we can satisfy the Levee Authority -- but they will have a meeting.

Mr. Borries said there are some differences there and in order to honor that request our office needs to talk with them.

RE: NEW BUSINESS

Commissioner Hunter said that since this is an open meeting, he thinks it would probably be appropriate for him to announce that under the new management team his office was moved today. That is good and bad. The good news is he is still in this building. The next good news is that he doesn't have to borrow Commissioner Borries' portable window. The bad news is that until they get the phone numbers straightened out, Commissioner Tuley will receive phone calls from his students when they get stuck with their homework.

Mr. Borries said he doesn't know whether or not he is claustrophobic, but he wanted to make sure that Mr. Hunter could see out.

Mr. Tuley asked that Mr. Abell get the transfer of phones handled, because he is not sure he could answer the students' questions. He is already used to phone calls directed to him that really aren't for him. He received one this morning from a local reporter, who shall remain nameless, who asked him about his concerns re the outer hills on Outer Lincoln Avenue. This person had been told that he was concerned. He told the reporter he didn't know where that person got that idea, because he lives in Vanderburgh County and is a newly elected Vanderburgh County Commissioner and that is a Warrick County problem.

School Corporation/Telephone System Change: Commissioner Borries said he also wants to announce that the Evansville-Vanderburgh School Corporation went to a different telephone system today and has changed numbers. He has informed the Civic Center that the School Corporation is no longer a part of the telephone system in this building and the Courts. Therefore, four digits can no longer go. You now have to dial a seven (7) digit number. He doesn't know if this is progress or what, but apparently there was apparently a cost savings and at least from the School Corporation's standpoint they are able to tie some of the off-site locations, elementary schools and high schools together. His new telephone number at the School Corporation is 465-8467.

Signing of Documentation: Prior to adjourning the meeting, President Borries said he has noted that one of the problems with the way the meeting agenda proceeds is that everyone wants to jump up and start talking and then items requiring signatures do not get signed. Joanne Matthews then has to come back for two or three days obtaining signatures. He requested that the Commissioners remain seated until all paperwork has been signed.

DFAS/Public Meeting: President Borries said he spoke with City Controller Leslie Blenner today. This Board, as well as the Evansville City Council and the Vanderburgh County Council are going to have to begin to work quickly to meet some imposed deadlines by the State of Indiana and the United States Government to get the DFAS project materials completed by February 14th. Ms. Blenner told him today that as of Friday, January 8th, there will be an advertisement of a public meeting to be held concerning this

particular project and its funding from the local side. As he understands it, Joanne Matthews will not have to handle all of the advertising. However, the reason he wants to mention the meeting for the record is because, as Commissioner Hunter so well pointed out and he, too, must always remember -- that the Commission does speak through its minutes. So he wanted to enter this information here since the Commission will not be meeting until January 11th. Those items of advertising will be coming out January 8th. There will be a public meeting held, as he understands it, on the evening of Monday, January 18th. This will be a special public hearing. He questioned this because this is also Dr. Martin Luther King, Jr. holiday observance and this building and other governmental agencies will be closed. The reason this special meeting must be held -- and there will be a special meeting of the County Commission, the Evansville City Council, and a special meeting of the Vanderburgh County Council. The reason that has to happen is because they are also advertising deadlines past that that must be met. He had requested that the meeting be moved in observance of the Dr. King holiday, but that cannot be and meet the deadline requirements on as tight a schedule as this is. So, as he understands it, those meetings will be held and he is making the Commissioners aware of same at this point. Again, he has nothing in writing from Ms. Blenner at this point.

Commissioner Hunter asked if the meeting will be held in this building?

Commissioner Borries said the meeting will be held in the large Council Chambers. The building will have to be open and they usually have a small security guard anyway. He believes the County Commission will meet at 5:30 P.M.; half an hour later another Board will meet; and half an hour after that another Board will meet in order to conduct public hearings. We'll probably have to take a vote on the package at that time. He cannot tell the Commissioners what the package is as he doesn't have it yet -- nor does he think others do.

Commissioner Hunter asked if Mr. Borries is saying the Commissioners are having a Commission Meeting on that Monday evening, as well?

Mr. Borries responded, "No, I am not saying that."

Mr. Tuley said, "That was my question."

Mr. Hunter said he has no problem with it if Commissioner Borries wants to go ahead and do that.

Commissioner Borries said he doesn't want to; he has some concerns about meeting on that particular day and he thinks it will be advertised for a special meeting just for a public hearing. He doesn't think the Commission meeting will go much over half an hour. It has to be strictly just for this Defense project.

Mr. Tuley asked, "So this is a public meeting being scheduled for input or whatever?"

Mr. Borries said that is correct.

Mr. Tuley asked, "So we will conduct the regular meeting on Tuesday night, the 19th?"

Mr. Borries said that is correct.

RE: EXECUTIVE SESSION

President Borries said the Board also needs to schedule an Executive Session on Monday, January 11, 1993 at 5:00 p.m. in the Commissioners Hearing Room regarding employee matters.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter to conduct the Executive Session as requested. So ordered.

RE: REQUEST FOR ADDITIONAL OFFICE SPACE/LEGAL AID

Mr. Mark Abell said that Sue Hartig asked that he bring to the Commissioners' attention that this is the first of the year and they did get the new attorney in for Legal Aid and that the Board give consideration toward added space for her department.

Commissioner Borries said he met with Ms. Hartig and some of her Board members. He also met with a group of people whom apparently Ms. Hartig had targeted to add to the space. They were, at this point willing to give approximately a 4 x 4 enlargement of their space to give to her so she could have some storage. He is not sure that is all Ms. Hartig wants. He shares her concerns, as he does for the County Board of Review, as he will with the Solid Waste. He is open to creative solutions that this Board might have.

Commissioner Hunter said he received several calls on that issue, as well, particularly from the County Agent side of it. This is only a suggestion. But have we reached the point to where the four people add staff or add equipment they should already have space allotted. It appears over the last two years that it is a game to play -- of whoever has the most political clout gets the office space and somebody else goes without. Do we need to develop some kind of policy or program where before we are faced with exactly what we're talking about here tonight that we know we have someplace to put that piece of equipment, etc.?

Commissioner Borries said he thinks Commissioner Hunter has a very valid point, but the problem is we don't control the Legal Aid board. Because of the growth of their Board they have lobbied and gotten through United Way funding, a portion through the County, a portion through the Evanville Bar Association an extra employee. But it is a never ending problem. I guess I have to go with what my Dad always used to tell me -- space has as way of filling up - and I think he's right. I have some radical solutions to it -- but I can't get any volunteers. We have a beautiful Old Court House down the road -- but people aren't standing in line wanting to go over there and maybe we don't have the money to do what we need to do over there. But we just don't have the space. This is why I say I am open to creative solutions. However, I share Ms. Hartig's concerns. As I say, we have some other decisions to make, because there is going to be a Solid Waste Management staff created here shortly and we're going to be going through this same thing. We're going to have to figure out a place to put them.

There being no other business to come before the Board, at 7:10 p.m. President Borries entertained a motion to adjourn. Motion to this effect was made by Commissioner Tuley with a second from Commissioner Hunter. So ordered.

PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Sam Humphrey, Auditor
Alan Kissinger, County Attorney
Dennis Feldhaus/Helfrich Insurance
Dave Savage/Engineer's Office
Gary Kercher/Engineer's Office
Jim Angermeier/County Assessor
David Fox/Pigeon Assessor
Loretta Townsend/Weights & Measures
Jack Waldroup

COUNTY COMMISSIONERS
January 4, 1993

17

Mark Abell
B. J. Ferrell
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department TREASURER

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103-112	JAMES E LINDENSCHMIDT	2023 POLSTER DR	CHIEF DEPUTY	28887.00	1/1/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

James E. Bland DATE 12/30/92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY RECORDER 104.0

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1040-1110	BETTY HERMAN		RECORDER	39,947.00	1/1/93
1040-1120	BOB STEELE		CH. DEPUTY	28,887.00	1/1/93
1040-1170	TRACY NEWCOMB		Release Deputy	14,829.00	1/1/93
1040-1180	LINDA WILSON		USS Deputy	18,835.00	1/1/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1040-1110	BOB STEELE		RECORDER	39,947.00	12/31/92
1040-1170	TRACY NEWCOMB		TEMP Replacement	14,180.00	12/31/92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Betty Herman DATE 1-4-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300212	Miles Magnus		Groundskeeper	5 2701 11004 00	1-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105012501059	Michael Ellenstein		Merit Board	11000 00	June 30, 1992

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Ray Hamner

DATE

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1050113000001	Stephen Woodall		Chief	20 0718 41910 00	1-1-93
1050113000114	Robert Beckham		Chief	20 8836 43605 00	1-1-93
1050113000004	Jimmie Tucker		Lieutenant	18 7155 39078 00	1-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1050113000004	Stephen Woodall		Lieutenant	17 3625 36253 00	12-31-92
1050113000019	Robert Beckham		Lieutenant	18 1743 37948 00	12-31-92
1050113000001	Jimmie Tucker		Chief	21 4248 44735 00	12-31-92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Ray Hamner

DATE

12/30/92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 108 Prosecutor

*pt
see
2nd*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108013401080	Carol J. Hustace	12122 Pear Tree Lane	Subp/Sum Clk.	17153.00	1-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	<i>Carol J. Hustace</i>				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Stanley M. Levco

DATE 12-30-92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Assessor

ad

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11801090	Margaret Effinger	11909 Buente Road	Office Clerk/ Deputy	14,950 00	1/1/93 1/4/93
				(\$14,263.00	until June 1993)
11601090	Ramona Ireland	632 Chateau Drive	Bus/PP Deputy	17,133 00	1/8/93
				(\$16342.00	until March, 1993)

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11801090	Ramona Ireland	632 Chateau Drive	Office Clerk/ Deputy	13,584 00	1/4/93 12/31/92
11601090	LaTosha Pitt	1119 E. Blackford	Bus/PP Deputy	19751 00	1/4/93 12/31/92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

James L. Angermeyer

DATE 1/4/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-116	Tamara R. Rawlins	711 S. Rotherwood Ave	Deputy	14,889.00	1/4/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Shirley Rooden
Chief Deputy
Knight Twp

DATE 12/4/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-1170	Sharon Elisen Kohtala	2911 S. Englewood	Business PP	18,835.00	1/1/93
113-1190	Harshel Cobb		Second Rep 1 #state	14,889.00	1/1/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Shirley Rooden
Chief Deputy
Knight Twp

DATE 1/4/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-199	Hurshel Cobb	2216 E. Tennessee	Deputy	5.00 per hr	1/1/93
113-199	Alfred J. Inkenhaus	1411 Burdette	Deputy	5.00 per hr	1/1/93
113-199	Steven R. Folz	3600 Keck Ave	Deputy	5.00 per hr	1/1/93
113-199	Kristi S. Fox	2120 Sheridan	Deputy	5.00 per hr	1/1/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shirley Roeder
Chief Deputy
Knight Twp

DATE 7/4/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VOTERS REGISTRATION 122-117

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
117	Sandra L. Conner	7430 Taylor	dep. reg.	14889 00	1-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
117	Jean Ritter	5010 Elmhurst	dep. reg.	17959 00	12-31-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sharon K. Kirk

DATE 12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 1300-County Commissioners

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1300-1110	Patrick Tuley		Commissioner	19,809 00	1/1/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1300-1110	Carolyn S. McClintock		Commissioner	18,866 00	12/31/92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Richard J. Bonies

DATE

1/1/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY COUNCIL 1480

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1480-1110	Ed Bassemier		County Councilman	12,101 00	01/01/93
1480-1120	Phil Roy		County Councilman	12,101 00	01/01/93
1480-1150	Rick Jones		County Councilman	12,101 00	01/01/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1480-1110	Jim Manning		County Councilman	11,525 00	12/31/92
1480-1120	Betty Hermann		County Councilman	11,525 00	12/31/92
1480-1150	Jim Lindenschmidt		County Councilman	11,525 00	12/31/92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

James D. King
Executive Assistant

DATE

02/31/92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136-1990	ROBERT HAYS II		INTERN	\$4.75	HR	12-14-92
136-1970	MELVIN MACGREGOR		PART-TIME BAILIFF	\$5.00	HR	12-14-92
136-1970	SHEILA SILVIA		PART-TIME BAILIFF	\$6.00	HR	12-14-92
136-1970	CHAD GROVES		PART-TIME BAILIFF	\$5.00	HR	12-14-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136-1980	ROBERT HAYS II		INTERN	\$4.75	HR	12-13-92
136-1980	MELVIN MACGREGOR		PART-TIME BAILIFF	\$5.00	HR	12-13-92
136-1980	SHEILA SILVIA		PART-TIME BAILIFF	\$6.00	HR	12-13-92
136-1980	CHAD GROVES		PART-TIME BAILIFF	\$5.00	HR	12-13-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard L. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136-1990	KARLA SPENCER		INTERN	\$6.50	HR	12-14-92
136-1990	REBECCA SPRINGER		TYPIST	\$5.25	HR	12-14-92
136-1990	JASON DAVIS		INTERN	\$5.25	HR	12-14-92
136-1990	CINDY EICKHOFF		INTERN	\$4.75	HR	12-14-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136-1980	KARLA SPENCER		INTERN	\$6.50	HR	12-13-92
136-1980	REBECCA SPRINGER		TYPIST	\$5.25	HR	12-13-92
136-1980	JASON DAVIS		INTERN	\$4.75	HR	12-13-92
136-1980	CINDY EICKHOFF		INTERN	\$4.75	HR	12-13-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard L. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	DARLLA WALTON		TYPIST	\$4.75	HR	12-14-92
136-1990	KERRI TURNOCK		INTERN	\$4.75	HR	12-14-92
260-1980	TRACEY MEREDITH		QMA	\$5.00	HR	12-14-92
260-1980	KEITH HAAS		COURT COMMISSIONER	OTHER		1-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1980	DARLLA WALTON		TYPIST	\$4.75	HR	12-13-92
260-1450	ROBERT SAUNDERS		PROBATION OFFICER	\$2367	AN	12-31-92
136.1-1990	TRACEY MEREDITH		QMA	\$5.00	HR	12-13-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
260-1980	CHARLES CAMPBELL		EXTRA HELP	\$7.00	HR	12-14-92
260-1980	SANDRA WEHR		QMA	\$7.00	HR	12-14-92
260-1980	TERESA DYER		EXTRA HELP	\$7.00	HR	12-14-92
260-1980	STACEY BURGER		EXTRA HELP	\$7.00	HR	12-14-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	CHARLES CAMPBELL		EXTRA HELP	\$6.00	HR	12-13-92
136.1-1990	SANDRA WEHR		QMA	\$7.00	HR	12-13-92
136.1-1990	TERESA DYER		EXTRA HELP	\$7.00	HR	12-13-92
136.1-1990	STACEY BURGER		EXTRA HELP	\$7.00	HR	12-13-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1980	JAY A. HILLE		INTERN	\$5.00	HR	12-21-92
136.1-1990	BRENDA BOYD		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	NORMAN G. HOSKINSON		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	RACHEL MAASBERG		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505Z-1990	BRENDA BOYD		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	NORMAN G. HOSKINSON		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	RACHEL MAASBERG		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Richard L. Young

DATE

12-30-92

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	MICHAEL MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	GLAMER TAYLOR		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	ROBERT BLACKBURN		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	SPENCER VANMETER		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505Z-1990	MICHAEL MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	GLAMER TAYLOR		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	ROBERT BLACKBURN		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	SPENCER VANMETER		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Richard L. Young

DATE

12-30-92

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	RYAN CONLEY		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	KIMBERLY THIMLING		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	PHYLLIS CHRISTIAN		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	GARRETT CRAWFORD		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
5052-1990	RYAN CONLEY		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
5052-1990	KIMBERLY THIMLING		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
5052-1990	PHYLLIS CHRISTIAN		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
5052-1990	GARRETT CRAWFORD		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard L. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	MATTHEW MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-
136.1-1990	M. LEE KERSHAW		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-
136.1-1990	JULIE FRIEND		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-
136.1-1990	BETTY FLEGER		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
5052-1990	MATTHEW MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-9
5052-1990	M. LEE KERSHAW		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-9
5052-1990	JULIE FRIEND		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-9
5052-1990	BETTY FLEGER		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-9

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard L. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	JESSE HERRON		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	JEFFREY STECKLER		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	MARALYN WEST		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	ROGER HUFF		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505Z-1990	JESSE HERRON		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	JEFFREY STECKLER		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	MARALYN WEST		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	ROGER HUFF		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard L. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	BRIAN SPRADLIN		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	KIM LAIB		CASEWORKER	\$7.00	HR	12-13-92
136.1-1990	ELDON HANKINS		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92
136.1-1990	THOMAS AGNEW		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505Z-1990	BRIAN SPRADLIN		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	KIM LAIB		CASEWORKER	\$7.00	HR	12-12-92
505Z-1990	ELDON HANKINS		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92
505Z-1990	THOMAS AGNEW		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard L. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	MELODY KEBORTZ		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92
136.1-1990	TRAVIS AUSLAND		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92
136.1-1990	ROGER ROBINSON		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92
136.1-1990	BOB WEAKLEY		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505Z-1990	MELODY KEBORTZ		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92
505Z-1990	TRAVIS AUSLAND		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92
505Z-1990	ROGER ROBINSON		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92
505Z-1990	BOB WEAKLEY		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard D. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	GREGORY WALKER		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92
136.1-1990	MARY KINSTLER		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92
136.1-1990	STEPHEN ROTH		CASEWORKER	\$7.00 HR	12-13-92
136.1-1990	LANCE MILES		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-13-92

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505Z-1990	GREGORY WALKER		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92
505Z-1990	MARY KINSTLER		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92
505Z-1990	STEPHEN ROTH		CASEWORKER	\$7.00 HR	12-12-92
505Z-1990	LANCE MILES		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-12-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Richard D. Young
JUDGE, CIRCUIT COURT

DATE 12-30-92

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
136.1-1990	JESSE HERRON		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	JEFFREY STECKLER		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	BOB WEAKLEY		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	BRIAN SPRADLIN		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 12-30-92

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
136.1-1990	MICHAEL MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	ROBERT BLACKBURN		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	KIMBERLY THIMLING		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	M. LEE KERSHAW		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 12-30-92

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
136.1-1990	MARY KINSTLER		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92
136.1-1990	JESSE HERRON		PART-TIME CORRECTION OFFICER	\$7.00 HR	12-31-92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Richard L. Young
JUDGE, CIRCUIT COURT

DATE

12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1600	LARRY MCDOWELL		PROBATION OFFICER	\$3247 AN	1-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1600	LARRY MCDOWELL		PROBATION OFFICER	\$3247 AN	12-31-92

RECORDER

COMMISSIONER'S RECORD

SIGNED BY

Richard L. Young
JUDGE, CIRCUIT COURT

DATE

12-30-92

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1170	Roe, Barbara J.	222 S. Red Bank Road 47720	Immunization Nurse	26,148	00	1/1/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

P. Jones for St.

DATE

December 30, 1992

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
13701810	Kelly L. Ward		Law Clerk	19,223	00	1/1/93
				18,428	00	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
33701990	Kelly L. Ward		Intern	5	00 per hr.	12/31/92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

W. D. Batach

DATE

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department RECORDER

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
104-1120	Elizabeth A Bennett	3808 Kuebler	Chief Deputy	27511 00	12-31-92
104-1170	Linda S Wilson	7303 Redwood	Release Dep	16336 00	12-31-92
104-1180	Sharon Kohtala	2911 S. Englewood	UCC Deputy	17108 00	12-31-92

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Br. Ows

DATE 12-22-92

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Legal Aid Society of Evansville, Inc.

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	David W. Kent	102 Hartin Drive	staff atty	30,163 00	1- 4-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

SA Hartig

DATE 12-22-92

WARRANTY DEED

THIS INDENTURE WITNESSETH, That Verna Lynn Bailey (adult female unmarried)

(hereinafter "Grantor") CONVEYS AND WARRANTS to Vanderburgh County in the State of Indiana (hereinafter "Grantee") for the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Vanderburgh County, Indiana, together with all interests including any and all of the mineral rights and interests on, in, and under said real estate:

A part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 6 South, Range 11 West of the Second Principal Meridian, Vanderburgh County, Indiana, described as follows:

Commencing at the southeast corner of said quarter quarter section; thence North 00 degrees 58 minutes 47 seconds East 1003.11 feet along the east line of said quarter quarter section ; thence South 88 degrees 31 minutes 22 seconds West 21.52 feet to the southeast corner of the owner's land and parallel with the north line of said quarter quarter section to the POINT OF BEGINNING of this description, which point is on the west boundary of Eickhoff Road; thence continuing South 88 degrees 31 minutes 22 seconds West 23.42 feet along the south line of the owner's land and parallel with the north line of said quarter quarter section to a point of intersection with a non-tangent curve concave Westerly; thence Northerly 9.87 feet along an arc to the left and having a radius of 246.48 feet and subtended by a long chord having a bearing of North 01 degree 59 minutes 17 seconds East and a length of 9.87 feet; thence North 00 degrees 50 minutes 28 seconds East 75.13 feet to the north line of the owner's land; thence North 88 degrees 31 minutes 22 seconds East 23.43 feet along said north line and parallel with the north line of said quarter quarter section to the west boundary of Eickhoff Road; thence South 00 degrees 58 minutes 47 seconds West 85.00 feet along said boundary and parallel with the east line of said quarter quarter section to the point of beginning and containing 1981 square feet, more or less. All bearings in this description are based on the bearing system of Project C-E 180(1).

The intent of the above description is to include all that part of Parcel 18 that lies within the proposed right-of-way lines depicted on the Right-of-Way Plans for Vanderburgh County Project No. C-E 180(1), recorded September 29, 1992 in Miscellaneous Record Drawer 3, Card 9028 in the office of the Vanderburgh County Recorder and containing 1981 square feet, more or less, together with any adjacent strips thereof that lie within said proposed right-of-way.

This conveyance is made subject to the real estate taxes due and payable in 1992, and all subsequent taxes, which the Grantee herein assumes and agrees to pay.

This conveyance is also made subject to any and all existing easements, conditions, building, use, or other restrictions, rights-of-way, reservations and protective covenants of record affecting the hereinabove described real estate.

This conveyance is also made subject to all prior recorded conveyances and reservations, if any, of the minerals underlying the above-described real estate.

IN WITNESS WHEREOF, Grantor has executed this instrument, this 19th day of December, 1992.
Verna Lynn Bailey
"Grantor" Verna Lynn Bailey
(adult female unmarried)

STATE OF INDIANA)
COUNTY OF Vanderburgh) SS:

Before me, a Notary Public in and for said County and State, personally appeared the within named
Verna Lynn Bailey

who acknowledged the execution of the foregoing instrument, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my Hand and Notarial Seal this 19 day of December, 1992.

My Commission Expires:

July 25, 1993

My County of Residence Is:

Vanderburgh County, Indiana

Francis L. Miller
Notary Public

Francis L. Miller
Printed Name of Notary

THIS INSTRUMENT was prepared by Kahn, Dees, Donovan & Kahn, Jeffrey A. Wilhite, Attorney at Law, 305 Union Federal Building, Post Office Box 3646, Evansville, Indiana 47735-3646, at the specific request of the Grantee, based solely on information supplied by one or more of the parties to this conveyance, and without examination of survey, title or abstract. The preparer assumes no liability for any errors, inaccuracies, or omissions in this instrument resulting from the information provided, the parties hereto signifying their assent to this disclaimer by the execution and the acceptance of this instrument.

Address of Grantee and being also where tax duplicates are to be sent unless otherwise hereinafter indicated:

Auditor, Vanderburgh County
1 M L King Jr Boulevard, Room 208
Evansville, Indiana 47708

Return to the offices of:

Auditor, Vanderburgh County
1 M L King Jr Boulevard, Room 208
Evansville, Indiana 47708

PARCEL NO. 18
PROJECT NO. C-E180(1)
ROAD NO. U.S.I. Overpass
COUNTY: Vanderburgh
SECTION: 30
TOWNSHIP: 6S
RANGE: 11W

OWNER: Walter E. Bailey Jr., Et Ux.

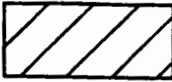
DEED RECORD: V. 637 P. 585

3/27/92
DRAWN BY: P. Reahard
CHECKED BY: D. L. Helms
3/27/92

DEED DATE: Oct. 12, 1976

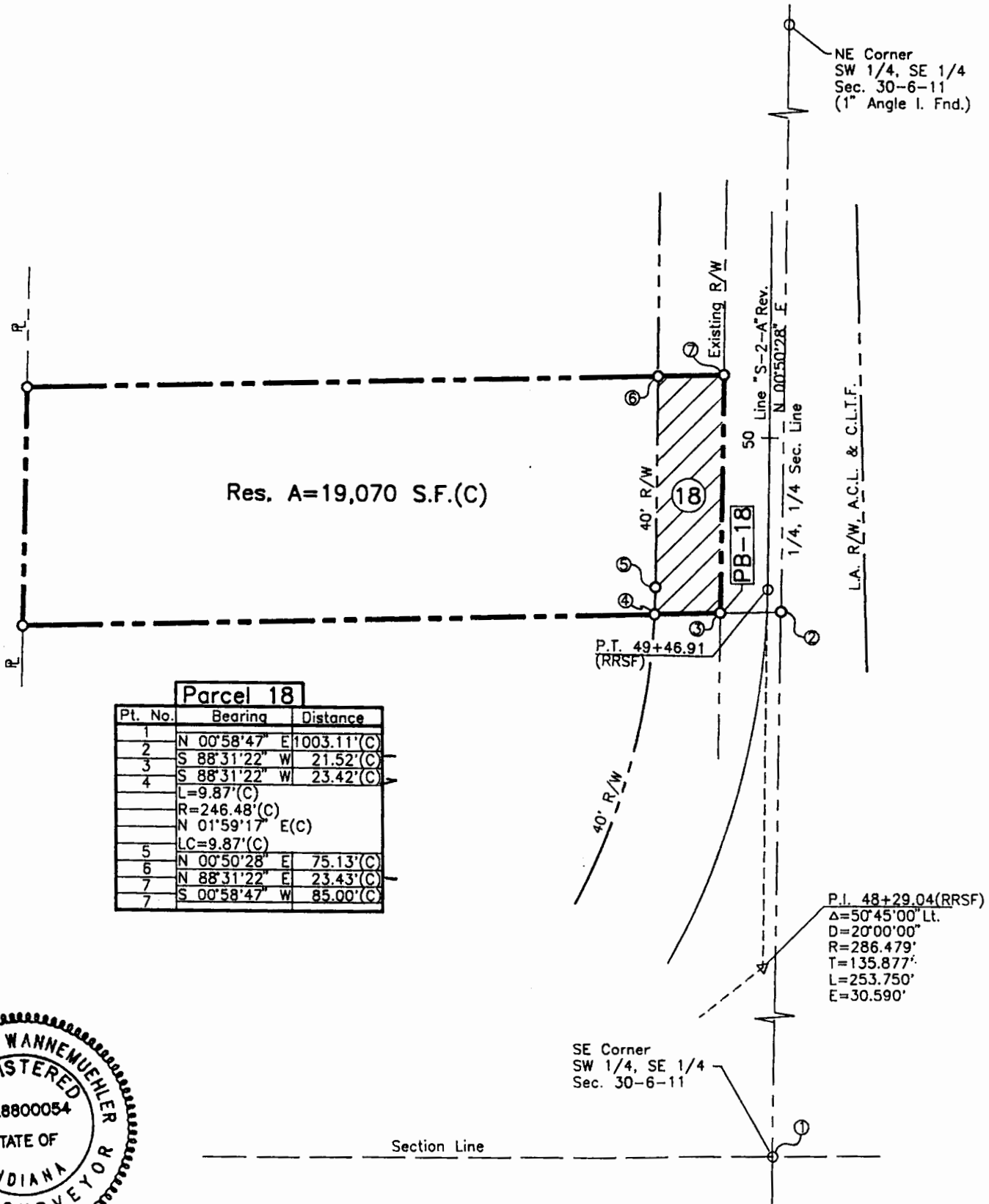
SCALE: 1"=50'

TOTAL AREA = 22,878 S.F.(C)
R/W EXSTING = 1,827 S.F.(C)
NET TOTAL AREA = 21,051 S.F.(C)
AREA of TAKING = 1,981 S.F.(C)
RESIDUE = 19,070 S.F.(C)



HATCHED AREA IS THE
APPROXIMATE TAKING

(C) Computed By Bernardin Lochmueller & Asc.
(R) Record
(M) Measured



Matthew E. Wannemueller
10/13/92

**DAVID BUNNER**ATTORNEY AT LAW
(812) 423-4441518 COURT BUILDING
123 N.W. FOURTH STREET
EVANSVILLE, INDIANA 47708

January 4, 1993

The Board of Commissioners of Vanderburgh County, Indiana
The Honorable Richard Borries
Patrick Tuley
Donald Hunter

RE: EVLAD - Union Township Overpass

Dear Commissioners:

The Evansville Vanderburgh Levee Authority District assisted Vanderburgh County regarding the construction of the Union Township Overpass by allowing a portion of the project to be constructed on the levee. Anytime there is construction on the levee, approval from the U.S. Army Corps of Engineers and the Levee Authority must be obtained. The corps and levee authority approved the Union Township project but with certain restrictions as to construction.

The Levee Authority was informed the project was complete and inspected that portion of the project built on Levee Authority property. As a result of the inspection, the Levee Authority had some questions and it has been discussing those with the County Engineer. The questions have not been resolved to the satisfaction of the Levee Authority at this time. We have been receiving the cooperation of the County Engineer and believe that cooperation will continue. However, the Levee Authority is requesting the Commissioners not accept the project as completed or authorize final payment and/or retainage release to the general contractor until the Levee Authority is satisfied its requirements have been met.

If any of you have questions, please do not hesitate to contact me at your convenience.

Thank you.

Sincerely,

David Bunner /cr
David Bunner
Attorney at Law

DB/cr

MINUTES
COUNTY COMMISSION MEETING
JANUARY 11, 1993

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MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 11, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, January 11, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed everyone, introduced himself and members of the County Staff (Jeffries, Abell, Farrell, Tuley, Hunter, Humphrey, and Matthews). He subsequently introduced the newly appointed County Engineer, Mr. John Stull, prior to asking the group to stand for the Pledge of Allegiance.

Commissioner Borries then asked if there are any persons who do not see an item on the agenda that the Board needs to consider this evening. If so, would they like to speak at this time. If individuals are unable to call in advance, this is the time allotted for any individual or groups to speak to the Commission if they so desire. There was no response from the audience.

RE: AUTHORIZATION TO OPEN BIDS

Commissioner Borries said Attorney Kissinger is finishing up a phone call and has not yet entered the meeting. However, he would entertain a motion at this time to authorize the County Attorney to open bids on the following items for the Sheriff's Substation, with one amended point on the agenda. As he understands it, the bids on the telephone system are to be opened. As a point of information, the Commissioners were to request approval for an extension. However, Ms. Jeffries tells him that is not the case. Therefore, he needs authorization to open bids for the telephone system, furniture and the video security system for the Sheriff Substation.

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

RE: POOR RELIEF REQUEST/PERRY TOWNSHIP/DWIGHT LEE

President Borries said Mr. Dwight Lee, a citizen of Vanderburgh County, is here this evening regarding an appeal request from poor relief action. He requested that Mr. Lee identify himself.

Mr. Lee approached the podium, identified himself and said he resides at 3155 Droll Avenue.

Commissioner Borries asked if Mr. Lee wishes to express his request at this time.

Mr. Lee stated, "Well, I went in there and was denied on the grounds that we aren't married."

Mr. Borries said, "Mr. Lee, is there a little more information that you could give? Although this is a matter of public record there usually is not much in the way of media coverage here that will concern this particular action."

Ms. Marvaline Prince identified herself and said she is a Paralegal with Legal Services Organization. "I assisted this family with their appeal. They came to our office last week. They did get a denial from the Perry Township Trustee on December 1st. When I looked at it I realized that the time to appeal had expired so I asked them to go back in and re-apply for assistance. I don't know if you have that one, but on here it says, 'Not married and his

girl friend has been to us for assistance when she was living with someone else'. They went back on January 8th and the denial says, 'First applied for AFDC and she could have been on it all this time. Child 23 months old. Not married and his girl friend has been to us before while she was living with someone else.' We don't feel that is a basis to deny this claim. They are income eligible for the services. There is nothing in the State statute or in the guidelines that deals with matrimony under the application process on the first page. And there is nothing throughout the guidelines that says they do not qualify for assistance. I think there may be something -- and Perry Township can correct me if I am wrong -- there seems to be some kind of animosity between Mr. Lee's companion and himself. He can address that if he wants to. The first time they went in -- they did go in in November or September and were granted assistance based on the same circumstances that they have now."

Mr. Borries asked, "Who was -- at that time?"

Ms. Prince responded, "This couple and this child -- for a food order. When they went back in on the 12th and last week, it was denied -- and, as I said, there is nothing in the standards that deals with matrimony. And, if it did, it would probably be discriminating against them because they are not married. I mean, there is really no basis to deny this claim -- except that he says she is living with someone else. She has applied for AFDC; they receive food stamps. I have a list of all the places that he has looked for work. There is a receipt from the landlord stating they have gotten some assistance from charitable organizations, but they still owe \$245 rent. Here are the places he's applied for work; I'd like you to take a look at this. They have not received an AFDC check yet. The landlord has been rather lenient, so..."

Mr. Borries asked, "When they do so, that would not make them eligible for any assistance through the Trustee, would it?"

Ms. Prince responded, "It probably would."

Mr. Borries asked, "Would?"

Ms. Prince replied, "Probably would. The AFDC is not that much for a family of three."

Commissioner Borries asked, "Any questions by the Commissioners of Ms. Prince or Mr. Lee at this point?" (There were none.)

President Borries said the Board would hear from the Trustee at this time.

Mr. Norman "Red" Mosby, Perry Township Trustee, identified himself and stated. "I want to go back to 1990, when her fiance called her to come into my office and applied for help. This attorney here said I did not -- I gave her \$20 emergency food at that time. And I told them at that time that I do not have a practice of boy friend/girl friend living together and this would be the last time they'd get any help. So this feller comes in -- and I told this here Jane back here -- that he was living with a girl friend. I said, 'What's her name?' He told me her name and I said -- and I did not have no discrimination. I just do not make the practice of giving boy friends/girl friends food and rent -- no matter what Legal Aid says -- I know the rules and regulations. I've been Trustee 27 years now and this is the second time I've ever been here. I denied it upon the basis that they were living together. And I told her before they'd been to Florida. They had money to go to Florida -- spend money in Florida and come back here. He quit a job in Florida -- they didn't tell you that, did they? All I got to say on the denial -- she's talking about the guidelines -- I got the guidelines. I'm the guidelines right here. I'm the Trustee -- I'm elected. That's going to be my guidelines. I don't believe in

a boy and girl -- talk about violating, she violated the Ten Commandments -- Thou shalt not commit adultery -- she also...."

Commissioner Borries asked, "Well, Mr. Mosby, would you also say it does say within your area here 'must be the head of the household where they reside'."

Mr. Mosby commented, "Right."

Mr. Borries continued, "At this point, have you determined that the Mother is the head of the household?"

Mr. Mosby asked, "That's who they're wanting help for, isn't it? They're wanting to help both of them."

Mr. Borries continued, "It seems to me that there is some confusion regarding who, in fact,..."

Mr. Mosby interrupted, "And that animosity -- what's animosity -- I don't know what she's talking about animosity -- I'd like to know that, too. Let's throw it all on the floor if they're going to throw it -- that's what I'm going to do."

Mr. Borries asked, "Any questions of Mr. Mosby? Don, any questions?"

Commissioner Hunter asked, "Mr. Lee, it indicates here that you have applied several places for employment. When were these applications made?"

Mr. Lee responded, "Within the last month. And I've went back to them several times to see if they had openings -- and I went this morning to Newburgh and Schnuck's there and put an application in there and I'm supposed to hear something in the morning about that. In the meantime, I also went to Don's Cleaners and they also have an opening and I am supposed to call them at 6:00 tonight about this job. So I mean, I don't want a handout; it's just that I need a little assistance right now."

Mr. Hunter asked, "Have you recently been to Florida?"

Mr. Lee replied, "That is where I am from. I just moved up here the middle of September."

Mr. Borries asked, "And have you returned since September?"

Mr. Lee responded that he had not. "As I stated, Sir, I was working and I quit that job because they were giving me 15 to 16 hours a week and that is quite a distance from where we live and I didn't have the gas to go back and forth."

Mr. Hunter asked, "Are you talking about the job in Florida or the job here?"

Mr. Lee replied, "Oh no, Sir, here -- at the Radisson."

Commissioner Borries asked, "Would you want to explain a little bit further in terms of the nature of each job that you've had? There are a number of them here that you've indicated."

Mr. Tuley said, "Down at the bottom you've indicated that you've worked in the last six months and there are about six different places of employment."

Mr. Lee stated, "Well, during that time I was working for Dan Emge at T. J. Maax and I was working at the Radisson at the same time. At Lea's Seafood that was down south; also, the A-1 Custom Cleaning."

Mr. Borries asked, "Were you working at T. J. Maax?"

Mr. Lee replied, "I was lumping trucks there."

Mr. Tuley asked, "Was it a part time job or a full time job?"

Mr. Lee responded it was part time. In response to question from Mr. Tuley as to how many hours per week, Mr. Lee said he just called him daily and if a truck came in he went in.

Mr. Lee asked if the lease agreement on the apartment is signed in Mr. Lee's name?

Mr. Lee said that it is.

Mr. Borries asked, "Does the Mother of the child work at all?"

Mr. Lee stated that she does not.

Mr. Borries asked, "Mr. Mosby, did you have another comment or question here?"

Mr. Mosby said, "Yeah, in fact I'm looking at it right now -- where he told me he got fired in Florida. That's what's on my record and he signed it."

Mr. Tuley asked, "Mr. Mosby, are you under the impression then -- when you say coming back here? Has he been here, gone to Florida and come back? Is that what you're saying? What I thought I heard him say was that he's just been here since September and has not been back -- and he is from Florida. Do you know?"

Mr. Mosby responded, "I don't know -- I couldn't tell you that. But I do know that this girl -- every time she brings a boy friend in -- I don't care, there's no law that says I can't do that. We've got a set of guidelines we go by."

Commissioner Tuley said, "I guess that's what I've got right here."

Mr. Mosby continued, "I tell them when they come in like that -- I helped them in 1990 and that's the last time I'll help them. You might tell me I have to -- and I can do that too, you know -- or go further. It don't make me no difference what you want to do."

Mr. Hunter interrupted, "Ms. Prince, I have a question for you. I guess my real concern here is the child. What kind of assistance is being given this child?"

Ms. Prince responded, "Food -- they're getting food stamps. I'm sure the child is being fed."

Mr. Hunter said, "Yes, but we have no assurance the child is being fed a proper diet if we're just giving them food stamps. You see, I have a problem with that. We give people food stamps, but we have no assurance that the child is getting a proper diet."

Ms. Prince said, "I'm concerned about the shelter aspect of it. If there's no shelter, then what happens to the child? Grown people can take care of themselves, children cannot. So I'm concerned about the child and the shelter."

Commissioner Tuley asked, "Are there any family members of either one of them living in Evansville?"

Mr. Mosby responded, "Her Mother and Father live on Red Bank Rd."

Mr. Borries asked, "To whom are the food stamps issued, the Mother?"

Mr. Lee responded, "They are issued to me."

Ms. Prince interjected, "He is considered the head of the household, whether they are married or not. He goes to the Welfare Department -- anyplace that he goes to get assistance they have to take an application on him; he is considered the head of the household."

Mr. Mosby asked, "Why didn't they apply for AFDC then and get some more money then?"

Ms. Prince responded, "They have applied for AFDC."

Mr. Mosby said, "Not when they came to my office they hadn't -- that is one thing we questioned them about."

Commissioner Borries asked the other Commissioners, "What is your feeling then, have them to continue to meet with the Trustee? or deny the request? Or approval? The question is whether or not he is following his guidelines."

Following brief moments, Mr. Borries stated, "I don't believe this Board is ready to make any decision on this this evening. Can I speak for both of you at this time? (Commissioners Tuley and Hunter nodded agreement.) Continuing, Mr. Borries said, "What we would ask is to have the Trustee perhaps meet with them to review these guidelines to see if they are being served. I know the Trustee has an income guideline that I'm not at this point really clear on what exactly the income is -- so I'm not sure that I have enough information to make a decision on that. In the meantime, we also feel that it is very important for Mr. Lee if, in fact, he is the head of the household, to continue -- are you still in the process of attempting to find work?"

Mr. Lee responded, "As a matter of fact, as I said, when I get through here I am supposed to call this Don's Cleaners. I went in there this morning to get interviewed and I'm supposed to go back and call them."

Mr. Hunter asked, "What kind of position are you applying for?"

Mr. Lee responded, "Full time."

Mr. Hunter asked, "In the cleaners, or as a driver? Do you hold a chauffeur's license?"

Mr. Lee replied, "No, this is Don's Cleaners -- this is pressing clothes and dry cleaning, etc."

Mr. Hunter said, "You'd be inside working."

Mr. Lee continued, "As I said, if that falls through I've got Schnuck's."

Mr. Hunter asked, "What do you mean you've got Schnuck's?"

Mr. Lee replied, "Well, I'm supposed to call them back in the morning. As I said, I have been looking for jobs."

Ms. Prince interrupted, "Can I ask you something, Mr. Borries? I don't understand what you mean when you say that you can't figure out his guidelines -- they're right here on the second page. And on the front page in reference to Applicants for assistance, I mean it's just real clear. So I need some clarification on what you mean when you said that..."

Mr. Borries responded, "Well, what I mean is that I think there is some dispute, as I would see it, as to the aspect of this head of the household -- some confusion there. What are you saying in

terms of their net income -- what their income is?"

Ms. Prince responded, "They don't have any income right now -- they have zero income."

Commissioner Borries continued, "And, what about their AFDC?"

Mr. Lee responded, "We just applied for that last week. We won't hear anything back for at least 30-45 days. We went down there to the office to get this last denial slip and someone in his office was supposed to call them to verify that."

Ms. Prince asked, "You mean the Perry Township Trustee?"

Mr. Borries asked, "Have they done that?"

Ms. Prince responded, "When you sign the affidavit they have the right to do it and I'm sure they have."

Mr. Mosby offered comments -- but his remarks were inaudible, because he was speaking from his seat and not from the podium.

Ms. Prince continued, "If you're asking them to go back to the Trustee, I think someone should direct the Trustee and our client -- I'm not saying that he did anything -- but when they were in there on the 1st of December, there was a lot of profanity used and I don't think people should be intimidated when they go in to request assistance. I just really don't think it is necessary to curse people out."

Mr. Borries said, "Okay."

Mr. Mosby interrupted, "Mr. Chairman, I want to remark on that. I never did use no profanity. They were the ones who got smart with me and I told them there was the door. I didn't use no profanity. I don't have to take this. You got the right to appeal it. Nobody is going to get smart with me, not Red Mosby. I did not use no profanity. I got proof of that cause C.A.P.E. was there at the time, too."

Commissioner Borries said, "Okay, well I'd like for you to meet with the Trustee again and perhaps we could have a report on this?"

Ms. Prince asked, "What time do you want it next week?"

Mr. Hunter interrupted, "Ms. Prince, these income guidelines on Page 2, I'm assuming these are per month - it doesn't say."

Ms. Prince continued, "Yes, for a family of three it is \$400 monthly."

Mr. Tuley asked, "Is your landlord on the verge of throwing you out? Is that what we're faced with here between now and next week?"

Ms. Prince responded, "I believe. He has not given him a notice, but he is a little bit upset because the rent has not been paid."

Mr. Tuley asked, "How much is your rent?"

Mr. Lee responded, "Three hundred ten dollars (\$310.000) per month."

Mr. Tuley asked, "How much were you asking for? The balance of what you owed -- the \$245? Or, were you asking for..."

Ms. Prince interrupted, "I think whatever the Trustee's guidelines are -- I think it's \$140 per month, because they have to pay their own utilities. Hopefully by that time he will have some work."

We're just asking for some assistance. This man does not want -- he's trying to get a job. There are a lot of people out there trying to get jobs. And he's just in a bad situation right now -- the family is in a bad situation right now."

Mr. Borries asked, "Do you have cable T-V?"

Ms. Prince replied, "They don't have a T.V. or telephone either."

Commissioner Tuley commented, "There is no meeting next Monday -- we have a special meeting. The Commission then meets on Tuesday night."

Commissioner Borries remarked, "Well, we have a special meeting, but we're not going to do anything but hear the business for which that meeting was advertised. (Please excuse my hoarseness here -- this is an ongoing cold I've had since December.) This Board will meet again at 5:30 p.m. on Tuesday, January 19th -- and I would ask that a meeting be held with the Trustee to review this matter before we make a decision on that next week."

Ms. Prince asked, "So what are you directing the Trustee to do?"

Mr. Borries responded, "To meet with them to review this entire matter -- to make some kind of decision --"

Ms. Prince interrupted, "To make another denial? Because I think that is what is going to happen. He said he is not going to assist them as long as they're living together. He's already made that statement."

Mr. Borries replied, "I am asking him to review his guidelines on this."

Ms. Prince continued, "Okay. So are you saying that if he decides to develop some new standards and guidelines that we will be using those next week? Or, are you saying review these guidelines?"

Mr. Borries responded, "Yes, to see if there any misunderstandings. I'm not sure that his Board would be prepared -- nor would it be within our power to tell his Board what to do. They are another unit of government here. We're here as a Board to review whether or not the Trustee is following the guidelines adopted by his Board. And we're also here to get as much information as we can to make sure that he is functioning within those guidelines and administering his office to the best of his ability -- so that is what I'm saying here. There seem to be some disputes that we perhaps need to review further. Also, in the meantime, this job status could change."

Mr. Lee commented, "Even if I get the job it may be a couple of weeks before I do get paid and I need the assistance now."

Commissioner Borries said, "I understand that."

Ms. Tuley commented, "You probably need to make a phone call -- because you said you had to make one by 6:00 p.m. -- and it's awfully close."

Commissioner Borries thanked all parties involved and proceeded with the next item on the agenda.

RE: ALEXANDER AMBULANCE SERVICE - 1993 RENEWAL CONTRACT

President Borries noted Mr. Mike Klueh is here regarding the 1993 Ambulance Service Renewal Contract for Vanderburgh County.

Mr. Klueh introduced himself and stated he is the Chief Operating Officer for Alexander Ambulance Service. He said, "It is my

pleasure tonight on behalf of Alexander's to present the renewal contract for paramedic ambulance service for the County for 1993. My presentation tonight will be to review and highlight the differences between prior years' contracts and the contract we are proposing for 1993. However, before I do that I need to go back in retrospect a little bit and give a bit of historical perspective as to what brought us up to tonight's presentation and why do we have a change instead of just taking the prior year's contract and using the same language. In the spring and early summer of 1992, we did seek out and contract an independent consultant that is one of the leading experts in consulting for EMS services and contracting for EMS services and developing the contracts. Based upon our discussions with Mr. Jack Stout, he did confirm something that we had a strong feeling of -- that the services that Alexander's did provide were of the highest clinical level. And he did confirm that by what we are able to perform and what we are able to do in the field. This was further supported by the State of Indiana awarding Alexander Ambulance Service as the 1992 ambulance provider of the year over and above, I believe, there are 400 paramedic providers in the State of Indiana -- and we did receive that award last year. Based upon our discussions with Mr. Stout, he indicated that although our clinical performance was second to none, that we had a very high level of clinical performance that we are providing the residents of Evansville and Vanderburgh County. He did make some very good suggestions as to how we can improve the contractual language whereby it would not only protect the residents and the patients of Vanderburgh County, it would protect Alexander's, protect the County Commissioners, protect everyone involved in this process. And after the past six to eight months, what we are presenting tonight is the sum total of those efforts. If I may, I will continue on with the comparison from prior year to current year to our proposal. The term, as in the past, will be one year in nature starting January 1, 1993 going through December 31, 1993. The financial commitment. Historically in the past there was a 5% increase that was built into the budget that every year the prior year's amount was increased by 5% -- and that would be the current year financial commitment. For 1993, we are requesting no increase. We are freezing the amount that we did receive in 1992 for the 1993 year. We were able to do that by the successful implementation of a program called System Status Management where we are able to deploy our ambulances and personnel to meet the demands of our patients, rather than just having four or five units on duty all the time. So we would be staffing to meet the patient demands of the system overall -- Vanderburgh County as well as the City of Evansville.

With Response Time Reliability, that is an issue that was not discussed in prior years' contracts and what we are offering to the County this year is to have a response time reliability that we will respond to the scene within thirteen (13) minutes at a ninety percent (90%) reliability. We have found through our review of other contracts and other systems across the country, as well as looking at the fractile distribution of our response time within Vanderburgh County that thirteen minutes is well within the accepted norm for the geographical area and the population dispersion that we will be covering. We do have penalties imposed. If we fail to meet the thirteen minute response time we will have a \$10.00 per minute for each minute over thirteen minutes up to a maximum of \$100 penalty per run, as well as if we fail to meet the 90% reliability. By that, I mean if on a quarterly basis if during that three month period if our response times were greater than thirteen minutes for less than 9% of the time, there would be a penalty of \$5,000 additional imposed upon Alexander's.

President Borries interrupted, "Let me just say a little bit about that, Mike. I'm going back to this memo and maybe you've addressed some of these things that Sherman Greer, Director of the Emergency Management Agency mentioned the aspect of the thirteen minutes. He felt that there could be some standards of eight (8) to twelve (12)

minutes we can consider. Is that going to be a goal you're going to try to work toward -- or what resolution did you see in relation to that?"

Mr. Klueh responded, "Well, there are a number of issues to discuss with that. The first issue is that the thirteen minutes is not a goal. The thirteen minutes is the absolute minimum -- the worst expected response time; the worst acceptable response time that we will strive to have the most rapid response time that is possible to the residents of Vanderburgh County. So I'm saying thirteen minutes is not what we're going to be striving for; we're going to still continue to move on and get a unit to the scene as quickly as possible. However, I think we both have to understand and realize that the eight to twelve minutes, although from an ACLS (Advanced Cardiac Life Support) perspective is what is recommended. When we're looking at a suburban and rural area, an eight to twelve minute response time is not considered within the general norm, you know, for any system across the country."

Mr. Borries asked, "What is your average in the City?"

Mr. Klueh responded, "Our average response time in the City is anywhere from 4.0 to 4.5 minutes. Or, if you want to look at averages for the county -- and we're including all county runs inclusive -- for our fiscal year through the end of December was 8.61 minutes. However, I would advise not getting trapped into the average syndrome, because all the average will tell you is how half the patients were treated or what the response time is to half our patient load. It does not give any type of upper ceiling or upper limit what the other half of the patients receive. So that is why we are wanting to impose such a restriction in this contract. Also, with the thirteen minutes in keeping in line with the 8 to 12 minutes ACLS, that is why we are looking towards and we fully support the utilization of first responders in our system. The first responders (the suburban volunteer fire departments in the County) are a very important part of the system and utilizing the first responders with the suburban fire department, along with our response time, we feel that is very acceptable. Also, you will see part of this contract where we have included a portion on training in getting the first responder defibrillator program fully established in all the County Fire Departments. At the present time we have two County Fire Departments that are first responder defibrillator and we have another two departments that are seriously looking at this. So with this program out there getting the defibrillator, getting the CPR, the good solid basic life support to scene by virtue of the volunteers is what we are striving for. So we're trying to offer both from the advanced level as well as the basic first responder level."

Commissioner Hunter asked, "Are the financial penalties that you have proposed to the County different than those you have in the City?"

Mr. Klueh said, "Again, the nature of how the contracts are set up between the City and County -- we tried to structure them so they would parallel as close as possible. However, there are certain peculiarities with one system versus the other system that would not allow that. So that is why we came up with this package here. The permit response time is the same. However, within the City we do not have a \$100 limit that we are proposing with the County. With the City it is \$10 per minute with no upper limit. However, with the extreme -- especially when we are looking at Northwest Vanderburgh County and the Armstrong area and the very sparsely populated areas, we are requesting the \$100 maximum -- and, again, I would like to emphasize what our studies have indicated -- that through the proper use and the aggressive use of System Status Management that we will be able to maintain the low response times, the rapid response times that all residents in the County now enjoy."

Commissioner Hunter said he still is not sure he understands why there is a difference. He realizes there is a difference in response time between the City and the County based on some averages, but what are the differences that would create a difference in financial bill?

Mr. Klueh replied, "Well, again, with the City we do not -- you're talking about why do we have the limit for the County and why not for the City with respect to that? I may have to refer to our Treasurer to assist on that question. We do feel that, again, with the geographical dispersion and geographical area that we are dealing with in Vanderburgh County versus the confines of the City of Evansville, that this would be appropriate protection for the ambulance service as well as for the residents in the County. As far as the \$5,000, again, with the way the arrangement is set up in the City we are paid on a per run basis and penalties are deducted based upon that per run basis. However, in the County it is based upon the operating losses that are recognized on that contract up to the amount of the subsidy. After the subsidy is fully utilized, then basically Alexander is on our own with respect to that. We have no other recourse."

Ms. Marian Spinks Treasurer of Alexander Ambulance Service commented, "With respect to the limitation on the per minute penalty if we fail to meet the thirteen minutes on a particular run, it is our belief that is fair and reasonable simply because of the geographical nature of county ambulance work. It is possible to be called to a scene that cannot be reached within thirteen minutes -- unlike the City where you have a much denser population of inhabitants. It is more likely that if you go over in a given situation the maximum response time, it is not going to be by a large number of minutes ordinarily - and that is why we have put that line here. On the other hand, frankly it is not a really big issue with us. If the Commissioners have a problem with it we're willing to take it out. It doesn't occur often enough to really be a factor to us."

Mr. Klueh asked, "Up to this point, do I have any other questions?"

Commissioner Tuley said, "Somewhere I thought I heard you say -- and maybe it's on the next page and I'm getting ahead of you on this -- you're going to change the ambulances based on what the demand has been over the past?"

Mr. Klueh said that is what he is getting ready to address right now. He said he is now on Page 2 of the summary the Commissioners have before them. "The number of units historically in the past, we've had three units located at the locations specified. What we are proposing for 1993 is that we will be staffing our units based upon patient needs, whether that is three or all ten ambulances. We will gear up and staff accordingly. So many times are we required to put all ten of our units on the street to make County as well as City runs in meeting the terms of the contracts."

The next issue is commitment to first responders. This is another area that was not addressed in prior contracts and there are five major issues that we have addressed. The first issue is medical training. At no charge to the County Commissioners, to the County Council, to Vanderburgh County at all, or to the volunteer fire departments, we will be providing medical training. This will include but not be limited to the first responder defib program that I've already indicated, as well as to the paramedic assistance program where we train first responders how to assist a paramedic at the scene.

Equipment Exchange: We presently have this in place whereas we have placed out in the County at the county fire department certain equipment such as cervical collars, head immobilizers, that they will use on these patients. Then once we arrive, we will transport

that patient to the hospital. And any equipment such as that which they do use we will replace it and restock it for them at no charge.

Return to Station: With volunteer departments - especially during the day during the week when their manpower or staffing levels are lower than they are during weekends or during evenings, sometimes it is difficult for the fire department to return personnel -- to have extra personnel drive in to the hospital to pick up personnel who may have assisted us with a patient enroute to the hospital. So we will be returning those firefighters -- those first responders -- back to their station to help that fire department so they will not have to send personnel in to retrieve them.

On Scene Medical Surveillance: We will be providing on scene medical surveillance, whether it be hazardous material responses or structure fires. If a situation does occur the suburban Chief or the volunteer fire department chief who has that jurisdiction or his designee will contact Central Dispatch that they do require ambulance surveillance at a working fire or hazardous material response and we will send an ambulance out there for that. If we happen to hear the tone of the volunteer fire department being dispatched and it does sound to be serious -- such as a structure fire or a hazardous material response -- we will start a unit in that direction and attempt to confirm that yes, indeed, they do need medical on-scene surveillance. And, again, that includes structure fires and hazardous material responses.

On-Scene-Medical for Training: If they are going to have a training fire and they require an ambulance to stand by, then we request they do contact us at an appropriate point in time before the training drill and we will make the arrangements to have an ambulance stand by.

Commitment to Clinical Progress: Historically in the past it was required that our personnel be only paramedics. What we are wanting to offer the residents of Vanderburgh County is not just state certified paramedic, but the best paramedic that training and experience can provide. So we do have the commitment to clinical progress. Our paramedic personnel not only in addition to having the Indiana Paramedic Certification, but they also must be certified by the American College of Emergency Physicians in Basic Trauma Life Support. They have to have American Heart Association's Advanced Life Support, as well as Pediatric Advanced Life Support and all of our personnel are required to have the Emergency Driving Certification for the State of Indiana. Again, being able to provide the best personnel to respond to these incidents when the call comes in.

Commitment to Dispatching: The last highlight is the commitment to dispatching. Again, historically in the past it only indicated that Alexander Ambulance Service would be required to dispatch the ambulance. What we are offering to Vanderburgh County and the residents of the County now is that health care will start to be provided when the phone rings and is picked up by our dispatchers. They are not just getting someone who knows how to answer the phone, they are getting someone who has national certification training through the National Academy of Emergency Medical Dispatchers. We are proud to say that all of our dispatchers hold the certification of Advanced Emergency Medical Dispatcher. This is a Department of Transportation approved program. It is one of the generally accepted programs that runs in very similar nature to your EMT paramedic class, being Department of Transportation approved. In addition to the EMD certification, our personnel will be certified in System Status Management. As indicated earlier, that is a new program that we had put in last summer and it allows us to schedule and staff and post our units -- place our ambulances -- where we anticipate the runs will be coming in, to meet the demands of our patients.

And finally, all of our dispatchers are not only trained in dispatching, they also have field experience as Paramedics and EMTs. All of these combined, we feel it creates a situation that is a very positive impact. We have three situations where just in the last two years where a pre-hospital can be attributed to the action by the emergency medical dispatcher when they received the phone call from the caller in distress. So we feel that our health care doesn't only begin when our Paramedic and EMT arrive at a scene, the health care that we are able to provide starts when the call comes in to our dispatch center.

I do have a copy for the Commissioners with some minor updates and changes based upon the draft you have in front of you of discussions I've had with Mr. Sherman Greer, the EMA Director, and addressing some of his concerns, such as disaster preparedness, mutual aid and how do we report on a quarterly basis the excessive response time. At this point in time I would like to field any questions you may have."

Commissioner Borries thanked Mr. Klueh and entertained questions from the Commissioners.

Commissioner Hunter said there are three areas in here that have never been addressed in this new contract. They look and sound very impressive, but he is not an emergency medical person -- so he will have to assume that Mr. Klueh is correct. Is there anything built in this contract that would permit the County, perhaps with the assistance of Sherman Greer, after the first six months to review and see if there needs to be any minor changes to be able to make it more effective. Again, this all sounds wonderful -- but he doesn't know.

Mr. Klueh said if the Commissioners would like to have a clause inserted that there will be a semi-annual report made to this Forum on the state of EMS in the County, they would support that one hundred percent and would cooperate with Mr. Greer in providing any information he would require.

Mr. Hunter said, "You know, we're spending just at \$200,000, which is a considerable amount of money -- and I think you all want to give the best service that you can and I think we all want to get the best value for our dollars that we can. I don't know how you two feel on this, but I'd just like to have a clause whereby at the end of six months we can kind of look -- particularly at these three new items -- and see if they are working the way we think they should."

Commissioner Tuley asked, "Are you calling for a six month renewal or just a six month....?"

Mr. Hunter interrupted, "No, just a six month review. We're going to sign this, with a clause that at the end of six months we might particularly want to take a look at the three areas that are totally new in this contract."

Commissioner Tuley asked, "Are they going to be subject then to termination of the contract?"

Mr. Hunter replied, "No, I just think there are things that we may mutually want to change -- to look at the contract for the following year."

Mr. Klueh said, "I think that is a very good point and we would welcome any opportunity to be back on the agenda to be able to provide any additional information -- because we are very proud that we are able to provide the residents of Vanderburgh County -- so we would welcome that, yes."

Commissioner Tuley said, "Mike, being new to the Commission, on

this thirteen minute response time, what records or what do we have to track or whatever? You will provide us on a monthly basis with a listing that on this run we left at this time and arrived at such and such time? Or, how is that going to work?"

Mr. Klueh stated, "Yes, Sir; based upon the revised draft that I have here that I will leave with the Commission this evening, there is a process whereby we would report to you on a quarterly basis all the runs that were in excess of the thirteen minute response time requirement. Part of that report will indicate what our impression is of why that excessive response time occurred and what are we doing to correct it to prevent it from happening again in the future. All of these records are subject to review by any of the Commissioners or their designee at the time they so desire."

Mr. Tuley said, "It goes back a long time and I don't want to open up a bunch of old wounds -- but at one time there was trouble with mileage tracking. This goes back ten years ago. But that is what prompted that question. There will be some method for us to..."

Mr. Klueh interrupted, "Yes, we will provide that report to you and then based upon what type of auditing process you would like to establish, you can send your representative to our office and we will provide any documentation or information they require. In fact, I might say that is what the City Controller does at the present time. Ms. Blenner does send a representative over on a monthly basis to review the volumes. The reason we're doing them on a monthly basis is because of the 500 to 600 runs per month that we are doing versus the 90 to 100 runs per month for the County. That is why we thought a report on a quarterly basis would give you a better sample to look at."

Commissioner Borries said, "Mike, first I commend you for holding the line on the budget this year. As we all know, with much rhetoric being circulated from the Federal to the State and certainly us at the local level who finally have to bear the direct cost in any instances of health care, we're very concerned about our health care cost and controlling it. I commend you -- as this would be an advanced form of health care. Secondly, and I don't wish to belabor this point in this contract this year, one of the issues of controversy last year surfaced when an inmate from the County Jail was transported to Welborn Hospital. This County received a bill from the City of Evansville. I questioned it a bit in terms of a double billing in the sense that the Vanderburgh County Sheriff's Department obviously operates the Jail. The Jail is located inside the City Limits of Evansville and we understand that. But, in effect, it seems we are paying two subsidies here for essentially the same service. At some point -- and I'm not asking this year -- but I would want to review the aspect to see if we get into this situation again where an inmate is transported that that couldn't be a portion of our County cost. To me, that makes it cleaner from the standpoint of what we could expect. Also, you're not saying in this contract that this anything to do with the Central Dispatch System in any way or access to that? You're not a part of that in any contract proposal here?"

Mr. Klueh replied, "That is a separate issue that we will be coming to the Commissioners on to discuss the Enhanced 911 feed from Central Dispatch to our dispatch center. We are putting in a new computerized dispatch system which should be hopefully operational by some time this summer and one of the features of that, it does allow us to tie in directly to the Enhanced 911 feed so that when a call comes through the E-911 system, as it stands right now when the call comes into Central Dispatch the address of the caller appears on their screen. We would like to have that same capability, so when the call is trunked down to us that is a medical call that automatically we have the address of the caller at our disposal. We feel that would increase our efficiency within our communications center. So instead of being part of this

agreement, that will come under a separate letter."

Mr. Borries said that answers all of his questions. He then entertained further questions or comments from the other Commissioners.

Mr. Hunter said he would like some language concerning review whereby the Commission would review every six months.

In response to query from President Borries, Commissioner Tuley stated he is in agreement.

Mr. Klueh said he has the basic agreement minus the amendment. The Commissioners can sign the basic agreement tonight, and then they can prepare the addendum for signatures.

Mr. Borries said there was some information that the Board receive through March 1992 concerning the runs and the total dollars -- they were able to cost that out on a per run basis and average out since March 1989. He believes this is somewhere in the Commissioners' packets. What he is asking for, as of March 31, 1993, would Mr. Klueh provide those figures to the Commission office so they can continue to update their files so they can make sure they are keeping track of our average cost. The information previously provided seems to be through the first quarter of each year.

Mr. Klueh indicated they can do this.

President Borries entertained a motion to approve the renewal contract with Alexander Ambulance Services, Inc. for paramedic services with the understanding that there will be an Amendment with regard to six month review of this contract, to be attached to the contract.

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

Mr. Roger Lehman, Chairman of the Emergency Management Agency Advisory Council, said that unlike prior years, he is not sure how the review of the contract went -- but this year they reviewed both the City and the County contract within the Advisory Council, which has representatives of suburban fire as well as City fire, the Police Chief and emergency response medical, etc., etc. He thinks the changes that are proposed this year are a reflection of an updating of something that probably needed to be done a long time ago, but never just got into the program. They're not one hundred percent in agreement with all the time frames and all that type of thing, but he thinks what we've got this year is probably five hundred percent better than what we had last year. With this six month review, if the Commissioners would be so inclined, if they would furnish the Advisory Council with the information they would review it in their forum, too, and supply the Commission with additional information. Sherman is, of course, a former ambulance person himself and he has firsthand knowledge of a lot of this -- and it has worked out really well. Again, he thinks this contract is tremendously better than what we had in the past -- although not yet perfect.

RE: BUILDING COMMISSION

Approval of Specs/Notice to Bidders: Mr. Lehman said he has provided the Commissioners with a Notice to Bidders for mowing and trimming services on vacant and unattended lots for 1993. He sent these to them previously, but this is an updated version including some dates. He'd like to advertise for bids on January 15th and 22nd with bid opening scheduled on Monday, February 1st. He has been in contact with Susan Jeffries. Basically all we're asking for is some unit prices on lots of a certain size. On lots over a

certain size we're asking for hourly rates or acreage rates, depending on the circumstances. He would like approval of the specs so he can advertise for bids.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the specs were approved and permission was given to advertise. So ordered.

Resolution Establishing Processing Fee/Weed Control: Mr. Lehman said this was discussed earlier in the year. In retrospect, he thinks we need action by the Board approving the processing fee. Again, that is the single page. He wasn't sure whether we had to advertise this twice, etc. He was hoping to get some direction from Counsel. It is his understanding we'd have a Public Hearing to establish this, which he thinks will be a relatively minor time-consuming thing. Basically he has come up with an average cost of \$50.00 for processing the paperwork through the County and/or cost including inspection time, paper, certified letters, etc. This is basically a duplication of what takes place in the City on theirs. What we need to do is set a hearing on looking at this.

Mr. Tuley asked if the \$50.00 processing fee is in addition to the actual cost of the mowing?

Mr. Lehman confirmed that it is.

Mr. Tuley said he is glad he is not the Treasurer -- he didn't realize it was that high in the City.

Mr. Lehman said it is \$35.00, and if they have to do secondary services it is \$50.00. But their 2-hr. manpower time is \$10.00 per hour where our two hour manpower would be about \$20.00 per hour. So \$50.00 is definitely a reasonable cost for the amount of effort they put into it. The alternative, of course, would be for the Commissioners to just say do it and don't charge anybody anything.

Mr. Tuley said he is not recommending that. But having dealt with these people in the past, by the time they get down to the Treasurer's office and all the fees have been added on to it, you've got an irate..."

Mr. Lehman interrupted, "I think the idea is that we're warning people they need to do it. If they don't do it, they are going to be penalized by both having to cut it and having to pay us for having it cut. So it is a penalty for not doing it when you're asked to."

Attorney Kissinger asked, "Roger, are you planning to contract with a specific individual to do all of these for the County?"

Mr. Lehman stated, "Yes, we are advertising for bids."

Attorney Kissinger said, "You do need to advertise twice for the bids."

Mr. Lehman said, "I guess I need a motion to hold the Public Hearing on February 1st concerning processing cost for cutting weeds for 1993."

Motion to authorize advertising for bids on January 15th and 22nd, and set public hearing on February 1st was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Mr. Lehman apologized for not attending last week's meeting, saying he didn't realize it would get on the agenda so quickly. The efficiency of the new Commission is commendable.

RE: ORDINANCE RE REVOLVING FUND/WEEDS - FIRST READING

Mr. Lehman said he does have one additional item. We need to put money into the Revolving Fund (he believes the Ordinance is on the agenda tonight - First Reading) for cutting of the weeds. He would recommend that the Commissioners consider starting that fund at \$1,000 to get us going and, hopefully, the returns will replenish the fund as we do along.

Commissioner Borries asked if Mr. Lehman wants action on that tonight.

Motion to approve the Ordinance re Revolving Fund/Weeds on First Reading was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: LIST OF CERTIFIED HYDROLOGISTS - JERRY EVANS, BFI

Commissioner Borries said that Jerry Evans, Attorney, is here concerning list of certified hydrologists for approval. This is per our agreement with BFI regarding monitoring work on relocated Locust Creek.

Attorney Evans identified himself and said he is an Attorney for BFI. In October 1992 BFI entered into an agreement with the County regarding the inspection of the relocated Locust Creek. It called for BFI to submit to the Commissioners names of people they regarded as qualified and independent. Within 90 days after, for them to agree to a panel the Commissioners would ultimately select when the construction started. Construction at this time is pretty far off and it is not that pressing whether the panel be appointed. Erv Leidolf is here to talk about the people suggested. Or, if appropriate, to ask for an extension of time for consideration to be given to these before we come to an agreement. They'd be happy to do this either way.

Commissioner Borries said that per the agreement the Commission office has checked to make sure that these people would, in fact, be independent. He asked the office to contact each of the five (5) that appeared on this list to verify that they were not directly involved nor had performed work with BFI. Each had provided verification that they did not have any ties nor had they performed that work. Therefore, the list is ready for the Commission's approval. It would be his feeling that the U. S. Department of Interior, if they wish to do so, would probably be a good place to start.

Attorney Evans said these people were recommended by the Consultants who have been working on the project, ATEK, Jimmy Neu & Associates and Jim Morley. That is the source of the recommendations made to the Commissioners. People who these three Consultants they've used have regard for, as well as BFI's staff.

Commissioner Hunter said that even though BFI is paying for it, he would like to keep the money at home if he can. Is there no one in Evansville or the Tri-State area qualified to serve as hydrologists out there?

Attorney Evans stated, "As said, our primary source of the list we put together were the three groups of Consultants that are working on the project -- ATEK, Jim Morley & Jimmy Neu. I personally have no knowledge of the qualifications of hydrologists. I don't think we have people who are experts in that area other than people who have already been involved in the project -- but I could be wrong."

Commissioner Hunter said, "You're probably right. You've checked these people and they are all good. I guess I just have a problem with seeing Indianapolis down here five times and seeing the money going to Indianapolis."

Attorney Evans said, "One out of Indianapolis is the U. S. Department of Interior. I wish we had one of their offices here, too, Don."

Mr. Hunter said if Mr. Morley has looked over the list and we've looked over the list, then he has no problems with it.

Commissioner Tuley said the top one on the list looks good to him.

Attorney Evans said the Commissioners don't have to make the selection at this time -- just say these are qualified and they can pick the one they want when we get ready to start, based upon costs and what the circumstances are at that time.

Commissioner Borries said he doesn't know that the Commissioners can verify they are qualified, since they didn't have any direct knowledge of them either -- other than the fact that both groups have mutually recommended that. What they wanted to verify was that they were, in fact, neutral and could not, in this case, be involved in any kind of conflict here in regards to the monitoring work. That has been determined. What is the feeling of this Board?

Commissioner Hunter said Dave Savage has just informed him they have looked locally and there is no one locally who is qualified.

Commissioner Tuley said he thinks the Board should accept the list. At the time they actually begin the work, we can bid out one of these five and get the best price.

Motion to accept the five names, subject to the bidding process when we're ready for the work, was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: READING OF BIDS - COUNTY ATTORNEY

Attorney Kissinger said the various bids have been opened. Bids are as follows:

Furniture/Sheriff's Substation:

Business Furniture Specialists, Inc.	\$ 48,124.98
Business & Office Equipment, Inc.	36,946.97
Atlas Office Supply	46,834.53
Smith & Butterfield	41,990.63
Kern Bros.	42,747.02

Telephone System/Sheriff's Substation:

KLF Business Communications, Inc.	\$ 30,604.00
Service Telecom Corp.	53,951.42
South Western Communications	33,062.35
Van Ausdall & Farrar	32,085.00
Ohio Valley Communications	47,923.43
Indiana Bell Communications	31,087.39
Midwest Telecom Communications, Inc.	38,426.00

Video Security System/Sheriff's Substation:

Ohio Valley Communications	\$ 31,422.62
Sonitrol	41,124.00
South Western Communications, Inc.	35,134.00
Midwest Telecom Communications, Inc.	22,471.00

President Borries asked the Sheriff's representatives if it is their wish to review these bids and make a recommendation at next week's meeting. The response was affirmative.

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

Following the departure of the Sheriff's Deputies from the meeting

Commissioner Hunter noted that in looking over the material for the substation, he remembered last year when we signed the contract on this and he checked on it. There was \$137,000 per year budgeted to pay the monthly rent on the substation to the Airport Authority. Now that figures out to about \$11,470 per month. At the time he believes we assumed they would occupy that facility January 1st of this year. His question is -- are we required to pay that \$11,470 per month even though we're not occupying the building? Or, do we start paying that once the building is occupied by the Sheriff's substation? His next question would be, if that is the case, would Sheriff Hamner consider repealing the January and February monies back to the General Fund, because that is about \$23,000.

Attorney Kissinger said, "From my end of that as far as the legal question is concerned, I don't know what the contract was between the Airport Authority and the Sheriff. I will check with David Bunner and the Sheriff, make a determination on that and report to you as soon as I know something on it."

Mr. Hunter said he supposes the Sheriff would be the one who would have to repeal it, because he asked the Deputies what their target date was for occupancy and right now the earliest is March 1st. So we're looking at \$23,000 and perhaps if it is April 1st, another \$11,470.

Attorney Kissinger said he would assume that is correct. He wouldn't see any problem with him repealing that money, assuming that the contract between the County and the Airport Authority does not provide for a specific rental date to start regardless of occupancy.

Mr. Hunter said that is the question; he is sure the General Fund could use the money.

RE: TRANSITION OF OFFICE OF COUNTY ATTORNEY

Attorney Kissinger said the transition of the office of County Attorney is continuing. They are meeting with the two County Attorneys' offices and they are also scheduled to meet with other parties to advise them on the County Attorney business. They have a request tonight from the Auditor's office that a specific individual of the three County Attorneys already appointed be assigned to the Auditor's office for ongoing business. His understanding is that this is appropriate. He will attend to that immediately. There has been a request that a specific individual be assigned. He will contact that individual and probably make that assignment immediately. The transition process for the collection of County collection cases has been assigned to Kevin Bryant. It is his understanding following conversations with Attorneys Bryant and Deig that they are in the process of going over those cases now and getting them ready for transition. If the Commissioners have any questions, he will try to respond. But as to other progress notes, he has none at this time.

RE: COUNTY ENGINEER - DAVE SAVAGE

Street Acceptances: Mr. Savage said these are street acceptances that have been on hold until some details were worked out.

Greenbriar Section III: Bob Court - 761 LFT. The Commissioners will recall this was area where Bob Court had been connected together and there was some question as to whether the drainage facilities were adequate. As we have looked at that, it does appear that the only restriction that we can do anything about is that drainage easement, which the prior County Attorney had initiated some action on. Nothing has been removed at this point, but we have reviewed the drainage structures that were part of the subdivision. They appear to be adequate and the one right at the

point in question was accepted in a prior section of Greenbriar. So he would recommend at this time that this section of Bob Court be accepted.

Mr. Borries said the Board will consider the two acceptances together. How about Deerfield Estates?

Deerfield Estates/Section I: Mr. Savage said this involves the following:

Carrington Drive	975 LFT
Beringer Drive	1,030 LFT
Remington Drive	800 LFT
Total	2,805 LFT

The streets have been inspected and he recommends acceptance for maintenance.

Commissioner Borries addressed Mr. Kercher and said, "Gary, I know at one point there was one gentleman in Deerfield Estates - there was some concern on the part of the residents regarding the bricks. That has now been resolved?"

Mr. Kercher said this states they have a Homeowner's Association and they have indicated they will take care of that.

Mr. Borries entertained a motion.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the aforementioned street acceptances were approved. So ordered.

Schmitt Lane: Mr. Savage said that, as discussed last week, they are just about ready to begin work. He brought a Bid Summary for the quotes that we'd gotten from contractors last November -- but he failed to get the Commissioners' signatures. This has already been acted upon, but he needs two signed copies.

Street Plan Discussions: With regard to this item, Mr. Savage said Gary Kercher has done the bulk of the work on these matters and he would ask that he handle these.

Mr. Kercher said he believes the Commissioners have his letter concerning Autumn Hills or Audubon Hills Sections 1, 2 & 3. First of all, Audubon Hills Section 1 is really where the big question lies; we had some problems with the right-of-way. We have a corrected plan for the subdivision. He stopped inspecting it because we didn't have a completed plan at that time. They have completed the plans now. There are still a couple of concerns to be addressed -- but he would like to get the street plans approved or to the point where we can approve the street plans for construction to finish it up. What happened is that a portion of the water line was installed too close to the road and a portion of the road is actually going to have to go over the top of the water line. We have a letter from Joe Lassick of the Water & Sewer Department saying that they don't have a problem with that. The main will take it, so it is not a great concern of theirs. The only thing we're going to ask is that the one remaining water service be installed now so they don't have to dig out the street and put it in later. Generally they bore under the road, so we didn't want to have a utility cut at that point. We're going to proof the utility cut to make sure it is adequate to hold the road. There was one question re a 24 inch pipe at the south end -- an easement. Is there an easement at the south end along Lot #2? Actually one of the pipes extends off the right-of-way, but we do have a drainage easement at that point and we can maintain that pipe. We did find a correction today on the street plans. In the letter I'd sent them we revised the cross section to coincide with what was approved in Drainage Board and County Commission meetings

during discussions over the last year or so. The cross section on the plat indicates it is going to be 24 ft. wide with 2 ft. shoulders and 1 ft. deep side ditches. That was what was approved in two or three different Board meetings. He was wanting to get the Commissioners' feelings that this is still how they want them to do it -- because there are several places in the Drainage Board and Commission minutes where it was mentioned that there wasn't ever going to be curb and gutter on that section of road. He didn't know how the Commissioners wanted to address that on this portion.

Commissioner Borries said, "At one point I expressed some concern about the plans not having a rolled curb and gutter. However, upon examining our specs we don't require that, do we?"

Mr. Kercher said we do not.

Commissioner Borries continued, "It has strongly been suggested -- and because of the development that has pursued perhaps in the last few years, most approval has been given along those lines. We cannot require it. I've expressed those concerns to Mr. Biggerstaff -- and I suppose what I would ask this Board to consider at some point is whether or not they would want to consider adding a rolled curb and gutter as part of our specs for County approved standards. I do think that is something we need to consider. It does, at times, allow for some development to occur in a little more orderly fashion to address some drainage problems that sometimes have popped up when we don't have a rolled curb and gutter installed in certain developments. What is the feeling of this Board?"

Commissioner Hunter stated, "I would like to do it at the same time -- and come up with some sort of formula for sidewalks in the County, too."

Mr. Kercher said this is going to be a concern on the Mt. Ashley subdivision, which the Board has yet to have. This will probably come up at the next Drainage Board meeting -- and that could affect that drainage plan.

Mr. Borries asked, "You're going to have 6 ft. shoulders?"

Mr. Borries asked, "And how much right-of-way?"

Mr. Kercher stated, "Fifty feet (50 ft.) and 24 ft. pavement."

Mr. Borries asked, "And the ditches will be like a swale off the shoulder?"

Mr. Kercher said, "I think we had a 2 ft. flat bottom ditch on there. On Mt. Ashley we have a 2 ft. flat bottom ditch."

Mr. Borries asked, "What is the average size of some of these lots?"

Mr. Kercher said they are about .8 acre or so.

Mr. Borries queried Mr. Kercher about his recommendation.

Mr. Kercher said, "On these two particular subs I think we'll be all right if we go ahead and waive the requirement or allow the rolled curb and gutter to be eliminated and go ahead with the shoulders. I think we'll be okay on the drainage plan -- especially the drainage plan on Autumn Hills 1 and 2 was approved considering it not to have rolled curbs and gutters, so it did take that into account at that time."

Mr. Borries asked Aaron Biggerstaff if we talked about what kind of

pavement we're going to use?

Mr. Biggerstaff said it will be blacktop. He might also add that he is working very closely with Darryl Rice of Soil Conservation (and Gary Kercher is aware of that) to make sure everything is done before the improvements are made. They are meeting with them again tomorrow and will follow their guidelines.

Mr. Kercher said, "On Autumn Hills Sections 1, 2 and 3, we need to get the street plans obviously approved once we know how we want to pursue it on that. On Autumn Hills #1 and #2, it's kind of like we had the cart before the horse. The construction was going on before we had a set of plans and we had some of the concerns addressed by some of the property owners and we've got a plan now that indicates the entire roadway, including the side ditch and back slopes will be constructed within the right-of-way. If it's not done that way -- to that standard that is on those plans -- then we will not accept it for maintenance by the County; and we've expressed that to Aaron Biggerstaff and Dewey Burden and they realize that if it is not done according to that plan then the County will not accept it. I have the original milar here for that section if you'd like to take a look at the road plans."

Mr. Borries said he believes he has enough information. He then recognized Mrs. Joan Birks of 2801 Walking Horse Lane.

Mrs. Birks approached the podium, introduced herself and stated, "When we bought the property it was our understanding it was to be brought up to County standards and to be a County-approved road and maintained by the County. When Dewey first started to work on it, we had had the lot surveyed, we had it staked. It is not a straight lot; it's got a lot of curves -- almost like an S -- across the front of it, so it is rather difficult to tell where the lot line is. But the stakes disappeared and when Dewey started to stake it I mentioned to him that I thought maybe he might be on my property. He didn't think so, so we had it re-surveyed and did find that some of the stakes indeed were on our property. We still have those stakes there. We had the Attorney send Dewey a letter stating that we expected the road to be moved. Mr. Savage called me about the meeting this evening and he said that there is a Survey Certification -- and am I right in saying you said the edge of the road would be 10 ft. from my property? I said I don't believe that is the case, because Dewey has laid gravel down and I went out and measured it and from the stakes that Bernardin-Lochmueller put down they vary anywhere from 7, 5, 4, 4, 5, 3, 4, 8 ft. -- and we have a 12 ft., a 14 ft., 6 ft., 3 ft., 4 ft., and 6 ft., -- I don't know how Dewey can possibly -- he has approximately 24 inches of gravel. If you need a 2 ft. shoulder in there and then the 1 ft. parameters for the drainage, I don't how you possibly can do it without getting into my property."

Mr. Borries asked, "Is this one of the roads here we are accepting?"

Mrs. Birks said this is Autumn Hills I.

Mr. Kercher interjected, "Tonight we're just approving the street plans."

Mr. Borries asked, "This is already an existing street, right, not accepted?"

Mr. Kercher replied, "It is not accepted, right."

Mrs. Birks said, "He finally has gravel on it."

Mr. Borries asked, "It is not yet paved either?"

Mrs. Birks replied, "No, and I do not believe he has done all the drainage."

Commissioner Borries said, "I'm glad you did speak. There is no way that I would approve...."

Mrs. Birks interjected, "It is not only of concern to me, but to other residents -- Mrs. White is also here."

Mr. Borries continued, "We can't accept anything that is in dispute in terms of what -- you're saying some of this may be on private property?"

Mrs. Birks responded, "No, I'm just saying it doesn't look like he's got the gravel within his right-of-way. But if he is to put a 2 ft. shoulder and the drainage ditch on the side that is supposed to fall within the right-of-way, I'm not sure -- but I do not believe in speaking with Dave Savage that he has the room in some areas along the gravel edge."

Mr. Borries said, "But it does sound as if there is some dispute over your property as well as..."

Mrs. Burks said, "No..."

Mr. Kercher stated that is taken care of.

Mr. Kercher said he is assuming it has not yet been staked. He has not been out there since he didn't have anything to look at. So that is why he is trying to guarantee that Mrs. Birks' property is not being used to build the roadway and that it falls completely within the right-of-way limits that we have.

Mr. Borries asked, "We were talking more than 2 ft. shoulders, weren't we?"

Mr. Kercher said, "Originally there was only 2 ft. shoulders on Autumn Hills 1, 2 and 3 -- or 1 and 2, I take that back. On 2 and 2 there was only 2 ft. shoulders discussed at the time it was originally brought up. They had 6 ft. at Mt. Ashley."

Mr. Borries said, "That's awfully tight -- 2 ft."

Mr. Kercher said, "Yes. This is one of the questions. For some reason, the way this plan was developed I think one got in front of another and nobody knew exactly what was supposed to be out there. The original plans never even showed an alignment on it -- so that is what I needed in order for me to do the inspection work. I required Dewy and Aaron to supply me with an alignment and a cross section to build it -- and that is when we brought up the minutes of the Drainage Board meetings and found out where at one time it was looked at as being 6 ft. and another time it was said to be 2 ft. So that is what we are trying to get approved now."

Mr. Borries said, "What you are asking though is that, in effect, we almost are going to have to approve a waiver. Don't we normally look at 6 ft. as an accepted shoulder on something like this?"

Mr. Kercher responded, "To be honest, I haven't seen many shoulders put on County roads. So I don't have anything to base it on -- because most of them are curb and gutter. This is one of the few that we have done -- now, to be County accepted. We have done some that have not been required acceptance -- they didn't ask for it -- so we didn't require -- the 6 ft. shoulder wasn't the minimum. Those were taken on a case-by-case basis, but since this is County accepted this was one of the things that was apparently a year or so ago discussed and it was said 2 ft. shoulders. The standards also indicate those are thru County roads."

Mr. Borries said, "I don't know, Aaron, I must have misunderstood some of our discussion then, because it was not my understanding that we were going to go on only 2 ft. shoulders here. Was that discussed at the time we met?"

Mr. Biggerstaff replied, "No, it wasn't. The 6 ft. shoulders I was discussing were on Mt. Ashley."

Mr. Borries asked, "Can we do rolled curb and gutters on this if we don't have a street in there?"

The meeting continued with Mesrs. Kercher and Biggerstaff approaching the Commissioners' table and reviewing the plans and discussing same among themselves, with much of the discussion inaudible since they were not speaking directly into the microphones and several side discussions among others present were also in progress. (Auditor Humphrey noted the secretary is trying to get this on record and it can't be done with several satellite discussions.)

Mr. Borries said that if we're going to have to accept a tighter right-of-way he'd like to control the drainage better. That is one reason we look at rolled curb and gutters.

Commissioner Hunter asked Mrs. Birks to approach the table and point out her lot.

Mrs. Birks said she resides on Lot #2. Pointing to the plans, Mrs. Birks pointed to several areas and stated that from various property line stakes Dewey's gravel is 7 ft. 6 in. out, 4 ft. out, then 3 ft. out. What she is saying is that if he has to have 2 ft. of shoulder and then the drainage ditch, you're not going to be able to fit the drainage ditch into the 3 ft. from where his gravel is.

Dewey stated that it is 6 ft. from Mrs. Birks' stakes.

Mrs. Birks countered that it is not -- she went out this afternoon and measured it. She then measured across the area to see if we were talking wider than 24 ft. Where the driveway and where the edge of the gravel is there is 4 ft. Dewey stated this wasn't true -- she's talking about a stake that is there. Mrs. Birks stated it is her pin -- Bernardin-Lochmueller put it there. Dewey said if it is a stake for her property, then the road is at least 6 ft. from there. Mrs. Birks said it is not -- not as the gravel is laying there. If he is going to move the pavement, then he is going to have to put more gravel on the other side. Dewey said they are not even close to her property. Mrs. Birks said she did not state he is on her property -- that is how this started, but he stated he is not now on her property.

Mr. Kercher said, "I think the idea here is that the plans call for the road to be built entirely on the right-of-way -- and that is what we're trying to insure."

Ms. Birks said that when Dave Savage called her today he said the Certification says the road will be 10 ft. away from her property. She told him that the way the gravel is sitting there he is only 4 ft. away from her survey pin. Dewey stated that is not true. Mrs. Birks again stated she went out twice and measured it.

Dewey said Mrs. Birks has a very nice home and he appreciates that, but she is not a road builder.

Mrs. Birks countered, "I know where my survey pins are. I spent over \$1,000 proving that you are too close."

Dewey continued, "That is the expertise of the County Engineer and Mr. Kercher. We are working with them and complying with what they

requested and building the road according to County specifications. We are not trying to short change anything; we are not trying to go around anything. We are trying to do it correctly and we have done so under the guidance of Messrs. Kercher and Savage. That is what we are doing."

Commissioner Borries said, "We have another gentleman who wants to speak -- and then I'm going to call an end to this discussion. I think we've reached an impasse at this point."

Mr. A. S. Birks, owner of Lot #2 at 2801 Walking Horse Lane and the husband of Mrs. Birks, approached the podium and stated, "I just want to say to the County Commissioners the problem -- and I'm a Registered Professional Engineer, by the way -- and I don't know if Mr. Burden is, so I think I speak with a little more authority than he has. Indeed the measurements just given to you by Mrs. Birks are indeed true -- the end of the gravel as it is presently distributed. Now, if Mr. Burden is going to redistribute that gravel -- which we don't really know -- I mean this will probably resolve this issue. But I think the real bottom line here is that we have a lot of mystery with this road. There's lost drainage plans -- missing drainage plans -- and really, the County Commissioners or whoever takes care of this -- engineers -- are as much to blame with the delay that Mr. Burden is having as anyone. I think we've pretty well resolved the issue we have with our borderline entity. We do have a registered survey in our possession which shows that the pins in place that Mrs. Birks described are really actually our border. Because we were concerned about the points around those curves, the only way we could get that was by getting continuous points around that curve to make sure we knew where our property really lies. So I just suggest that we try to resolve this issue in the most expedient way, because we all are getting our cars covered with mud, the water is running into our driveways, and it is uninhabitable -- and I think if we had a tough winter we'd be in rough shape. We did buy this property -- at least I did -- with the understanding it was going to be a County-approved road and I did talk to the engineering department. I know I didn't get this in writing, but they assured me that Mr. Burden had a deposit or whatever you call it put aside -- and in case he blew it and did not bring these roads up to County standards that the County would then come in and take over and make it correct. Now maybe I was given the wrong information, but we've got ninety-nine different opinions around here and this is half the problem. You folks have got to get yourselves in order, I think. I'm not trying to lecture to you but, you know, it is tough for a developer -- particularly a new developer -- to come in and do a good job. And I guess we've had lots of problems with the survey -- I won't go into that one, but it all adds up to a lot of confusion. Thanks!"

President Borries said, "Mr. Birks, in speaking in behalf of your comments, I would certainly agree. I think we do need to get our act together -- and it is, at times, a very difficult thing given the nature of our staff to be as responsive as we need to be. That is why I do have some concerns about where we are, as planned. What I am hearing at this point -- I have some concerns about the way this road is progressing in the sense that you are saying 'we built a very nice home out here and this is supposed to be a real nice subdivision and we truly want the streets to be as nice as the subdivision is going to be' -- and that is what our goal is here. I have some concerns about the shortage. There was some discussion in July 1990 regarding a 2 ft. gravel shoulder -- but that is very tight at this point." Addressing Mr. Burden, he asked, "Would you be willing to consider rolled curb and gutter along there if you haven't put the streets in?"

Mr. Burden replied, "We've got our estimates on our road from Koester Contracting and they do not include that. At this point it would be very difficult to do anything different."

Mr. Borries said, "It is going to be very difficult for us to come back because, you see, what happens is -- and I think Mr. Birks alluded to this -- the County inherits the problem when drainage problems, surface problems, begin to occur. Are we going to have enough room to even work on that? Are we going to have enough right-of-way to be able to do that?"

Mr. Kercher said, "I think so, yes. I don't believe it is a big problem at that point, no."

Mr. Savage interjected, "If I could, I think if the road is constructed according to that plan -- that plan just about squeezes the limits as high as you would want to go. And there is some question as to whether that gravel line that is shown on there is proposed or existing. And I think our point is that if it is built that way it will be as tight as we would want to get it. And if the gravel is too far over now, then it would have to be moved over. Whether it is now or not, I don't know."

Mr. Borries asked, "So you're saying that it can be done?"

Mr. Kercher responded, "That is why we requested that they submit a plan to us, because I didn't know -- to be honest -- whether it could be done originally, because I had nothing to go by. It was too tight for me to do without a plan. That is why I requested they submit this plan for approval -- because I didn't want to take it upon myself to do that. I had no cross section, no alignment to go by -- and I didn't know what I was inspecting out there."

Mr. Biggerstaff commented, "We realize that will be tight with the 2 ft. shoulder, but that will work. I think we will all work together to see that it is done that way or it won't be accepted. We're not going to sign anything. We're going to follow it along to make sure it is done right and I am sure Gary and David are, too. We don't want any problems."

Commissioner Borries said, "Well, frankly, that may be the best we can get. But I am going to tell you early on that, personally, I have some real concerns here about how -- want to avoid some of the confusion on these specs -- I guess that is what I am saying. What I want to see is some way as development occurs that we begin to insure that if we have to put that in our specs that is the way we need to proceed on that. I think we're to the point of development in this County that we can't go backward; we have to insist upon better standards. We're talking about people who have invested a considerable amount of money here and there are many subdivisions -- in fact, most of them are proceeding with the idea that there are rolled curbs and gutters and some of them are outstanding looking. I mean I can show some to you up in the McCutchanville area that look like a national park. When you go in there and have those asphalt streets and have rolled curb and gutter, they are outstanding looking. And that is what I want to see this County develop. I think the sooner we can proceed to, you know, include those specs as part of what we need to insure -- the better off we are. At this point I don't see that we have any options."

Commissioner Hunter asked, "Mrs. Birks, didn't you tell me during our phone conversation some months ago that the drainage plans had been lost on this?"

Mrs. Birks responded, "This is what Gary said -- that he could not find them. I talked with the County Surveyor and they could not find them."

Mr. Kercher said, "I've got minutes of the Drainage Board meeting that addresses the pipe that is to the north actually of Mrs. Birks' property. It referred to a set of plans and they were approved -- but we have not found a signed copy of the drainage plan anywhere."

Mr. Borries asked, "Shouldn't the Surveyor's office have that?"

Mr. Kercher replied, "They haven't been able to find them either. That was the first problem we ran into."

Mr. Biggerstaff said, "We didn't have a copy because we had submitted our milar. We should have run a copy; but throughout with the confusion of the whole thing and Mr. Jeffers' leaving, etc. -- we've contacted them for months trying to find the drainage plan and all we could come up with was the minutes. But in order to take it to the Area Plan Commission the drainage plans would have had to be approved, or we couldn't take it to the APC."

Commissioner Borries said, "You're right, Mr. Burks, we do need to get our act together -- I hope we can restructure this department to consider matters like this to focus in on engineering kinds of things as they develop and work with groups like this. Hopefully, we can do this -- and that is no reflection on Dave Savage. He's been a very hard worker and I don't want to imply that is the case. But this has been a longstanding kind of thing and hopefully we can get some clear lines -- inspection is something we need. But, again, I want to emphasize from my personal standpoint that I want to see stricter standards."

Commissioner Hunter said, "No reflection on Gary, either. You know, it's tough to go out there when you don't even have a drainage plan."

Commissioner Borries asked, "What is the feeling of the Board? I guess we have a recommendation. Will this plan work? We will inspect it as it goes in? What is your feeling?"

Commissioner Hunter said he will go with whatever Gary Kercher and Dave Savage think at this point. We have no drainage plan. We're not sure whether the road is on somebody's property.

Mr. Borries asked, "Who developed the drainage plan?"

Mrs. Birks said, "My question was that if I take the measurements from pins that Bernardin-Lochmueller put in, when they were saying what they were submitting, it did not seem they were 10 ft. away."

Mr. Borries interjected, "If we insure that we are going to construct the road according to the current plan can you folks..."

Mrs. Birks said, "I have no problem with that at all. When Dave said it was supposed to be 10 ft. away, I just said that wasn't the way it is today."

In response to comments from Mrs. White that their only concern is that if the road is put in the way it is on the plans whether the County will accept it and maintain it.

Mr. Borries said, "As long as we have the right-of-way and there is no confusion on that. And, as long as these gentlemen recommend at this point -- again, we can't grandfather something here if we don't have the specs for it. But, again, I'm calling for some stricter standards on some of this -- because we go through this all the time. It won't be the last time, I assure you. Maybe we need to develop a check list. It seems to me that if the Surveyor gets these drainage plans there ought to be some groups -- at least the Engineer's office and the Surveyor's office -- somebody is signing off on this ..."

Mr. Savage said, "Gary has put a lot of effort in the last three months on a short list of changes that could be implemented for all developers that include signed copies of drainage plans to us; it includes no review of the plans until they are complete and submitted to us; and some other things that we will be bringing to

you -- probably shortly after John comes -- for discussion. That will eliminate a lot of this."

Commissioner Borries thanked Mr. Savage. He continued by saying he does have a question. In the minutes of July 16, 1990, we're talking Autumn Hills. On our agenda here we have Audubon. Which is it?

Mr. Kercher confirmed it is Autumn Hills -- A-U-T-U-M-N.

Mr. Borries asked for a recommendation or motion that the street plans be approved at the recommendation of Mr. Savage.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the street construction plans were approved at the recommendation of Mr. Savage. So ordered. Commissioner Borries thanked everyone involved for their patience.

Mt. Ashley: Mr. Kercher said the next thing we need to discuss is Mt. Ashley and it has not gone to drainage approval. The drainage approval will be based on the cross section they have.

Mr. Borries said he wants drainage approval before the Commissioners consider the roads.

Volkman Rd.: Mr. Kercher said we have three (3) structures out there that need to be replaced and they were looking at trying to put a bridge in there instead. They have gone through a series of DNR and Army Corps of Engineers, IDEM and Soil Conservation and talked to as many people as they could and tried to get a plan together. We can put a bridge up there if we want and combine two structures into one, but the price to do that -- and that probably would be the ideal situation and we could realign the road, because it does jog or dog leg there a bit -- but to replace both culverts with one structure is going to cost a little over \$176,000. If we go ahead and replace both culverts at the same location, which is probably the easiest way to do it and realign the road, it is \$112,000.

Commissioner Borries said that is what he wants to do.

Mr. Kercher continued, "I kind of thought that is what you'd want to do -- I just wanted to make sure that is how you wanted to proceed, because I think a lot of people thought they were going to get a single structure out there and we just can't do it."

Mr. Borries said he thinks we can realign the road and stay within the right-of-way.

Mr. Kercher continued, "We'll proceed with two separate structures. One will still be a bridge, but it will be a small one. We've got to get back into the other culvert to realign the road properly, so we're just going to go ahead and do that at the same time."

Mr. Borries said, "I would not want to see the double pipe in there."

Mr. Kercher stated, "The double pipe is coming out -- Valerie Harry from my office is working on this and we're going to put a nice sized structure in there; it is either going to be a very large single barrel arch or a small single span bridge."

Mr. Hunter asked if the existing old bridge to the south needs any kind of renovation?

Mr. Kercher said the one to the south is about an 8 ft. x 8 ft. culvert and the problem is the headwalls are too narrow. In order to realign the road we have to get into that culvert slightly and remove one of the headwalls. When we do that we might destroy the

integrity of it, plus it's got some sediment problems. We thought we'd go ahead and remove that one at that same time and replace that with a comparable culvert and widen the road out to where it will probably be at least 23 ft. between guard rails.

RE: CONSENT AGENDA

Termination of Contractual Services/Norris Robinson: Commissioner Borries entertained questions concerning the Consent Agenda. There were none. Mr. Borries noted that with regard to the claim for Mr. Norris Robinson, after consulting with the Agent of Record, Mr. Robinson's services will at this point be taken over by that particular Agent of Record. As of January 7th he has fulfilled his contractual duties and this will fulfill obligations that the County will have had for Mr. Robinson at this point.

County Treasurer's Monthly Report/November: This item is to be added under the Consent Agenda.

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

RE: OLD BUSINESS

DFAS Project/Public Hearing: President Borries noted he has a letter from Ms. Leslie Blenner, City Controller, concerning the DFAS project and specifically as it pertains to this Board next week for a special Public Hearing beginning at 5:30 p.m. on Monday, January 18th in Room 301 (Council Chambers) to approve the future execution of a lease, sub-lease and incentive agreements. There are other aspects the County Commission may consider; a Capital Improvement Plan for the Economic Development Tax, petition the State Tax Commission to approve the execution of a lease. There will be other meetings scheduled immediately after ours to consider other aspects. This bill was approved through the House Ways & Means Committee last week on Friday, January 8th, and will now be considered by the full House during this coming week beginning January 11th. He would not expect any opposition to that at this point. He would urge this Board -- and perhaps our neighboring Commissions -- that as this bill proceeds through the Indiana Senate that those Senators also approve what has been proposed to the Indiana Legislature. The Governor has indicated he will sign it pending, of course, approval of both houses. It now goes to the Senate and we expect full approval. But, certainly, those of us who know our Senators from this County (Senator Server, Senator O'Day) -- he would urge each Commissioner to contact our State Senators to urge their approval for this.

Taxes Owed & Due: Mr. Borries said this item was brought to the Commission office indicating the Auditor will not remove these taxes and stating it is not clear why the County owns this. Property was transferred to the County 11/9/90 for property located at 1702-1704 S. Garvin Street. Apparently there is some confusion as to why this property is owned by the County.

Auditor Humphrey said that might be one a man bought at a tax sale and then deeded it back to us -- and we don't have to take it. He tried to deed it to the City and they didn't want it. He will take this and try to check this out. (Watez Phelps) Similar situations have come up two or three times; they buy something and don't want it and then they give it to the County. This deed apparently took it out of his name and put it in the County's name. Again, he will check this out. This is the first time he's seen this one.

Amended Resolution/Commission Meetings: Commissioner Borries said he has an Amended Resolution to exclude the Drainage Board and the Solid Waste Management District. The Solid Waste Management District has been established. The Commissioners are members, but no longer have control over that Board, so that Board sets their

own meeting dates and times. The Amended Resolution indicates the Commissioners meet on the first, second, third, fourth and fifth Mondays of each month at 5:30 p.m., with Rezoning Petitions being heard beginning at 7:00 p.m. on the third Monday of the month. A separate Resolution will officially be adopted by the Drainage Board when they meet, which indicates they will meet once a month on the fourth Monday immediately following the Commission meeting.

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

Agreement w/D. W. Griffith & Associates: Mr. Borries said one other item is a contract with D. W. Griffith & Associates regarding the County's cost allocation plan. This is a longstanding contract. This enables the County to be reimbursed for costs re food stamps, AFDC, Medicaid, Child Support, etc. Otherwise we would not be able to be reimbursed for these costs in the future. There is no change in the fee schedule over 1992 and the amount is \$13,125.00. What is returned to this County far exceeds that amount.

Auditor Humphrey said he believes it was something like \$106,000 last year. He would suggest they get involved with the Health Department. We can get administrative costs back for that. He will call D. W. Griffith about that.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the contract was approved and signed. So ordered.

Full Circle Services, Inc.: Mr. Borries said that at some point last year a group named Full Circle Services, Inc., and the Commission signed an agreement on September 28th authorizing them to recover some \$12,000. We've never heard anything else from them. He would ask Mark Abell to follow up to see if we know anything about this group.

Mr. Abell said they did send a letter to him -- probably a week ago -- stating that -- he believes that is three checks we'd written some time in the past five years that were never cashed. So this company finds those types of things and then for a 30% fee or something.. that was the thrust of what they were trying to do. He guessesif we get money back, they get paid

Mr. Humphrey said if it was lost checks, we probably paid those checks a second time. Or, they may have paid us. In our audit they audit all the outstanding checks and all the outstanding bills -- we never had one short because of a dead check. Mr. Humphrey said he has questioned this outfit ever since it came up.

Bridge Inspection:/Bernardin-Lochmuller: It was noted by Mr. Borries that we received some information back on Bridge No. 2 on Nesbit Station Rd. over Big Creek. The purpose of this letter (from James R. Gulick, P.E., Chief of Design/Bernardin-Lochmuller & Associates) is to clarify some points previously given. (Copy of letter attached hereto to the minutes, which is self-explanatory). In conclusion, he says that, "As mentioned before, this rating is not to be construed as indicating a probable collapse, but rather indicates that a deferred remedial action can lead to the eventual failure of these beams. It was our opinion that a rating of 4 indicates a marginal condition that might not be addressed. The rating of 3 provides emphasis that remedial action is necessary. It is our understanding that remedial action is being taken. Once the problem is corrected we will again inspect the bridge and revise our structure inventory appraisal report. We view this as normal operating procedure under the Bridge Inspection Program, whose goal it is to inspect the safety of all bridges and propose remedial action that will insure a long and useful life of these bridges. Thank you again for the opportunity to set the record straight and offer my impressions of the bridge inspection program.

All parties, including the County Engineer and Contractor have expressed a willingness to cooperate in the correction of these problems for the betterment of the voters of Vanderburgh County." Mr. Borries said he wanted to enter this into the record at this time. He then entertained further matters of Old Business to come before the Board. There was none.

RE: NEW BUSINESS

Executive Session: Commissioner Tuley stated he has a conflict with Thursday night's scheduled Executive Session. If possible, he would request the meeting be rescheduled for next Tuesday, January 19th, prior to the regularly scheduled Commission Meeting.

Mr. Borries explained this was the Executive Session previously advertised for Thursday, January 14th for purposes of discussing employment matters.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Executive Session scheduled for Thursday, January 14th, was canceled.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Executive Session was rescheduled at 5:00 p.m. on Tuesday, January 19th. So ordered.

DMD/Emergency Home Repair Program: Commissioner Borries said he has a memorandum from Mike Robling, Deputy Executive Director of DMD, concerning the Emergency Home Repair Program. (Mr. Borries then read the letter into the record -- copy attached hereto.)

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the nine (9) mortgage releases were executed, to be returned to DMD for notarizing, etc. So ordered.

Rezoning: Mr. Borries said there is a correction to be made on the meeting agenda. The agenda reflects rezonings will be heard on Tuesday, January 19th, at 7:30 p.m. As per the approved Resolution, this should be changed to read 7:00 p.m.

President Borries entertained other matters of New Business to come before the Board. There being none, he declared the meeting adjourned at 8:10 p.m.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey/Auditor
Alan M. Kissinger/County Attorney
John Stull/County Engineer
Dave Savage
Gary Kercher
Susan Jeffries/Purchasing Dept.
Michael S. Kleuh, Alexander Ambulance
Tom Alexander, Alexander Ambulance
Marian Spinks/Alexander Ambulance
Erv Leifolf, BFI
Jerry Evans, attorney
Tina Kern/Kern Bros. Office Systems
Dennis E. Skinner/Midwest Telecom
Frank Nolte/Service Telecom Corp.
Pam Dietrich/Service Telecom Corp.
Dwight Lee/Perry Township Appeal
Jane Pfender/Perry Township Appeal
Norman "Red" Mosby/Perry Township Trustee
Marvaline Prince/Legal Services Organization
Roger Lehman/Bulding Commissioner

COMMISSION MEETING
January 11, 1993

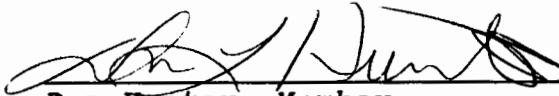
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Stephan Woodall/Sheriff's Dept.
Eric Wills/Sheriff's Dept.
A. S. Birks/Autumn Hills Resident
Mrs. Joan Birks/Autumn Hills Resident
Sheri White/Autumn Hills Resident
Randy Miller/South Western Communications
Mike Winkler/South Western Communications
Dewey Burden/Autumn Hills I
Vicky Gillum/Smith & Butterfield
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member

MINUTES
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
SPECIAL MEETING

RE
ORDER TO ADOPT A CAPITAL IMPROVEMENT PLAN
AND ORDER REGARDING APPROVAL OF A LEASE,
SUBLEASE AND INCENTIVE AGREEMENT FOR
FINANCING A DEFENSE DEPARTMENT FINANCE CENTER
JANUARY 18, 1993

The Vanderburgh County Board of Commissioners held a special meeting on Monday, January 18, 1993 for purposes of conducting a Public Hearing with regard to the subject Agreements at which members of the public were given the opportunity to express their views, and to adopt the subject Orders of the Board.

President Richard J. Borries called the meeting to order at 8:00 p.m., introduced himself, Vice President Pat Tuley, and Commissioner Don Hunter. He instructed the secretary, Joanne Matthews, to let the record show that a quorum is present.

RE: ORDER RE CAPITAL IMPROVEMENT PLAN

Commissioner Borries said the first order of business as the County Executive, which does have Legislative Powers, is to enact a Capital Improvement Plan that will support what the previous Taxing Councils have now unanimously adopted. At this time if there is any discussion on the Capital Improvement Plan, which very briefly says to finance, construct, improve, equip, operate and maintain a government building in the County to be subleased to the Federal Government or an agency or department thereof -- that is the Capital Improvement Plan and that is what these Taxing Councils have indicated will be the use for the EDIT and the Food & Beverage Tax. Mr. Borries subsequently asked for comments from the Commission.

Commissioner Hunter said he has one concern and that is on the source of funding for this. We've been told a couple of times this evening that property taxes will not be used. However, Leslie, I'm reading here (Page 2, Exhibit A, Economic Development Income Tax Capital Improvement Plan, Vanderburgh County) "and other available revenues and may be paid from property taxes under IC 36-9-13 and -13.1, if necessary."

Ms. Blenner responded, "That is referring to a property tax pledge that is on the bonds and that comes into play if the Economic Development Tax and the Food & Beverage Tax and the State revenues and other revenues that are going to be used to fund this project would fall short. Then, when the bonds are sold there is a property tax pledge placed on them that would pick up. Your bonds are rated higher and your interest costs are lower if you use that property tax back-up."

Commissioner Hunter asked, "So we are saying that if all else fails, we will go back to property taxes to pay for this project?"

Ms. Blenner replied, "Yes, it is an option. But, again, the numbers we are running at this time which have conservative cost projections built into them on the revenue side and liberal cost projections built into them on the expenditure side, do not show that we ever need that -- property taxes."

Mr. Hunter asked, "There is no way this can be deleted?"

Ms. Blenner stated, "Again, if you delete it, your bonds will be rated lower and your interest cost will likely be higher -- so it is best to leave it."

Commissioner Borries said, "Thank you, Leslie. Mr. Downs?"

Mr. Buddy Downs of Ice, Miller, Donadio, & Ryan, attorneys on these matters, stated, as follows: "Yes, the existing statute for building authorities requires at least a back-up. It does not give an option. So that was the law that was in place when we were first contacted about this transaction. So every Building Authority in the State, whether or not they ever intend to pay their bonds with property tax back-up, that has been in place."

Commissioner Hunter asked, "So the back-up is, that if all else fails the good old property tax gets it? Is that right?"

Mr. Downs responded, "Yes, Sir."

Mr. Hunter said, "Okay. Thank you."

President Borries entertained further questions. There being none, he directed a question to Ms. Blenner, City Controller, "Is it a fact that just as you pointed out, in order to maybe ease Commissioner Hunter's fears here, that the Food & Beverage Tax, for example, has generated so much revenue at this point that the Airport bonds will be retired earlier?"

Ms. Blenner responded, "The Airport bonds are being retired earlier than originally projected -- in 1996, and that is earlier than originally projected."

Mr. Borries asked, "So just as you point out -- in other words, this is a conservative estimate and that, in fact, these bonds could be retired by additional revenue and even earlier than projected?"

Ms. Blenner responded, "That is a possibility."

Mr. Borries thanked Ms. Blenner and entertained further discussion on this item. There being none, a motion was entertained.

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

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

RE: ORDER OF THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY
REGARDING APPROVAL OF A LEASE, SUBLEASE AND INCENTIVE
AGREEMENT FOR FINANCING A DEFENSE DEPARTMENT FINANCE CENTER

President Borries said he will not read the resolution again. This has all been read verbatim by the previous Taxing Councils. However, he will ask at this time if there are any persons who have petitions from fifty (50) taxpayers whose tax rate would be affected by this lease and who would be of the opinion that there would be no necessity for the lease or that this estimated maximum cost, term or leased rentals would not be fair and reasonable. Is there anyone in the audience who would have such a petition.

Commissioner Borries asked again, "Is there anyone in the audience who would have a petition signed by fifty (50) taxpayers? Again, let me also emphasize that this is not projected to impact the property tax rate, so as a result of this is there anyone who has a petition of fifty (50) taxpayers who would have some concerns concerning their property tax rate at this time?"

Hearing no objection and there being no taxpayers coming forth with a petition, President Borries entertained a motion to adopt this Order of the Board which, again, then would allow the Evansville-Vanderburgh Building Authority to engage in a lease with the

Department of Defense.

Motion to approve the Order as presented to the Board was made by Commissioner Tuley, with a second from Commissioner Hunter.

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

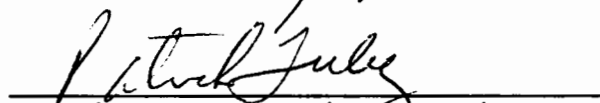
In conclusion, at 8:10 p.m. President Borries said that since this is a Special Meeting advertised only for the business that has just been made available here to the public, he does hereby declare said meeting now recessed.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, County Auditor
Leslie Blenner, City Controller
Buddy Downs, Ice, Miller, Donadio & Ryan
Other City/County Officials
Members of the Public-at-Large
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President

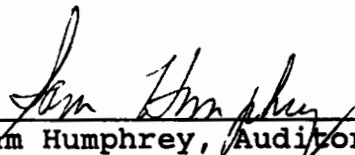

Patrick Tuley, Vice President


Don Hunter, Member

C E R T I F I C A T I O N

THIS IS TO CERTIFY that the attached is a true copy of an
Order of the Board of Commissioners of Vanderburgh County
to Adopt a Capital Improvement Plan Pursuant to IC 6-3.5-7.

APPROVED on January 18, 1993 by unanimous vote and is
currently on file in the Office of the Auditor of
Vanderburgh County, Indiana.

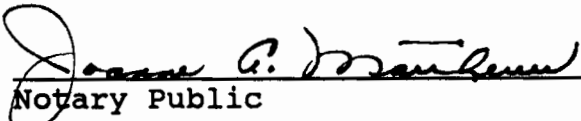


Sam Humphrey, Auditor
Vanderburgh County, Indiana

STATE OF INDIANA)
) ss:
COUNTY OF VANDERBURGH

Subscribed and sworn to before me, a Notary Public,

this 18th day of January, 1993.



Joanne A. Matthews
Notary Public

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

ORDER NO. _____
OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY, INDIANA

An Order to Adopt a
Capital Improvement Plan
Pursuant to IC 6-3.5-7

WHEREAS, the Indiana General Assembly has authorized counties to impose a county economic development income tax ("EDIT") on the adjusted gross income of county taxpayers, in accordance with IC 6-3.5-7 ("Act");

WHEREAS, the Vanderburgh County Income Tax Council has adopted an ordinance imposing the EDIT in Vanderburgh County (the "County") at a rate of .25%;

WHEREAS, in a county such as the County that has enacted the county option income tax ("COIT"), the sum of the COIT rate and the EDIT rate may not exceed 1.0%;

WHEREAS, COIT is currently imposed in the County at a rate of 1.0%;

WHEREAS, the Board of Commissioners intends that this order shall be effective, as of the date it is adopted, only upon the enactment by the General Assembly of legislation ("Legislation") permitting the maximum combined rate of COIT and EDIT in the County to increase to 1.25%;

WHEREAS, the Act provides that the County must adopt a capital improvement plan in order to receive the certified distribution of revenues from EDIT;

WHEREAS, the Board of Commissioners has caused to be prepared a capital improvement plan for the use of the EDIT attached hereto as Exhibit A (the "Plan");

WHEREAS, the County now desires to use all of the EDIT deposited in the defense project fund established by the Legislation to finance the acquisition, construction, equipping, operation and maintenance of a Department of Defense finance center to be located in the County, as authorized by the Legislation (the "Project");

WHEREAS, the County may use all of the EDIT deposited in the defense project fund established by the Legislation to finance economic development projects as defined in the Act through lease financings; and

WHEREAS, the Board of Commissioners finds that the Project would be a major business enterprise for the County and would promote significant opportunities for the gainful employment of its citizens because the Project is expected to employ at least 3,000 people;

NOW, THEREFORE BE IT ORDERED by the Board of Commissioners of Vanderburgh County, Indiana, that:

1. The County hereby finds that the Project is an economic development project under the Act because it is expected to employ at least 3,000 people.
2. The Plan is hereby adopted.
3. This order shall be effective, as of the date it is adopted, only upon the enactment by the General Assembly of the Legislation.

Adopted this 18th day of January, 1993.

THE BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY

Richard L. Rick Barnes
Commissioner

Patricia J. Jule
Commissioner

[Signature]
Commissioner

Attest:

Sam Humphrey
Sam Humphrey
Auditor

(SEAL)

EXHIBIT A

ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN VANDERBURGH COUNTY

Introduction

This document is the Capital Improvement Plan ("Plan") for Vanderburgh County, Indiana ("County"). It is intended for adoption by the Board of Commissioners of the County ("Commissioners") in conformance with IC 6-3.5-7.

Term

The term of the Plan is thirty-five (35) years from the date of its adoption.

Plan Objectives

IC 6-3.5-7 requires the adoption of the Plan by the Commissioners before the County may receive its certified distribution of revenues from the Vanderburgh County Economic Development Income Tax ("EDIT"). The Plan must specify the uses for which the County proposes to use EDIT revenues.

Use of EDIT Revenues

Legislation under consideration by the General Assembly ("Legislation") would require that EDIT revenues shall be deposited in the defense project fund (which shall be considered the County's economic development fund for purposes of IC 6-3.5-7) and used only for the following purposes:

- (1) to finance, construct, improve, equip, operate, and maintain a government building in the County to be subleased to the federal government or an agency or department thereof ("federal government"); and
- (2) to make lease payments under IC 36-9-13 to finance, improve, operate, and maintain a government building in the County to be subleased to the federal government.

Description of Economic Development Project ("Project")

General Description - Acquisition, construction and equipping of a building to be subleased to the federal government for a defense department finance center.

Estimated Total Cost - \$80,000,000

Sources of Funding - Bonds issued by the Evansville-Vanderburgh Building Authority, which will be payable from lease rentals paid by the County and other available funds including State funds. Lease rentals will be paid from EDIT, the Vanderburgh County Food and Beverage Tax (after payment of the Evansville-Vanderburgh Airport Authority Bonds) and other available revenues and may be paid from property taxes under IC 36-9-13 and -13.1, if necessary.

Planning, Development and Construction Schedule - It is anticipated that the Project will be completed by the end of 1995.

Seventy-five Percent (75%) Test

In accordance with IC 6-3.5-7-15, the Plan incorporates a Project the cost of which is at least seventy-five percent (75%) of the certified distribution the County expects to receive during the term of the Plan. The Project is expected to use all of the EDIT in the County pursuant to the Legislation.

Percentage of EDIT allocated to the Project for the term of the Plan: 100%.

**EVANSVILLE-VANDEBURGH COUNTY
MEMORANDUM REGARDING FINANCING FOR
DEFENSE DEPARTMENT PROJECT**

Purpose. The purpose of this memorandum is to describe the mechanism to be undertaken by the City of Evansville ("City"), Vanderburgh County ("County") and the Evansville-Vanderburgh County Building Authority ("Building Authority") to finance and operate a defense department finance center in Vanderburgh County ("Project") to be used by the federal government or a department or agency thereof ("Federal Government"). The Project is expected to be located at Cross Pointe.

Structure. The Building Authority will construct, operate and maintain the Project. The Building Authority will lease the Project to the County, which will sublease it to the Federal Government.

Agreements. To accomplish the financing and incentive package, the County and the Building Authority will enter into a lease to provide for the financing of the Project ("Lease"). The County and the Federal Government would enter into a sublease ("Sublease") under which the Project would be leased by the County to the Federal Government. In addition, the County and the Federal Government may enter into an incentive agreement covering additional terms of the agreement between the Federal Government and the County relating to the use and operation of the Project. The City of Evansville, the State of Indiana and other counties may also join in the incentive agreement. The Lease, the Sublease and any incentive agreement are referred to collectively as the "Agreements."

Source of Payment of Lease Rentals. The County will pay lease rentals to the Building Authority from revenues of a County Economic Development Income Tax, revenues of the County Food and Beverage Tax (after retirement of the bonds issued by the Evansville-Vanderburgh Airport Authority) and other available funds. If these sources are not sufficient, the payment of the lease rentals will be further secured by a County-wide property tax levy. State funds may be available to pay a portion of the Project costs, including lease rentals. Lease rentals will be used to pay debt service on bonds to be issued by the Building Authority and for operation and maintenance expenses for the Project.

Estimated Maximum Term of Agreements. The maximum term of the Agreements is not expected to exceed 35 years.

Estimated Maximum Annual Lease Rentals. The estimated maximum lease rental is \$9,300,000 in 1993 dollars. Lease rentals attributable to the operation and maintenance of the Project will be adjusted periodically for inflation.

Estimated Maximum Cost of the Project. The estimated maximum cost of the Project is \$80,000,000.

Additional Provisions. The Agreements may also provide for, among other things, a timetable for construction of the Project, a procedure for entering into construction contracts, conditions for proceeding with the Project, provisions for insurance or condemnation of the Project, conditions for payment of lease rentals, covenants regarding the pledge of revenues and property taxes to pay lease rentals, and obligations of the Federal Government with respect to providing economic benefits.

Dated January 7, 1993

City of Evansville
Vanderburgh County
Evansville-Vanderburgh County Building Authority



AP photo

er, Ariz., poses with
to cutouts of former
Elvis Presley at the
place at Yorba Linda,
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y. Visitors can have
th the cutouts.

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ity rate at 9.2 deaths per
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ed States.

and New York and easily
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a second temple to serve
t, a church spokesman in
details have been an-
ic site of the temple or
st may run as high as \$20

n Jeb Bush home

broke into the home of
over the Christmas holi-
diamond necklace, police
ged to Jeb Bush's wife,
oning with her husband
the president and first

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also stole a \$2,000 gold
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eper.



Looking
for ways
to stretch
your
dollars?



Check
out the
bargains
in the
Courier &

NOTICES

4 LEGALS

NOTICE OF SHERIFF'S SALE ON DECREE IN MORTGAGE FORECLOSURE SUIT AND SERVICE OF NOTICE OF OWNERS OF REAL ESTATE SHERIFF SALE #2142 TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE.

RANDALL W. BIGGS AND JACQUELYN R. BIGGS AND ALL OTHER INTERESTED PARTIES:
BY VIRTUE OF a certified copy of a Decree of Foreclosure to me directed by the Clerk of the Superior Court, Vanderburgh County, Indiana, in a certain cause bearing No. 82DO3-8208-CP-1888 upon the docket of the Superior Court, Vanderburgh County, Indiana, wherein Federal National Mortgage Association, as assignee of The National City Bank of Evansville is plaintiff and Randall W. Biggs and Jacquelyn R. Biggs are the defendants, rendering judgment against the defendants, Randall W. Biggs and Jacquelyn R. Biggs and in favor of plaintiff in the sum of Thirty-one Thousand Six Hundred and 44/100 Dollars (\$31,608.44), plus costs and accruing costs, ordering me to sell the following described real estate and to apply the proceeds of said sale, to the extent necessary, to the payment of said judgment, costs and accruing costs, and to account for the balance to whomsoever is lawfully entitled, and having served notice of this sale upon the mortgagors pursuant to the provisions of Indiana Code 32-8-16-1, I will expose for sale at public auction to the highest bidder on February 3, 1993, at the hour of 10:15 A.M. on said date at the Office of the Sheriff of Vanderburgh County, in Evansville, Indiana, the real estate, together with the rents, issues, income and profits thereof located in Vanderburgh County, Indiana, and described as follows, to-wit:

(LEGAL DESCRIPTION)
Lots Three (3) and Four (4) in Cody's Subdivision of Block 90 in Lamesa, a part of the City of Evansville, as per plat thereof, recorded in Plat Book A, page 23 and transcribed of record in Plat Book E, page 57 in the office of the Recorder of Vanderburgh County, Indiana.
(Commonly known as 512-514 N. Third Ave., Evansville, IN)

This notice shall also represent service by notice of sale of the above described real estate upon the owners Randall W. Biggs and Jacquelyn R. Biggs pursuant to the requirement of I.C. 32-8-16-1. Said sale will be made without any relief whatsoever from valuation and appraisal laws, and for cash. The undersigned Sheriff of Vanderburgh County, Indiana, will issue to the purchaser of said real estate a Sheriff's Deed for said real estate as by law provided under Chapter 90 of the Acts of the General Assembly of the State of Indiana for 1931, as amended.

DATED this 14th day of December, 1992.
Ray Hamner, Sheriff, Vanderburgh County
Marlin R. Rediff
KAHN, DEES, DONOVAN & KAHN
308 Union Federal Building
P.O. Box 3646
Evansville, Indiana 47735-3646
Telephone: (812) 423-3183
Plaintiff's Attorney
(Courier Jan. 8, 16 & 22, 1993)

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phone to pickup those
messages whenever it is
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424-9091

STATE OF INDIANA
COUNTY OF VANDERBURGH
\$5 IN THE VANDERBURGH
SUPERIOR COURT
CAUSE NUMBER
82DO49301DR2
IN RE THE MARRIAGE OF
Virginia L. Oke

4 LEGALS

Evansville, Indiana 47712.
Together with rents, issues,
income, and profits thereof,
said sale will be made with-
out relief from valuation or
appraisal laws.
Ray Hamner, Sheriff
Vanderburgh County
Knight Township
3800 Frisbie
Street Address
Stephen K. Andrews
Plaintiff Attorney
September 29, 1992
2140
Sheriff's File Number
(Courier Jan. 8, 16 & 22,
1993)

6 LEGALS

LEGAL NOTICE OF PUBLIC HEARING
INDIANA UTILITY REGU-
LATORY COMMISSION, DOCK-
ET NO. 39526

IN THE MATTER OF THE PETI-
TION OF CHERRY COMMUNI-
CATIONS, A DIVISION OF
CHERRY PAYMENT SYS-
TEMS, INC. FOR A CERTIFI-
CATE OF TERRITORIAL ADJU-
STMENT TO PROVIDE
ALTERNATE OPERATOR SER-
VICES WITHIN THE STATE
OF INDIANA.

Notice is hereby given that
the Indiana Utility Regulatory
Commission will conduct a
public Evidentiary Hearing in
the above-captioned Cause
in Room E308 in the Indiana
Government Center South,
Indianapolis, Indiana, com-
mencing at 1:30 P.M., EST,
on JANUARY 19, 1993. This
hearing is open to public.

INDIANA UTILITY REGU-
LATORY COMMISSION
RUTH ANN TOWNSEND,
SECRETARY
(317) 232-2701 (GC)
DATE: December 28, 1992
(Courier & Press Jan. 8,
1993)

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN BY
the Board of Zoning Appeals
of Evansville and Vander-
burgh County of a public
hearing to be held Thursday,
January 21, 1993 at 4:00
P.M. in the City Council
Chambers, Room 301, Third
Floor, Civic Center Complex,
Administration Building, Ev-
ansville, Indiana. The pur-
pose of this hearing is for the
Board of Zoning Appeals to
grant or deny the following
variance requests:

Docket No. 93-1 BZA Appli-
cant: Alvey's Sign Company
Premises affected: (Complete
legal on file.) More commonly
known as 2922 Broadway
Avenue, Nature of Case: Ap-
plicant requests relaxation of
maximum number of signs
from 3 to 4.

Docket No. 93-2 BZA Appli-
cant: Michael and Frances
Harp Premises affected:
(Complete legal on file.) More
commonly known as 3912
Western Avenue, Nature of
Case: Applicant requests re-
laxation of distance between
main and accessory build-
ings from 10 feet to 5 feet for
residential addition.

Docket No. 93-3 BZA Appli-
cant: Ken Kuester Premises
affected: (Complete legal on
file.) More commonly known
as 3101 Old Henderson
Road, Nature of Case: Ap-
plicant requests relaxation of
zoning code requirement to
allow accessory structures
larger than the house.
Docket No. 93-4 BZA Appli-
cant: Evansville Association
for Retarded Citizens Pre-
mises affected: (Complete
legal on file.) More commonly
known as 815 W. Virginia
Street, Nature of Case: Ap-
plicant requests relaxation of
front yard setback from 20
feet to 0 feet and side yard
from 10 feet to 0 feet for
parking lot.

Docket No. 93-5 BZA Appli-
cant: The Farm Corporation,
Inc. Premises affected: (Com-
plete legal on file.) More
commonly known as 515 E. Cher-
ry Street, Nature of Case:
Applicant requests relaxation
of setback requirement to
allow accessory structures to
setback from 2.6 feet to 2.5
feet and relaxation of parking
requirements from 4 to 2
spaces to allow residential
addition converting resi-
dence to a duplex.
Information thereon is on file
in the office of the Area Plan
Commissioner of Evansville
and Vanderburgh County,
Room 312, Civic Center Com-
plex, Administration Build-
ing, Evansville, Indiana. The
purpose of this hearing is for
the Board of Zoning Appeals
to grant or deny the following
special use requests:

Docket No. 1-51 APC Appli-
cant: Michael and Dawn
Durchholz Premises affected:
(Complete legal on file.) More
commonly known as 2507 E.
Mission Street, Nature of
Case: Applicant requests a
special use facility.

Docket No. 2-21 APC Appli-
cant: Robert W. Brennan, Pre-
mises affected: (Complete
legal on file.) More commonly
known as 1201 N. Kentucky

LEGAL NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN BY
the Board of Zoning Appeals
of Evansville and Vander-
burgh County of a public
hearing to be held Thursday,
January 21, 1993 at 4:00
P.M. in the City Council
Chambers, Room 301, Third
Floor, Civic Center Complex,
Administration Building, Ev-
ansville, Indiana. The pur-
pose of this hearing is for the
Board of Zoning Appeals to
grant or deny the following
special use requests:

6 LEGALS

WHEREAS, COIT is currently
imposed at a rate of 1.0%
and the Act currently im-
poses a limit of 1.0% on the
combined rate of COIT and
EDIT; and

WHEREAS, the Evansville
Common Council intends
that this resolution and the
proposed ordinance shall be
effective, as of the date it is
adopted, only upon the enact-
ment by the General Assem-
bly of legislation permitting
the maximum combined rate
of COIT and EDIT in the Coun-
ty to increase to 1.25%.

NOW, THEREFORE, BE IT RE-
SOLVED BY THE EVANSVILLE
COMMON COUNCIL THAT:

SECTION 1: The Evansville
Common Council proposes
the adoption of and casts its
78.5 votes for the following
ordinance of the Vander-
burgh County Income Tax
Council:

The Vanderburgh County In-
come Tax Council imposes
the county economic devel-
opment income tax on the
county taxpayers of Vander-
burgh County. The county
economic development in-
come tax is imposed at a rate
of twenty-five hundredths of
one percent (0.25%) on the
county taxpayers of Vander-
burgh County. This tax takes
effect on July 1 of this year.

SECTION 2: This resolution
takes effect, as of the date it is
adopted, upon the enactment
of legislation by the General
Assembly authorizing the re-
peal of EDIT and COIT in
Vanderburgh County at a
combined rate of 1.25%.

EVANSVILLE COMMON COUNCIL
Stephen Melcher, Presiding
Officer
ATTEST
Marsha Abell, Clerk
This resolution is hereby pre-
sented to the Mayor on Janu-
ary 1993.

Marsha Abell, Clerk
This resolution is approved
on January 1993
Frank F. McDonald, II, Mayor
(Courier & Press, Jan. 8,
1993)

NOTICE OF MEETING

VANDERBURGH COUNTY COUNCIL

Notice is hereby given that
the Vanderburgh County
Council will hold a special
meeting on Monday, January
18, 1993, at 6:30 p.m., in
Room 301, Civic Center Com-
plex, One N.W. Martin Luther
King, Jr. Blvd., Evansville,
Indiana.

January 8, 1993
Sam Humphrey
Vanderburgh County Auditor
(Courier & Press Jan. 8,
1993)

NOTICE OF MEETING TO CONSIDER ORDINANCE OF VANDERBURGH COUNTY COUNCIL REGARDING EXTENSION OF FOOD AND BEVERAGE TAX

The Vanderburgh County
Council will meet on Monday,
January 18, 1993, at 6:30
p.m. in Room 301, Civic Cen-
ter Complex, One N.W. Mar-
tin Luther King, Jr. Blvd., Ev-
ansville, Indiana, to consider
an ordinance to extend the
Vanderburgh County Food
and Beverage Tax, the pro-
posed ordinance reads as
follows:

ORDINANCE REGARDING THE EXTENSION OF THE VANDERBURGH COUNTY FOOD AND BEVERAGE TAX FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF A PROPOSED DEFENSE CENTER PROJECT IN VANDERBURGH COUNTY.

WHEREAS, Vanderburgh
County (the "County") and
the City of Evansville, (the
"City") have submitted a pro-
posal to the County for the
construction and operation of a
defense center in the County
(the "Project") and the subse-
quents of the Project to the
federal government or an agency
or department thereof (the
"Federal Government");

WHEREAS, the County Council
has determined that the
Project will promote econom-
ic development in the County
by creating at least 3,000
new jobs and that the County
and the City cannot compete
with the Federal Government
for the Project without govern-
ment involvement;

WHEREAS, the County Council
has enacted the Vander-
burgh County Food and Be-
verage Tax (the "Tax") at an
annual rate of 1% of the
gross retail income received
by retail merchants from food
and beverage transactions
pursuant to IC 6-9-20 (the
"Act");

WHEREAS, the Tax is cur-
rently pledged to the payment
of the Evansville-Vanderburgh
Airport Authority Revenue
Bonds, Series A (the "Airport
Bonds");

WHEREAS, under the Act, the
Tax will expire upon retire-
ment of the Airport Bonds;
WHEREAS, legislation has
been introduced in the Gen-
eral Assembly ("Legislation")
which would permit the ex-
tension of the Tax to pay
lease rentals to finance the
Project which would be sub-
mitted to the Federal Govern-
ment; and

WHEREAS, the County Council
has determined that it is in
the best interest of the Coun-
ty and its residents to extend
the Tax to pay lease rentals to
finance the Project, which
would be submitted to the
Federal Government under
IC 36-9-13.1;

NOW, THEREFORE, BE IT OR-
DAINED BY THE VANDERBURGH
COUNTY COUNCIL THAT:

6 LEGALS

Don Hunter, Member
ATTEST
Sam Humphrey, Auditor
Vanderburgh County,
Indiana
(Courier & Press, Jan. 8,
1993)

NOTICE OF PUBLIC HEARING ON PROPOSED LEASE AND SUBLEASE OF GOVERNMENT BUILDING AND POTENTIAL INCENTIVE AGREEMENT

Notice is hereby given that a
public hearing will be held
before the Board of Commis-
sioners of Vanderburgh
County on Monday, January
18, 1993 at 3:30 P.M. (Evans-
ville time) in Room 301, Civic
Center Complex, One N.W.
Martin Luther King Jr. Blvd.,
Evansville, Indiana 47708,
upon (1) a proposed lease to
be entered into between the
Evansville-Vanderburgh
County Building Authority
("Building Authority") as lessor,
and Vanderburgh County,
as lessee; (2) proposed
sublease to be entered into
between Vanderburgh County,
as lessor, and the federal
government or an agency or
department thereof; and (3) a
potential incentive agree-
ment to be entered into
among the City of Evansville,
Vanderburgh County, other
affected counties, and the
federal government. The
lease, sublease, and incen-
tive agreement (collectively
"Agreements") relate to a
building and related appurte-
nances to be acquired, con-
structed and equipped at a
defended development, which
will be used by the as a fi-
nance center ("Project").

The Mayor of the City of Ev-
ansville has requested the
Building Authority and Van-
derburgh County to bear the
procedures for the financing
of the Project and the approval
of the Agreements.

The proposed Agreements
will be for a term not to ex-
ceed 35 years, commencing
either at the time of the
completion of the Project to
be acquired, constructed and
equipped by the Building Au-
thority or the date set forth in
the particular Agreement.

The maximum annual lease
rental under the lease, sub-
lease, and incentive agree-
ment shall be \$9,300,000 in
1993 dollars, payable in
equal semiannual install-
ments during the term of the
lease, sublease, and incen-
tive agreement. The maximum
cost of the Project will not
exceed \$80,000,000. After the
sale by the Building Authority
of its bonds to pay for the ac-
quisition, construction and
equipping of the Project, in-
cidental expenses, the an-
nual rental shall be reduced
to an amount not to exceed
the multiple of \$1,000 next
higher than the highest sum
of principal and interest due
on any bond ending on a bond
maturity date (bond year) plus
operation and maintenance
expenses and an allowance
for trustee's fees.

A memorandum describing
the Project and the agree-
ments is on file in the office of
the Building Authority, Room
317, Civic Center Complex,
Evansville, Indiana and avail-
able for inspection by the
public during business hours.

At the hearing all interested
persons shall have the right
to be heard upon the Agree-
ments. Following the public
hearing the Board of Commis-
sioners may approve the
future execution of the
Agreements with terms con-
sistent with the memorandum
and the Board of Direc-
tors of the Building Authority
may approve the future ex-
ecution of the lease.

Fifty or more property taxpay-
ers in Vanderburgh County
whose taxes will be affected
by the proposed lease and
who are of the opinion that
there is no necessity for the
lease or that the estimated
maximum cost, term or lease
rentals are not fair and rea-
sonable may file a petition
with the Board of Commis-
sioners and with the State
Board of Tax Commissioners
on or before the date of the
public hearing. The State
Board of Tax Commissioners
shall within 15 days of the
public hearing approve or
reject the future execution of
the lease. If the State Board
of Tax Commissioners does
not act within the 15 day pe-
riod, the future execution of
the lease shall be considered
approved.

The signatures of the taxpay-
ers on the objecting petition
shall be verified by the Coun-
ty Auditor within five days after
the public hearing.

If an objecting petition is not
filed as provided above, the
Board of Commissioners will
petition the State Board of
Tax Commissioners for ap-
proval of the future execution
of the lease. The future ex-
ecution of the lease will be
considered approved unless
the State Board of Tax Com-
missioners acts within fifteen
days after receipt of the peti-
tion for approval.

An action to contest the valid-
ity of the actions taken by the
County, the City of Evansville,
and the Building Authority
must be instituted within ten
days of the public hearing or,
if an appeal is taken to or an
objecting petition is filed with,
the State Board of Tax
Commissioners, within ten
days after the approval, or
deemed approval, of the ac-
tion by the State Board of Tax

second sample to serve church spokesman in tails have been an- site of the temple or may run as high as \$20

Job Bush home

ike into the home of er the Christmas holi- iond necklace, police l to Jeb Bush's wife, ng with her husband e president and first

in Dec. 23 through a stole a \$2,000 gold r. was discovered the r.



AP photo ociety for the Pro- oil-covered shag Shetland Islands. or protection from

1 to contain oil

lands — Gale-force at shut down efforts ill from a wrecked arine habitats and

ng eyes and throats. ng and cling to the nd forced parents to ool and farmers to dents worried about nd ponies, native to s sprayed up to four and livestock. raer, carrying 24.6 oil to Canada, ran ines failed in hurri- eas. The ship's own- ew York, said they ould get to work the holds. But more e forecast for Friday. ublic comment, but he cargo has spilled



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will issue to the purchaser of said real estate a Sheriff's Deed for said real estate as by law provided under Chapter 90 of the Acts of the General Assembly of the State of Indiana for 1931, as amended. DATED this 14th day of December 1992 Ray Hattin, Sheriff, Vanderburgh County Marilyn R. Hattin KAHN, DEES, DUNOVAN & KAHN, 305 Union Federal Building P.O. Box 3648 Evansville, Indiana 47735-3648 Telephone: (812) 423-3183 Plaintiff's Attorney (Courier Jan. 8, 15 & 22, 1993)

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STATE OF INDIANA COUNTY OF VANDERBURGH SUPERIOR COURT CAUSE NUMBER 82DO49301UR2 IN RE THE MARRIAGE OF Virginia L. Oko LAWRENCE OKO PETITION FOR DISSOLUTION OF MARRIAGE Comes now the Petitioner Virginia Oko, and being first duly sworn, respectfully represents to the Court the following: 1. That she resides at 814 Jefferson, Evansville, Indiana, having resided in Vand. County for the past three months and having resided in the State of Indiana for the past six months. 2. That the Respondent Lawrence Oko, resides at unknown. 3. That she is the wife of the Respondent, having been duly married to him on Jan. 16, 1978. 4. That the parties separated on Jan. 17, 1983, having since then lived separately and apart. 5. That no children were born to the marriage, and that none are expected. 6. That the parties have not equaled property and debts during or as a result of their marriage which need to be divided. 7. That there has been an irretrievable breakdown of the marriage. 8. That Petitioner desires to have her former name, Virginia Johnson, restored. Virginia Oko PETITIONER Subscribed and sworn to before me, a Notary Public in the County Vanderburgh, State of Indiana, on this 6th day of January, 1993. James Montgomery NOTARY PUBLIC My Commission Expires: October 28th, 1998 (Courier Jan. 8, 15 & 22, 1993)

TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE AND ALL INTERESTED PARTIES NOTICE OF SHERIFF'S SALE #2140 By virtue of a certified copy of a decree to the directed from the Clerk of the Superior Court of Vanderburgh County, Indiana, in Cause No. 82DO3-9110-CP-1892 wherein Associates Financial Services Company of Indiana, Inc., was Plaintiff and Shirley A. Baker and Union Mortgage Co., Inc., were Defendants, requiring me to make the sum as provided for in said Decree with interest and cost, I will cause to be sold at public sale to the highest bidder, on the 2nd day of February, 1993, at the hour of 10:15 A.M. or as soon thereafter as is possible at the Vanderburgh County Sheriff's Dept., 101 Civic Center Complex, One N.W. Martin Luther King Boulevard, Evansville, Indiana 47708, the fee simple of the whole body of Real Estate in Vanderburgh County, Indiana, One Hundred Twenty Two (122) in the replat of Lots 113 through 123 in Lynnview Section "C", an Addition to the City of Evansville, Indiana, according to the recorded plat thereof as recorded in Plat Record "K", Page 202 in the Office of the Recorder of Vanderburgh County, Indiana. More commonly known as

affected: (Complete legal on file.) More commonly known as 3101 Old Henderson Road. Nature of Case: Applicant requests relaxation of zoning code requirements to allow accessory structures larger than the house. Docket No: 93-4-82A Applicant: Evansville Association for Retarded Citizens Premises affected: (Complete legal on file.) More commonly known as 818 E. Cherry Street. Nature of Case: Applicant requests relaxation of front yard setback from 20 feet to 0 feet and side yard from 10 feet to 0 feet for parking lot. Docket No: 93-5-82A Applicant: The Farm Corporation, Inc. Premises affected: (Complete legal on file.) More commonly known as 818 E. Cherry Street. Nature of Case: Applicant requests relaxation of lot coverage from 40% to 54%, relaxation of side yard setback from 2.55 feet to 2.5 feet and relaxation of parking requirements from 4 to 2 spaces to allow residential addition converting residence to a duplex. Information thereon is on file in the office of the Area Plan Commission of Evansville and Vanderburgh County, Room 312, Civic Center Complex, Administration Building, Evansville, Indiana. AREA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY Barbara L. Cunningham Executive Director (Courier & Press January 8, 1993)

LEGAL NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN BY the Board of Zoning Appeals of Evansville and Vanderburgh County of a public hearing to be held Thursday, January 21, 1993 at 4:00 P.M. in the City Council Chambers, Room 301, Third Floor, Civic Center Complex, Administration Building, Evansville, Indiana. The purpose of this hearing is for the Board of Zoning Appeals to grant or deny the following special use request: Docket No: 1-83-APC Applicant: Michael and Dawn Durchholz Premises affected: (Complete legal on file.) More commonly known as 2807 E. Missouri Street. Nature of Case: Applicant requests a special use for an in-home child care facility. Docket No: 2-83-APC Applicant: Robert W. Brenner Premises affected: (Complete legal on file.) More commonly known as 1400 N. Centerville Avenue. Nature of Case: Applicant requests a special use for a solid waste transfer station. Information thereon is on file in the office of the Area Plan Commission of Evansville and Vanderburgh County, Room 312, Civic Center Complex, Administration Building, Evansville, Indiana. AREA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY Barbara L. Cunningham Executive Director (Courier & Press January 8, 1993)

NOTICE OF COUNTY ECONOMIC DEVELOPMENT INCOME TAX ORDINANCE VOTE The fiscal body of the City of Evansville hereby declares that on January 18, 1993 at 5:30 P.M. a public hearing will be held at the Council Chambers, Civic Center Complex, 307 Civic Center, King Jr. Blvd., Evansville, Indiana, concerning the following resolution to propose an ordinance that is before the members of the county income tax council. Members of the public are cordially invited to attend the hearing for the purpose of expressing their views. RESOLUTION NO. C-93-4 RESOLUTION OF THE EVANSVILLE COMMON COUNCIL PROPOSING A VANDERBURGH COUNTY ECONOMIC DEVELOPMENT INCOME TAX ORDINANCE TO THE VANDERBURGH COUNTY INCOME TAX COUNCIL AND CASTING THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE. WHEREAS IC 6-3-6-7 ("Act") authorizes the imposition of the county economic development income tax ("EDIT") for economic development projects and for other capital projects. WHEREAS, in a county such as Vanderburgh County ("County") that has enacted the county option income tax ("COIT") EDIT must be adopted by the county income tax council under the procedures specified in IC 6-3-6-8 for the adoption of COIT. WHEREAS, the Evansville Common Council after notice given in accordance with IC 6-3-1 held a public hearing on the ordinance proposed by this resolution as required by the Act on January 18, 1993, to which members of the public were invited to express their views. WHEREAS, the Evansville Common Council has carefully considered the views expressed at the public hearing; WHEREAS, the Evansville Common Council finds that the proposed Department of Defense finance center project ("Project") would promote the economic development in Evansville and throughout the County, and that the project is best financed in part by EDIT. WHEREAS, the Mayor has requested the County and the Evansville Vanderburgh Building Authority to begin the procedures for the approval of the financing of the project.

WHEREAS, the Evansville Common Council after notice given in accordance with IC 6-3-1 held a public hearing on the ordinance proposed by this resolution as required by the Act on January 18, 1993, to which members of the public were invited to express their views. WHEREAS, the Evansville Common Council has carefully considered the views expressed at the public hearing; WHEREAS, the Evansville Common Council finds that the proposed Department of Defense finance center project ("Project") would promote the economic development in Evansville and throughout the County, and that the project is best financed in part by EDIT. WHEREAS, the Mayor has requested the County and the Evansville Vanderburgh Building Authority to begin the procedures for the approval of the financing of the project.

ATTEST: Sam Humphrey, Auditor (Courier & Press, Jan. 8, 1993)

NOTICE OF MEETING EXECUTIVE SESSION BOARD OF COMMISSIONERS MONDAY-JANUARY 11, 5:00 P.M. Notice is hereby given that the Board of Commissioners of Vanderburgh County, Indiana will conduct an Executive Session at 5:00 P.M. on Monday, January 11, 1993 in Room 307, Civic Center Complex, Evansville, Indiana. Purpose of said meeting is to discuss employment matters. BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY Indiana Richard J. Borries, President Patrick Tulev, Vice President

an ordinary bond. Evansville Vanderburgh County Food and Beverage Tax, the proposed ordinance reads as follows:

ORDINANCE REGARDING THE EXTENSION OF THE VANDERBURGH COUNTY FOOD AND BEVERAGE TAX FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF A PROPOSED DEFENSE FINANCE CENTER PROJECT IN VANDERBURGH COUNTY.

WHEREAS, Vanderburgh County (the "County") and the City of Evansville, (the "City") have submitted a proposal for the construction and operation of a finance center in the County (the "Project") and the sublease of the Project to the federal government or an agency or department thereof (the "Federal Government"); WHEREAS, the County Council has determined that the Project will promote economic development in the County by creating at least 3,000 new jobs and that the County and the City cannot compete with other communities for the Project without government involvement; WHEREAS, the County Council has enacted the Vanderburgh County Food and Beverage Tax (the "Tax") at an annual rate of 1% of the gross retail income derived by retailers from food and beverage transactions pursuant to IC 6-3-20 (the "Act"); WHEREAS, the Tax is currently pledged to the payment of the Evansville-Vanderburgh Airport Bonds, Series A (the "Airport Bonds"); WHEREAS, under the Act, the Tax will expire upon retirement of the Airport Bonds; WHEREAS, legislation has been introduced in the General Assembly ("Legislation") which would permit the extension of the Tax to pay lease rentals to finance the Project which would be subleased to the Federal Government; and WHEREAS, the County Council has determined that it is in the best interest of the County and its residents to extend the Tax after the retirement of the Airport Bonds and to use the Tax to pay lease rentals to finance the Project, which would be subleased to the Federal Government under IC 36-3-13.1;

NOW THEREFORE, BE IT ORDAINED BY THE VANDERBURGH COUNTY COUNCIL THAT:

1. The County Council hereby finds and determines that the Project will promote economic development in the County by creating at least 3,000 new jobs and that the County and the City cannot compete with other communities for the Project without government involvement.
2. The County Council hereby determines that it is in the best interest of the County and its residents to extend the Tax at the current rate of 1% of the gross retail income received by retailers from food and beverage transactions after the retirement of the Airport Bonds and to use the Tax to pay lease rentals to finance the Project, which would be subleased to the Federal Government under IC 36-3-13.1.
3. Until the Airport Bonds are retired or defeased, the Tax will continue to be paid and deposited as provided in the Act and the ordinance authorizing the Airport Bonds, as in effect on the date of adoption of this ordinance. After the Airport Bonds have been retired or defeased, the revenues from the Tax shall be to the County Treasurer, deposited in the defense project fund established under the Legislation and used for the payment of lease rentals for the financing of the Project.
4. The Tax shall remain in full force and effect until the last day of the term of the Evansville Vanderburgh County Building Authority to pay lease rentals to finance the Project, and the last of any bonds issued to refund those bonds (collectively the "Project Bonds") have been completely paid or defeased as to both principal and interest. The County Council covenants that it will take no action as long as any of the Project Bonds are outstanding that would reduce the amount of revenues from the Tax.
5. This ordinance takes effect, as of the date it is adopted, upon the enactment of the Legislation authorizing the extension of the Tax to finance the Project. Adopted this — day of January, 1993.

VANDERBURGH COUNTY COUNCIL James Raben, Presiding Officer

ATTEST: Sam Humphrey, Auditor (Courier & Press, Jan. 8, 1993)

NOTICE OF MEETING EXECUTIVE SESSION BOARD OF COMMISSIONERS MONDAY-JANUARY 11, 5:00 P.M. Notice is hereby given that the Board of Commissioners of Vanderburgh County, Indiana will conduct an Executive Session at 5:00 P.M. on Monday, January 11, 1993 in Room 307, Civic Center Complex, Evansville, Indiana. Purpose of said meeting is to discuss employment matters. BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY Indiana Richard J. Borries, President Patrick Tulev, Vice President

ordinance on a bond maturity date (bond year) plus operation and maintenance expenses and an allowance for trustee's fees. A memorandum describing the Project and the Agreements is on file at the office of the Building Authority, Room 317, Civic Center Complex, Evansville, Indiana and available for inspection by the public during business hours. At the hearing all interested persons shall have the right to be heard upon the Agreements. Following the public hearing the Board of Commissioners may approve the future execution of the Agreements with terms consistent with the memorandum and the Board of Directors of the Building Authority may approve the future execution of the lease. Fifty or more property taxpayers in Vanderburgh County whose tax rate will be affected by the proposed lease and who are of the opinion that there is no necessity for the lease or that the estimated maximum cost, term or lease rentals are not fair and reasonable may file a petition with the Board of Commissioners and with the State Board of Tax Commissioners on or before the date of the public hearing. The State Board of Tax Commissioners shall within 15 days of the public hearing approve or reject the future execution of the lease. If the State Board of Tax Commissioners does not act within the 15 day period, the future execution of the lease shall be considered approved. The signatures of the taxpayer and the petitioner shall be verified by the County Auditor within five days after the public hearing. If an objection petition is not filed as provided above, the Board of Commissioners will petition the State Board of Tax Commissioners for approval of the future execution of the lease. The future execution of the lease will be considered approved unless the State Board of Tax Commissioners acts within fifteen days after receipt of the petition for approval. An action to contest the validity of the actions taken by the County, the City of Evansville, and the Building Authority must be instituted within ten days of the public hearing or, if an appeal is taken to an objection petition if filed with, the State Board of Tax Commissioners, within ten days after the approval, or deemed approval, of the action by the State Board of Tax Commissioners. Dated January 8, 1993 BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY (Courier & Press January 8, 1993)

NOTICE OF REGULAR MEETING EVANSVILLE WATER AND SEWER UTILITY DEPARTMENT Pursuant to IC 5-14-5 (c) that the Evansville Water and Sewer Utility Department regularly meets on the 1st Monday of each month at 1:30 P.M. (local time) in the Water and Sewer Conference Room 100, in the Civic Center Complex, Evansville, Indiana. President — Board of Directors Evansville Water & Sewer Utility Department (Evansville Courier & Evansville Press — January 4, 6, 7, 8, 9 & 10, 1993.

HAPPY 30th BIRTHDAY KIM Love always, Your Birth Mother

NOVENA— Repeat nine times a day for eight days and your prayer will be answered. You must publish your thanks and the prayer. May the sacred heart of Jesus be glorified, adored and loved throughout the world now and forever. St. Jude, heart of Jesus pray for us! St. Jude, Worker of Miracles, pray for us! St. Jude, Help of the Hopeless, pray for us!

SPECIAL HAPPY BIRTHDAY TO JO ANN STOCK

2 PERSONALS

ACCIDENTS—Speeding tickets, DUI's Why pay more? Call Affordable Ins. 479-3940

ADOPTION—You want the best for your child & we want to give it. If you would like your child to be raised in a rural setting with a loving teacher & health care professional, please call us at 1-800-382-8872. Medical, legal & counseling paid.

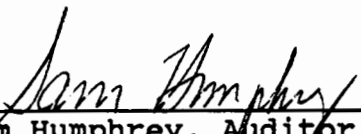
ADOPTION—Happily married couple will provide a secure loving home w/ a bright future for white newborn. Med/leg expenses pd. Call Mary-Ann & Jim 1-800-384-6062.

ADOPTION—The difficult but loving choice, please call to talk about your concerns, we have lots of love to give your white newborn. Info/confidential: Linda & Michael at 1-800-388-2704

C E R T I F I C A T I O N

THIS IS TO CERTIFY that the attached is a true copy of an
Order of the Board of Commissioners of Vanderburgh County
Regarding Approval of a Lease, Sublease and Incentive Agreement
for Financing a Defense Department Finance Center.

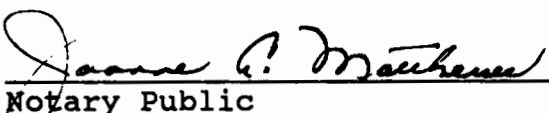
APPROVED on January 18, 1993 by unanimous vote and is
currently on file in the Office of the Auditor of
Vanderburgh County, Indiana.



Sam Humphrey, Auditor
Vanderburgh County, Indiana

STATE OF INDIANA)
) ss:
COUNTY OF VANDERBURGH

Subscribed and sworn to before me, a Notary Public,
this 18th day of January, 19 93.



Notary Public

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

ORDER NO. ____

**ORDER OF THE BOARD OF COMMISSIONERS OF VANDERBURGH
COUNTY REGARDING APPROVAL OF A LEASE, SUBLEASE AND
INCENTIVE AGREEMENT FOR FINANCING A DEFENSE
DEPARTMENT FINANCE CENTER**

WHEREAS, the Mayor of the City of Evansville (the "City") has requested Vanderburgh County (the "County") and the Evansville-Vanderburgh County Building Authority (the "Building Authority") to begin the procedures necessary to initiate the financing of a facility to be used as a finance center for the Department of Defense (the "Project") and the approval of a lease of the Project to the County from the Building Authority (the "Lease"), the sublease of the Project (the "Sublease") by the County to the federal government or an agency or department thereof (the "Federal Government") and a potential incentive agreement with the Federal Government (the Lease, Sublease and incentive agreement are referred to herein as the "Agreements");

WHEREAS, the Board of Commissioners has determined that the Project will promote economic development in the County by creating at least 3,000 new jobs and that the County and the City cannot compete with other communities for the Project without government involvement;

WHEREAS, notice of a public hearing on the Agreements has been published in accordance with IC 5-3-1 and a memorandum describing the Agreements, the estimated maximum cost of the Project, the estimated maximum term of the Agreements and the maximum annual lease rental in current dollars for operation, maintenance and capital costs of the Project adjusted for inflation has been on file at the office of the Building Authority since the notice was published;

WHEREAS, the Board of Commissioners on January 18, 1993, conducted a public hearing on the Agreements at which members of the public were given the opportunity to express their views;

WHEREAS, the Board of Commissioners has carefully considered the comments made at the public hearing;

WHEREAS, the Board of Commissioners has received no petitions from taxpayers whose tax rate will be affected by the Lease and who are of the opinion that there is no necessity for the Lease or that the estimated maximum cost, term or lease rentals are not fair and reasonable;

WHEREAS, the Board of Commissioners has adopted a capital improvement plan under IC 6-3.5-7 and has determined that it is in the best interests of the County and its residents to enter into the Agreements and to pledge the revenues of the Vanderburgh County Economic

Development Income Tax ("EDIT") and the Vanderburgh County Food and Beverage Tax (the "Food and Beverage Tax") after payment of Evansville-Vanderburgh Airport Authority Revenue Bonds, Series A, and other available revenue deposited in the defense project fund created by the Legislation (as defined below) (collectively the "Pledged Revenues");

WHEREAS, House Bill 1002 has been introduced in the General Assembly (the "Legislation") which would permit the County to enter into the Agreements and use the Pledged Revenues to pay lease rentals to finance the Project; and

WHEREAS, the Board of Commissioners intends that this order shall be effective, as of the date it is adopted, only upon the enactment of the Legislation by the General Assembly;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, THAT:

1. The Board of Commissioners hereby finds that the Project will promote economic development in the County by creating at least 3,000 new jobs and that the County and the City cannot compete with other communities for the Project without government involvement.

2. The future execution of the Agreements by the Board of Commissioners is hereby approved. The maximum term of the Agreements shall not exceed 35 years and the estimated maximum cost of the Project is \$80,000,000. The maximum annual lease rental under the Lease shall not exceed \$9,300,000 in 1993 dollars and shall be payable in equal semiannual installments during the term of the Lease, commencing with the substantial completion of the Project. The lease rentals attributable to operating and maintaining the Project will be adjusted periodically for inflation.

3. The Pledged Revenues are hereby pledged to the payment of rentals due under the Lease such pledge to be effective as set forth in IC 5-1-14-4 without the filing or recording of the Lease or any other instrument.

4. The Auditor is hereby directed immediately to petition the State Board of Tax Commissioners for approval of the execution of the Lease.

5. The Board of Commissioners covenants not to take any action throughout the term of the Agreements that would adversely affect the ability of the County to pay rentals due under the Lease or that would adversely affect the pledge of the Pledged Revenues.

6. This order shall take effect, as of the date it is adopted, upon the enactment of the Legislation.

Adopted this 18th day of January, 1993.

THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY

Richard L. Luck Baines
Commissioner

Robert J. Juley
Commissioner

Bob Hunter
Commissioner

ATTEST:

Sam Humphrey
Sam Humphrey, Auditor

**EVANSVILLE-VANDEBURGH COUNTY
MEMORANDUM REGARDING FINANCING FOR
DEFENSE DEPARTMENT PROJECT**

Purpose. The purpose of this memorandum is to describe the mechanism to be undertaken by the City of Evansville ("City"), Vanderburgh County ("County") and the Evansville-Vanderburgh County Building Authority ("Building Authority") to finance and operate a defense department finance center in Vanderburgh County ("Project") to be used by the federal government or a department or agency thereof ("Federal Government"). The Project is expected to be located at Cross Points.

Structure. The Building Authority will construct, operate and maintain the Project. The Building Authority will lease the Project to the County, which will sublease it to the Federal Government.

Agreements. To accomplish the financing and incentive package, the County and the Building Authority will enter into a lease to provide for the financing of the Project ("Lease"). The County and the Federal Government would enter into a sublease ("Sublease") under which the Project would be leased by the County to the Federal Government. In addition, the County and the Federal Government may enter into an incentive agreement covering additional terms of the agreement between the Federal Government and the County relating to the use and operation of the Project. The City of Evansville, the State of Indiana and other counties may also join in the incentive agreement. The Lease, the Sublease and any incentive agreement are referred to collectively as the "Agreements."

Source of Payment of Lease Rentals. The County will pay lease rentals to the Building Authority from revenues of a County Economic Development Income Tax, revenues of the County Food and Beverage Tax (after retirement of the bonds issued by the Evansville-Vanderburgh Airport Authority) and other available funds. If these sources are not sufficient, the payment of the lease rentals will be further secured by a County-wide property tax levy. State funds may be available to pay a portion of the Project costs, including lease rentals. Lease rentals will be used to pay debt service on bonds to be issued by the Building Authority and for operation and maintenance expenses for the Project.

Estimated Maximum Term of Agreements. The maximum term of the Agreements is not expected to exceed 35 years.

Estimated Maximum Annual Lease Rentals. The estimated maximum lease rental is \$9,300 000 in 1993 dollars. Lease rentals attributable to the operation and maintenance of the Project will be adjusted periodically for inflation.

Estimated Maximum Cost of the Project. The estimated maximum cost of the Project is \$80,000,000.

Additional Provisions. The Agreements may also provide for, among other things, a timetable for construction of the Project, a procedure for entering into construction contracts, conditions for proceeding with the Project, provisions for insurance or condemnation of the Project, conditions for payment of lease rentals, covenants regarding the pledge of revenues and property taxes to pay lease rentals, and obligations of the Federal Government with respect to providing economic benefits.

Dated January 7, 1993

City of Evansville
Vanderburgh County
Evansville-Vanderburgh County Building Authority

AP photo

er, Ariz., poses with
oto cutouts of former
Elvis Presley at the
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ate the birthday of the
y. Visitors can have
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for 1990, which showed
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lowest. The District of
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Site selected
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in the
Courier &**

NOTICES

LEGALIS

**NOTICE OF SHERIFF'S SALE
ON DEED IN MORTGAGE
FIDUCIARY SUIT AND
SERVICE OF NOTICE OF
OWNERS OF REAL ESTATE
SHERIFF SALE #2142
TO THE OWNERS OF THE
WITHIN DESCRIBED REAL
ESTATE:
RANDALL W. BIGGS AND
JACQUELYN R. BIGGS
AND ALL OTHER INTEREST-
ED PARTIES:**
BY VIRTUE OF A certified
copy of a Decree of Foreclosure
to me directed by the
Clerk of the Superior Court
of Vanderburgh County, Indiana,
in a certain cause bearing
No. 82D03-9208-CF-
1988 upon the docket of the
United States District Court
for the Southern District of
Indiana, wherein
Federal National Mortgage
Association, as assignee of
The National City Bank of Evans-
ville is plaintiff and Ran-
dall W. Biggs, et al., and
Jacquelyn R. Biggs and
all other persons who claim an
interest in the premises, the
Biggs and the defendants, ren-
dering judgment against the
defendants, Randall W. Biggs
and Jacquelyn R. Biggs and
in favor of the plaintiff, the sum
of Thirty-one Thousand Six
Hundred Five and 44/100
Dollars (\$31,605.44), plus
costs and accruing costs, or-
dering me to sell the follow-
ing described real estate and
to deposit the proceeds and
sale, to the extent necessary,
to the payment of said judg-
ment, costs and accruing
costs, and to account for the
balance to whomsoever the
law may entitle and having
served notice of this sale
upon the mortgagee pursuant
to the provisions of Indiana
Code 32-6-18-1, I will ex-
pose the same to public auc-
tion to the highest bidder
on February 3, 1993, at the
hour of 10:15 A.M. on said
date at the Office of the Sher-
iff of Vanderburgh County,
Evansville, Indiana, the real
estate, issues, income and
profits thereof located in Van-
derburgh County, Indiana,
and described as follows: to-

LEGAL DESCRIPTION:
Lots Three (3) and Four (4) in
Cody's Subdivision of Block
50 in Lamasso, now a part of
the City of Evansville, as per
plat thereof, recorded in Plat
Book 19, page 129 and trans-
cribed and recorded in Plat Book
1, page 87 in the office of the
Recorder of Vanderburgh
County, Indiana.
Commonly known as 512-
10 N. Third Ave., Evansville,
IN.

This notice shall also represent
service by notice of sale
of the above described real
estate upon the owners Ran-
dall W. Blige and Jacqueline
Blige, and to the heirs and
equipment of LC 32-S-18-1.
Said sale will be made with-
out any relief whatsoever
from valuation and appraisal
laws, and for cash. The
undersigned Sheriff of Van-
derburgh County, Indiana, will
issue to the purchaser of
said real estate a Sheriff's
Deed for said real estate as by
law provided under Chapter
90 of the Acts of the General
Assembly of the State of In-
diana, as amended and
DATED this 14th day of De-
cember, 1992.

Ray Hammer, Sheriff, Vander-
burgh County
Marilyn R. Rattiff
KATHA DEES, DONOVAN &
305 Union Federal Building
P.O. Box 3646
Evansville, Indiana 47735-
3646
Telephone: (812) 423-3183
Attorneys
Corner Jan. 15 & 22,
1993.

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STATE OF INDIANA
COUNTY OF VANDERBURGH
SS. IN THE VANDERBURGH
SUPERIOR COURT
CAUSE NUMBER
82DO49301DR2
IN RE THE MARRIAGE OF
Virginia L Oke

4 LEGALS

Evansville, Indiana 47712.
Together with rents, issues,
income, and profits thereof,
said sale will be made with-
out relief from valuation or
appraisement laws.
Ray Hamner, Sheriff
Vanderburgh County
Knight Township
3800 Frisbie
Street Address
Stephen K. Andrews
Plaintiff Attorney
September 28, 1992
140
Sheriff's File Number
(Courier Jan. 8, 15 & 22,
1993).

8 LEGALS

LEGAL NOTICE OF PUBLIC HEARING
INDIANA UTILITY REGULATORY COMMISSION, DOCKET NO. 39526
IN THE MATTER OF THE PETITION OF CHERRY COMMUNICATIONS, A DIVISION OF CHERRY PAYMENT SYSTEMS, INC. FOR CERTIFICATION OF TERRITORIAL AUTHORITY TO PROVIDE ALTERNATE OPERATOR SERVICES WITHIN THE STATE OF INDIANA.
Notice is hereby given that the Indiana Utility Regulatory Commission will conduct a public Evidentiary Hearing in the above-captioned Cause in Room E306 in the Indiana Government Center South, Indianapolis, Indiana, commencing at 1:30 P.M., EST, on JANUARY 19, 1993. This hearing is open to the public.
INDIANA UTILITY REGULATORY COMMISSION
RUTH ANN TOWNSEND, SECRETARY
(317) 232-2701 (GC)
Date: December 28, 1992
(Copies & Press Jan 8, 1993)

LEGAL NOTICE OF PUBLIC HEARING
NOTICES HEREBY GIVEN BY
 the Board of Zoning Appeals
 of Evansville and Vander-
 burgh County of a public
 hearing to be held Thursday,
 April 11, 1991 at 9:30
 P.M. in the City Council
 Chambers, Room 301, Third
 Floor, Civic Center Complex,
 Administration Building, Ev-
 ansville, Indiana, for the pur-
 pose of this hearing is the
 Board of Zoning Appeals to
 grant or deny the following
 variance requests:
 Docket No.: 93-1 BZA Appli-
 cation No.: 93-014 Number:
 Premises affected: (Complete
 legal on file). More commonly
 known as 2922 Broadway
 Avenue. Nature of Case: Ap-
 plicant requests relaxation of
 the number of signs
 from 3 to 4.

Docket No: 93-2-824 Applicant: Michael and Frances Harp Premises affected: (Complete legal on file) More commonly known as 389 West 14th Avenue, Nature of Case: Applicant requests relaxation of distance between main and accessory buildings from 10 feet to 5 feet for residential addition.

Docket No: 93-3-824 Applicant: K. K. K. Premises affected: (Complete legal on file) More commonly known as 3101 Old Henderson Road Nature of Case: Applicant requests relaxation of zoning code requirements to allow accessory structures larger than the structure.

Docket No: 93-4-824 Applicant: Evansville Association for Retarded Citizens Premises affected: (Complete legal on file) More commonly known as 85 W. Virginia Nature of Case: Applicant requests relaxation of front yard setback from 20 feet to 0 feet and side yards from 10 feet to 2 feet

Parking lot
Docket No. 93-5 RZA Application by The Farm Corporation Inc. Premises affected (Complaint filed) 1 Here commonly known as 1917 Cherry Street North of Case
Applicant requests relaxation of
54' setback of side yard setback from 2 ft to 10 feet and relaxation of parking requirements from 4 to 2 spaces to allow residents additional converting easement a driveway.
Information thereon is on file in the office of the Area Planning Commission of the City and Vanderburgh County Board of Commissioners.
APRA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY
Barbara L Cunningham Executive Director
(Office & Public Hearing)
1993

LEGAL NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN by the Board of Zoning Appeals of the City of Vanderburgh County of a public hearing to be held Thursday, January 21, 1993 at 4:00 P.M. in the City Council Chambers, Room 301, Third Floor, Civic Center Complex Administration Building, Evansville, Indiana. The purpose of this hearing is for the Board of Zoning Appeals to grant or deny the following special use requests:
Docket No. 193APC Appeal: Michael and David Durbin/Durbin-Premises affected (Complete legal on file) More commonly known as 2507 1/2 Mission Street Nature area (Complete legal on file) Use of the area as an urban child care facility
Docket No. 293APC Appeal: Robert W. Brennan/Premises affected (Complete legal on file) More commonly

6 1844

WHEREAS, COIT is currently imposed at a rate of 1.0% on the county taxpayers who impose a limit of 1.0% on the combined rate of COIT and EDIT; and

WHEREAS, the Evansville Common Council intends that the reduction in the proposed ordinance shall be effective, as of the date it is adopted, only upon the enactment by the General Assembly of legislation permitting the maximum combined rate of COIT and EDIT in the County to increase to 1.25%.

NOW, THEREFORE BE IT RESOLVED BY THE EVANSVILLE COMMON COUNCIL:

SECTION 1: The Evansville Common Council proposes the adoption of, and casts its 75.5 votes for, the following ordinance of the Vanderburgh County Income Tax:

The Vanderburgh County Income Tax Council imposes the county economic development income tax on the county taxpayers of Vanderburgh County, the maximum economic development income tax is imposed at a rate of twenty-five hundredths of one percent (0.25%) on the county taxpayers of the county on July 1 of this year.

SECTION 2: This resolution takes effect, as of the date it is adopted, upon the enactment of legislation by the General Assembly of the State of Indiana, which increases the position of EDIT and COIT in Vanderburgh County at a combined rate of 1.25%.

EVANSVILLE COMMON COUNCIL

William Melcher, Presiding Officer

ATTEST

Marsha Abell, Clerk

This resolution is hereby presented to the Mayor on January 1993.

Marsha Abell, Clerk

This resolution is approved on January 1993

Barry P. McDonald, Jr, Mayor

(Editor & Press, Jan. 8, 1993)

NOTICE OF MEETING

VANDERSBURGH COUNTY COUNCIL
Notice is hereby given that the Vanderburgh County Council will hold a special meeting on Monday, January 18, 1993, at 8:30 p.m., in Room 301, Civic Center Complex, One N.W. Martin Luther King, Jr. Blvd., Evansville, Indiana.
January 8, 1993
Sam Humphrey
Vanderburgh County Auditor
(Clerk & Press Jan. 8, 1993)

NOTICE OF MEETING TO COME

SIDE ORDINANCE OF VANDERBURGH COUNTY CONCERNING THE PROPOSED ORDINANCE REGARDING EXTENSION OF THE TAX ON FOOD AND BEVERAGE TAX

The Vanderburgh County Council will meet on Monday, January 198, 1993, at 8:30 a.m. in Room 301, Civic Center Complex, One N.W. Martin Luther King, Jr. Blvd., Evansville, Indiana to consider and vote on the proposed Vanderburgh County Food and Beverage Tax, the proposed ordinance reads as follows:

ORDINANCE REGARDING

THE EXTENSION OF THE
VANDERBURGH COUNTY
FOOD AND BEVERAGE TAX
FOR THE PURPOSE OF
FINANCING A PORTION
THE COSTS OF A PROPOSED
DEFENSE DEPARTMENT FI
NANCE CENTER PROJECT IN
VANDERBURGH COUNTY.

WHEREAS: The County Council has enacted the Vanderburgh County Food and Beverage Tax (the "Tax") at an annual rate of 1% of the gross retail income received by retail merchants from food and beverage transactions pursuant to IC 6-9-20 (the "Act").

WHEREAS, the Tax is currently pledged to the payment of the Evansville-Vanderburgh Airport Authority Revenue Bonds, Series A (the "Airport Bonds");

WHEREAS, under the Act, the Tax will expire upon retirement of the Airport Bonds;

WHEREAS, the Evansville-Vanderburgh Airport Authority has been introduced in the General Assembly ("Legislation"), which would permit the extension of the Tax to pay lease rentals to finance this Project, which would be subleased to the Federal Government; and

WHEREAS, the County Council has determined that it is in the best interest of the County and its residents to extend the term of the Tax to pay the Airport Bonds and to use the Tax to pay lease rentals to finance this Project, which would be subleased to the Federal Government;

NOW, THEREFORE, BE IT ORDAINED BY THE VANDERBURGH COUNTY COUNCIL THAT:

LEGALS

Don Hunter, Member
ATTEST:
Sam Humphrey, Auditor
Vanderburgh County,
Indiana
(Courier & Press, Jan. 8,
1893)

**NOTICE OF PUBLIC HEARING
ON PROPOSED LEASE AND
SUBLEASE OF
GOVERNMENT BUILDING
AND POTENTIAL INCENTIVE
AGREEMENT**

Notice is hereby given that a public hearing will be held before the Board of Commissioners of Vanderburgh County, Indiana, on Monday, January 11, 1983 at 3:30 p.m. (Eastern Standard Time) in Room 301, Criminal Justice Center Complex, One N.W. Martin Luther King Jr. Blvd., Evansville, Indiana 47708, upon (1) a proposed lease to be entered into between the Building Authority and the Federal Correctional Institute, Federal Correctional Building Authority, [Building Authority] as lessor, and Vanderburgh County, as lessee; (2) proposed sublease to be entered into between Vanderburgh County, as lessor, and the Federal Correctional Institute, Federal Correctional Building Authority, as lessee; and (3) a potential incentive agreement to be entered into among the City of Evansville, Vanderburgh County, other affected counties, and the Federal Correctional Institute, Federal Correctional Building Authority, as lessor, sublessor, and incentive agreement (collectively "Agreements") relate to a building and related apparatus to be acquired, constructed, and equipped at the Federal Correctional Institute, which will be used by the as a finance center [Project].

The Mayor of the City of Evansville has requested the Board of Commissioners of Vanderburgh County to be the final authority on the procedures for the financing of the Project and the approval of the Agreements.

The proposed Agreements will be for a term not to exceed ten (10) years, commencing either with the substantial completion of the Project or to be acquired, constructed and equipped by the Building Authority or the date set forth in the particular Agreements.

The proposed Agreements for rental under the lease for operation, maintenance and capital costs of the Building Authority will be \$9,300,000 in 1993 dollars, payable in equal semiannual installments, commencing with the substantial completion of the Project. The lease rentals attributable to operating and maintenance of the Project shall be adjusted to permit the installation. It is estimated that the maximum cost of the Project will not exceed \$80,000,000. After the sale by the Building Authority of its bonds to pay for the acquisition, construction and equipment of the Project, including the acquisition of the site for the Project and other incidental expenses, the annual rental shall be reduced to an amount not to exceed the multiple of 81,000 next to the principal and interest due. In any year ending on a bond maturity date (bond year) plus operation and maintenance expenses and an allowance for trustee's fees.

Fifty or more property taxpayers of the Project and the Agreements is on file at the office of the Building Authority, Room 317, Civic Center Complex, Evansville, Indiana and available for inspection by any person during business hours. Any interested persons shall have the right to be heard upon the Agreements. Following the public hearing the Board of Commissioners may approve the future execution of the Agreements, or may, consistent with the memorandum and the Board of Directors of the Building Authority may approve the future execution of the lease.

Fifty or more property taxpayers of Vanderburgh County, whose tax rate will be affected by the proposed lease and who are of the opinion that there is no necessity for the lease or that the estimated maximum cost, term and reasonable time and reasonable may file a petition with the Board of Commissioners and with the State Board of Tax Commissioners on or before the date of the public hearing. The State Board of Tax Commissioners shall, after public hearing approval or rejection of the future execution of the lease, if the State Board of Tax Commissioners does not act within the 18 day period, the future execution of the lease shall be considered approved.

The signatures of the taxpayers on the objecting petition shall be verified by the County Auditor within five days after the public hearing.

The objecting petition is not filed as provided above, the Board of Commissioners will petition the State Board of Tax Commissioners for approval of the future execution of the lease. The future execution of the lease will be considered approved if the Board of Tax Commissioners acts within fifteen days after receipt of the petition for approval.

An action to contest the validity of the actions taken by the County, the City of Evansville and the Building Authority must be instituted within ten days after the public hearing or if an appeal is taken or if an objecting petition is filed with the State Board of Tax Commissioners, within ten days after the approval, or deemed approval, of the future execution of the lease by the Board of Tax Commissioners.

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may run as high as \$20

Job Bush home

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AP photo
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STATE OF INDIANA
COUNTY OF VANDERBURGH
SS. IN THE VANDERBURGH
SUPERIOR COURT
CAUSE NUMBER
820049301UR2
IN RE THE MARRIAGE OF
Virginia L. Oke
LAWRENCE OKE
PETITION FOR DISSOLU-
TION OF MARRIAGE
CORNELIUS HOWE, the Petitioner Vir-
ginia Oke, and being first duly
sworn, respectfully repre-
sents to the Court the following:
1. That she resides at 514
Jefferson, Evansville, Indi-
ana, having resided in Vand.
County for the past three
months and having resided in
the State of Indiana for the
past six months.
2. That the Respondent Law-
rence Oke, resides at
unknown.
3. That she is the wife of the
Respondent, having been
duly married to him on Jan.
16, 1978.
4. That the parties separated
on Jan. 17, 1983, having
since then lived separately
and apart.
5. That no children were born
to the marriage, and that
none are expected.
6. That the parties have not
acquired property and debts
during or as a result of their
marriage which need to be
divided.
7. That there has been an irre-
trievable breakdown of the
marriage.
8. That Petitioner desires to
have her former name, Vir-
ginia Johnson, restored.
Virginia Oke
PETITIONER
Subscribed and sworn to be-
fore me, a Notary Public in the
County of Vanderburgh, State
of Indiana, on this 6th day of
January, 1993.
James Montgomery
NOTARY PUBLIC
My Commission Expires:
October 28th, 1998
(Courier Jan. 8, 15 & 22,
1993)

TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE AND ALL INTEREST- ED PARTIES

NOTICE OF SHERIFF'S SALE #2140
By virtue of a certified copy of a
decree to the directed from the
Clerk of the Superior Court of
Vanderburgh County, Indiana, in Cause No.
82003-9110 CP, 1892
wherein Associates Financial
Services Company of Indiana, Inc. was Plaintiff and
Shirley A. Baker and Union
Mortgage Co. Inc. were De-
fendants, requiring me to
make the sum as provided for
in said decree with interest
and cost, I will expose at pub-
lic sale to the highest bidder,
on the 2nd day of February,
1993, at the hour of 10:15
A.M. or as soon thereafter as
is possible at the Vander-
burgh County Sheriff's Dept.,
101 Civic Center Complex,
One NW Martin Luther King
Boulevard, Evansville, Indi-
ana 47708, the fee simple of
the whole lot of Real Estate
in Vanderburgh County,
Indiana.
Lot One Hundred Twenty
Two (122) in the plat of Lots
113 through 123 in Lynne-
view Section "C", an Addi-
tion to the City of Evansville,
Indiana, according to the re-
corded plat thereof as incor-
porated in Plat Record "K", Page
202 in the Office of the Re-
corder of Vanderburgh Coun-
ty, Indiana.
More commonly known as

with the lot of the
said real estate
said for said real estate as by
law provided on the 14th of
90 of the Acts of the General
Assembly of the State of Indi-
ana for 1931, as amended.
DATED this 14th day of De-
cember, 1993
Ray H. Hunsicker, Sheriff, Vander-
burgh County
Marilyn R. Kattiff
KAHN, DEES, DUNOVAN &
KAHN
305 Union Federal Building
P.O. Box 3646
Evansville, Indiana 47736-
3646
Telephone: (812) 423 3183
Plaintiff's Attorney
(Courier Jan. 8, 15 & 22,
1993)

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN BY
the Board of Zoning Appeals
of Evansville and Vander-
burgh County of a public
hearing to be held Thursday,
January 21, 1993 at 4:00
P.M. in the City Council
Chambers, Room 301, Third
Floor, Civic Center Complex,
Administration Building, Ev-
ansville, Indiana. The pur-
pose of this hearing is for the
Board of Zoning Appeals to
grant or deny the following
special use requests:
Docket No. 1-83-2 APC Ap-
plicant: Michael and Dawn
Durchholz Premises affected:
(Complete legal on file.) More
commonly known as 2807 E.
Missouri Street, Nature of
Case: Applicant requests a
special use for an in-home
child care facility.
Docket No. 2-83-2 APC Ap-
plicant: Robert W. Brenner
Premises affected: (Complete
legal on file.) More commonly
known as 1400 N. Kentucky
Avenue, Nature of Case: Ap-
plicant requests a special use
for a solid waste transfer
station.
Information thereon is on file
in the office of the Area Plan
Commission of Evansville
and Vanderburgh County,
Room 312, Civic Center Com-
plex, Evansville, Indiana.
AREA PLAN COMMISSION
OF EVANSVILLE
AND VANDERBURGH
COUNTY
Barbara L. Cunningham
Executive Director
(Courier & Press January 8,
1993)

NOTICE OF COUNTY ECONOMIC DEVELOPMENT INCOME TAX

ORDINANCE VOTE
The fiscal body of the City of
Evansville hereby declares
that on January 18, 1993 at
5:30 P.M. a public hearing
will be held at the Council
Chambers, Civic Center Com-
plex, One NW Martin Luther
King Jr. Blvd., Evansville,
Indiana, concerning the fol-
lowing resolution to propose an
ordinance that is for the
members of the county in-
come tax council. Members
of the public are cordially
invited to attend the hearing for
the purpose of expressing
their views.
RESOLUTION NO. C-93-4
RESOLUTION OF THE EV-
ANSVILLE COMMON COUNCIL
PROPOSING A VANDER-
BURGH COUNTY ECONOMIC
DEVELOPMENT INCOME
TAX ORDINANCE TO THE
VANDERBURGH COUNTY IN-
COME TAX COUNCIL AND
CASTING THE COMMON
COUNCIL'S VOTES IN FA-
VOR OF THE ORDINANCE.

WHEREAS IC 6-3.5-7 ("Act")
authorizes the imposition of
the county economic devel-
opment income tax ("EIT")
on the public use income
projects and for other capital
projects.

WHEREAS, in a county such
as Vanderburgh County
("County") that has enac-
ted the county option income
tax ("EIT") EIT must be
adopted by the county in-
come tax council under the
procedures specified in IC 6-
3.5-8 for the adoption of
EIT.

WHEREAS, the Evansville
Common Council has notice
given in accordance with IC
6-3-1 held a public hearing
on the ordinance proposed
by this resolution as required
by the Act on January 18,
1993, to which members of
the public were invited to ex-
press their views.

WHEREAS, the Evansville
Common Council has care-
fully considered the views ex-
pressed at the public hearing;
WHEREAS, the Evansville
Common Council finds that
the proposed Department of
Defense finance center pro-
ject ("Project") would pro-
mote the economic devel-
opment in Evansville and
throughout the County, and
that the project is best fi-
nanced in part by EIT;

WHEREAS, The Mayor has re-
quested the County and the
Evansville Vanderburgh
Building Authority to begin
the procedures for the ap-
proval of the financing of the
Project.

of Evansville to extend the
Vanderburgh County Food
and Beverage Tax, the pro-
posed ordinance reads as
follows:

ORDINANCE REGARDING THE EXTENSION OF THE VANDERBURGH COUNTY FOOD AND BEVERAGE TAX FOR THE PURPOSE OF Fi- NANCING A PORTION OF THE COSTS OF A PROPOSED DEFENSE DEPARTMENT Fi- NANCE CENTER PROJECT IN VANDERBURGH COUNTY.

WHEREAS, Vanderburgh
County ("County") and the
City of Evansville ("City")
have submitted a propos-
al for the construction and
operation of a finance
center in the County (the
"Project") and the subse-
quently of the Project to the
federal government or an agency
or department thereof (the
"Federal Government");
WHEREAS, the County Coun-
cil has determined that the
Project will promote econom-
ic development in the County
by creating at least 3,000
new jobs and that the County
and the City cannot compete
with other communities for
the Project without govern-
ment involvement;

WHEREAS, The County Coun-
cil has enacted the Food
and Beverage Tax (the "Tax")
at an annual rate of 1% of the
gross retail income received
by retail merchants from food
and beverage transactions
pursuant to IC 6-3-20 (the
"Act");

WHEREAS, the Tax is current-
ly pledged to the payment of
the Evansville-Vanderburgh
Airport Authority Revenue
Bonds, Series A (the "Airport
Bonds");

WHEREAS, under the Act, the
Tax will expire upon retire-
ment of the Airport Bonds;
WHEREAS, legislation has
been introduced in the Gen-
eral Assembly ("Legislation")
which would extend the ex-
tension of the Tax to pay
lease rentals to finance the
Project which would be sub-
mitted to the Federal Govern-
ment; and
WHEREAS, the County Coun-
cil has determined that it is in
the best interest of the County
and its residents to extend
the Tax after the retirement
of the Airport Bonds and to use
the Tax to pay lease rentals to
finance the Project, which
would be submitted to the
Federal Government under
IC 36-3-13.1;

NOW, THEREFORE, BE IT OR-
DAINED BY THE VANDER-
BURGH COUNTY COUNCIL
THAT:

1. The County Council hereby
finds and determines that the
Project will promote econom-
ic development in the County
by creating at least 3,000
new jobs and that the County
and the City cannot compete
with other communities for
the Project without govern-
ment involvement.

2. The County Council hereby
determines that it is in the
best interest of the County
and its residents to extend
the Tax at the current rate of
1% of the gross retail income
received by retail merchants
from food and beverage
transactions after the retire-
ment of the Airport Bonds
and to use the Tax to pay
lease rentals to finance the
Project, which would be sub-
mitted under IC 36-3-13.1.

3. Until the Airport Bonds are
retired or defeased, the Tax
will continue to be paid and
deposited as provided in the
Act and the ordinance author-
izing the Airport Bonds, as in
effect on the date of adoption
of this ordinance. After the
Airport Bonds have been re-
tired or defeased, the re-
venues from the Tax shall be
to the County Treasurer, de-
posited in the defense pro-
fund established under the
Legislation and used for the
payment of lease rentals for
the financing of the Project.

4. The Tax shall remain in full
force and effect until the last
of the bonds issued by the
Evansville-Vanderburgh
County Building Authority to
pay lease rentals to finance
the Project, and the last of
any bonds issued or refund
bonds (collectively the "Bond-
s") have been completely paid or defeased
as to both principal and interest.
The County Council coven-
ants that it will take no ac-
tion as long as any of the
Project Bonds are outstanding
that would reduce the
amount of revenues from the
Tax.

5. This ordinance takes ef-
fect, as of the date it is adopted,
upon the enactment of the
Legislation authorizing the
extension of the Tax to
finance the Project.
Adopted this — day of Janu-
ary, 1993.

VANDERBURGH
COUNTY COUNCIL
Robert
Presiding Officer

ATTEST:
Sam Humphrey, Auditor
(Courier & Press, Jan. 8,
1993)

NOTICE OF MEETING
EXECUTIVE SESSION
BOARD OF COMMISSIONERS
MONDAY-JANUARY 11,
1993
5:00 P.M.

Notice is hereby given that
the Board of Commissioners
of Vanderburgh County,
Indiana, will conduct an Ex-
ecutive Session at 5:00 P.M. on
Monday, January 11, 1993
in Room 307, Civic Center
Complex, Evansville, Indiana.
Purpose of said meeting is to
discuss only the following
BOARD OF COMMISSIONERS
OF VANDERBURGH
COUNTY, INDIANA
Richard J. Borries, President
Patrick Tuley, Vice President

of any year ending on a bond
maturity date (bond year) plus
operation and maintenance
expenses of the allowance
for trustee's fees.
A memorandum describing the
Project and the Agree-
ments is on file at the office of
the Building Authority, Room
317, Civic Center Complex,
Evansville, Indiana, and avail-
able for inspection by the
public during business hours.
At the hearing all interested
persons shall have the right
to be heard upon the Agree-
ments. Following the public
hearing the Board of Com-
missioners may approve the
future extension of the
Agreements with terms con-
sistent with the memoran-
dum and the Board of Di-
rectors of the Building Authority
may approve the future ex-
tension of the lease.
Any more property taxpay-
ers in Vanderburgh County
whose tax rate will be affected
by the proposed lease and
who are of the opinion that
there is no necessity for the
lease or that the estimated
maximum term or lease
rentals are not fair and rea-
sonable may file a petition
with the Board of Com-
missioners and with the State
Board of Tax Commissioners
on or before the date of the
Board of Tax Commissioners
shall within 15 days of the
public hearing approve or re-
ject the future execution of
the lease. If the State Board
of Tax Commissioners does
not act within 15 day peri-
od, the future execution of
the lease shall be considered
approved.

The signatures of the taxpay-
ers on the objecting petition
shall be verified by the Coun-
ty Auditor within 15 days of
the public hearing.
If an objecting petition is not
filed as provided above, the
Board of Commissioners will
petition the State Board of
Tax Commissioners for ap-
proval of the future execution
of the lease. The future ex-
ecution of the lease will be
considered approved unless
the State Board of Tax
Commissioners acts within fifteen
days after receipt of the peti-
tion for approval.

An action to contest the valid-
ity of the actions taken by the
County, the City of Evansville,
and the Building Authority
must be instituted within ten
days of the public hearing or,
if an appeal is taken, or an
objecting petition is filed
with the State Board of Tax
Commissioners, within ten
days after the approval, or
deemed approval, of the peti-
tion by the State Board of Tax
Commissioners.

Dated January 8, 1993
BOARD OF COMMISSIONERS
OF
VANDERBURGH COUNTY
(Courier & Press January 8,
1993)

NOTICE OF REGULAR
MEETING
EVANSVILLE WATER AND
SEWER UTILITY
DEPARTMENT

Pursuant to IC 6-14-6 (a) that
the Evansville Water and
Sewer Utility Department
regular meeting is on
Tuesday, at 1:30 P.M.
(local time) in the Water and
Sewer Conference Room
100, in the Civic Center Com-
plex, Evansville, Indiana.
President — Board of Directors
Evansville Water & Sewer
Utility Department
(Evansville Courier & Ev-
ansville Press — January
4, 6, 7, 8, 9, & 10, 1993.)

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HAPPY 30th BIRTHDAY
KIM
Love always,
Your Birth Mother

NEVER
Repeat nine times a day for
long days and your prayer
will be answered. You must
publish your thanks and the
prayer.
May the sacred heart of Jesus
be glorified, adored and
loved throughout the world
now and forever. Sacred
heart of Jesus pray for us! St.
Jude, Worker of Miracles,
pray for us! St. Jude, Help
of the Hopeless, pray for us!

SPECIAL
HAPPY BIRTHDAY
TO JO ANN STOCK

2
4

Accidents—Speeding tickets,
DUI's Why pay more? Call At-
fordable Ins. 478-3940

ADOPTION—You want the best
for your child and want to
give it. If you would like your
child to be raised in a rural
area by a young & loving
teacher & health care profes-
sional, please call us at
1-800-882-5888. Medical,
legal & counseling paid.

ADOPTION—Happily married
couple will provide a secure
loving home w/ a bright fu-
ture for a white newborn. Med-
ical expenses pd. Call Mary-
ann & Jim 1-800-364-6062

ADOPTION—The difficult but
loving choice, please call to
talk about your concerns, we
have lots of love to give your
white newborn, legal/confi-
dential. Linda & Michael at
1-800-369-2704

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 19, 1993**

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MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 19, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Tuesday, January 19, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Abell, Farrell, Kissinger, Tuley, himself, Hunter, Humphrey and Matthews) and asked the group to stand for the Pledge of Allegiance.

RE: POOR RELIEF APPEAL/PERRY TOWNSHIP/DWIGHT LEE

President Borries stated he will take Item #5 under Action Items on the meeting agenda first. He said he first would like to explain the role of the Commissioners in poor relief cases. Their role is frankly to hear these appeals first. It has been the standard practice since he has been on the Board of Commissioners that these hearings have been held almost in confidence. He thinks there has been much made about this in the media and, to a certain extent, he believes that is unfortunate. Frankly, as he looks at the nature of these appeals it does involve some very personal and oftentimes confidential things that can prove to be very embarrassing to people. The Commissioners' role is that as a separate unit of government that is different than township government. Each township has a set of guidelines that the Trustees and their Advisory Boards develop and go by. What this Board does is look at any kind of appeal that is sent here, review the appeal in light of what the guidelines are, and then make a decision in some cases to send it back to the Trustee to allow what they would see is to either allow or disallow what that particular appeal is. That is the whole purpose of it. He wants to say this evening -- and say very clearly up front -- that we've investigated this matter this week. Again, there has been a great deal of publicity on it. Also, as a person who has been involved in government some time, he will say there are some very clear divisions between is followed here by State law and Federal law versus our own private or personal opinions regarding State and Church. So he wants to make some very clear divisions about that. He is going to refer this matter to the County Attorney for his advice and will then ask for a decision from this Board. He would also say that in relation to -- he has heard some information that approximately through other sources and donations regarding this matter there is actually about \$45.00 outstanding in relation to the needs expressed last week. Again, it is not his intention to get into an emotional testimony this evening and put one person's Church or private belief against another. That is not what we are here for. Again, this Board has heard the information and at this point he will refer this matter to the County Attorney.

Perry Township Trustee Norman "Red" Mosby interrupted and said. "Mr. Chairman, I would like to call your attention to something."

Commissioner Borries responded, "Would you mind coming forward. Certainly I want you to have ..."

Mr. Mosby interrupted, "My name is Norman "Red" Mosby and I am the Perry Township Trustee and I'd like to be able to recover those things that happened last week myself. You're not going to put me out here in the middle of it and let me go down. You guys last week started it and I'm going to finish it and that's all I want to say. Good evening. My name is Norman "Red" Mosby and I serve as the elected Trustee in Perry Township, a capacity I have served for the past twenty-seven (27) years. I come before you this evening

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to present testimony in a case that has been continuously publicized over the past week. I would first like to state for the record that this is only the second time in my 27 years as Trustee dealing with an estimated 1,933 cases per year -- that I have been before the Appeal Board, a record which stands for itself. Over the past week I have been told through the news media that I am wrong and that I have no basis to rest my decision on. This opinion comes from Attorneys and members of an Appeal Board that do not deal with this five (5) days a week like I do and who evidently read the guidelines developed by the Pigeon Township Advisory Board different than I do. If you refer to Page 1, Section 2 of the Guidelines, it states 'Applicants are required to (E) Apply for and utilize all private and public assistance sources prior to requesting assistance from the Trustee's office, I.C. 12-2-1-8.' This is the basis for denial.

Then, if you would refer to Page 3, #VII reads, "All decisions of the Perry Township Trustee will be based on these standards and guidelines and the Trustee's personal discretion. The standards will be revised constantly to keep them current.' If you go to that -- personal discretion -- I just want to tell you something that was in the paper now. I just want to bring it all out, Mr. Borries. 'Mosby Oversteps His Authority'. Perry Township Trustee Norman "Red" Mosby says he is sticking by his decision' (That's right) to deny poor relief to an unmarried couple and their child, but Attorneys say Mosby clearly has overstepped his authority. Steve Culley -- one of the Attorneys -- and what does personal discretion mean? It means prudence, caution, good judgment, power of acting freely, uncontrolled choice or decision. Is that right? Let's go on with it. Then these standards and guidelines are at the Trustee's personal discretion, right. The standards will be revised constantly to keep them current with the times.' I think these people who question that I have the right to make a decision based on my opinion -- but once again it is in the guidelines and it is practice that has served the people of Perry Township under my leadership for twenty-seven years. It has been a continuing practice by me and my staff to see that the people of Perry Township are well represented and looked after. By looked after, I mean getting the help they deserve. But, also, on the other hand it is my responsibility to see that we don't give away the ranch. My office, when I took over in 1966, was run by a part time Trustee and four full time persons. Today my office is run by one part time Trustee and two part time employees. The poor relief tax in the township is based on the assistance that is given in that township and I think that if you would check my record over the years in office you will see that it has been held to a minimum. That is also one of the obligations to the taxpayers of Perry Township -- that I have continuously worked to achieve the obligation that I think every elected official has to the taxpayers that elect him. I am not in any way saying that the applicants here tonight do not deserve any help at all. I am saying, as I read to you in the beginning, that they need to explore, exhaust any and all means of assistance before they come to the Trustee. The Trustee is not a continuing source of help. If, for instance, you would look at the guidelines, we cannot pay the applicants for rent or the top dollar. It would be \$140 per month. The applicants will definitely have to make application with all other organizations -- backed up by the State Law I.C. 12-2-1-8. In the ending I would like to ask this Appeal Board to uphold my decision. Twice in twenty-seven years before this Board is not a bad record and I would not want to see us set a precedent here tonight that every time somebody is turned down we go through this here. Mr. Borries, you know the facts, I know you and I know Pat -- I don't know Mr. Hunter well -- but I've been a hell of a good Trustee out there. I work for the taxpayer and the people elect me. And if you do this tonight, you're going to open a can of worms, Buddy, in eight townships of Vanderburgh County -- don't tell me you won't."

Commissioner Borries said, "Red,..."

Mr. Mosby interrupted, "I want to say one more thing. Pat, I might -- you think I don't have the phone calls and letters to back me up -- I want to tell you I got more phone calls to my station and my home and I've got letters right here if you want me to read them to you."

Commissioner Borries stated, "I believe you..."

Mr. Mosby again interrupted, "And, Pat, you say you investigated -- where is it at -- I have it here -- I'd like to know how long you've been an investigator though. Well anyway, let me tell you something. I know this girl. I know her family. I go back to the early sixties. She had a good grandpa, a good dad -- and I know her. Her trouble started before she ever came into my office in 1990. You said you investigated and she needs help. Well, she does -- she needs a whole lot of help in case you didn't know it. I just wanted to let you know that -- because her dad and her grandpa all traded at my stations -- it's a good family -- like I tried to talk to her in 1990; I tried to talk to her like a dad; I tried to straighten the girl out and help the girl -- but she ain't going to get no help the way we're doing it now. I rest my case, you hear?"

President Borries said, "Thank you, Red. County Attorney Alan Kissinger? Your thoughts and your recommendation at this time."

Attorney Kissinger said, "Briefly I will just go into the background of my involvement in this. I talked with Red and his Advisory Board (I think it was last Wednesday, is that right, Red?) (Mr. Mosby acknowledged that this is correct.) At that time, Red showed me the application and one I think I would like to clarify. There was also some allegation that there had been an application for medication."

Mr. Mosby interrupted, "I'd like to straighten that out, too -- I've got that. Let me tell you..."

Attorney Kissinger interjected, "Let me straighten it out for you."

Mr. Mosby again interrupted, "Channel 44 on the news that night said the girl asked for medicine. She never asked -- all they asked for was rent. The girl never asked for that. Her finance or whatever you call him was the one who asked."

Attorney Kissinger continued, "I reviewed the application. There was no application evident for any type of medication. Mr. Mosby assured me that if that application was made and was in order, he would certainly honor that application."

Mr. Mosby again interrupted, "You're right."

Attorney Kissinger continued, "We reviewed the guidelines. I talked with Mr. Mosby and I know you don't care about my personal opinion, but I know that he does have a certain amount of discretion and into that discretion can be his personal, moral and religious beliefs. But those personal and moral and religious beliefs cannot interfere with or overlap or exceed the requirements of State Law. Under State Law the application seems to be in order and it certainly appears the appeal should be granted. And, you know, I understand what Mr. Mosby is saying and I talked with him at length about it. And I understand what public sentiment may be, but short of being able to change the law here tonight the only way I can advise the Commissioners is that the appeal should be allowed."

President Borries said, "Okay. And, again, to emphasize this fact that the Commissioners don't set the guidelines here. We, in effect, as you have pointed out, review these guidelines and offer a decision to either allow or disallow and send that back to the

Trustee.:"

Attorney Kissinger stated, "That is correct."

Commissioner Borries continued, "At this time then, Commissioners, is it your feeling then to act on the recommendation of the County Attorney?"

Mr. Jerry Richey, who was seated in the audience, indicated he wished to speak.

Commissioner Borries recognized Mr. Richey and stated he is an elected member of the Perry Township Advisory Board.

Mr. Richey approached the podium and commented, "In 1992, I was the President of the Advisory Board for the Perry Township Trustee's office. We support Mr. Mosby one hundred percent and our question lies within the guidelines, Section 2, Part "E", we do not feel that this was followed to the nth degree. We do not feel that all sources were sought out for relief or for assistance prior to their coming to the Perry Township Trustee's office. Thank you."

Commissioner Tuley asked, "Jerry, can I ask you a question here? I'd like for the young couple -- if they don't mind -- to come up to the podium for a second. I want to ask them a simple question, okay, Mr. Lee?" (The couple complied with Mr. Tuley's request, bringing with them the 23 month old child.) Mr. Tuley continued by asking, "In December, who paid your rent?"

Jane Pfender responded, "The Church."

Mr. Tuley asked, "An outside organization; you didn't pay it? The Trustee didn't pay it?"

Ms. Pfender said, "That is right. The Church helped with it and they also went to Outreach Ministries. They didn't have any funds and they went to the Catholic Church through St. Vincent DePaul and they allowed us \$40.00. That is how the rest of it got paid."

Mr. Tuley commented, "That was for the month of December. Okay. Then, in January there was \$65.00 paid. Was that paid by you guys or by some other means?"

Ms. Pfender replied, "No, it was paid by Outreach Ministries and the Church. And can I please say something?"

Commissioner Borries said, "Sure. Would you give your name, please, for the record."

Ms. Pfender identified herself and said, "When we went the second time to the Trustee's office to re-apply for the rent I asked one of the ladies who was in there if I could apply for my medication. She told me there was no need in applying because Red would deny me for that, too. That she wouldn't even take the application for me."

Ms. Marvaline Prince identified herself and stated, "I am a PareLegal with the Legal Services Organization and I did talk with Mr. Caine last week and he said that the Trustee would purchase her medication. She took her last pill today. She got the prescription in Florida when she was living there. They transferred it to another drugstore here and she does not have a doctor who can write a prescription to get her medication. She does have the bottle. Is that going to be sufficient, Mr. Mosby?"

Mr. Mosby responded, "No. She's got to have a prescription from a doctor who says she needs it."

Ms. Prince asked, "Are you willing to pay for the doctor visit for

her to get the prescription?"

Mr. Mosby responded, "I ain't paying nothing right now. I'll go to Court. I want to see what the Commission will do. Let them handle this. I ain't paying no medication right now."

Ms. Prince said, "As Mr. Mosby says, there has been a lot of press on this and it's caused our clients a lot of embarrassment. It could have been resolved. They got a donation from an anonymous person. They only owe \$55.00 on their rent and we're asking for that and we're asking for some medical assistance for her medication. And while I am standing here, as you said last week, Mr. Mosby, that these are embarrassing situations for people that come here. I wish that our organization and the Commissioners could meet and try to work out something to avoid this kind of thing happening."

President Borries said, "Well, I fully agree. I think it is going to take State legislative action, because it is my understanding that township poor relief cases are, on appeal, heard by the Commissioners and because of somewhat ancient practices these are heard publicly and, frankly, the rest of us -- we all unless we live on those glass houses -- my dad and mom who were married for fifty-four (54) years, my dad would always point his finger and say, 'Unless you live in a glass house, you better not start throwing stones.' So, there's a lot of truth to that and I think it demands some legislation to insure some confidentiality and a lack of what I see as a lack of concern and lack of compassion for some people who, at this point, are in need. Some of these matters need to be confidential. Red Mosby and I go back a long way; I have the highest degree of respect for him. If you were to say a negative thing about Red Mosby, he is a very conscientious person and one who is a dedicated Trustee. And, again, I must emphasize that I am not here to break new ground or talk about new guidelines in this particular situation. I am saying very clearly that at this point we have to base our review on what the guidelines are and the Attorney's advice. At this time I would like to see if the Commissioners would want to make a recommendation on this."

Commissioner Tuley stated, "I am not sitting here in judgment of Red or anybody else either. I am just trying to look at what was presented to us based on the evidence. I found out through my investigation that the rent was paid in December by the Church; the partial payment made in January was made by the Church -- so it looks like they have gone -- and I don't know how we determine what all the other avenues are, unless we require everybody to run to every single organization there is in the community. I don't know where we draw the line. It is rather ambiguous in the way that is stated in the guidelines. So that is where I felt like in this case the Commissioners need to overturn and request that the \$45.00 or \$55.00 rent (\$45.00 was the last word I got) and medication."

Mr. Mosby interjected, "Mr. Chairman, can I say one more thing though? This is the first time I ever heard about the Church giving them anything -- the first time I ever heard it is right tonight."

Ms. Prince stated, "We said it last week."

Mr. Mosby countered, "No you didn't say nothing last week -- don't give me that shit, because I know better."

Commissioner Borries interrupted, "Red, we'd have to go back in the minutes."

Mr. Mosby stated, "The first time I ever heard about the Church giving them anything was right now tonight. Look at your minutes."

President Borries asked, "Commissioner Hunter, any comments at this

time?"

Commissioner Hunter responded, "Yes, I have. I've kind been the quiet member on this over the last couple of weeks. Mr. Mosby -- or Red, I don't know you -- but I've known you practically all my life because your name is synonymous with democratic politics. You must be a pretty good person to have a room full of people who, I'm sure, have very high morals and values or they wouldn't be here supporting you tonight. And I'm sure with all you people here that many of you are parents. You're very caring and a very concerned people or you wouldn't be here this evening. Well, I'm an educator of some 32 years and the parent of a 21 year old daughter -- and I imagine if we all sat down around the table that your ideas about what is right and wrong and my ideas of what's right and wrong would be about right there on the same level on all the issues. The one concern that I have is that child. I don't want that child to go hungry; I don't want that child not to have a roof over its head. I'm not a judge; I'm not a jury; but I am a concerned person. The mother could have had an abortion, but she didn't. That child didn't ask to be brought into the world, but she was. For that reason, I will have to support the aid for this couple. I think from a moral standpoint -- me, Don Hunter, what I believe is right and wrong, I don't have any choice. And that, Mr. Commissioner, is my feeling."

Commissioner Borries asked, "Is it the decision of this Board then to send this matter back to the Trustee and at this point to allow the appeal and ask that aid be granted?"

Commissioner Tuley replied, "I so move."

Commissioner Hunter said, "I second."

Commissioner Borries said, "I so order. So we thank all of you for attending this evening and we'll say that matter has been turned back to the Trustee with the recommendation here..."

Mr. Mosby asked, "What do you mean back to the Trustee, Mr. Chairman?"

Commissioner Borries replied, "We're saying that based on the guidelines and the information..."

Mr. Mosby said, "You're saying it's in my ballpark, right?"

Mr. Borries responded, "That's right."

Commissioner Tuley said, "Wait a minute, let's make sure we understand each other when we leave here."

Mr. Mosby said, "Just tell me -- you're saying (inaudible) -- Come on, give me a break, boy."

Mr. Borries stated, "What I am saying is, that based on your guides -- based on this case -- that this Board has said you must allow this particular appeal."

Ms. Prince interjected, "The rent and the medication."

Mr. Borries said, "Right."

Mr. Mosby, "Where are they going to get it at? They ain't going to get it from the Perry Township Trustee, I'll file in Court."

Ms. Prince asked, "What is the time period to get this taken care of?"

Mr. Borries responded, "It should be done in a timely fashion -- we've reached a decision here today -- this matter should be done

this week."

Ms. Prince asked, "So we should go out to the Township Trustee's to pick up the voucher?"

Mr. Borries replied, "That is correct. Thank you all very much for attending this evening. Again, I appreciate your support of Red and also your concern here for the citizens of the community."

Mr. Mosby interrupted, "They ain't going to get it from me -- did you understand that?"

Someone from the audience asked, "How long are we supposed to take care of them?"

Mr. Mosby interrupted, "I ain't taking care of them period -- I guarantee that."

Commissioner Borries again said, "Thank you all."

Commissioner Hunter said it is now 6:30 p.m. and he has to leave the meeting. He has a class at the University of Evansville that starts in 60 seconds and he has 24 adult students sitting there waiting for him.

RE: COUNTY BOARD OF FINANCE

President Borries said the Board of Finance needs to be organized and County Treasurer Jayne Berry-Bland is here.

The County Treasurer approached the podium, identified herself and said, "The law has changed since two years go. We formally have to meet once every two (2) years and form this Board of Finance. It currently consists of the County Commissioners and the County Treasurer. The County Auditor is no longer on the Board of Finance. What we need to do today is appoint a Secretary. The Secretary does not have to be a member of the Board, according to law.

Commissioner Borries asked if the Treasurer has a recommendation? How about her?

Ms. Bland said she was hoping that Mr. Humphrey would let the Board have Joanne Matthews. If Ms. Matthews will not agree to it, then she will serve.

Auditor Humphrey asked, "I have an option on Waste Management, do I have one here?"

Ms. Bland said she doesn't want to hear it.

Ms. Bland asked, "Joanne Matthews -- will you let her do it -- Joanne, would you?"

Commissioner Borries asked, "Commissioner Tuley, is it your feeling then that we follow the Treasurer's recommendation?"

Commissioner Tuley said he agrees one hundred percent and moves to appoint, through the County Auditor's office, Joanne Matthews as Secretary to the Board of Finance. Motion seconded by Commissioner Borries and so ordered.

Treasurer Bland said there is one other thing that needs to be done -- and she believes this has to be advertised, and that is designating our depositories and that is through a letter. This has been done before through Legal Counsel. We do the advertising and send out the letters.

Commissioner Borries asked if Ms. Bland can provide documentation, etc., and she said she can do so.

RE: AUTHORIZATION TO OPEN BIDS FOR PRINTING OF 1993 TAX BILLS

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the County Attorney was authorized to open the subject bids. So ordered.

RE: AWARDING OF BIDS FOR ITEMS FOR SHERIFF'S SUBSTATION

Ms. Susan Jeffries of the Purchasing Department said the Commissioners should have a memo regarding the recommendation, as follows:

- 1) Furniture: Five (5) bids were received. Business & Office Equipment only submitted a partial bid and that total was \$36,946.97. Smith & Butterfield was \$41,990.56. Kern Bros. was \$42,434.65 and Atlas Office Supply was \$46,673.53 and Business Furniture Specialists was \$49,190.58. It is recommended that the bid be awarded by line item and split among two bidders, with the majority of the items going to Smith & Butterfield at a total cost of \$34,966.61 and four (4) of the items going to Kern Bros. at a total cost of 46,1028.40. The total award is \$40,995.01.

Motion to award based on the foregoing recommendation was made by Commissioner Tuley, with second from Commissioner Borries. So ordered.

- 2) Telephone System: Ms. Jeffries said it is their recommendation that the bid be awarded to low bidder VanAusdall & Farrar at the total price of \$32,127. (There is a typographical error in the recommendation line of the memo. It should be \$32,127.)

Motion to award based on the foregoing recommendation was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

- 3) Video Security System: Ms. Jeffries said they are recommending the low bidder, Midwest Telecom at \$22,471.00.

Motion to award based on the foregoing recommendation was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

RE: ORDINANCE ESTABLISHING REVOLVING FUND FOR ENFORCEMENT OF ORDINANCE RE WEEDS & NOXIOUS PLANTS/SECOND READING

Commissioner Borries recognized Mr. Roger Lehman, Building Commissioner. Mr. Lehman said they are basically looking for \$1,000 as seed money to start the revolving fund and hopefully it will be self-sufficient after the first of the year.

Commissioner Borries said they will need to go to Council for the funds.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the Ordinance was approved subject to funding approval by County Council.

Mr. Lehman said he also wants to introduce his son, Matthew, who is seated in the back row -- and he's getting into the government flow tonight. Matthew was recognized and welcomed by the Commissioners. Commissioner Borries said Matthew may have gotten a few lessons on how not to govern tonight. However, Mr. Lehman

said they waited outside during that particular discussion.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, permission was granted to go on Council Call for the \$1,000 funding. So ordered.

Auditor Humphrey said 8:30 a.m. tomorrow is the deadline to get the legal ad in.

Mr. Lehman requested he be notified as to when this will be heard by Council and he will attend the Council meeting.

RE: STREET RELIEF FUND RAISER - PHIL HOY

Mr. Phil Hoy, County Councilman, was recognized and stated he is working with Street Relief. In the December 21st meeting of the Commission he was under the impression from Commissioner McClintock that it had been approved for Street Relief to have the Auditorium on February 14th at no charge. Therefore, they'd gone ahead because he assumed they had a green light. He has now received a copy of those minutes and is getting a bill on the Auditorium. He would like to ask the Commissioners to reconsider that decision of December 21st and grant them use of the Auditorium. Street Relief raises a great deal of money for the homeless and all of these inter-related organizations have been responsible for the construction of Habitat houses, etc., etc. He feels that is enough payback to the County for a free night at the Auditorium. He realizes a lot of charities may come forth and ask for this, but he thinks in this case -- and he won't belabor that...

Commissioner Borries said that is exactly what happens. He always wants to commend Phil for his dedication to his work for the Food Bank. He guesses he would be willing to help at least defray some kind of expense -- because what happens is, that is exactly what it is. We've had some discussion with the schools regarding a waiver of certain fees and he can tell Mr. Hoy a number of other charities who have contacted this Board -- at least during his tenure on the Board. He would be willing to work with Mr. Hoy if we could come up with some kind of a fee. He is just afraid -- not because he doesn't commend Mr. Hoy for his dedication and work here -- but what are we going to do next week if another very worthwhile charity comes in here. The Commission would be in the very same situation here -- facing another person as deserving as Mr. Hoy and a plea. Does Mr. Hoy have any guidance in that area?

Mr. Hoy said he does not. His problem is he had assumed this was done -- the organization assumed it was done and they did a newscast -- or rather, a press conference -- on Wednesday, again, with that same assumption. They had one expense they were told -- about \$180 for the staff who would have to stay and they had secured the money to pay that. They have done that much. Obviously he is here for the whole ball of wax -- the Commissioners know that; they know him that well. As he said, he will repeat his case. In the case of the organizations involved here -- their return on taxes alone from the building they have been able to do is more than the rent on the Auditorium for one night.

Commissioner Borries said he fully agrees. He can't argue with anything that has been said. It's just really tough to get into these situations. He then asked Commissioner Tuley for his wisdom on this matter.

Commissioner Tuley asked if Mark Abell got in touch with Phil Hoy after last week's meeting. Is that when we realized there was a breakdown somewhere?

Mr. Abell said he thinks it was a couple of weeks back when the Commission office was instructed to send out a letter. They sent the letters out and he wasn't aware Mr. Hoy was involved with it.

He doesn't know whether Mr. Hoy got a letter.

Mr. Hoy said he did not. What happened was they had a news conference Wednesday.

Mr. Borries asked, "Would the radio station be able to contribute anything at all?"

Mr. Hoy replied they are contributing quite a bit and they might tap that source.

Mr. Borries said, "What happens is, we've had some other members here andthis is my classic example and I use this a lot in talks. I learned a long time ago in this job that you can't please everybody, but it is possible to make them all mad."

Mr. Hoy said, "Commissioner Borries, whatever you do tonight I won't be angry over it. I do feel some personal responsibility for not getting the communication clear and also for raising the money. I don't know where I'm going to get it. I might go over to the media row and start maybe, but I know what they get paid. They are kind of like Food Bankers -- or less!"

In continuing, Commissioner Borries asked, "Is there some kind of rate you were given over there at the Auditorium?"

Mr. Hoy said he believes it was \$600. What happened was, he received this after the news conference and he received a call from WSTO saying he told them....and he said that was what he was told.

Mr. Andy Davidson said, "From the Auditorium side, we've had several calls into Bryan Jackson with WSTO who is spearheading it. He is on vacation this week. We have not heard back from him in regards to the contract and trying to find a sponsor. They were quoted the bottom of the rates that you all approved for that. That is the contract rate that they were quoted. There are some other loose ends with Ticketmaster and a lot of things that the advertisement said -- that tickets were available via Ticketmaster. Ticketmaster has not been contracted to print the tickets. I think there are just a lot of loose lends that have not been tied up yet. But the contract that was sent out - because we could not talk to anybody -- we sent it out at the lowest possible rate given the parameters and then by following up we haven't been able to get in touch with Bryan Jackson. I think the \$600 is right."

Mr. Hoy said Bryan Jackson called him, that is how he knew about it. Bryan asked him to see what he could do -- so he is here to see what he can do.

Commissioner Borries said there is a communications gap. I would assume the Councilman can go ahead and have the event. If Commissioner Tuley will agree, perhaps half the fee can be waived and maybe he and Commissioner Borries can take it upon themselves to somehow come up with some funds to secure some payment to the Auditorium for this. Again, they will take it upon themselves to do that.

Auditor Humphrey asked why not split it three ways and let Mr. Hoy pick up one-third of it.

Councilman Hoy said he was going to Sam.

President Borries said there are a lot of organizations supportive of Mr. Hoy's efforts and perhaps with some media publicity on this particular matter.....

Commissioner Tuley said if this gets as much publicity as the group that just left here got, maybe somebody will come up to the plate and pay for it.

Councilman Hoy said he thinks Commissioner Tuley is right. He again apologized for making an assumption, because that is his responsibility and he does appreciate the Commissioners hearing this out.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the \$600 fee was waived to \$300, with Commissioners Tuley and Borries finding a way to pay the \$300. So ordered. Councilman Hoy said he will work with the Commissioners on this.

Councilman Hoy said the other thing he'd like to do -- and he thinks this is a good opportunity to do this -- to prevent this kind of thing in the future since the Auditorium has made this statement, he certainly will help share that with other organizations who may be looking for its usage.

Commissioner Borries said, "It is a tough call. I will tell you that in the past what basically has happened is that if it is another governmental agency, for example, local government, I can recall some pretty tumultuous hearings over the prison system, over one time the use of a certain word by the school board that had a rather large meaning at no charge over there that fired everybody up. The U. S. Post Office will routinely contact us and ask to waive fees since it is the Federal government for postal exams and we've been able to do that in the past. Those have generally been the parameters in which, at least from my perspective on the Board, that we've operated. But I've had tremendous charities -- people almost with tears in their eyes wanting to use the building -- and now that it is under a private management contract the rules have changed again, we ultimately take the heat, as you know. Again, I want to work with you -- but it does set a very difficult situation, because there are others who do have events (charity nights) over there (I don't wish to name them at this time) who do pay some fees and that is what makes this a difficult situation."

Councilman Hoy said, "We have, in fact, used the Auditorium with the groups and they have picked up the tab for it in the past -- and I understand that."

RE: COUNTY ATTORNEY - ALAN KISSINGER

Weekly Report: Attorney Kissinger said that most of the report he would have had for tonight's meeting was contained in the Executive Session and everything is on preliminary basis there. Therefore, he has no specific progress report to make tonight over and above that that would be appropriate for tonight's record. As he said, everything is preliminary.

RE: READING OF BIDS - PRINTING OF 1993 TAX BILLS

Attorney Kissinger said three forms were returned. Two of them were No Bids. The only bid we had was from Moore Business Communications Services at \$27,895.19.

Ms. Jeffries reported she has reviewed the bid and it is in order and all the required documentation is included. If possible, she would like to go ahead and award the bid tonight.

Commissioner Tuley said that as County Treasurer he has done business with Moore and they do a nice job. He asked Ms. Bland if this reflects much increase over last year's bid.

Ms. Bland said, "No. In fact, it is a decrease, because she told him her budget had been cut and he somehow managed to cut that by \$3,000. They were \$29,000 something last year."

Commissioner Tuley said they pretty well know when they bid that they are going to be the only bidder, so they are not sticking it to the County.

Ms. Jeffries said we do have other bidders come in and inquire, but unfortunately -- or fortunately, for Moore, they are the only ones who can make the form in the format needed.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the contract for the 1993 tax bills was awarded to Moore, as recommended. So ordered.

Attorney Kissinger said he has a prior commitment tonight -- and it is not the I.U. game. Attorney Brinkmeyer has graciously consented to fill in for him from this point forward. If there are any questions or problems and Dennis can't answer same, he will take them to Attorney Kissinger and they'll get them worked out and get the Commissioners an answer.

Commissioner Tuley asked Attorney Kissinger what school he graduated from.

Attorney Kissinger said it might have been I.U.

President Borries continued by welcoming Attorney Brinkmeyer.

RE: COUNTY ENGINEERING DEPARTMENT

The meeting continued with President Borries saying this Board has appointed a new -- he will not call him Public Works Director, since he will not, as he envisions and as discussed here, have direct authority over the County Highway Department. He will be over the County Engineering Department. They are heavily involved with the highway in relation to technical assistance and certain plans and developments. But as this Board has acted and wants to consider some structure changes in the future, those departments will be separate -- but equal perhaps. As Dave Savage finishes his tenure here, he wanted to commend him. He was not able to stay this evening, but he and Mr. Savage had a conversation earlier. David has done an excellent job and was a very hard working person to represent the County in his capacity. With us this evening is Gary Kercher from the County Engineering Department and he has some items for this Board to consider.

Columbia-Delaware Street Bridge: Mr. Kercher said he thinks we have all discussed and re-discussed this project several times. Currently the design calls for the decorative guard rail and he didn't feel it necessary to get more picture -- but he does have pictures of the planned guard rail, rather than the normal solid concrete barrier rail. That is what we've got and that is what we've got designed there now. The contractor would like to order the reinforcing steel, so we need to put it to rest. If this is, in fact, what we want to go on the bridge -- as you know, the reduction in the construction cost was \$30,000 over the other type guard rail, because this is a little harder to build. However, the County only picks up 20%, so it is only a savings of about \$6,000. As the Commissioners know, we had at one time paid United roughly \$3,000 to re-design from the guard rail we would be going to to this guard rail -- so it is kind of like one of those things if we take it now we'd have to re-design it back to what we had before. We can do that, but he thinks it was the consensus of most of the people involved -- West Side Improvement and everybody -- that this is the guard rail we stick with. If that is acceptable, we can go ahead and order the reinforcing steel and continue with the project.

Commissioner Borries said he would personally say he agrees with Mr. Kercher and wants to use this type of barrier. The solid wall, frankly, won't give any kind of view and in planning for future development of a greenway and improvements along this area, no one would even be able to see the Creek at that point. Also, from an historic standpoint, isn't the Franklin Street Bridge....?

Mr. Kercher interjected, "We are going to try to install that on the Franklin Street Bridge, as well."

Commissioner Borries said that if it is agreeable with Commissioner Pat Tuley, the Board will put it to rest and go with this.

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

Request for Copier: Mr. Kercher said they have been looking qt trying to get a copier for the Engineering Department. They've been working on this for some time. Their copier has been broken for about two months. With their office proximity to where the copier is on the third floor, they wanted to purchase a copier of their own. Karen Hadfield of their office put the quotes together for Lisa Mounts and a total buyout initially. The request is to go on Council Call for the first total (\$3,758) for the cost of the copier or whether the Commissioners prefer them to lease it at \$118.04 per month. It is more of a request right now and doesn't have to be decided on tonight.

Commissioner Borries said he and Sam Humphrey had a discussion on this. At one time the Commission office didn't even have a copier -- everything went through the Auditor's office. Then, in the last few years -- it certainly may have been before the last two years, he doesn't remember -- we've kind of gotten into copiers and he knows there is new technology out there. He guesses what he would ask on this -- he is not debating whether or not it is needed -- if they can come up with a budget on this -- but his concern (and Sam Humphrey had expressed this) is that if we're going to start buying stuff in various departments out of their budgets, someone kind of needs to look through these (Susan has already taken off) - maybe Sam, as County Auditor, ought to look at these specs since he has copiers all over his area just to see if it is the kind of copier that we might need. Can we delay this for a week and maybe look at the cost out on this lease. He handles massive amounts of paper down there. He's probably the leading generator of paper in the whole County -- the Auditor and the Courts.

Auditor Humphrey said there was a case re a copier in the County Treasurer's office, which was bought about three years ago?

Ms. Bland said they have never had a copy machine. It was given to them and is about twenty years old.

Mr. Humphrey apologized, saying he was mistaken.

Mr. Kercher said the copier they've had for about two years was given to them by the Clerk's office. It's to the point now where it is not worth getting fixed. It is shot.

Commissioner Borries asked if we want to look at a long range plan. Who ought to be the designated hitter here or review person insofar as finding out what we need, where we are headed with some of these expenditures. He doesn't doubt the need -- and if it will make it more convenient and improve their efficiency and work force, that is fine. But he thinks we need to have somebody review these kinds of requests in order to insure we are getting the right equipment.

Auditor Humphrey said perhaps we ought to have a data sheet that would outline what the use is going to be. Then you can buy a copier to fit that use.

Mr. Kercher said they need a machine that will copy 17 inch size paper.

Commissioner Borries said we need somebody to look and see if those specs are right. Also, as we go before the County Council, he thinks someone (this Board or someone) is going to have to come up

with some kind of long range plan on how we handle these kinds of requests.

Commissioner Tuley said he thinks Mr. Borries is right. He thinks when the last copier was purchased for the Auditor's office it was anticipated that everybody else use it -- and now everybody else is getting their own.

Auditor Humphrey said the use of their machine is still up.

Mr. Kercher said they use the copier in the Auditor's office and in Purchasing quite a bit -- which isn't really a big problem as long as they are in the building. But being across the street....

Mr. Tuley said he is not arguing that -- but he agrees with Rick in that someone ought to be coordinating all this.

Commissioner Borries asked Auditor Humphrey to review the specs, see how much paper we're going to generate -- and maybe a maintenance agreement will be the best thing.

Auditor Humphrey said each of the copiers will do certain things. Depending on what the use is and the quantity, that is what you need to buy. So much has been bought -- the Township Assessors have bought stuff that doesn't work for them and they are using the equipment in his office. Maybe it would be possible to get one of those to supply Mr. Kercher's needs and get an Assessor what he really needs -- because they are buying things they can't use.

Mr. Kercher said to be honest, their volume isn't so big, but it is the specialized need -- a lot of reducing, etc.

Mr. Abell commented, "I would volunteer my time and efforts to be involved in that, too, and I can contact Susan Jeffries and get her input on it."

Commissioner Borries said this Board will end up with a decision sooner or later if there is a maintenance agreement or contractual type thing. The Board will have future requests and we need to have some kind of coordination here to find out how these ought to work.

Autumn Hills III/Road Plans & Profile Sheet: As the Commissioners can tell, Autumn Hills III was done quite a bit better than Autumn Hills I And II. If it's okay, if the drainage plan is approved with the 24 ft. pavement and 2 ft. shoulders on each side-- just as it shows on the profile sheet; it has been approved at that in the drainage board. So this is kind of like the final section of this particular plat. He wasn't involved with this several months ago when it was brought up about the shoulders and lack of curbs -- so he is not sure why it was done this way.

Commissioner Borries said one of the big concerns he has is the aspect of County specifications for some of these items, as well as inspection on these thing -- because what happens is we, as a Board, when we get these things have to wrestle around with how we're going to get out of these things and, frankly, 2 ft. shoulders in most cases in unacceptable to him.

Mr. Kercher said he pretty much set it out -- right or wrong -- but we're going to require waiver for curbs and sidewalks.

Mr. Borries said he will acknowledge for the record that over the past week Mr. Kercher has provided him with a set of working specs and he wants to review those and have the other Commissioners give their full input on this. But he concurs with some of those working ideas and certainly curb and gutter, because we've asked developers to do it and it is something we need to do. Perhaps that would simplify things. Is Mr. Kercher recommending that this

plan will work?

Mr. Kercher responded, "Yes, this will work."

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

Commissioner Borries said he does have some ongoing concerns that as technical as we get in this day and age, he wants to work with Mr. Kercher and the new County Engineer to make sure we are doubly cognizant of making sure we're doing all the inspection we need to do on projects -- because we have a lot of big projects and a lot of money being spent and it is obviously in the taxpayers' best interest that we get full inspection on all kinds of things. If we can't do that, then we need to make certain we get the right kind of technical people so we can do this. But, again, that is a major concern.

RE: COUNTY HIGHWAY DEPARTMENT

The meeting continued with Commissioner Borries welcoming Mr. Fred Howard of the County Highway Department. He said he appreciates Mr. Howard's presence this evening. He does want to commend the County Highway for their efforts during last night's inclement weather.

Mr. Howard said it was a funny snow storm -- they were out twice last night in the hit and miss areas.

Mr. Borries said he heard all good comments, particularly from his school secretary who lives on the far west side. She said those trucks were out and she really appreciated that.

Mr. Borries said he's received a couple of calls and he will work with Fred and Dave Savage on this. Maybe we need to have Dennis Brinkmeyer review that contract. We have ordered and paid for some new trucks and those trucks would have been equipped with snow removal equipment and things Mr. Howard could have used.

Mr. Howard said the second one got delivered tonight. When he left at 3:00 p.m. it wasn't there, but Mark Miller called him. He'd met with Mark last week.

Mr. Borries continued, "We ordered and paid for (which was probably a mistake) how many trucks?"

Mr. Howard responded, "Five -- and we now have two."

Mr. Borries asked, "And they've been there since October 15th?"

Mr. Howard replied, "Yes, approximately."

Mr. Borries said, "You know, your guys could have -- I don't remember what the contract said -- six months delivery or something like that? That's slow."

Mr. Howard said he's got two guys working on it right now and he told me about every two to two and a half weeks they will have a truck out.

Mr. Borries said that is still not good enough for him. He doesn't understand why they have been sitting out there all that time.

Mr. Fred said there were four taken out there and they is still one at Sternberg's which hasn't been delivered yet. Sternberg's is wanting him to sign off and he is worried about our warranty. When does that stop?

Mr. Borries said he is worried about that, too. The other thing,

he doesn't know why we ended up paying them. That's always a little hooker there.

Mr. Howard said Dave Savage told him that was an error and that should not have been done. We paid for the trucks, but there's about \$80,000 that wasn't paid for what Miller's doing. He hasn't received any money. However, Sternberg's received payment for the trucks and now you can't lean on them because they've got their money.

Commissioner Tuley said he thinks we can if we've got a contract.

Commissioner Borries said we need to review that contract.

Mr. Howard said they wanted to put in that contract if all the trucks weren't done in 45 days that we were goign to penalize them \$500 per day -- and he was told by Dave Savage that we couldn't legally do that.

Commissioner Borries again said we need to check the contract. We need the trucks and he wasn't aware of the situation until a few days ago and we need to resolve same. But he did want to put in the record this eveniong that we have some ongoing concerns on this.

Mr. Borries asked Mr. Howard how their remodeling is coming along.

Mr. Howard said it is coming along quite well and he is looking forward to getting in there.

With regard to the Weekly Report, the Commissioners emphasized all they want is to know what each group is doing each day.

Mr. Borries said Mr. Howard can't imagine how many calls are received on something that happens. Either Mr. Howard or a representative of the County Highway needs to be here to handle that. We have multi-million dollar investment in good roads and we want to keep them that way. He then requested that Mr. Howard submit the written report from the County Highway on a weekly basis.

Attorney Brinkmeyer asked, "Fred, is it possible the trucks that Miller hasn't started working on yet -- is it possible we could have another company finish off the work? Or was the contract...?"

Mr. Howard responded that he does not know. That might be something for the Attorneys to look at.

Commissioner Borries said he thinks we're willing to explore all avenues -- but the bottom line is that we need those trucks as soon as possible.

RE: CONSENT AGENDA

Checks Received: In response to query from Commissioner Borries, Mr. Tuley said he has no questins re the Consent Agenda, with the exception of the change in accepting large checks -- so huge amounts are not sitting around.

Mr. Borries said what Mr. Tuley is referring to is Item C-1. From time to time we get large payments from Hillcrest-Washington Home. This particular check he opened when he was going through some mail. We do need to enter it for the record, but a check that size also needs to be deposited in the bank as soon as possible. What is the best way to handle that?

Auditor Humphrey replied, "Tell the Commission Office to bring it down to us and we will quietus it in."

Mr. Borries asked, "Will then someone doublecheck to acknowledge that we received these checks?"

Mr. Humphrey said the checks are always received in the Commission office. All they have to do is make an entry and acknowledge they received it, bring it down to the Auditor's office that day, and it will be quietused in and can then be taken to the Treasurer's office.

Mr. Borries said interest rates are low right now, but when you have a \$158,000 check sitting around -- we need to get that check expedited and down to the Treasurer's office, because there may need to be deposits made to gain some interest on it. And he just doesn't like a check that size sitting around.

Mr. Tuley said a letter or something accompanies the check, right? Why can't the Commission office just put the letter and copy of the quietus in the meeting file.

It was noted the Commissioners' signatures can be stamped on the check, the check brought to the Auditor's office to be quietused in, then taken to the Treasurer's office.

Attorneys' Claims: Commissioner Tuley said he noted the claim to Ziemer, Stayman, Weitzel & Shoulders -- is that December's bill?

Ms. Farrell said that it is and that should be it.

There being no further questions or comments, upon motion made by Commissioner Tuley and seconded by Commissioner Borries the Consent Agenda was approved. So ordered.

RE: OLD BUSINESS

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the Commission Minutes for meetings of January 11, 1993 and January 18, 1993 were approved. So ordered.

Legal Aid: Statistics for December were received and filed for public record.

RE: NEW BUSINESS

Commissioner Borries submitted a letter of resignation from Mike Shoulders for the Burdette Park Advisory Board. He has other time constraints. The Commissioners will need to address this in future appointments.

In order to clarify the Attorneys' situation, Mr. Borries asked if Mr. Tuley would want to make a motion to go on Council Call regarding some salary slots and also some discussion.

Upon motion made by Mr. Tuley, the Commission will go on Council Call for putting the three (3) County Commissioner Attorneys in a line item so they may be paid on a bi-weekly basis, as with the lead Attorney and the additional fees requested by Alan Kissinger in terms of some office supplies, etc. We also need to go on Council Call to ask for a Superintendent of the County Highway Department. It is important we get someone in that position and we need to start the process. Motion seconded by Commissioner Borries. So ordered.

RE: VANDEBURGH AUDITORIUM

Mr. Andy Davidson of Given & Spindler said he looks forward to working with this Board this year. He believes the Commissioners received letter from the Advisory Board dated December 9th and he can read this into the minutes if necessary.

"On November 17th the Vanderburgh County Auditorium Advisory Board member Louis Iaccarino, Jr. made a motion which was seconded by Betty Hermann and to pursue an update of the Knapp, Given, Veszy & Shoulders alternative improvements and expansion plan dated July 15, 1987. The update is necessary to insure the facility meets the American Disability Act requirements in order to comply with Federal Law Guidelines. The Advisory Board members feel the approval of the Board of Commissioners is vital to the facility's compliance. Since facility is a County-owned building, it is important that Vanderburgh County lead the way in meeting the new American Disability Act requirements." The letter is signed by Betty Hermann, President of the Advisory Board, and Louis Iaccarino, Jr., Danny Bateman, Paul Ritchel, Jack Schriber and Jim Raben.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the Commissioners are to go on Council Call with regard to the aforementioned. So ordered.

Mr. Davidson said that attached to the letter is information from KGV&S stating cost to update this study will not exceed \$5,000.

RE: ORDINANCE RE SPEED LIMITS (FIRST READING)

Auditor Humphrey advised the Secretary says the Commissioners also have a First Reading of a Speed Limit Ordinance tonight, with Final Reading scheduled for next week. Same has been advertised.

Commissioner Borries noted these speed limits are on roads with intersections where we have now have listed speed limits and some are goign to be subject to 30 mph. These are specifically in subdivisions where, again, there is a lot of concern for children. He asked if there is anyone in the audience who wishes to make a public comment on this.

Upon motion made by Commissioner Tuley and seconded by Commissioner Bories, the Ordinance was approved on First Reading. So ordered.

R E Z O N I N G P E T I T I O N S

It was noted the Commissioners have three (3) Rezoning Petitions for First Reading tonight, as follows. The Rezoning are scheduled for 7:00 p.m., but there doesn't appear to be much interest on these First Readings. If there are no objections from the audience, the commissioners will hear same at 6:54 p.m.

VC-1-93/Petitioner, Bob Straub: Common known address is 12820 Big Cynthiana Rd. Request is for rezoning to CO-1 for a photography studio.

Motion to approve on First Reading was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

VC-2-93/Petitioners, John & Tamara Schroeder: Common known address is 3800 Mesker Park Drive. Request is for rezoning to C-4.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries the petition was approved on First Reading. So ordered.

VC-3-93/Petitioner, Richard Reising: Common known address is 5102 Middle Mt. Vernon Rd. Requested change is for C-4.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries the petition was approved on First Reading. So ordered.

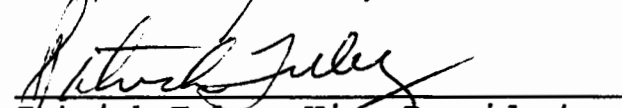
There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 7:10 p.m.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Alan M. Kissinger, County Attorney
Dennis Brinkmeyer/Asst. County Attorney
Sam Humphrey, County Auditor
Gary Kercher, Engineer's Office
Mark Abell, Commission Office
B. J. Farrell, Commission Office
Susan Jeffries, Purchasing Dept.
Phil Hoy
Fred Howard/County Highway
Andy Davidson/Given & Spindler
Marvaline Prince/Legal Services Organization
Mark Winkler/South Western Communications
Steve Culley/Legal Services Organization
Tina Kern/Kern Bros.
Stephen Woodall, Chief
Dwight Lee
Jane Pfender
Norman "Red" Mosby, Perry Twp. Trustee
Randy Norman
Bill McCullough
Jan Joyce
William Holland
Tracy Winterman
Helen Groves
David W. Mosby
Charles Eickhoff
George A. Murray
Harold Goebel
Dave "Hap" Williams
Mary Ann Eickhoff
Jack Hille
Don Kolb
Kip Hollowell
Sam Smith
Willard L. Strange
Joyce Truitt
Allen Willard
Ronald Ham
Charles Qualls
Lucy Strange
David Steinkamp
Don Mosby
Jayne Berry-Bland/County Treasurer
Barbara Cunningham/APC
Ray Hamner/Sheriff
Roger Lehman/Building Commissioner
Fred Howard
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member

**MINUTES
COUNTY COMMISSION MEETING
JANUARY 25, 1993**

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MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 25, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, January 25, 1993 in the Commissioners Hearing room with President Richard J. Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

Commissioner Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff and asked the group to stand for the Pledge of Allegiance.

Mr. Borries subsequently asked if there are any individuals/groups present who wish to address the Commissioners but do not find their particular item of interest on the agenda. There was no response.

RE: AUDITORIUM

Maintenance Agreements: Ms. Sandy Toton of the Vanderburgh Auditorium submitted maintenance agreements with Johnson Controls & Schmitt Refrigeration for approval, saying she believes the Commissioners have copies of the agreements in their meeting packets.

Commissioner Borries said he does not have a copy of the agreement with Schmitt Refrigeration and would like to review same prior to taking any action. However, he does have a copy of the agreement with Johnson Controls and would like to consider same.

In response to query from Commissioner Hunter, Ms. Toton said this is an ongoing contract with Johnson. They service the computerized system. Rather than six (6) scheduled service calls, we have gone down to four (4) service calls which, in essence, has decreased, which reflects a 16% savings per year. She can foresee probably the next year or the year after that getting down to two (2) service calls per year due to the qualified maintenance person they have on staff that handles all the boilers and the computer system now with Johnson Controls. They have totally trained him so he would feel comfortable phasing the visits down to just a couple per year.

Mr. Borries asked, "There are maintenance warranty items here that are affected by the decrease in the amount of visits?"

Ms. Toton said no, not at all. It is basically the same contract as last year except for the decrease in visits, which affects the annual cost by 16%. That is paid in monthly payments of \$384.00 per month for twelve months. This contract does expire the last day of January, along with the contract with Schmitt Refrigeration.

Mr. Borries said he would like a week on the contract with Schmitt Refrigeration; he'd want the bottom line figure on that.

Ms. Toton said it was difficult with Schmitt, as it was with Johnson Controls, to get a competitive bid because of the type of service they are providing on their equipment. On the two ton chillers on the roof, those were put out for bid for two other companies. Schmitt Refrigeration is doing the service in 1992 and they were the low bid for the upcoming contract, which expires the 31st of this month. If the Commissioners would like to see the other two bids on that, she'd be more than happy to leave same with the Commissioners.

Commissioner Borries said he would like to see those, and subsequently entertained a motion concerning the contract with

Johnson Controls.

Motion to approve the equipment maintenance agreement with Johnson Controls was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered. (Copies of signed agreement provided to Ms. Toton, the Commission Office, and T. Woodward in Bookkeeping in the Auditor's office subsequent to the meeting).

Ms. Toton said she will also leave the original contract with Schmitt Refrigeration with the Commissioners.

Claim/Given & Spindler: Mr. Davidson said the only other item they have for approval is the \$52,202.50 claim for professional services. He'd be happy to answer any questions or make explanations concerning the claim if the Commissioners would like.

Mr. Borries said his only question is -- refresh his memory as to why we go through all these different accounts on this.

Mr. Davidson said, "Per the approved budget (which I have a copy for you) the budget was approved Line Item 3790 Professional Services in the amount of \$161,725.00. That includes -- you will notice that Total Class 51 has been zeroed out. With professional management, what we want to do is be able to pay basically all the bills coming in for the Auditorium excluding the salaries of the Teamsters and everything related to that. If you will notice on the bottom budget items this year as opposed to last year, there are quite a few zeroes as far as Total Class 51 has all been zeroed out. Total Class 53 has basically all been zeroed out except utilities. So as professional management, we would like to be able to pay all of the bills excluding utilities and all the Teamsters employees and items directly related to that. This request for the claim is half of basically six (6) months of an Operating Fund for the items we talked about -- uniforms, laundry and cleaning, hardware and tool, office supplies, other supplies, sanitary supplies and everything else listed on the items there."

Mr. Tuley said, "This was something that came up last year -- so I am going to go on the assumption after we all had that meeting that all documentation is still being provided either to this office or directly to the County Auditor's office. Copies of everything -- maybe not the originals -- but copies of everything?"

Mr. Davidson responded, "On a monthly basis we provide you with a statement showing all the accounts receivables, payables, copies of all checks, any information that we've got -- you three get a packet, Sam gets a packet and Jim Raben, President of the County Council and the Liaison for the Auditorium, gets those. You get copies of all the documentation and paper trail and we keep the originals."

Auditor Humphrey stated, "I am not sure that's going to float. I have a call in to State Board. The Auditor's office is charged with keeping the originals and they may force us into that."

Mr. Davidson said, "We'll be happy to give you the originals, Sam, and keep copies ourselves if we're required to do so."

Commissioner Borries asked, "What is your direction since he has brought this up and this was on the Consent Agenda? We're going to have to take some action -- or are you saying not to take action this evening on that? Is that your recommendation?"

Mr. Humphrey said, "I thought he was talking about adding some line items here."

Mr. Hunter said, "He is talking about this one on the Consent Agenda."

Mr. Humphrey said, "I will check with the State Board whenever they get here."

Commissioner Tuley asked, "There is no reason to delay payment on this, is there? He's talking down the road they may have to change the way they submit their documentation is all."

Mr. Humphrey said he sees no reason to delay payment.

Commissioner Borries said there is no problem then, and this item comes under the Consent items.

RE: REQUEST FOR REDUCED FEE/VANDERBURGH AUDITORIUM/PUBLIC EDUCATION FOUNDATION

Commissioner Borries recognized Amy Walker from the Public Education Foundation.

Ms. Walker said the PEF is requesting an adjustment to the offer made by Sandy Toton on behalf of the Vanderburgh Auditorium in a letter dated January 12th. The Commissioners should have copy of same. All the items are the same with the exception of Item "A" where they have a rental rate of \$6,000. They are requesting a rental rate of \$4,000 for 14 days of usage of the Auditorium, the Gold Room available only on July 14, 15, 16, 17 and 18, which are the dates of the dress rehearsal and the performances. The Concessions and Refreshments will be handled by the facility;; lobby sales fee of 10% is wived to 0%. They also added that the use of the Auditorium is to be consistent with the uses in the past four years' productions -- just the general usage they have. This is Item "E" "General Usage", which was not included initially.

Commissioner Tuley said it appears that every week the Commission is getting requests like this. He then asked Ms. Walker if this is the fourth or fifth year for their production?

Ms. Walker said this will be their fifth year.

Mr. Hunter asked if a contract will be signed after this year's production for next year's production?

Ms. Walker said they have not yet signed a contract for this year. They're just in the negotiation phase. The first four years the rate was considerably less than this -- \$2,100.

Mr. Tuley asked if it is perceived by the Foundation that if this were granted that there would be an understanding that there would be an understanding that there would probably be a gradual increase to get to that \$6,000 rate established by the management company, Commissioners, or what have you?"

Ms. Walker replied, "Yes. We are trying this year to seek additional funding for the program so that in future years as production costs increase we can handle additional increases also. Last year our profit was down from the four previous years. So if we're looking at an increase in the Auditorium rate such as this with no additional ticket sales or no additional income, then our profit is going to be down even further. And, of course, our profit is used to fund the programs that we support and give grants to in the schools."

Mr. Hunter said he believes negotiations should begin almost immediately after the conclusion of "Oklahoma" for next year. Part of the problem is that there has been a changeover over there and, like everybody else, they have gone through changes.

Mr. Davidson said he has a couple of questions in regard to this. One is Item "E", the use of the Auditorium to be consistent with the use as in the past four years' productions.

Ms. Walker said those are the things Sandy worked with the Directors on, such as the time they can occupy the building. In the past it has been from 9:00 a.m. to 11:59 p.m., and they would like to have those times the same, if possible. Also, the use of the Green Room and things like that.

Mr. Davidson said he thinks he has had this discussion with Commissioner Borries, when they reviewed last year's cost of operation during the event that the School had over there, they did not come anywhere close to breaking even covering just the daily operations -- being overhead, utilities, and some of the other expenses. The \$6,000 did not get close to a break even on the building, either. These are concerns they have as a management company -- that they've got to come back to the Commission at year's end and say whether they made a profit or loss. They've worked hard with the Public Education Foundation and have some other things that they hope to do with them during the summer. It's just something that the building stands to lose two to three times the rental amount at this rate. He doesn't know if there will ever be a point where the Public Education Foundation can really pay the true cost of the Auditorium for that time. And, the Auditorium should help the Public Education Foundation in endeavors like this. However, he wanted to make the Commissioners aware that whether it is \$4,000 or \$6,000, it is still a losing proposition for the facility itself.

Commissioner Borries thanked Mr. Davidson for his comments and said he wants to commend him for that. He guesses when he looks at this whole situation, when people start to talk about government "being run like a business" and everything else, it is very difficult to do through taxpayer, publicly funded public buildings -- and he thinks Given & Spindler is sincere in doing a fine job in their work at the Auditorium. But he is not sure that in all cases public buildings are going to be able to run a profit like you see sometimes, such as Roberts Stadium. It is a difficult thing to do. Also, we have to look at the other side of this whole issue. You might be able to rent it. He thinks one of the reasons the Public Education Foundation generally requested these dates in the summer was that it was absolutely the slowest time, when literally there was nothing done -- July maybe being among the worst month for bookings. So it seems that sometimes something is better than nothing in the sense that you have a certain nut to crack every time you open the doors. He understands that. But the nut even gets bigger if the doors don't open at all and you've still got all those same expenses. Management still has their expenses -- maintenance and custodial staffs over there. It's kind of like the airlines when they start running these specials. You've got some people paying \$400 to go to Indianapolis and somebody else can go in there for \$99. He knows it is tough on them -- but it is tough on us, too. When you look at serving the public and what the costs are here, he guesses he'd want to ease the pressure a bit. He doesn't stay up nights worrying whether or not this facility is going to make money sometimes or not. He thinks sometimes we're sending mixed signals on that. He frankly doesn't know whether it is going to be possible to do this with a public facility. Roberts Stadium is probably the exception to the rule. In a lot of communities, a lot of public buildings run a deficit. But, again, he understands their position and they're just going to have to understand ours, too.

Commissioner Hunter said, "At the risk of sounding bad I'm going to agree with what Rick just said. You know, this is a public funded Auditorium and is being used by public school students, whose Moms and Dads pay tax dollars -- and I'm reminded of a report I read two summers ago on Burdette Park. Burdette Park had managed to cover 85% of their expenses, which, if you're in business, a corporation probably doesn't sound good. But the next paragraph said, 'Compared to the average of 35% for recreational facilities across the country'. What we're looking at here is

basically a recreational type facility that also has the beauty of the word education or experience tied in with it. So I think there are things we may have to operate at a loss -- and I think this is one of them."

Commissioner Borries said the Commissioners run into some serious dilemmas like they did last week on a very worthwhile situation in terms of charitable things and, frankly, that is a tough one -- and that is why he has to say in any situation you can't just open it up and hope no one pays anything. Then we'd really begin to set some dangerous situations.

Ms. Walker said they understand this and they are willing to pay more. If they could have it this year at just double rather than triple, that is just a little easier for them to swallow right now and they have cut back their usage. In the past they were able to use the Gold Room all day. They will only be using it for dress rehearsal and the performances. They need it to get from one side of the stage to the other.

Mr. Tuley asked, "Amy, you and Sandra have been able to work out Item "E" to your mutual satisfaction?"

Ms. Toton said the only thing she would request from the Public Education Foundation so everything is clear on Item "E" is spelling out that they list exactly what they are asking for -- because that is a very broad statement -- but she has no problem with it if they itemize the things they want. She is willing to work with them.

Mr. Davidson said the main question on that is the box office use. The last four years the box office wasn't used. Currently there is a functional TicketMaster operation in there -- so that is a concern.

Ms. Walker said they understand it is not possible to use the box office this year. However, other arrangements are being made and they will run their own box office.

Ms. Sally Becker, President of the Public Education Foundation said the only added comment she would make is that they have looked very seriously at their numbers -- both income and expenses, as well as the cost of running the Auditorium. They are appreciative for the opportunity and would like to continue. On their part they are taking some new steps in every effort to generate higher revenues, all of which, of course, goes back to the kids. But she is uncomfortable if they are leaving this with the understanding they can do that. She thinks it is only after each year's production that they can look at that very carefully. They lost considerable monies last year -- \$7,000, which for them is a wallop. But they have been attendant to that deficiency in a number of ways and Amy is now on board as their Executive Director, which is a real step of progress for them. They actually have a professional to look at grants and underwriting and they are going to be very earnest. But she doesn't want to leave the Commissioners to believe that they have projected they can pay more -- they don't know that -- in years to come.

Commissioner Tuley moved the request be granted, as submitted, with the idea that Section "E" will be itemized to the mutual agreement of both parties and that the rental fee be reduced from \$6,000 to \$4,000, with a second from Commissioner Hunter. So ordered.

RE: NOTIFICATION OF CHANGE OF EQUIPMENT VENDOR FOR
SHERIFF'S SUBSTATION PROJECT

President Borries noted that Mr. Roger Elliott of SCT is not present; however the Sheriff is here. Mr. Borries continued by reading the following memo into the record:

To: Richard Borries
Patrick Tuley
Don Hunter

From: Roger Elliott, Director, Computer Services Dept.

Date: January 21, 1993

Subject: Sheriff's Substation Project

At the December 21, 1992 County Commissioners meeting, the Evaluation of the Sheriff's Substation RFP for Equipment and Services was received and accepted. One of the recommendations of that evaluation was to award the two (2) five-person Wordperfect Licenses to Hermitage Computer of Minneapolis, Minnesota at a cost of \$2,130.

Hermitage Computer was notified of the award and instructed to ship the items as soon as possible. Upon receipt of the material it was learned that the wrong Wordperfect Licenses were quoted and shipped. Correction of the error by Hermitage Computer would increase the cost of Licenses to \$4,500.

The bid responses were reviewed to determine which vendor could provide the required Licenses at the lowest possible price. Based upon this review an order for two (2) five-person Wordperfect Licenses has been placed with Pioneer-Standard Electronics at a cost of \$2,604.06.

cc: Sheriff Hamner
Chief Deputy Stephen Woodall
Corporal Eric Williams

Sheriff Hamner said the wrong License was sent based upon the capacity of the computer. Eric Williams and Roger Elliott can explain it better. While he does know a little bit about the mixup, he doesn't know enough to go into it in detail. It has been worked out and he would recommend approval. If the Commissioners want further discussion, he will have someone ...

Mr. Borries said the only question he has is whether the Commission needs to take some kind of action to nullify the contract with the other company?

Mr. Hamner said he would assume Mr. Elliott has been in touch with the other company. He doesn't know why Mr. Elliott isn't here tonight. (It was noted that Mr. Elliott was here earlier, but left.)

Commissioner Borries said that, for the record, the Board will take action to rescind or reject the contract with Hermitage Computer of Minneapolis and then move to approve the....

Mr. Tuley asked, "There weren't other parts or components to this contract, were there?"

Sheriff Hamner responded, "No. We bid by line item. The wrong license was bid upon - that was my understanding."

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the previously approved contract with Hermitage Computer was rescinded and the contract with Pioneer-Standard Electronics was approved. So ordered.

RE: SPEED LIMIT ORDINANCE/FINAL READING

The meeting continued with President Borries stating the Board has Final Reading today on the Speed Limit Ordinance. What this Ordinance does is, in effect, reduce the speed limits in a number of subdivisions in the County and the speed limits will be posted. Unless otherwise signed or set by ordinance, the speed limit on other roads in the County is 45 mph. This Ordinance drastically reduces the speed limit on a number of roads. He then asked if there is anyone present who wishes to speak concerning this ordinance. There was no response.

Attorney Kissinger said he talked with someone in the previous County Attorney's office and he indicated several amendments were made to the ordinance. Have the amendments been advertised, as required.

Commissioner Borries said Joanne Matthews would have to respond to that question.

Ms. Matthews said the Ordinance before the Commissioners is the one that was advertised. In other words, the ordinance was not advertised until the amendments had been included.

Mr. Tuley moved to approve the ordinance, with a second from Commissioner Hunter.

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

RE: COUNTY ATTORNEY/ALAN KISSINGER

Attorney Kissinger said he is happy to say he has nothing to report, which he hopes means we're not in trouble.

RE: COUNTY ENGINEER/JOHN STOLL

President Borries welcomed the new County Engineer, Mr. John Stoll, a very capable young man. He said he attended Mr. Stoll's first department meeting today and it seemed to go well. He has asked the cooperation of all County officials in Mr. Stoll's endeavors.

Awarding of Bids for Guard Rails & Pipe:

Mr. Stoll said Gary Kercher needs to discuss some bids which are going to be awarded for asphalt and pipe.

Mr. Kercher said this is one of the things left over from last year; the guard rail, end sections, posts and various pipe material. They have reviewed the bids and would like to award same as follows:

Guard Rail, posts, end sections and various concrete and aluminum pipe materials to M&W Concrete. It was a base bid and they gave us a linear foot price. They want to award based on the price quoted.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the bid on the aforementioned was awarded to M&W Concrete, as recommended by the County Engineer's office.

The PVC pipe or the end 12 poly culvert pipe to PVC, Inc. -- the 12, 15, 18, 24, 30 and 36 inch end 12 plastic pipe.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the bid on the aforementioned was awarded to PVC, Inc., as recommended by the County Engineer's office.

Liquid Asphalt: Mr. Kercher said there was only one bid received on the Liquid Asphlt. They would like to award that to J. H. Rudolph & Co. for a total estimated bid of \$24,750.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the bid was awarded, as recommended. So ordered.

Wood Materials: Commissioner Borries asked if Mr. Kercher is going to award the bid for wood. He received something on this in the mail and forwarded it to the County Engineer's office.

Mr. Kercher asked if Mr. Borries wants to proceed on this.

Mr. Borries said whenever Mr. Kercher needs to do it.

Claims: Mr. Stoll said that he has two claims to Chuck Ruston for contractual services out of the Highway account in the amount of \$396.00 and \$420.00 for approval.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the claims were approved for payment. So ordered.

Employment Status Change: Mr. Stoll said he has an employment status form on himself, which has the wrong salary listed on it. He's like the salary listed, but.....

Commissioner Borries said everything we do is public record -- welcome to the world of government service on a weekly basis -- the salary discussed with Mr. Stoll was in the paper and it was \$41,000 per year. He asked if this is Mr. Stoll's understanding and Mr. Stoll acknowledged that it is. Mr. Borries made the correction on the form. He said he has asked Mr. Stoll and Gary Kercher to once again review a letter he received regarding this continuing saga on the Columbia-Delaward Overpass railing. It is his understanding we pretty have proceeded to the point now where we keep getting conflicting viewpoints as to what we are going to save versus the aesthetics. Some say we need a solid guard rail and we will save money. Others are saying the more decorative Texas style -- that if we had to go back and re-design for the solid rail it would cost too much. He then referred the letter he had received to the County Engineer for review.

Mr. Stoll said Gary Kercher has had discussions with some of the people involved so this matter should be straightened out soon.

RE: COUNTY HIGHWAY - FRED HOWARD

Mr. Borries recognized Mr. Fred Howard, representing the County Highway Department.

Weekly Work Report: Mr. Howard submitted his written Weekly Report detailing the activities of the various work crews and indicating we did have calls for snow removal. Mr. Borries said the highway crew did a fine job, since he has received no complaints to date concerning slipping and sliding. No news is always good news.

1992 Road Paving List: President Borries noted Mr. Howard also submitted a list of roads paved in 1992. While he is not asking for a decision this evening, Mr. Borries said that generally toward the end of February or early March before we get into the paving season this Board has in the past scheduled a Public Hearing to hear from residents regarding various spots that need attention throughout our County road system. In the near future we will need to conduct such a hearing.

Mr. Howard said he does not have the prices -- nor has he ever had the prices on what it cost us for the miles paved. If the

Commissioners need that information he can get with Dave Savage -- because he is pretty sure he had that put together.

Commissioner Borries said that would be helpful, because we always get some rhetoric otherwise on these kinds of things. He thinks it works to our benefit to be able to have the capacity to pave roads and it might insure that we have competitive bids in some other areas here.

Turning to Mr. Humphrey, Mr. Borries said if we could also buy equipment out of there -- he would to see us this year begin to work toward some computerization in the County Highway office in terms of some training and addition of computers to put some of this budget information and maintenance information on computers so we have some very accurate records out there. It will not only help us to look in the past as to what roads we paved, what year, etc., but all of could easily be done since we originally had a Road Maintenance Program that was done by consultants several years ago -- but it never went past that. So can we do that in terms of buying some P.C. equipment and training for the persons out there.

Mr. Humphrey said there is a new program he just put on his personal computer called "Quicken" and that would do the job for them.

Mr. Borries reiterated he wants all of this put on computer. It needs to be done and he certainly thinks it would enhance the efficiency.

Mr. Howard said this would help him tremendously.

Request to Attend Seminar: Mr. Howard said there is a Seminar on Total Quality Management on January 18th from 1:00 p.m. - 4:00 p.m. and the cost is \$20.00. He would like to attend.

It was the consensus of the Commissioners that Mr. Howard attend.

Decreased Funding/County Highway: Mr. Borries said that per Auditor Sam Humphrey, the Highway Department in terms of funding has taken another hit here as per the State Board of Accounts -- and we have to reduce that budget by some \$119,800. Needless to say, we're going to have to make some tough decisions. He is always mystified how the State Board of Accounts acts. He hasn't seen anything in writing; he doesn't know how they do this. Somebody just gives Mr. Humphrey the word or sends signals. We never get anything in writing. He asked Mr. Humphrey if it is presumptuous of him to request them to say something -- like why at this point we have to take that cut.

Mr. Humphrey stated they do that when they issue the budget order. They say this is it. There are two sources of income on the highway department -- the Motor Vehicle Tax and the Engineer's State Fee of \$20,000...they take from last year's, the two previous years and see which direction the Motor Vehicle Tax is going and they make a distribution based on that. If it's going down, your budget is not going to be as great. If it goes up, it can be a little more. It has gone down just about year since he has been here from the budget request. They have counteracted that a little bit. They have allowed the Highway Department to buy equipment out of the Local Roads & Streets account. If the Commissioners will recall, last year we put \$1/2 million extra in that account to buy that major equipment. You can still buy it -- the smaller stuff. That is one concession they have given to the counties. You can't put County Option Tax in the Highway Fund, but you can put it in Local Roads & Streets.

Mr. Borries said we've used County Option Tax to pave roads, haven't we?

Auditor Humphrey responded affirmatively, saying they put \$1 million in Local Roads & Streets. But last year was the first time they've allowed us to buy equipment out of Local Roads & Streets -- and you can do the same this year. Mr. Howard can come to the Auditor's office and they can move the money around in the Highway Department to get their funds set up for them, but somebody out at the Garage wrote off all the utilities and that, obviously, is not going to work.

Mr. Borries said that will not work.

Delivery of New Trucks: Mr. Hunter asked if we've taken delivery on any more of the new trucks yet?

Mr. Howard said we have not. He met with Mark Miller last Friday and he still has two guys working on them. Tonight, Jack Sternberg of Sternberg International (from whom we purchased the trucks) was supposed here to tell the Commissioners about the Warranty -- because he (Howard) was concerned about that. They were going to try to start the Warranty October 15th, and he told them he was not going to sign anything. Since Mr. Sternberg didn't show up, he will call him tomorrow -- because he needs to present that. We don't want to take a Warranty until we get the trucks. The Warranty should not start until the day the truck arrives on the lot.

Mr. Borries said sometimes the worst thing you can do to mechanize equipment is to let it sit -- so we could have some problems when it is finally delivered. He also talked with Mr. Miller and told him -- where we got hooked here was we paid for the trucks -- but Mr. Miller said we have not paid for his services and he wants to do all of this right. He said it takes a lot of time. He said he would work on it quicker, but we will need to continue to push on this because no commitment was made.

Mr. Howard said he has been driving out there daily to make sure somebody is doing something.

Mr. Borries said he thinks we need to -- because we've learned a hard lesson here and he doesn't want it repeated again. If we order equipment, we want to make sure whoever gets that bid can install it and do so in a timely fashion.

Auditor Humphrey said when this came up he called his contact up north (from whence we got the original bids). They use Mack trucks, which are more expensive. They were one (1) month from the day the trucks were delivered to the equipment company to the day they got them -- and that was four trucks.

Commissioner Tuley said Mark Abell just informed him there is a meeting set tomorrow at 4:00 p.m. with Susan Jeffries and one of the County Attorneys to go over the contract on the trucks and evaluate same.

RE: CONSENT AGENDA

There being no questions concerning items on the Consent Agenda, upon motion made by Commissioner Tuley and seconded by Commissioner Hunter it was approved. So ordered.

RE: OLD BUSINESS

Acceptance of Minutes/January 19th: Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the Commission Minutes of January 19th were approved, as submitted. So ordered.

RE: NEW BUSINESS

Acceptance of Checks: Commissioner Borries said that last week the Commissioners discussed how we're going to handle checks. Joanne Matthews wrote a memo to him advising Mark Abell brought down three checks from the State Auditor received in the Commission office on January 22nd totaling \$49,192.96. They were reimbursement checks on the Green River Rd. Section "A" project. The checks were quietused in and taken to the County Treasurer for deposit.

For the record, the Commissioners acknowledged receipt of the checks and forwarding of same to the County Treasurer for deposit.

Resolutions/Eminent Domain Proceedings/Floyd M. & Patsy Adams & Earl R. and Lucille M. Kramer & USI Interchange: Attorney Kissinger said he would recommend the Commissioners consider and pass the subject Resolutions. We must file suit on the Adams matter tomorrow.

Commissioner Borries said the USI folks, as we all are, are anxious to move this forward.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Resolution regarding the Kramers was approved. So ordered.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Resolution regarding the Adams was approved. So ordered.

Contract w/Scott Riley re Technical Services/Reassessment

Commissioner Borries said Councilmember Betty Lou Jerrel met with the Township Assessors concerning the matter of Reassessment this week. She met with them over some continuing questions and complaints concerning the cost of hardware and its various uses concerning the reassessment, which always seems to be contentious. She asked - and this Board would need to take official action -- that Scott Riley, an employee of the Evansville-Vanderburgh School Corporation and a person who has technical skills in data processing (this Board would have to take official action in terms of a contractual agreement) be retained for specific technical services which he would give to the Assessors regarding this particular situation and the amount would not exceed \$500.

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

Approval of Checks from Self-Insurance Fund: Mr. Borries said he has some checks, which have been reviewed by Dennis Feldhaus, for claims which are to be paid from the Vanderburgh County insurance account. He asked Mr. Feldhaus to review this, since the Board has had concerns in relation to the payments coming out of that account. These checks are for payment of fees to the previous County Attorneys, etc. At this time he would entertain a motion for approval of the checks.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the checks were approved. So ordered.

State Welfare Costs: The meeting continued with President Borries reading the following News Release from the Association of Indiana Counties, Inc. concerning a study of State Welfare Costs:

STATE WELFARE COSTS CONSUME LOCAL PROPERTY TAXES

Indianapolis - The Association of Indiana Counties released figures today showing a dramatic increase in local property taxes as a result of the state welfare system.

The Association studies property tax dollars raised for welfare from 1982 to 1992 and found the statewide average increase of 179%. Vanderburgh County's increase for the ten year period was 137%.

"The purpose of this study is to address the issue of property tax reform which has been building in this state," said Raymond Nuce, Madison County Commissioner and an officer of the Association.

According to Richard J. Cockrum, Executive Director for the Association, the study confirms what county officials have been expressing for the past few years.

"The elected county commissioners and council members are frustrated at the growth in this state program over which they have no control," said Cockrum. The welfare system in Indiana is administered by an agency of state government.

Another factor established in the study is the wide range of growth. Martin County experienced a 1,532% growth over the ten year period, with Benton County having 57% growth in the same time frame.

The Association has determined that in seven counties the welfare fund is larger than the county general fund. The general fund is the primary source for operating county government.

Statewide, the welfare fund is equivalent to 54% of the general fund. In Vanderburgh County the welfare fund is equivalent to 48% of the county general fund.

The Association is proposing that state legislators examine another tax base to fund welfare.

"We do not believe that property taxes are the appropriate way to fund the state welfare system," stated Stuart Rhodes. Rhodes is a member of the Marion County Council and Vice President of the Association.

The Association is a non-profit organization established in 1957 to represent the interests of county government in Indiana. The study is based upon information from the local government data base.

Vanderburgh County Historical Society: Mr. Borries said he has a letter from the Vanderburgh County Historical Society indicating this is the 175th Anniversary this year of the creation of Vanderburgh County. On January 7, 1818, they enacted the law to say from and after the 1st day of February 1818, a new county was to be known by the name of Vanderburgh. On March 9, 1818, is the day the first meeting of the Board of Commissioners of the new county was set: James Anthony, David Brumfield, and George Sirkle assembled. The following day they divided the county into two townships -- Pigeon and Armstrong. We will be hearing more from them. From an historical standpoint, he would also say he asks the Board to consider at some point to participate to help them have some kind of event to observe this anniversary.

Drainage Board: Mr. Borries said the Drainage Board will convene immediately following the Commission Meeting, at which time the Board will reorganize.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 6:50 p.m.

assembled. The following day they divided the county into two townships -- Pigeon and Armstrong. We will be hearing more from them. From an historical standpoint, he would also say he asks the Board to consider at some point to participate to help them have some kind of event to observe this anniversary.


Drainage Board: Mr. Borries said the Drainage Board will convene immediately following the Commission Meeting, at which time the Board will reorganize.

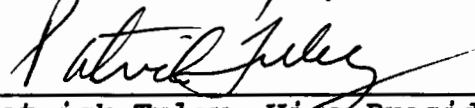
There being no further business to come before the Board, President Borries declared the meeting adjourned at 6:50 p.m.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Alan M. Kissinger, County Attorney
Sam Humphrey, Auditor
John Stoll, County Engineer
Gary Kercher, Engineer's office
Ray Hamner, Sheriff
Amy Walker, Public Education Foundation
Sally Becker, Public Education Foundation
Andy Davidson, Vanderburgh Auditorium
Sandra Toton, Vanderburgh Auditorium
Ray Duncan, Oak Wood Subdivision
Kevin Bryant, Attorney
Brian Price, PVC Plastics
Aaron Biggerstaff
Terry Noriega, Advanced Drainage Systems
Mark Abell, Commission Office
B. J. Farrell, Commission Office
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

JANUARY 25, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wanting to address the commission
 - B. Andy Davidson/Vanderburgh Auditorium
re: New Contract with Johnson Control
 - C. Public Education Foundation/Amy Walker
re: Letter regarding Auditorium
 - D. Roger Elliott/Data Processing
re: Notification of change of equipment vendor for the Sheriff's
Substation Project
 - E. Final Reading:
Speed Ordinance
6. **DEPARTMENT HEADS**

Alan Kissinger ----- County Attorney
John Stoll ----- County Engineer
Fred Howard ----- County Highway

7. CONSENT ITEMS

A. Travel/Education Requests

Health (3)

B. Claims for payment

1) Given and Spindler 52,202.50 (Professional Services)

C. Employment Changes:

Burdette Park/Appointment

William Engelhardt/Ground Crew.....7.00/HR 1/19/93

Recorder/Release

Patti Gullatte/Misc Clerk.....17,153.00/YR 1/16/93
Medical Leave with Insurance until 2/26/93

Health Dept/WIC Program/Appointment

Laura Edwards/PT Nurse.....12.4081/HR 1/25/93

D. County Engineer Requests:

* John Stoll will present with his report

8. OLD BUSINESS

a. Approval/Acceptance of Commissioners Minutes for 1/19/93

9. NEW BUSINESS

10. MEETING ADJOURNED

Scheduled Meetings

Jan 25	Mon	Executive Session	4:30 Pm	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board -- Immediately Following		
Jan 26	Tues	Job Study	3:00 PM	RM 303
Jan 27	Wed	County Council		
		Personnel/Finance	3:30 PM	RM 301
Feb 1	Mon	Department Head Meeting (County)	4:00 PM	RM 303
		County Commissioners	5:30 PM	RM 307
Feb 3	Wed	County Council	3:30 PM	RM 301

DRAINAGE BOARD IMMEDIATELY FOLLOWING

(*agenda in your folders)

EQUIPMENT MAINTENANCE AGREEMENT

1. Johnson Controls, Inc.: Johnson Controls, Inc., located at 430 E. Sycamore, Evansville, Indiana. Johnson Controls, Inc. (hereinafter referred to as "Johnson") is a corporation which is engaged in the business of servicing, selling, and maintaining equipment and machinery.

2. Vanderburgh County: Vanderburgh County is the local governmental entity which owns and operates the Vanderburgh County Auditorium located at 715 Locust, Evansville, Indiana.

3. Service and Materials: Johnson is to provide labor, material, and parts for the maintenance of the DSC-8500 system which is located and operated in the Vanderburgh County Auditorium. The labor, material, and parts provided by Johnson shall include the following:

A. Johnson shall examine, adjust, clean, calibrate, and perform all recommended maintenance tasks necessary for the operation and functioning of the DSC-8500 system;

B. Johnson shall perform a scheduled service visit once per quarter for a total of four (4) scheduled service visits and one (1) floating visit during the contract period of one (1) year. The scheduled service visits shall be performed during the period of 8:00 o'clock a.m. and 5:00 o'clock p.m., Monday through Friday. Repairs shall be made during regular working hours. The owner may request repairs during overtime hours at no additional charge beyond the \$200.00 which is included in and a part of the total payment, herein described in paragraph 6;

C. Johnson shall be on call to provide repair, labor, and material at no additional cost to Vanderburgh County for the additional items listed below:

1. IBM 6310 CRT located in Manager's office;
2. Esprit printer located in Manager's office;
3. DSC-8500 master and remote FIC's located in Manager's office;
4. Two (2) DSC-8500 remote FIC's located in Mechanical Equipment Mezzanine;
5. MUX cards;
6. Dial up modem and selector switch in Manager's office;
7. Components contained in Johnson field equipment panels;

D. Labor and material required for repairs beyond those items listed in subsections A through C, i.e. temperature sensors, field relays, any Barber Coleman equipment, and HVAC equipment, shall be available with the owner's authorization at the rates outlined as follows:

1. Straight time for 8:00 a.m. to 5:00 p.m. - Vanderburgh County shall pay the rate of \$65.00 per hour plus .60 cents per mile travel and truck expenses for employees of Johnson.

2. Overtime after 5:00 p.m. - Vanderburgh County shall pay the rate of \$80.00 per hour plus .60 cents per mile travel and truck expenses for employees of Johnson.

3. Materials manufactured by Johnson shall be available to Vanderburgh County at the published list prices less a fifty percent (50%) discount, plus applicable taxes.

4. Vanderburgh County shall be able to purchase material not manufactured by Johnson, at Johnson invoice cost plus thirty-five percent (35%) overhead and profit, plus any applicable taxes.

E. Johnson shall, at the owner's request, make minor program changes as required to meet operational requirements of the auditorium. Additionally, Johnson shall provide remote diagnostics for immediate response to operational questions.

4. Storage: Vanderburgh County will provide adequate storage space for Johnson equipment, lubricant or parts which are necessary to perform the four (4) scheduled service visits, one (1) floating visit, and other repairs.

5. Ingress and Egress: Vanderburgh County shall provide ingress and egress to the Vanderburgh County Auditorium to Johnson employees for the purpose of the servicing and maintenance of the DSC-8500 system and the other items listed herein in this Contract.

6. Payment. Vanderburgh County shall pay Johnson the total sum of Four Thousand Six Hundred Eight Dollars (\$4,608.00) per year. This total payment includes the contract price of Four Thousand Four Hundred Eight Dollars (\$4,408.00), plus an additional Two Hundred Dollars (\$200.00) as compensation for overtime work as required. The total price shall be paid in installment payments. Each monthly payment shall be made by the 30th of each month in the sum of Three Hundred Eighty-Four Dollars (\$384.00).

7. Final Agreement: This Contract is intended by Johnson and Vanderburgh County to be a final expression of their agreement. No course of prior dealings between Johnson and Vanderburgh County, and no use of trade shall be relevant to supplement, explain or vary any of the terms set out herein. No representations, understandings or agreements have been made or relied upon other than these specifically set forth herein. This Contract shall inure to the benefit of and be binding upon both Johnson and Vanderburgh County, their legal representatives, successors, and assigns.

8. Law: This Contract shall be governed by the laws of the State of Indiana.

9. Assignment: This Contract can neither be assigned nor performance of the duties hereinunder delegated without the express written consent of Vanderburgh County or its duly authorized agent or agents.

10. Modifications to Contract: Any and all modifications or changes of this agreement must be made in writing with the signature and approval of both Johnson and Vanderburgh County.

11. Indemnification: To the extent caused by the negligence or willful misconduct of Johnson Controls, its agents or employees, Johnson hereby agrees to indemnify and hold Vanderburgh County harmless from and against any liability, expense, damage, action, cause of action, or any other loss of any kind, including but not limited to attorneys fees, with respect to any injuries, death or illness experienced by the employees of Johnson during the performance of any repairs maintenance inspection or service in regards to the DSC-8500 and the other items listed by and included in this contract, or with respect to any other injury, death or illness or any other person or damage to any property caused by Johnson, its employees or agents.

12. Term: This Contract shall be for a period of one (1) year from February 1, 1992 to January 31, 1993.

13. Notice of Termination: Either party may terminate this agreement by giving thirty (30) days' written notice to the other party of this Contract. Such notice shall be deemed properly served if sent by certified mail to the Vanderburgh County Commissioners, City-County Building, 1 N.W. 7th Street, Evansville, Indiana 47708 and/or to Johnson Controls, Inc., 430 E. Sycamore, Evansville, Indiana 47713-2776. In the event that such Contract is terminated by either party, Vanderburgh County shall receive a pro rated refund of Three Hundred Eighty-Four Dollars (\$384.00) per month for each month that Johnson does not perform under the Contract. Likewise, once the Contract is terminated by proper notice, Vanderburgh County shall not continue to make the payments of Three Hundred Eighty-Four Dollars (\$384.00) per month.

14. Attorneys Fees: The parties hereto agree that in the event a lawsuit is filed by either party with respect to the matters covered in this agreement, the party who is successful in such litigation shall be entitled to recover court costs and reasonable attorneys fees from the other party.

This Contract is hereby entered into between Johnson Controls, Inc. and Vanderburgh County on the 25th day of January, 1983.

"VANDERBURGH COUNTY"

By

By

By

JOHNSON CONTROLS, INC.

By

Sam Murphy
Vanderburgh County Auditor

(Copy) 1/25/93

MEMORANDUM

TO: Richard Borries, President, County Commissioners
Patrick Tuley, Vice President, County Commissioners
Don Hunter, Member, County Commissioners

FROM: ^{RE}Roger Elliott, Director, Computer Services Department

DATE: January 21, 1993

SUBJ: Sheriff's Substation Project

At the December 21, 1992, County Commissioners Meeting, the Evaluation of the Sheriff's Substation RFB for Equipment and Services was received and accepted. One of the recommendations of that evaluation was to award the two (2) five-person Wordperfect Licenses to Hermitage Computer of Minneapolis, Minnesota at a cost of \$2,130.

Hermitage Computer was notified of the award and instructed to ship the items as soon as possible. Upon receipt of the material it was learned that the wrong Wordperfect Licenses were quoted and shipped. Correction of the error by Hermitage Computer would increase the cost of Licenses to \$4,500.

The bid responses were reviewed to determine which vendor could provide the required Licenses at the lowest possible price. Based upon this review an order for two (2) five-person Wordperfect Licenses has been placed with Pioneer-Standard Electronics at a cost of \$2,604.06.

cc: Sheriff Ray Hamner
Chief Deputy Stephen Woodall
Corporal Eric Williams



**Public Education
Foundation**
of Evansville, Inc.

Adding the Extra... To Education!

P.O. Box 1163
Evansville, IN 47706-1163
812/422-1699

VANDERBURGH COUNTY COMMISSIONERS
CITY/COUNTY BUILDING
EVANSVILLE IN 47708

January 25, 1993

Gentlemen:

This letter serves as the request of the Public Education Foundation of Evansville for rental of the Vanderburgh Auditorium under the following terms:

- A. Rental rate of \$4,000.00 for 14 days, July 6 through 19, 1993.
- B. Gold Room available on July 14, 15, 16, 17, and 18, dress rehearsal 1993 only.
- C. All concession/refreshments will be provided for sale by the facility.
- D. Lobby sales fee of 10% shall be decreased to 0%.
- E. Use of Auditorium to be consistent with use as in the past four years' productions. 9 AM - 11:59 P.M. - USE OF GREEN ROOM - BOX OFFICE USE -

PEF appreciates your consideration of our request. We are looking forward to a successful summer production of "Oklahoma" at the Vanderburgh Auditorium.

For our children,

PUBLIC EDUCATION FOUNDATION OF EVANSVILLE, INC.

Sally N. Becker
President

Amy P. Walker
Executive Director

CC: Jane Annakin/Gary Heck

apw

Approved

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY APPROVING
EMINENT DOMAIN PROCEEDING

WHEREAS, the County of Vanderburgh, State of Indiana, ("Vanderburgh County") is now engaged in the acquisition of real estate to make improvements to a certain public highway in Vanderburgh County, Indiana, under Project No. M-E 340(), said improvement being to a portion of a road known as Green River Road, a part of the county highway system of Vanderburgh County; and

WHEREAS, Vanderburgh County has and hereby finds that Floyd M. Adams and Patsy A. Adams are the owners of certain real estate located in Vanderburgh County, Indiana, in which are included the rights and interests in real estate described as Parcel 46 of Project No. M-E 340() that is hereby sought to be acquired; and

WHEREAS, Vanderburgh County has and hereby finds that to improve Green River Road, it is necessary and proper that the Plaintiff take and appropriate the real estate described as Parcel 46 of Project M-E 340() (hereinafter the "Acquisition"); and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition is not for speculative purposes; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. M-E 340() will serve a present need of the public; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. M-E 340() will serve a public purpose which will primarily be for the benefit of the public within Indiana; and

WHEREAS, Vanderburgh County has and hereby finds that Vanderburgh County has made a good-faith offer to purchase the real estate described as Parcel 46 of Project No. M-E 340(); and

WHEREAS, Vanderburgh County has and hereby finds that Floyd M. Adams and Patsy A. Adams have refused Vanderburgh County's offer to purchase the real estate described as Parcel 46 of Project No. M-E 340(); and

NOW, THEREFORE, IT IS:

RESOLVED, that pursuant to Indiana Statute, the Board of Commissioners of Vanderburgh County (the "Commissioners"), as the executive of Vanderburgh County, based upon the reasons cited hereinabove, hereby authorize the County Attorney to file a Complaint pursuant to Indiana

Code § 32-11-1-1, et seq., for condemnation of the real estate interests described as Parcel 46 of Project No. M-E 340().

EXECUTED this 25th day of January, 1993.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

By: Richard J. Borries
Richard Borries, President

By: Pat Tuley
Pat Tuley, Vice-President

By: Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey
Auditor

APPROVED AS TO FORM:

Alan M. Kissinger
Alan M. Kissinger
County Attorney

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY APPROVING
EMINENT DOMAIN PROCEEDING

WHEREAS, the County of Vanderburgh, State of Indiana, ("Vanderburgh County") is now engaged in the acquisition of real estate to make improvements to a certain public highway in Vanderburgh County, Indiana, under Project No. C-E 180(1), said improvement being to a portion of a road known as Middle Mt. Vernon Road, a part of the county highway system of Vanderburgh County; and

WHEREAS, Vanderburgh County has and hereby finds that Earl R. Kramer and Lucille M. Kramer are the owners of certain real estate located in Vanderburgh County, Indiana, in which are included the rights and interests in real estate described as Parcel 8 of Project No. C-E 180(1) that is hereby sought to be acquired; and

WHEREAS, Vanderburgh County has and hereby finds that to improve Middle Mt. Vernon Road, it is necessary and proper that the Plaintiff take and appropriate the real estate described as Parcel 8 of Project C-E 180(1) (hereinafter the "Acquisition"); and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition is not for speculative purposes; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. C-E 180(1) will serve a present need of the public; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. C-E 180(1) will serve a public purpose which will primarily be for the benefit of the public within Indiana; and

WHEREAS, Vanderburgh County has and hereby finds that Vanderburgh County has made a good-faith offer to purchase the real estate described as Parcel 8 of Project No. C-E 180(1); and

WHEREAS, Vanderburgh County has and hereby finds that Earl R. Kramer and Lucille M. Kramer have refused Vanderburgh County's offer to purchase the real estate described as Parcel 8 of Project No. C-E 180(1); and

NOW, THEREFORE, IT IS:

RESOLVED, that pursuant to Indiana Statute, the Board of Commissioners of Vanderburgh County (the "Commissioners"), as the executive of Vanderburgh County, based upon the reasons cited hereinabove, hereby authorize the County Attorney to file a Complaint pursuant to Indiana

Code § 32-11-1-1, et seq., for condemnation of the real estate interests described as Parcel 8 of Project No. C-E 180(1).

EXECUTED this 25th day of January, 1993.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

By: Richard Borries
Richard Borries, President

By: Pat Tuley
Pat Tuley, Vice-President

By: Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey
Auditor

APPROVED AS TO FORM:

Alan M. Kissinger
Alan M. Kissinger
County Attorney



VANDERBURGH COUNTY HISTORICAL SOCIETY

OLD COURTHOUSE ROOM 105 • 201 N.W. FOURTH STREET
EVANSVILLE, INDIANA 47708

Mr. Rick Borries, President
Vanderburgh County Commissioners
7515 Taylor Circle
Evansville, Indiana 47715

January 21, 1993

Dear Rick:

Here are some "bare bones" dates and information about the creation of Vanderburgh County:

January 7, 1818 - The general assembly of Indiana enacted the law that "from and after the first day of February" a new county was to be known by the name of Vanderburgh.

Also on January 7 five men, one each from the counties of Perry, Pike, Gibson, Daviess, and Knox were appointed commissioners to "fix the seat of justice" in Vanderburgh. They were to meet on the second Monday of March in the home of Samuel Scott in Vanderburgh County.

March 9, 1818, the day appointed by the law for the first meeting of the board of commissioners of the new county. James Anthony, David Brumfield, and George Sirkle assembled. The following day they divided the county into two townships, Pigeon and Armstrong.

Hugh McGary's warehouse was declared a public warehouse. McGary's house was designated as the site of the court until a new court house should be built.

Other business: appointment of overseers of the poor; superintendents of school sections; an assessor; a committee to "view a proposed public highway" and appointments for the vacancies in the commissioners.

March 10, 1818, the new commissioners of Vanderburgh met "and submitted their reports." A county agent and treasurer were appointed.

If you would like more detail, just ask and I will consult a book! Looking forward to hearing from you about some planning of events.

Sincerely,

FIFTEEN THOUSAND NINE HUNDRED THIRTY-SEVEN DOLLARS SEVENTY-THREE CENTS

To Treasurer of State

PAY
THE
ORDER
OF

DATE THE SUM OF
01/15/93 *****15,937.73

VANDERBURGH CO COMMISSIONERS
PO BOX 77 CIVIC CENTER COMPLEX
RM 210
EVANSVILLE IN 47708

Ann G. DeWore
AUDITOR OF STATE

12819570 074001035 800000 20

TWENTY-FIVE THOUSAND EIGHTY-SEVEN DOLLARS THIRTY CENTS

To Treasurer of State

PAY
O THE
ORDER
OF

DATE THE SUM OF
01/15/93 *****25,087.30

VANDERBURGH CO COMMISSIONERS
PO BOX 77 CIVIC CENTER COMPLEX
RM 210
EVANSVILLE IN 47708

Ann G. DeWore
AUDITOR OF STATE

12819569 074001035 800000 20

EIGHT THOUSAND ONE HUNDRED SIXTY-SEVEN DOLLARS NINETY-THREE CENTS

To Treasurer of State

PAY
THE
ORDER
OF

DATE THE SUM OF
01/15/93 *****8,167.93

VANDERBURGH CO COMMISSIONERS
PO BOX 77 CIVIC CENTER COMPLEX
RM 210
EVANSVILLE IN 47708

Ann G. DeWore
AUDITOR OF STATE

12819568 074001035 800000 20

PRESCRIBED BY STATE BOARD OF ACCOUNTS

REVISED COUNTY FORMS NO. 20 - 1947
NO. 21 - 1947

January 22, 1993

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 6320

FUND 216

\$49,192.96

I HEREBY CERTIFY THAT: AUDITOR/STATE OF INDIANA

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$49,192.96 DOLLARS

ON ACCOUNT OF REIMB. CKS. \$15,937.73: \$8,167.93
AND \$25,087.30

SAM HUMPHREY

03

ed by State Board
Accounts — 1989

INDIANA DEPARTMENT OF TRANSPORTATION LPA CLAIM-VOUCHER

INSTRUCTIONS: This agency is requesting disclosure of your Social Security Number in accordance with I.C. 4-1-8.

VENDOR INFORMATION		AGENCY INFORMATION	
Document Number C800	Date (Month, Day, Year) 12-23-92	Agency Name INDOT	
Vendor Name Vanderburgh County Commissioners		Agency Number 800	
Address (Number, Street) PO Box 77		Social Security Number or	
City, State and Zip Code Evansville, IN 47708		Federal I.D. Number 0356 0000 205-00	
Room Room 210		Vendor Number	

AREA BELOW TO BE COMPLETED BY AGENCY.

DATE	AMOUNT	FUND	OBJECT	CENTER	LOAN / INV / NBR	QTY.	UNIT	DESCRIPTION
	25087.30	4000	572100	108160				(NO)
TOTAL AMOUNT: \$ 25,087.30					Doc. ID: PV 800 555CW93951			

INDOT ACCOUNTING LINE DISTRIBUTION

L N	Invoice Number	Fund	Appr.	Loc.	Func.	Object	Cost Account	Project			Part.	Contract	Amount
								Prefix	Number	()			
01	951	400	816	500	91	721	702	MAM	E340	006	P	R-19511	25087.30
02													
03													

Line No.	Description	Amount
1	Claim No. 5 Contract No. R-19511 Project No. MAM-M-E340(6)	
2	This claim-voucher is for: (Preliminary) (R/W) (Const.) Engineering, Force Account or R/W Costs	
3	Project Description Green River Road Reconstruction - Section "A"	
4	Period covered by this claim-voucher: From 6/13/92 To 7/24/92	
5	Gross amount of previous claims	\$ 67,545.61 ✓
6	Net amount of previous claims	\$ 50,659.22 ✓
7	This (is) (is not) a final claim voucher (Time Certification must be included with final claim-voucher)	
8	Gross amount of this Local Agency Claim	\$ 33,449.73 ✓
9	Federal Share Reimbursable (Line 8 x 75 %)	= \$ 25,087.30 ✓
10	Less State Retainage @ 0 %	- \$ 00.00
11	Net Amount of Claim Voucher	= \$ 25,087.30 ✓

RECOMMENDED FOR APPROVAL

[Signature]
INDOT Official Initiating the Charge

12/22/92
7/23/92
Date

certify that this claim is correct and valid and is a proper charge against the State Agency, Fund and Center indicated.

Authorized Signature of State Agency	Date (Month, Day, Year) JAN 08 1993
--------------------------------------	---

ursuant to the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing Fund and Center is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Signature of Vendor <i>[Signature]</i>	Official Title INTERIM DIRECTOR JANCO. PUBLIC WORKS	Date (Month, Day, Year) 9/8/92
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INDIANA DEPARTMENT OF TRANSPORTATION
LPA CLAIM-VOUCHER


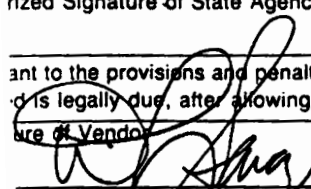
INSTRUCTIONS: This agency is requesting disclosure of your Social Security Number in accordance with I.C. 4-1-8.

VENDOR INFORMATION		AGENCY INFORMATION	
Document Number 1000	Date (Month, Day, Year) 12-23-92	Agency Name INDOT	
Vendor Name VANDERBURGH COUNTY COMMISSIONERS		Agency Number 800	
Address (Number, Street) PO Box 77		Social Security Number or	
		Federal I.D. Number 035600020500	
City and Zip Code EVANSVILLE IN 47708		Vendor Number	

AREA BELOW TO BE COMPLETED BY AGENCY.								
TE	AMOUNT	FUND	OBJECT	CENTER	LOAN / INV / NBR	QTY.	UNIT	DESCRIPTION
	15,937.73	4000	572100	108160				(NO)
TOTAL AMOUNT: \$ 15,937.73					Doc. ID: PV 800 555093953			

INDOT ACCOUNTING LINE DISTRIBUTION												
Invoice Number	Fund	Appr.	Loc.	Func.	Object	Cost Account	Project			Part.	Contract	Amount
							Prefix	Number	()			
953	400	8.16	500	91	721	702	MAM	E340	006	P	R-19511	15,937.73

Line No.	Description	Amount
1	Claim No. <u>7</u> Contract No. <u>R-19511</u> Project No. <u>MAM-M-E340(6)</u>	
2	This claim-voucher is for: (Preliminary) (RAW) (Const.) Engineering, Force Account or RAW Costs	
3	Project Description <u>Green River Road Reconstruction - Section "A"</u>	
	Period covered by this claim-voucher: From <u>08/08/92</u> To <u>09/04/92</u>	
5	Gross amount of previous claims	\$ <u>111,885.91</u> ✓
6	Net amount of previous claims	\$ <u>83,914.45</u> ✓
7	This (is) (is not) a final claim voucher (Time Certification must be included with final claim-voucher)	
8	Gross amount of this Local Agency Claim	\$ <u>21,250.31</u> ✓
9	Federal Share Reimbursable (Line 8 x <u>75</u> %)	= \$ <u>15,937.73</u> ✓
0	Less State Retainage @ <u>0</u> %	- \$ <u>0.00</u>
1	Net Amount of Claim Voucher	= \$ <u>15,937.73</u> ✓

RECOMMENDED FOR APPROVAL	
 INDOT Official Initiating the Charge	<u>12/22/92</u> <u>11/4/92</u> Date
Certify that this claim is correct and valid and is a proper charge against the State Agency, Fund and Center indicated.	
Authorized Signature of State Agency	Date (Month, Day, Year) JAN 08 1993
In accordance with the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing Fund and Center is just and correct, that the amount is legally due, after allowing all just credits, and that no part of the same has been paid.	
Signature of Vendor 	Official Title DIRECTOR OF TRANSPORTATION Date (Month, Day, Year) <u>9/25/92</u>

ad by State Board
ccounts — 1989INDIANA DEPARTMENT OF TRANSPORTATION
LPA CLAIM-VOUCHER

2

INSTRUCTIONS: This agency is requesting disclosure of your Social Security Number in accordance with I.C. 4-1-8.

VENDOR INFORMATION		AGENCY INFORMATION	
Document Number <u>C800</u>	Date (Month, Day, Year) <u>12-23-92</u>	Agency Name INDOT	
Vendor Name VANDERBURGH COUNTY COMMISSIONERS		Agency Number 800	
Address (Number, Street) <u>PO BOX 77</u>		Social Security Number or	
CIVIC CENTER COMPLEX Rm 210		Federal I.D. Number <u>035600020500</u>	
City, State and Zip Code EVANSVILLE IN 47708		Vendor Number	

AREA BELOW TO BE COMPLETED BY AGENCY.

DATE	AMOUNT	FUND	OBJECT	CENTER	LOAN / INV / NBR	QTY.	UNIT	DESCRIPTION
	<u>8167.93</u>	<u>4000</u>	<u>572100</u>	<u>108160</u>				<u>(NO)</u>
TOTAL AMOUNT: \$ <u>8167.93</u>					Doc. ID: <u>PV</u> <u>800</u>	<u>555093952</u>		

INDOT ACCOUNTING LINE DISTRIBUTION

L N	Invoice Number	Fund	Appr.	Loc.	Func.	Object	Cost Account	Project			Part.	Contract	Amount
								Prefix	Number	()			
01	<u>952</u>	<u>400</u>	<u>816</u>	<u>500</u>	<u>91</u>	<u>721</u>	<u>702</u>	<u>MAM</u>	<u>E340</u>	<u>006</u>	<u>P</u>	<u>R-19511</u>	<u>8167.93</u>
02													
03													

Line No.	
1	Claim No. <u>6</u> Contract No. <u>R-19511</u> Project No. <u>MAM-M-E340(6)</u>
2	This claim-voucher is for: <u>(Preliminary)</u> <u>(R/W)</u> <u>(Const.)</u> <u>Engineering, Force Account or Pay Costs</u>
3	Project Description <u>Green River Road Reconstruction - Section "A"</u>
4	Period covered by this claim-voucher: From <u>7-25-92</u> To <u>8-07-92</u>
5	Gross amount of previous claims \$ <u>100,995.34</u> ✓
6	Net amount of previous claims \$ <u>75,746.52</u> ✓
7	This <u>(is)</u> (is not) a final claim voucher (Time Certification must be included with final claim-voucher)
8	Gross amount of this Local Agency Claim \$ <u>10,890.57</u> ✓
9	Federal Share Reimbursable (Line 8 x <u>75</u> %) = \$ <u>8,167.93</u> ✓
10	Less State Retainage @ <u>0</u> % = \$ <u>00.00</u> ✓
11	Net Amount of Claim Voucher = \$ <u>8,167.93</u>

RECOMMENDED FOR APPROVAL


Brandon L. Fowler
INDOT Official Initiating the Charge12/22/92
9/23/92
Date

I certify that this claim is correct and valid and is a proper charge against the State Agency, Fund and Center indicated.

Authorized Signature of State Agency	Date (Month, Day, Year) <u>JAN 08 1993</u>
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Pursuant to the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing Fund and Center is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Signature of Vendor	Signature of Agency <u>INTERIM DIRECTOR</u> <u>PUBLIC WORKS</u>	Date (Month, Day, Year) <u>9/20/92</u>
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VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
Friday, Jan. 15, 1993 thru Thursday, Jan. 21, 1993

Friday, Jan. 15, 1993

Tree Crews & Front End Loader - 4 crews worked on Old Henderson Road.
Trash Crew - ran normal routes.
Rock Crew and Grader - Long Road, Happe Road and King Road.
Garage - one crew worked on new offices.

Monday, Jan. 18, 1993

HOLIDAY - Two General call ins for snow removal.

Tuesday, Jan. 19, 1993

Snow Crews - Three crews salted and sanded snow routes.
Mulch Crew - Fickas Road, and Old Henderson Road.
Patch Crew & Small Roller - Delaware St. Bridge and Harmony Way.
Trash Crew - Garage, Pollack Ave. and routes.
Grader - Hickory Ridge and Newmann Road.
Garage - One crew rebuilt barricades, one crew worked on new offices, and one crew hauled salt to yard.

Wednesday, Jan. 20, 1993

Gradall #1 - Baumgart Road.
Gradall #2 & Wrecker - worked on South Weinback installing flood gate.
Tree Crews - Two crews worked on Old Henderson Road.
Garage - One crew cleaned trucks, one crew worked on new offices and one crew hauled sand to yard.
Trash Crew - Worked at the garage and in the bottoms.

Thursday, Jan. 21, 1993

Four crews worked cutting bleeders on the snow routes.
Two crews worked cleaning drains in the subdivisions.
Mulcher and one crew worked on Lynn Road.
Garage - one crew washed trucks, one crew worked on new offices, and one crew worked installing a tailgate and cleaning up the yard.

VANDERBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, Jan. 15, 1993 thru Thursday, Jan. 21, 1993

Friday, Jan. 15, 1993

Crew #1 - Built forms for storm drain inlet on Lexington Ave.
Crew #2 - Remove log jam on Old Mt. Vernon Road and Old Henderson Road.
Crew #3 - worked in garage marking tools.

Monday, Jan. 18, 1993

HOLIDAY

Tuesday, Jan. 19, 1993

Crew #1 - Build retaining wall for rock at Garage.
Crew #2 - Cut branches hanging over bridges and rail on Broadway Ave., Volkman Road, and Seven Hills Road.

Wednesday, Jan. 20, 1993

Crew #1 - Remove concrete forms on Southside, pour concrete on Northside of Lexington Ave.
Crew #2 & #3 - Place 24" concrete pipe on Baumgart Road.

Thursday, Jan. 21, 1993

Crew #1 - Build retaining wall for rock pile at Garage.
Crew #2 - Trim tree branches away from bridge and clean debris off bridges on Heckel Road.
Crew #3 - Trim tree branches away from bridge and culverts and clean debris off bridges on Old Henderson Road.

1992 PAVING

PAVED BY VANDERBURGH COUNTY HIGHWAY DEPARTMENT

<u>ROAD</u>	<u>LENGTH MILES</u>
Adler Road	2.65
Bassett Avenue	.23
Bexley Court	.54
Bujey Drive	.26
Nunning Road	.19
Ruston Lane	.50
Schillinger Road	1.50
Spry Road	.32
St. Joseph Avenue (Partial)	1.00
Sunrise Drive	.22
Syls Drive	.24
Wedeking Avenue	.20
Mimosa Lane	.18
Anthony Drive & Ceasars Court	.11
West Terrace Drive	.41
Bergdolt Road	.85
Heerdink Lane	.60
Weiss Lane	.30
Twickingham Court	.13
Biddle Court	.09
S.E. Browning Road	.50
Ward Road	.21
Robin Place	<u>.05</u>
TOTAL	11.33 Miles

23 roads

1992 PAVING

PAVED BY CONTRACT FROM VANDERBURGH COUNTY

<u>ROAD</u>	<u>LENGTH</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
Korff Road	1.52	Rudolph	\$73,582.38
Young Road	.49	Koester	\$see Below
County Line West	.79	Rudolph	\$39,517.80
Trapp Road	.77	Koester	\$see below
Oak Grove	.80	Rudolph	\$37,162.64
Elmridge Drive	.56	Rudolph	\$15,298.33
Charles Drive (North)	.21	Rudolph	\$13,530.82
Folz Lane	.29	Rudolph	\$13,494.26
Schmitt Lane & Laura Lane	.25	Rudolph	<u>\$35,865.42</u>
TOTAL	5.68 Miles		<u>\$228,451.65</u>
10 Roads			
Contracted but not completed		(Partial Koester)	<u>\$49,226.76</u>
		TOTAL 1992	<u>\$277,678.41</u>
Oak Terrace	.16	Koester	
Mill Road	.09	Koester	
Kratzville Road	.54	Koester	
Wildwood Avenue	.14	Koester	

**MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 1, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Authorization to Open Bids/Mowing & Trimming Services	1
Resolution re Processing Fee for Weed Control	1
Procedure/Checks for County Building Code Violations; R. Lehman to meet w/Attorney Kissinger	
Agreement with Schmitt Refrigeration/Vanderburgh Auditorium.....	1
Request for Approval of Insurance Program for Vanderburgh County for 1993-1994/Dennis Feldhaus	2
Community Corrections	5
Application for Grant Correction Fund Ordinance Award Application	
County Attorney/Alan Kissinger	6
Resolution/DMD/Subordinate Mortgages	
Agreement with C.A.P.E.	6
A. Riecken to provide A. Kissinger w/information so he can review and make necessary changes prior to submitting to the Board for approval	
Appointment of Michael Robbins/Veterans Service Officer	7
Reading of Bids/Mowing & Trimming Weeds	7
Appointment of Carl Heldt/Assistant County Attorney	8
County Engineer/John Stoll	8
Road Plans/McCutchan Estates, Section II Columbia-Delaware Guard Rail RFP/Bridge Inspection (changes to be incorporated so Board can approve advertising next week USI Interchange Plans/Jim Gulick Request to Relocate County Engineer's Office from the Auditorium to the Old Court House Request to Purchase Copier Request to Go on Council Call re Transfer of Funds Travel Request/Valeri Harry Telephones for Engineer's New Office	
County Highway/Fred Howard	12
Weekly work Report Remodeling @ County Highway Garage New Trucks Request to Attend Seminar/Paving School (taken under advisement)	
Burdette Park	14
Deferred (M. Tuley to submit 1993 Rate Schedule and other items at a later date)	
Consent Agenda	14

Old Business	14
Approval of Minutes of 1/25/93	
New Business	14
House Bill 1456	
Solid Waste Management Meeting	
Commission Executive Session	
Approval of Space Modifications/Board of Review Office	
Teamsters Union Management Team	
Appointment of Pat Shoulders to Convention & Visitors	
Bureau Advisory Board (replacing M. Vandever)	
Meeting Adjourned @ 7:15 p.m.	16

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 1, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, February 1, 1993 in the Commissioners Hearing room, with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Abell, Farrell, Kissinger, Tuley, himself, Hunter, Humphrey, Matthews, Stoll) and asked the group to stand for the Pledge of Allegiance.

Commissioner Borries asked if there are any groups or individuals here who wish to address the Commission but do not find their item of particular interest on the printed agenda. There was no response from the audience.

RE: AUTHORIZATION TO OPEN BIDS FOR MOWING & TRIMMING SERVICES

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the County Attorney was authorized to open bids on mowing and trimming services. So ordered.

RE: PUBLIC HEARING/RESOLUTION RE PROCESSING FEE FOR WEED CONTROL

Mr. Roger Lehman, Building Commissioner, said while he doesn't see it on the printed agenda, we had also advertised a Notice of Hearing today concerning the Resolution re Establishment of a Processing Fee for Weed Control. He is not sure this got into the Commissioners' packets tonight, but it was a carry-over from a couple of weeks ago.

Commissioner Borries said it is not in his packet, but he does recall it was discussed.

Mr. Lehman said that is correct -- but not voted on until the hearing tonight. In the process of dealing with weeds in the County, it is necessary to do a certain amount of inspection and paperwork, publishing, postage, etc. In his opinion, a fee of \$50.00 per lot to cover those items would be reasonable. This administrative fee would be added on to the actual cost of cutting the weeds.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter to approve the Resolution, as submitted.

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

Mr. Lehman said there is one more matter. We have received a check in the amount of \$100 for a fine of a citation issued on a County Building code violation. We haven't really had an established procedure for that prior to now. Since we have a check, we will need to establish a procedure. He will get with the County Attorney on this.

RE: VANDERBURGH AUDITORIUM/CONTRACT WITH SCHMITT REFRIGERATION

Commissioner Borries said Andy Davidson is not present, but a contract with Schmitt Refrigeration has been submitted for approval. Auditorium Management has indicated that Schmitt was the

low bidder.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the contract was approved, as submitted. So ordered.

RE: REQUEST FOR APPROVAL OF INSURANCE PROGRAM FOR VANDERBURGH COUNTY FOR 1993-1994/DENNIS FELDHAUS

President Borries recognized Mr. Dennis Feldhaus, the County's Insurance Agent of Record. Mr. Feldhaus said that prior to getting into the renewal program for the County, he would like to take care of two small items. The first is a Return check, which needs to be returned to the Loss Fund from St. Mary's. This was a duplicate payment for a Work Comp claim in the amount of \$75.60.

Additionally, he has three checks from our adjusting firm out of Indianapolis that require Commission approval prior to processing. (Copy of checks enclosed).

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the checks were accepted for processing. So ordered.

Mr. Feldhaus said at this time he will introduce Mr. Don Dickerson, the State Manager from PENCO, the insurance company broker that has represented the County's insurance program since 1985. He then entertained questions of Mr. Dickerson.

In continuing, Mr. Feldhaus distributed copies of an outline he will be using in proposing the insurance renewal program. What was previously passed out was the official proposal, which is about a 45-page document which he is not going to bore the Commission with this evening. But in that document (for the four individuals who received same -- the three Commissioners and the Attorney) are a couple of color charts to which he will make reference and he would like for them to have those available. Basically, there are some coverage changes from the expiring program -- which expired at 12:01 a.m. today. (The coverage changes recommended are attached hereto as part of the minutes.)

Lloyd's layer of protection now up to \$1 million on the property and liability limits as opposed to \$1/2 million limit previously. The objective of Lloyd's being on the first \$1 million as opposed to the first \$1/2 million is to standardize our program while trying to curb price increases from the excess carriers on the property and liability.

The property limit is up to \$61,112,809 from \$55,434,662 -- due to updated appraisals and additional equipment evaluations, etc.

Item #3 is a most important coverage change and one he wants to dwell on this evening -- and that is the elimination of the separate policy that was carried by Scottsdale Insurance Co. for public officials professional liability. Under the 1992 graph that was a separate policy. It now falls under the All Lines Aggregate Policy. The objective is to, again, standardize the program. But more importantly, especially to the three Commissioners and any elected official, the objective was to provide a \$5 million limit of professional liability as opposed to the expiring \$1 million.

With regard to price changes from the expiring policy, the total program premium increase for the 1993-1994 is 3% over the expiring policy. That equates to about \$16,000 over last year's premium. There are four principal reasons for the increase. First is the obvious higher property limit; second is a much higher rate within the property for earthquake coverage; third is the \$5 million limit he is proposing and recommending to the Commissioners for public officials liability. And last, but definitely not least, is the higher payroll basis, which is used for the liability premium --

the payroll for the County obviously up over the previous year.

The total ALA program premium \$562,664. For the Commissioners' convenience he broke that down into the two funds that support that premium -- General Fund \$351,664 and Highway Department \$211,000.

In addition to everything up to this point, he does want to submit some optional coverages and services. First is additional earthquake from \$20 million up to \$35 million at an additional cost over and above that which the Commissioners see for \$6,000. To explain that, within the excess property we have \$61 million limit for fire, lightening, windstorm, hail, explosion, etc. Earthquake and Flood are two normal exclusions that are buy-backs and we are buying those back. We do have earthquake, but there is a \$20 million sub-limit. So earthquake is a \$20 million limit and total property is a \$61 million limit. Flood is the total \$61 million plus. So he is recommending that in addition to the \$20 million that is part of the ALA program that through another broker and through another company we buy another excess \$15 million limit of earthquake to give us a minimum of \$35 million for the county for earthquake. The problem with the \$20 million limit is it does not cover the appraised value of the Old Court House. If the Old Court House was a total loss as the result of an earthquake, it would consume the total \$20 million limit and we would have no coverage for any other county property, which could be a problem. Therefore, he recommends that coverage.

The last item he wants to bring to the attention of the Commissioners -- and it is not a recommendation because he doesn't have a recommendation as of this evening -- is Loss Control Services. The expiring program maintained the services of PENCO Loss Control. He had some doubts about continuing the use of PENCO for loss control. Basically, for lack of a better way to put it, he is not sure the county got their money's worth in 1992. It was \$11,777 for the loss control that was done by PENCO in 1992. Their loss control services for 1993 are \$14,777. He is presently negotiating with a local firm for loss control services and will come back to this Commission with a recommendation for loss control. This evening he would propose and ask for approval of the renewal program as recommended and, in addition, Item #C(1) -- Optional coverage for earthquake.

President Borries entertained questions.

With regard to the Old Court House, Commissioner Hunter noted Mr. Feldhaus said that if destroyed it would pretty well eat up \$20 million. Is that a replacement cost or is that as it stands today?

Mr. Feldhaus said the last appraised value of the Old Court House was \$26 million plus on a replacement cost basis. This program is predicated on a replacement cost. So the answer to that question would be yes, it would be on a replacement cost basis up to the policy limit which presently would be \$20 million without the optional coverage. The appraisal was done locally by Jerry Schenk & Associates and he believes it is on file.

Mr. Hunter asked what is our total additional cost this year over 1992?

Mr. Feldhaus said the expiring policy was \$546,000 plus and this particular program is \$562,000 without the optional coverage. The two other items -- and he didn't approach them in this particular proposal because they were not part of the All Lines Aggregate Policy and he wanted to deal with the ALA only. Two other coverages expire today which also need to be approved. One is the boiler coverage, which is written through Indiana Insurance policy and the other is the Sheriff's Accidental Death and Dismemberment policy, which also expires. The renewal for the Sheriff's policy is the same as the expiring and that is \$3,000. The boiler policy

is \$4,063 annual. The boiler policy is up about \$67 over the expiring policy. He recommends that both of these policies also be approved.

Commissioner Tuley asked, "Did the \$16,000 increase include the \$6,000 if we go from \$20 million to \$35 million?"

Mr. Feldhaus said it did not.

With regard to the loss control services (on which as he understands it Mr. Feldhaus has no recommendation tonight) is Mr. Feldhaus considering that we not have that at all or just change the company that provides the service.

Mr. Feldhaus responded, "To change the company that is doing it. The county spent \$11,777 last year. In his opinion, at the maximum the Commissioners would be looking for him to come back here for \$14,777 utilizing the same PENCO loss control services. That includes a few more visits and a few more on site situations for that extra money."

Mr. Hunter asked if that is necessary.

Mr. Feldhaus said he would request at this time that that question be deferred.

Mr. Hunter asked, "Did I ask the wrong question?"

Mr. Feldhaus said, "It depends upon whom you're speaking with, Commissioner Hunter. In my professional opinion, we get more for our money from the local service that did it two years ago and I'm negotiating the price of a contract with him. If that cannot be worked out and approved by you, then we will return to PENCO and utilize those services. There are not too many firms we can go to to procure the services needed."

Mr. Hunter asked "You're saying our greater use of PENCO last year did not save money?"

Mr. Feldhaus asked, "Greater use compared to....?"

Mr. Hunter said, "To what had previously been done locally."

Mr. Feldhaus responded, "That is correct."

Mr. Hunter asked, "You are saying that by using a local person we are going to be saving money compared to what we spent in 1992?"

Mr. Feldhaus said he is not certain of that yet, as he does not have the bid from the local firm. That is why he is asking that if the local service comes in about \$14,777, he will come back to the Commission with PENCO.

Commissioner Borries said we have an individual from PENCO here and he certainly wants to recognize him. We're always pleased to do work with them. He thinks what Mr. Feldhaus is trying to say diplomatically is that the way the structure was previously, the person came in from Des Moines, IA (about a ten hour drive) on a quarterly basis. (Mr. Feldhaus said in 1992 it was three visits.) Mr. Borries continued, "What we're saying is that we are looking at a way to more effectively deliver a loss control service, rather than have a person outside come in. Again, it's a very long drive and the person is only in for three days and it is a hurried situation. We're looking at another way to do that on a more thorough basis and we feel a local person might be able to do it. There are two items at stake. First of all, if we look totally at the bottom line, that is one thing we have to look at. But we also have to look at the depth of services and coverage we are getting for the money we are paying. Is that correct?"

Mr. Feldhaus said that is correct.

Mr. Hunter asked, "You mean we didn't have sufficient depth of services last year?"

Mr. Feldhaus responded, "The services that were provided were very professional. I do not want to misinterpret what PENCO did as not getting the job done. My objective would be to supply more hands-on type of loss control. Loss control can be defined in a lot of ways. Loss control the way PENCO defined it was three visits and writing up engineering reports and meeting with several department heads. My idea of loss control is a hands-on visitation to Burdette Park; visitation to the highway department; visitation to the Community Corrections Complex -- not just eight or twelve hours out of the year, but on a more repeated basis and more hands on. Whether or not I can get that done with the money allotted, I am not sure -- but that is my intent."

Mr. Hunter commented, "That remains to be seen then."

Commissioner Tuley asked if this is going to be handled in one motion to include the additional \$6,000 for earthquake coverage?

Commissioner Borries said he would first want to consider the ALA and then look at the optional. Then, we still have the Sheriff's AD&D and the boiler contract.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the ALA program as explained by Mr. Feldhaus, was approved. So ordered.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the increase in earthquake coverage from \$20 million to \$35 million at a cost of \$6,000 was approved. So ordered.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the renewal of the contract re all boilers in County-owned properties was approved. So ordered.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the renewal of the Sheriff's AD&D policy was approved. So ordered.

RE: COMMUNITY CORRECTIONS - HARRIS HOWERTON

Grant: Mr. Harris Howerton, Director of Court Services, was recognized and said he is requesting permission to send his application to the Indiana Department of Corrections for a grant for Fiscal Year 1993-1994 in the amount of \$268,851.00. Those monies are used to augment the annual budget of the Community Corrections Program. It pays for some of the guards, some of the food for the participants out there and other operating costs. Basically we're talking a 5% raise on the employees. Otherwise, there are no additional expenditures.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the application for the Community Corrections Grant was approved. So ordered.

Correction Fund Ordinance: Mr. Howerton said because we do have a Community Corrections Program and the Sheriff and the Corrections Program both house misdemeanor offenders, Vanderburgh County has the option to do that and because we do that we receive an additional \$161,000 annually from the Indiana Department of Corrections. Each year we must approve an Ordinance to do so. He has given the Commissioners a copy of an ordinance that has been used since 1986 for their convenience. Nothing has changed on that.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter to approve the Ordinance. Commissioner Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries yes. So ordered.

Award Application: Mr. Howerton said they are requesting permission to proceed with an Achievement Award Entry with the National Association of Counties for their program. The application requires the Commissioners' signatures.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the request was approved. So ordered.

President Borries asked Mr. Howerton if he has ever applied for an Indiana Association of Counties award?

Mr. Howerton said they have not.

Mr. Borries asked why they don't try to do that this year.

Mr. Howerton said he believes that someone has to suggest they deserve an award for that to happen, don't they?

Commissioner Borries said that can be done.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Attorney Kissinger said he has a Resolution authorizing Mike Robling from the Department of Metropolitan Development to subordinate mortgages. He doesn't know whether Commissioner Tuley will recall, but he thinks Commissioners Borries and Hunter will recall that there was some Federal Grant money that became available a few years back to low income persons to remodel and improve existing structures and loans were made from that Grant money. Those loans were approved by the County Commissioners. This is probably one of our success stories in consideration of the fact that after a period of time the loan is actually forgiven. This particular individual is eligible for the loan to be forgiven in April of this year and the good sign here is that the bank is willing to loan some money on this residence to this individual and asked that we subordinate the County's lien so the bank can have a superior lean on their mortgage. What Mr. Rheinlander is asking is that Mike Robling, the Deputy Executive Director of DMD, be authorized to do this and it was through DMD that the grants were ultimately authorized. Attorney Kissinger said it is his recommendation that the Commissioners adopt this Resolution.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the request was approved. So ordered.

RE: C.A.P.E.

President Borries noted that Alice Weathers of C.A.P.E. is not present, but Al Riecken is here, along with other individuals from that organization, regarding an agreement to provide transportation services for Vanderburgh County through C.A.P.E.

Mr. Riecken said Ms. Weathers is unable to be here today. Unfortunately, she was detained in St. Louis and at the request of the Commission he is here today on her behalf to attempt to answer any questions regarding the agreement.

Commissioner Borries said we don't seem to be in complete compliance with what had been put down and that is why we're going to have to revise the agreement a bit, according to an earlier conversation today with Mr. Riecken -- specifically on fees, where it says no fees or fare will be charged to any individual utilizing this service. As long as they have been providing this service for Vanderburgh County Mr. Riecken advised they have been charging

\$2.00 per person?

Mr. Riecken responded, "For this three year contract period that is correct."

Commissioner Borries said the original agreement that was submitted through previous Attorneys Ziemer, Stayman (actually it came to Gary Price) did not include there was any fee or fare to be charged any individual.

Mr. Riecken said, "On the original proposal? That is correct. On the original request for proposal it was a little ambiguous. There was a section in the request for proposal that said state what your fee will be and then two sentences later it said there will be no fee -- and we included 'there will be no fee' in our proposal."

Commissioner Borries said the technical proposal itself is essentially the same?

Mr. Riecken said, "That is substantially correct, yes."

Commissioner Borries entertained questions from the Commissioners.

Commissioner Tuley asked if there is or is not a \$2.00 fee?

Mr. Riecken said there is a \$2.00 fee.

Commissioner Borries said he will need to have the County Attorney look at the contract. There are several items that need to be modified -- the make-up of the Board; it has 1992, etc. Exhibit "A" is also not included.

Mr. Riecken said that per the contract that is outlined, it says that Exhibit "A" will specify the term of the agreement. That was not attached.

Commissioner Borries asked if we now have the proposal this evening that provides Exhibit "A"?

Mr. Riecken said he is not sure. He has the information.

Commissioner Borries requested that Mr. Riecken forward that information to Attorney Kissinger. If there are no further questions, he would refer this matter to Attorney Kissinger for his review and recommendation and perhaps action by the Board at next week's meeting.

RE: VETERANS SERVICES OFFICER

It was noted by the Board that the Commissioners have a form to be completed with regard to Veterans Services Officer which needs to be forwarded to the State of Indiana. At this time the Board would consider a motion to that effect.

Motion was made by Commissioner Hunter that Mr. Michael Robbins be re-appointed Veterans Services Officer for the year ending December 31, 1993 for Vanderburgh County., with a second by Commissioner Tuley. So ordered.

Mr. Hunter asked if this needs to go to County Council, as well?

Commissioner Borries instructed Ms. Matthews to forward the form to the County Council for their approval on Wednesday, February 4th.

RE: READING OF BIDS/MOWING & TRIMMING WEEDS

Attorney Kissinger said the bids for mowing and trimming services are unit price bids, so he will not announce any total bid costs -- since it wouldn't be applicable to this type of bid. He will

indicate the names of the bidders for the record, as follows:

Complete Lawn Care
Evansville Lawn Care Company
Quality Lawn Care
Evansville Rescue Mission
B&M Enterprises

All of the bids appear in order and in appropriate form.

Mr. Borries said Mr. Lehman will take the bids under advisement and report back to the Commission -- perhaps next week.

RE: APPOINTMENT OF CARL HELDT/ASSISTANT COUNTY ATTORNEY

Attorney Kissinger said he is hereby notifying the Commissioners that local Attorney Carl Heldt has been offered and has accepted the third Assistant County Attorney's position. Also, he has a contract prepared for the County Commissioners, specifically in reference to the duties and compensation of the County Attorney and the Assistant County Attorneys. He will have all of them signed and prepared for the Commissioners' signature prior to the County Council meeting, which is Wednesday, February 3rd. Unless the Commissioners have questions, he believe this completes his report.

President Borries asked if the Board needs to take action at this point to approve that contract and then move forward to the County Council?

Attorney Kissinger said he doesn't know that it is urgent. What he proposes to do -- he has prepared the contracts for the Assistant County Attorneys -- and they are exactly the same as his. The only difference would be the amount of compensation. He will get signatures on those and if the Commissioners have no specific objection, he will drop those by the Commission office for the Commissioners' signatures some time before the County Council meeting on Wednesday.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the contracts with the Assistant County Attorneys were approved, subject to Council approval. So ordered.

RE: COUNTY ENGINEER - JOHN STOLL

Road Plans/McCutchan Estates/Section II: Mr. Stoll said Mr. Andy Easley is present with regard to approval of road plans for McCutchan Estates, Section II. The subdivision had Drainage Board approval back in 1987 and just a section of the road will be built at this time. Mr. Stoll has reviewed the plans and finds them to be acceptable and, therefore, recommends approval.

Mr. Borries queried Mr. Easley concerning the curbs, and Mr. Easley said there will be rolled concrete curb, just like the rest of the subdivision. The street will also be concrete -- as far as he knows -- all the rest of the streets in the subdivision are concrete.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the road plans were approved. So ordered.

Columbia-Delaware Guard Rail: Mr. Stoll said he sent a memo to the Commissioners last week discussing the pros and cons of two different types of guard rail that have been proposed for this project. After reviewing, it is his recommendation that the decorative Texas style rail be installed as opposed to the median barrier type guard rail. He needs the Commission's approval on this.

Mr. Hunter asked what we need to go with?

Mr. Stoll said the decorative Texas style guard rail. It is more along the lines of what is out there now; it is a more decorative rail -- not a solid barrier rail like that along the interstates. This type has already been approved by the Federal Highway.

Commissioner Tuley asked if this wasn't one of the things approved during the first meeting he was in?

Commissioners Hunter and Borries said it was -- in fact, they even approved it before Mr. Tuley came on the Commission.

Mr. Stoll said the money is already spent to design it and everything and he feels it is best to go with the decorative rail; it would fit in better with the Greenbelt project, etc. There would be another \$2,000 involved in the review of another barrier type rail. The decorative type rail meets all the safety standards.

Commissioner Borries said this Board has never changed their thoughts concerning the decorative type rail. The reason they had to get one more opinion was because we've had one more attempt to change it. As long as there are some numbers there and options available, he guesses a lot of things seem to pop their heads back up time and time again -- and this is one of them.

Mr. Hunter moved to go with the Texas style guard rail, as recommended by the County Engineer, with a second from Commissioner Tuley. So ordered.

RFP/Bridge Inspection: Mr. Stoll submitted the RFP for Bridge Inspection, which will be coming up again this year. He is simply going to pass out copies for review this week and the Board can act on this matter next week. If any of the Commissioners note changes to be made, they can contact him or Gary Kercher and they will incorporate the changes prior to next week so we can get it advertised and proceed. We do this inspection every two years.

USI Interchange Plans: It was noted by Mr. Stoll that Jim Gulick from Bernardin-Lochmueller is here today to get the plans signed for the USI Interchange.

Mr. Gulick said what he has is the road plans and bridge plans, and Mr. Borries needs to sign same as President of the Commission.

Motion to approve the plans for the road and the bridge was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

President Borries asked if either Mr. Stoll or Mr. Gulick would like to say a bit about where we are on this project. We've had a lot of interested persons from USI concerning this project.

Mr. Gulick said, "The current status is that the Vincennes District is going to petition the Central Office of the Department of Transportation in Indianapolis to try and place this on a May letting. He believes it is May 11th. Currently we've gotten road plans back and we're making changes to those. We're hoping to have the bridge plans all back by the end of this week and hope to have the tracings ready to go up to Vincennes by the end of next week. With regard to the right-of-way acquisition, as of today 27 of the 31 parcels have been secured. One is in condemnation and we expect to have the right of entry in plus or minus two months from today. We think that should fall into place very well. Utility wise is falling into place. SIGECO has to get an easement across a property to do some of the stuff they have to do and that has to be taken care of. We also have to work with the Water Department so they can get done what they need to get done, etc. One of the other items we probably need to take a look at is the Commissioners have within their power to decide whether any of the work done by

the Water Department might be reimbursible. Of course, this is a straight County job so it will be up to the Commissioners to do whatever they want to do on that part of it. A Memorandum of Agreement has been signed for the school house. As soon as the right of entry has been gained on that property, we'll have to go ahead and start taking archival pictures. Once that is done and the property has been transferred to Vanderburgh County it should be deeded on over to the Garden Club, who will then set in motion the process of moving it. What we'll have to end up doing on the plans is putting a special provision in there alerting the contractor that he may be delayed a bit until the school house is moved.

Commissioner Borries entertained questions of Mr. Gulick.

Mr. Hunter said that somehow Messrs. Stoll and Gulick were out of the line of fire last week and he was in the line of fire and had spoken with Tom Bernardin numerous times on the phone over the last few days. If he is wrong, Messrs. Stoll and Gulick can correct him -- but in their last discussion this morning, Mr. Bernardin indicated we'd contacted our old friend, Greg Curtis, in Vincennes and we were going to try very hard to have the bid letting by May 11th and that would probably mean there could be a ground breaking by mid-June.

Mr. Gulick said that would be about correct.

Commissioner Hunter said he guesses he is a little perturbed when he reads -- and he quotes -- "Construction of the new University intersection overpass has been delayed yet again and University officials are wondering exactly why the County is dragging its feet with the project. I'm sure it is just an example of bureaucracy in slow motion. We're going to be talking to the Commissioners about what can be done to get this thing going." Mr. Hunter said he was aware from the report the Commissioners had all gotten from Bernardin-Lochmueller in mid-January that this thing was running right on schedule. So he guesses he takes issue with the USI newspaper that puts something like this out.

Mr. Gulick said all he knows is that we're moving ahead and the right-of-way is starting to fall into place. You know, when you've got 31 parcels there are a lot of unknowns about acquiring them. Again, as of today 17 of them have been secured, with four yet to go.

Mr. Hunter asked, "And the two that will go to litigation won't stop the project, will they?"

Mr. Gulick responded, "It will take a little longer, but the right of entry will be made during the condemnation process."

Mr. Hunter said he has somewhere in his notes from a long time ago that May 24, 1993 that we had kind of been promised that the Commissioners were going to see to it that Bernardin-Lochmueller were out there with the shovel and we were going to furnish the flashlight to get the ground broken by the end of May -- so we're going to be very close to it, aren't we?

Mr. Gulick said he hopes so -- if things go as they're proceeding now. Right now things are moving along fairly well and he hopes we're able to get these plans back from INDOT on the ridge and next week we can make those changes and get them up to the District by the end of next week. Having the plans signed here will speed that process up, so when they're done we can get them right up there.

Commissioner Borries said there's not a whole heck of a lot you can be happy about when you're turning 50 years old -- but if we can get this thing done on May 11th -- that will be his 50th birthday and that will be one heck of a birthday present.

Mr. Stoll said he will proceed with having Bernardin-Lochmueller prepare the agreement for the County and the Water Department for the County to reimburse the Water Department on the relocation of the water lines so we can get that in motion.

Commissioner Borries said he doesn't think we have any choice on this. Most of the time if it is a Federal project we can apply for reimbursement through the Federal government and the Federal-State monies will reimburse the Water Department when they relocate water lines. They have to recoup their expenses one way or the other. There isn't anyone else to recoup this through except through the bond monies. To speed that up, it would be his feeling to proceed as John Stoll suggests and allow them to recoup their expenses from the bond, since this is not a State or a Federal project.

Request to Relocate County Engineer's Office: Mr. Stoll said the only other item he has is a request to relocate the County Engineer's Office in the Old Court House.

Commissioner Hunter said he comends Mr. Stoll. This was discussed last summer and the County Engineer's office seemed to think this would make their work easier.

Mr. Stoll said everyone in the office has looked at this proposal and thinks the relocation would be much better for their purposes.

Commissioner Borries said he feels like standing up and applauding, because we've tried all these other options and, frankly, to really get a revenue stream back over at the Old Court House he thinks what Mr. Stoll is doing -- and he hopes we can encourage other government offices to do the same thing, to begin to consider moving over there -- and he thinks we will have to show a commitment somehow to ask the County Council to make some amenities to make certain the County Engineer has proper air conditioning, lighting and those kinds of things. But that building is a treasure and it belongs to the people of this County and should be used. Again, Mr. Stoll should be commended for making this change. Hopefully we will have some other groups that want to do the same thing.

In response to query from Commissioner Hunter as to whether Mr. Stoll feels the facilities are adequate, Mr. Stoll said it will provide them with a lot more room. It does look as though some rewiring will be needed to accommodate some computers -- but there are windows, which is an improvement over where they are right now.

In response to query from Commissioner Tuley concerning parking area, both Commissioners Tuley and Borries said they have ideas. Mr. Tuley suggested getting rid of some of that beautiful lawn and making a parking area.

Commissioner Borries said his idea is -- and he has asked a person who shall remain nameless at this point to conduct a little survey -- to see how the parking lot behind the Coliseum is being used revenue wise. There is at least one parking meter that is now listing at about a 45 degree angle. He would tend to guess that on any given day we probably have less than two cars -- and some days no cars -- that have chosen to use the metered parking area. It was his understanding when we purchased that property that we were going to give a statement to the downtown that yes, this was a way we could use the Old Court House during the day to allow for parking and yes, the Coliseum could have this at night. He doesn't know how we got lost on the parking meters; but the point is he has asked someone to do a study during the month of February and give him some statistics as of the beginning of March. Frankly, if it is what he thinks it is going to be, he'd like to ask the Board of Commissioners to consider taking those parking meters out.

Commissioner Tuley said it would be a lot less expensive than taking up the ground around the Court House and making a parking area.

Commissioner Borries said the County is not getting any revenue out of that and we're getting all this hullabaloo about how people are dissatisfied because they don't have a place to park and employees have to move from here to there. Let's let employees or whoever park in that area. Then the County Engineer's people would just have to walk across the street. No decision has to be made tonight, but we should do so right after March 1st. However, Mr. Tuley's suggestion is not out of line and would also merit consideration.

Commissioner Hunter said he has an idea as to what can be done with the Engineer's office once it is vacated -- but he will hold off on this.

Commissioner Borries said he has a thought on that, too.

Request to Purchase Copier: Mr. Stoll said he is requesting permission to purchase a copier for the County Engineer's office. He has quotes from several manufacturers and the Mita copier turned out to be the cheapest (\$4,800) as opposed to Minolta (\$5,800] and a little over \$6,000 for Xerox and Lanier. It is his recommendation to go with the Mita equipment. Based on what everybody in his office said, it meets their needs. This was all prepared before he began work, but his personnel have all said all the copiers met their specs and the Mita being the cheapest, it was their decision to go with it. In response to query from Commissioner Hunter as to who will service the equipment locally, Mr. Stoll said VanAusdall & Farrar will service the equipment. There's a monthly service charge, but even with the service charge this equipment was cheaper than the other equipment considered.

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

Request for Transfer of Funds: Mr. Stoll said he guesses he needs to go before County Council to have the money for the copier transferred so they can purchase the copier next month.

Motion to approve going on Council Call for transfer of funds was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Travel Request: Mr. Stoll said there was one item he didn't get in for the Consent Agenda, and that was a travel request for Valerie Harry of his office to attend an Erosion Control Seminar for the Soil Conservation Service in Terre Haute on Wednesday.

Motion to approve the request was made by Commissioner Hunter and seconded by Commissioner Tuley. So ordered.

Telephone for Engineer's Office: Mr. Mark Abell requested that Mr. Stoll let him know when he plans to move to the Old Court House so he can get involved in making arrangements for their telephones. They also might want a FAX machine. In any event, he should provide Mr. Abell with any and all phone information.

RE: COUNTY HIGHWAY - FRED HOWARD

Weekly Work Report: Commissioner Borries noted Mr. Howard has submitted a Work Report for week of January 23 thru January 27th.....report received and filed.

Remodeling: In response to query from Commissioner Tuley concerning the remodeling at the County Highway, Mr. Howard said they were slowed down last week -- they had to obtain an electrical

inspection. The inspection has been completed and they are now working to get the drywall finished.

Trucks: Commissioner Hunter said he noted a letter had been written by Legal Counsel concerning the trucks. Have we received a response?

Attorney Kissinger said the letter was written but he has had no response.

Commissioner Borries said he got a response just prior to this meeting -- but a rather incomplete response. He was getting ready to go into another meeting and Scott Bingham of Sternberg International is going to call him tomorrow morning. By way of attempting to clear up some confusion, this fellow is the guy who delivered the trucks. He got his money and he felt he did what he was supposed to do. Where the confusion is on this whole situation is between two local trucking firms who kind of handle delivery of the trucks from Sternberg International -- and who are to put the equipment on the trucks. That is where the confusion is. This fellow is concerned that they will get a bad name and wants to explain his efforts because he wants to do further business with us.

Mr. Howard said Mr. Bingham has been a tremendous help to us; he helped write the specs on the trucks, etc.

Commissioner Hunter asked if it would be appropriate for Legal Counsel to contact the two people who were supposed to have done the work on the trucks.

Mr. Howard said the way the contract reads, it all goes to Sternberg International. We pay Sternberg after Miller gets done and then Sternberg pays Miller.

Mr. Borries said he thought Sternberg International had their money.

Mr. Howard said they have the money for the trucks -- but he doesn't have the money to pay Miller. The way he understands it, he pays Miller -- because that was all under one bid.

Mr. Hunter said, "All the money goes through him and he divies it out afterwards."

Mr. Howard said that is right, he subs it out to Miller -- that is the way he understands it.

Commissioner Borries said he thinks a lot of people have expressed their concern on this issue and that will be entered in for the record. He has been contacted, but does not have a full report. He will be talking with Mr. Bingham again tomorrow morning.

Mr. Howard said he went by there last Tuesday and signed two warranties for the trucks we received. The warranties started at the time we received the trucks. One was approximately December 15th and the other January -- but he can't remember the exact date. He wanted to make sure the warranties didn't start until we got the trucks on the County Highway lot -- and that is the way he did it.

Request to Attend Seminar/Paving School: Mr. Howard said there is a seminar for a paving school (free) -- Blaw-Knox in Mattoon, IL. They have two newly created classes on a Monday and Tuesday. One is February 8-9 and the other February 10-11. He would like to attend, along with a foreman and possibly two guys from the paving crew. It would consist of two nights in a hotel. They furnish the lunch and the class is free.

Auditor Humphrey asked if this is the same thing that will be covered in the Purdue Road School.

Commissioner Borries said he was wondering the same thing. He asked Auditor Humphrey to check this out and the Board will take this under advisement. The Purdue Road School is March 2,3, and 4 at Purdue and we'd probably want some personnel to attend that. He asked if Auditor Humphrey is going to the Purdue Road School this year. Auditor Humphrey said he does have a room for same. He said all the Commissioners ought to go to the Purdue Road School.

RE: BURDETTE PARK

President Borries said Mark Tuley is not here -- and he's trying to think if there was a reason he wanted to be on today's agenda.

Ms. Farrell said he wanted to discuss the 1993 Rate Schedule.

Commissioner Tuley said he discussed this with Mark and there is one final aspect of that they're trying to get together yet for a recommendation. They didn't have it, so he asked what Commissioner Tuley thought about him getting it completed prior to bringing anything to the Commissioners so he could take care of several items at one time.

RE: CONSENT AGENDA

Acceptance of Checks: Ms. Farrell said she received a check today. Mr. Borries suggested she quietus it in and give a report on same next week.

Council Call/Commissioners: Mr. Borries asked if this is for Southwest Mental Health -- is that for the Employee Assistance Plan?

Ms. Farrell said , "No, that's the -- we pay around \$400,000 per year and when we set the budget in June we never know what 1993 expenses will be; so they always come to us at the first of the year and give us the difference. This year the difference -- we're going to be short \$4,176.00. And I did check on Vision 2000 and the request would be for \$10,000 -- so we'd need to ask Council for \$10,000. Sandi Deig said I could reduce the \$25,000 original request to \$10,000."

Commissioner Borries asked for further comments re the Consent Agenda items.

Commissioner Hunter asked if we're going to start having the County Engineer's Agenda Items at the end of the Consent Agenda. It was the consensus of the Board that as long as he has reviewed those items, his Claims list should be included on the Consent Agenda.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the Consent Agenda, including the claims from the County Engineer, was approved. So ordered.

RE: OLD BUSINESS

Approval of Minutes: Commissioner Tuley moved to approve the Commission Minutes of 1/25/93, with a second from Commissioner Hunter. So ordered.

RE: NEW BUSINESS

President Borries entertained matters of New Business to come before the Board.

H.B. 1456: Mr. Hunter said he was just reading the one Mr. Borries put in the meeting folders on H.B. 1456 (copy attached hereto).

Mr. Borries said he was going to read a bit of that.

Mr. Hunter said he guesses we ought to get in touch with Dennis Avery and Vaneta Becker -- because this looked like something they were really supporting.

President Borries said H.B. 1456 essentially increases the gasoline tax by five (\$.05) over a two year period and it also changes the funding for State Police. The State Police are currently in this particular road formula and thereby that decreases the amount of money that can be distributed to each County for local roads and local road maintenance. What this would mean to Vanderburgh County -- and there are a number of County charts in here -- and, again, we have been somewhat flat in a lot of our projections, but we would get an increase of \$818,478 in 1994 and the projections are \$949,777 for 1995. The City of Evansville would get \$1,397,000 in 1994 and \$1,661,000 in 1995. This bill, if you choose to support it -- contact the two persons from our area on this or Dennis Avery and Vaneta Becker on the House Ways & Means Committee.

Mr. Hunter said they may want to talk to Don Hume, too -- he's on the list -- and there may be others.

Solid Waste Mangement: Commissioner Borries said he's been asked by Betty Lou Jarrel to announce that they will meet next week and they will have an Executive Session to consider Personnel Matters and that will be held prior to their meeting. The Solid Waste Board meets on the second Monday of each month at 4:30 p.m. He would assume she would have an Executive Session at 4:00 p.m. prior to the regular meeting.

Commission Executive Session: Commissioner Borries said the Commissioners will hold an Executive Session at 5:00 p.m. on Monday, October 8th, for purposes of discussing Employment Matters.

Approval for Space Modifications/Board of Review Office: Commissioner Borries said he was contacted by the Building Authority concerning approval for space modifications of the Board of Review office. What this will do essentially is create a larger auditorium-type room for the public to hear the Board of Review matters. It will open up space by eliminating some walls in the office to create a larger room. Mr. Angermeier has requested this and Mr. Borries said he feels this is certainly in keeping with Mr. Angermeier's intent to try to provide as much space as possible given the nature of some of the controversy that has occurred in that particular office. Therefore, he supports the request.

Commissioner Hunter said he supports it, too. He guesses his question was -- he could not make heads or tails out of the diagram provided by Mr. Angermeier in terms of what he has now and what he would have in the future.

Mr. Borries said he will not have a larger space overall in terms of square footage; it's just a matter of knocking out some walls to create a larger room in the front part of the office. By eliminating one office, the hearing room will twice the size to accommodate hearing participants.

Teamsters Union Management Team: President Borries said we've also had several requests to begin negotiations with the Teamsters Union concerning the contract for 1993. He would like for this Board to consider immediately appointing a Management Team which would represent this Board at the negotiating table -- to give us recommendations, to negotiate, to express the concerns that these people might have as they live by the contract day by day. That there would be a representative from Burdette Park; a

representative from the Vanderburgh Auditorium (which, at this point, would be the Management firm); a representative from the County Highway; a representative from the Sheriff's Department concerning the Corrections Officers who staff the Jail; and a final person would be a member of the Vanderburgh County Council -- perhaps two persons. What this committee would do would be to meet with the County Attorney initially to develop what proposals and concerns this Board would have concerning negotiations, to collect information for this negotiating process, and then to begin negotiations. Mr. Borries then entertained a motion concerning approval of this concept.

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

Appointment to Convention & Visitors Advisory Board: It was noted by Commissioner Borries that Michael Vandever had initially accepted his appointment to the Vanderburgh County Convention & Visitors Advisory Board. However, he is not going to be able to do this work; he is in charge of ten states now as a lobbyist and has been forced to miss the first meeting because he was at the Iowa Legislature and has informed me is not going to be in town enough to really provide what he feels would be a leadership and effective service on that board. Mr. Borries said he regrets this, but having talked with Mike he understands that kind of traveling puts him in a situation where he is in and out of town a lot.

Mr. Borries then asked the Board to consider the appointment of Mr. Patrick Shoulders, who has indicated he would be willing to serve in this capacity.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the appointment of Mr. Patrick Shoulders was approved. So ordered.

There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 7:15 p.m.

PRESENT:

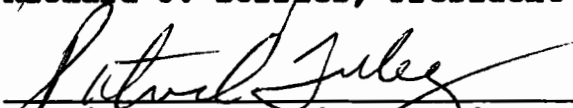
Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Gary Kercher, County Engineer's Office
Roger Lehman, Building Commissioner
Susan Jeffries, Purchasing Dept.
Harris Howerton, Court Services
Dennis Feldhaus, Helfrich Insurance
Don Dickerson, PENCO
Andy Easley/Easley Engineering
Jack Waldroup
Al Riecken, C.A.P.E.
Jim Gulick/Bernardin-Lochmueller
Fred Howard, County Highway Dept.
Mark Abell, Commission Office
B. J. Farrell, Commission Office
David Haas/USI Interchange
Pollyanna Haas/USI Interchange
Mark Kleur/Complete Lawn Care
Brian Seib/Evansville Lawn Care Co.
Mike & Betty DeLancy/B&M Enterprises
Others (Unidentified)
News Media

COUNTY COMMISSIONERS
February 1, 1993

17

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President

Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

FEBRUARY 1, 1993

5:30 P.M.

FINAL

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ACTION ITEMS**
 - A. Any group/individual wishing to address the commission**
 - B. Bid Opening:**
 - 1) Mowing and Trimming Services**
 - C. Andy Davidson/Vanderburgh Auditorium**
re: Schmitt Refrigeration Contract
 - D. Dennis Feldhaus/Vice President-Helfrich Insurance**
re: requesting approval for Insurance Program for
Vanderburgh County for year 1993 - 1994
 - E. Harris Howerton/Director of Court Services/Correction Dept.**
re: 1) Approval of Department of Correction Grant
2) Approval of Correction Fund Ordinance
3) Approval of Award Application

F. Bob Rheinlander/Attorney at Law
(Attorney Kissinger will discuss/Mr. Rheinlander will not be in attendance)
re: resolution for signatures authorizing Mike Robling/DMD to subordinate mortgages

G. Alice Weathers/CAPE
re: discussion regarding agreement

H. Veterans Service Officer
re: appointment

6. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
John Stoll ----- County Engineer
Fred Howard ----- County Highway
Mark Tuley ----- Burdette Park

7. CONSENT ITEMS

A. Travel/Education Requests

- 1) Coroner (1) for County Government Day
- 2) Coroner - Dues for 1993 Membership in Indiana Coroner's Association -- 75.00 (Coroner 50.00 (Chief Deputy)
- 3) County Assessor (2)
- 4) Burdette Park (2)

B. Claims for payment

C. Employment Changes:

Prosecutor/Appointment

Johnny Watkins/Investigator.....20,653.00/YR 1/25/93

Circuit Court/Appointment

Deana Dunkel/Secretary.....19,571.00/YR 1/06/93

Karen Altman/Administrative Assistant.....22,717.00/YR 1/06/93

*retroactive to 1/1/93

Circuit Court/Released

Deana Dunkel/Secretary.....	18,664.00/YR	1/22/93
Karen Altman/Administrative Assistant.....	21,660.00/YR	1/22/93

Circuit Court/Appointment

David Montgomery/Intern.....	4.75/HR	1/19/93
Danny Hape/Part-Time Correc Officer.....	5.00/HR	1/15/93
Paul Miller/Cook.....	20,945.00/YR	1/23/93
*retroactive to 1/1/93		

Circuit Court/Release

Spencer Vanmeter/Part Time Correc Officer.....	7.00/HR	1/06/93
Kerri Turnock/Intern.....	4.75/HR	1/08/93
Cindy Eickhoff/Intern.....	4.75/HR	1/08/93
Paul Miller/Cook.....	20,420.00/YR	1/22/93

Burdette Park/Appointment

Patti K. Schaffer/Gift Shop Manager.....	5.75/HR	1/25/93
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Burdette Park/Release

Perry E. Gostley/Part Time Ground Crew.....	5.00/HR	1/25/93
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Pigeon Township Trustee/Release

Imogene Evans/Clerk.....	19,110.00/YR	2/02/93
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Prosecutor/Appointment

Gayle E. Ross/Clerical.....	7.00/HR	1/25/93
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Prosecutor/Release

Gayle E. Ross/Clerical.....	6.00/HR	1/25/93
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Auditor/Appointment

Daviette Redmond/Tax Sale Clerk.....	19,571.00/YR	1/01/93
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Auditor/Release

Daviette Redmond/Tax Sale Clerk.....	17,963.00/YR	1/0/193
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*step increase from COMOT IV to COMOT V step II per job study

Sheriff/Appointment

William Phelps/Proc. Server.....7,707.00/YR 2/01/93

Knight Township Assessor/Release

Hurshel Cobb/2nd Real Estate.....14,889.00/YR 2/01/93
*Medical Leave of Absence with Insurance until 4/01/93

Superior Court/Appointment

Sharon Hester/Court Reporter.....32,639.00/YR 1/01/93

Teresa Wargel/Court Reporter.....26,749.00/YR 1/01/93

Superior Court/Release

Sharon Hester/Court Reporter.....29,988.00/YR 1/01/93

Teresa Wargel/Court Reporter.....21,603.00/YR 1/01/93

D. County Engineer Requests:
*see attached for detailed report

E. Given and Spindler/Monthly Report

F. Checks Received:

Koester # 037485 (Copy of check/quietus attached/\$ 891.32)

AT & T # 2-1310133 (Copy of check/quietus attached/\$ 200.00)

G. Council Call/County Commissioners

130-3020/SWMH

4,176.00

8. OLD BUSINESS

a. Approval/Acceptance of Commissioners Minutes for 1/25/93

9. NEW BUSINESS

a. Indiana Association of County Commissioners Letter
re: House Bill 1456

10. MEETING ADJOURNED

Scheduled Meetings

Feb 1	Mon	Department Head Meeting (County)	4:00 PM	RM 303
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Feb 3	Wed	County Council	3:30 PM	RM 301
Feb 8	Mon	Solid Waste	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Feb 12	Fri	BUILDING CLOSED - PRESIDENT LINCOLN'S BIRTHDAY		
Feb 15	Mon	BUILDING CLOSED - PRESIDENT'S DAY		
Feb 16	Tues	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Feb 22	Mon	Department Head (County)	4:00 PM	RM 303
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Feb 24	Wed	County Council		
		Personnel/Finance	3:30 PM	RM 301

NOTICE OF MEETING
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
Executive Session
Monday - February 8, 1993
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold an Executive Session at 5:00 p.m. on Monday, February 8, 1993 in Room 307, Administration Building, Civic Center Complex, Evansville, Indiana.

PURPOSE OF SAID MEETING is to discuss Employment Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

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

ATTEST:

Sam Humphrey, Auditor
Vanderburgh County

APPROVED:

Alan M. Kissinger
County Attorney

Resolution of the Board of County Commissioners Establishing an Average Processing Fee for Weed Control

Whereas, Section _____ et. seq. of the Municipal Code of Vanderburgh County establishes procedures for the enforcement of the County's weed control ordinance; and

Whereas, Section _____ of the Vanderburgh County Ordinances provides for the County to bill property owners for the actual cost of the work required to remove weeds and rank vegetation and for an amount that represents a reasonable forecast of the average processing expense incurred by the County in conjunction with the removal of weeds and rank vegetation; and

Whereas, Section _____ provides for the Board of County Commissioners to establish an average processing expense at a public hearing. In determining the average processing expense, the Board may fix the amount at a full dollar amount that is an even multiple of five (5); and

Whereas, the Building Commission has estimated the average processing expense for 1992; and

Whereas, a notice of Public Hearing was published in the Evansville Courier and the Evansville Press on _____, 1993;

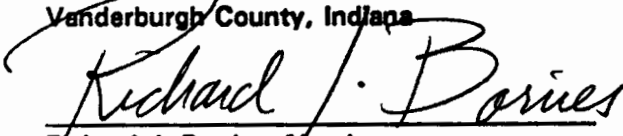
Now, Therefore, Be It Resolved by the Board of County Commissioners of Vanderburgh County, Indiana, as follows:

Section 1. On the 1st day of February, 1993, the Board of County Commissioners conducted a Public Hearing, pursuant to legal notice published on _____, 1993, to establish an average processing expense to be billed to the owners of properties which are found to be in violation of the provisions of Section _____ of the Vanderburgh County Ordinances and for which the County's mowing contractor did cut weeds that were in violation.

Section 2. Based on the estimates developed by the Building Commission, the Board of County Commissioners hereby determines that the average processing expense that will be incurred by the Building Commission in taking the technical, administrative, and the legal actions concerning the removal of weeds and rank vegetation to be fifty dollars (\$50.00) for 1993.

Adopted this 1st of February, 1993.

Board of County Commissioners
Vanderburgh County, Indiana


Richard J. Borries, Member


Patrick Tuley, Member


Don L. Hunter, Member

EQUIPMENT/PARTS/LABOR MAINTENANCE AGREEMENT

1. SCHMITT REFRIGERATION, AIR CONDITIONING AND HEATING, INC IS LOCATED AT 200 S. GOVERNOR, EVANSVILLE, INDIANA. SCHMITT REFRIGERATION, AIR CONDITIONING AND HEATING, INC (HEREINAFTER REFERRED TO AS SCHMITT REFRIGERATION) IS A CORPORATION WHICH IS ENGAGED IN THE BUSINESS OF INSTALLING, SERVICING AND MAINTAINING HVAC EQUIPMENT AND MACHINERY.

2. VANDERBURGH COUNTY: VANDERBURGH COUNTY IS THE LOCAL GOVERNMENTAL ENTITY WHICH OWNS AND OPERATES THE VANDERBURGH COUNTY AUDITORIUM LOCATED AT 715 LOCUST, EVANSVILLE, INDIANA.

3. SERVICE: SCHMITT REFRIGERATION IS TO PROVIDE SCHEDULED MAINTENANCE AND SERVICE TO THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS LOCATED AND OPERATED IN THE VANDERBURGH COUNTY AUDITORIUM. THE LABOR, PROVIDED BY SCHMITT REFRIGERATION SHALL INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- A. SCHMITT REFRIGERATION SHALL EXAMINE, ADJUST, LUBRICATE, CLEAN, REPAIR OR REPLACE ANY AND ALL PARTS NECESSARY FOR THE OPERATION AND FUNCTIONING OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS;
- B. SCHMITT REFRIGERATION SHALL SERVICE, REPAIR, MAINTAIN, INSPECT AND CLEAN EVERY TWO (2) MONTHS FOR A TOTAL OF SIX (6) CHECKS FOR A PERIOD OF ONE (1) YEAR;
- C. SCHMITT REFRIGERATION SHALL BE ON CALL TO PROVIDE MAINTENANCE, SERVICE AND LABOR DURING THE INTERIM TIME BETWEEN THE CHECKS AS IS REQUIRED DUE TO AN EMERGENCY OR OTHER SITUATION WHEREBY EITHER ONE OR BOTH OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS BREAKS DOWN OR FAILS TO PERFORM ITS NECESSARY FUNCTIONS.
- D. MAINTENANCE CALLS SHALL NOT BE LIMITED TO A SINGLE EIGHT (8) HOUR SHIFT PER DAY OR RESTRICTED TO NORMAL WORKING HOURS DUE TO THE NATURE OF THE BUSINESS OF THE VANDERBURGH COUNTY AUDITORIUM WHICH OPERATES DURING BOTH THE NORMAL DAY AND EVENING HOURS. THE SERVICES AND MAINTENANCE PERFORMED BY SCHMITT REFRIGERATION AT TIMES OTHER THAN DURING ITS REGULAR WORKING HOURS ARE INCLUDED IN THE TOTAL PRICE OF THIS CONTRACT.
- E. ALL INSPECTIONS, SERVICES, REPAIRS, AND CLEANING SHALL BE CONDUCTED BY TRAINED EMPLOYEES OF SCHMITT REFRIGERATION, WHO ARE DIRECTLY EMPLOYED AND SUPERVISED BY RANDY SCHMITT. THE TRAINED EMPLOYEES WILL PERFORM ALL OF THE SERVICES BY THE TERMS OF

THIS AGREEMENT. EACH OF SCHMITT REFRIGERATION EMPLOYEES WHO PROVIDES ANY TYPE OF SERVICE ON THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS WILL BE PROPERLY QUALIFIED AND WILL USE REASONABLE CARE AND DILIGENCE IN THE PERFORMANCE OF HIS OR HER DUTIES.

4. STORAGE: VANDERBURGH COUNTY WILL PROVIDE ADEQUATE STORAGE SPACE FOR EQUIPMENT, LUBRICANT OR PARTS WHICH ARE NECESSARY FOR SCHMITT REFRIGERATION TO PERFORM THE SERVICING OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS.

5. INGRESS AND EGRESS; VANDERBURGH COUNTY SHALL PROVIDE INGRESS AND EGRESS AT ALL TIMES TO THE VANDERBURGH COUNTY AUDITORIUM FOR THE PURPOSE OF THE SERVICING AND MAINTENANCE OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS.

6. PAYMENT: VANDERBURGH COUNTY SHALL PAY SCHMITT REFRIGERATION THE SUM OF THREE THOUSAND TWO HUNDRED AND 00/ (\$3,200.00) IN INSTALLMENT PAYMENTS FOR THE SERVICES HEREIN AGREED TO BE PERFORMED. EACH MONTHLY PAYMENT SHALL BE MADE BY THE 30TH OF EACH MONTH IN THE SUM OF TWO HUNDRED SIXTY SIX AND 66/100 (266.66) FOR ELEVEN (11) MONTHS AND ONE (1) PAYMENT OF TWO HUNDRED SIXTY SIX AND 74/100 (266.74).

7. FINAL AGREEMENT: THIS CONTRACT IS INTENDED BY SCHMITT REFRIGERATION AND VANDERBURGH COUNTY TO BE A FINAL EXPRESSION OF THEIR AGREEMENT. NO COURSE OF PRIOR DEALINGS BETWEEN SCHMITT REFRIGERATION AND VANDERBURGH COUNTY, AND NO USE OF TRADE SHALL BE RELEVANT TO SUPPLEMENT, EXPLAIN OR VARY ANY OF THE TERMS SET OUT HEREIN. NO REPRESENTATIVES, UNDERSTANDINGS OR AGREEMENTS HAVE BEEN MADE OR RELIED UPON OTHER THAN THESE SPECIFICALLY SET FORTH HEREIN.

8. LAW: THIS CONTRACT SHALL BE GOVERNED BY THE LAWS OF THE STATE OF INDIANA.

9. ASSIGNMENT; THIS CONTRACT CAN NEITHER BE ASSIGNED NOR PERFORMANCE OF THE DUTIES HEREINAFTER DELEGATED WITHOUT THE EXPRESS WRITTEN CONSENT OF VANDERBURGH COUNTY OR HIS DULY AUTHORIZED AGENT OR AGENTS.

10. MODIFICATIONS TO CONTRACT: ANY AND ALL MODIFICATIONS OR CHANGES OF THIS AGREEMENT MUST BE MADE IN WRITING WITH THE SIGNATURE OF BOTH SCHMITT REFRIGERATION AND VANDERBURGH COUNTY.

11. DISCLAIMER: VANDERBURGH COUNTY SHALL NOT BE LIABLE FOR ANY INJURIES OR ILLNESS EXPERIENCED BY THE TRAINED EMPLOYEES OF SCHMITT REFRIGERATION DURING THE PERFORMANCE OF ANY REPAIRS MAINTENANCE INSPECTIONS, CLEANING OR REPLACEMENT OF PARTS OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS.

12. TERM: THIS CONTRACT SHALL BE FOR A PERIOD OF ONE
(1) YEAR FROM FEBRUARY 1, 1993 TO JANUARY 31, 1994.

13. NOTICE OF TERMINATION: EITHER PARTY MAY TERMINATE
THIS AGREEMENT BY GIVING SIXTY (60) DAYS WRITTEN NOTICE TO
THE OTHER PARTY OF THIS CONTRACT. SUCH NOTICE SHALL BE
DEEMED PROPERLY SERVED IF SENT BY CERTIFIED MAIL TO THE
VANDERBURGH COUNTY COMMISSIONERS, CITY-COUNTY BUILDING,
1 N.W. 11TH AVE., EVANSVILLE, IN 47712. IN THE EVENT THAT
SUCH CONTRACT IS TERMINATED BY EITHER PARTY, VANDERBURGH
COUNTY SHALL RECEIVE A PRO RATED REFUND OF

PER MONTH FOR EACH MONTH THAT SCHMITT REFRIGERATION DOES NOT
PERFORM UNDER THE CONTRACT.

THIS CONTRACT IS HEREBY ENTERED INTO BETWEEN SCHMITT
REFRIGERATION, AIR CONDITIONING AND HEATING, INC AND
VANDERBURGH COUNTY ON THE 1ST DAY OF February, 1993.

"VANDERBURGH COUNTY"

BY

BY

BY

SCHMITT REFRIGERATION, AIR
AIR CONDITIONING, AND
HEATING, INC

BY

VANDERBURGH COUNTY AUDITOR



HELFRICH INSURANCE AGENCY

HELFRICH REALTY COMPANY

2303 WEST FRANKLIN STREET • EVANSVILLE, INDIANA 47712 • (812) 464-5991 • FAX (812) 464-5655

PERSONAL AND BUSINESS
INSURANCE COVERAGES
REAL ESTATE SERVICES

VANDEBURGH COUNTY INSURANCE PROGRAM

A) Coverage changes from the expiring program ---

- 1- Lloyd's layer of protection now up to 1 million on the property and liability limits.
 - objective is to standardize program while trying to curb price increases from the excess carriers.
- 2- Property limit up to \$61,112,809 from \$55,434,662
- 3- Elimination of the separate policy for public officials professional liability through Scottsdale Insurance Company.
 - objective is to again standardize program but more importantly to provide a 5 million limit vs. 1 million for public officials liability.

B) Price changes from the expiring program ---

- 1- Total program premium increase of 3% due to
 - higher property limits
 - much higher rate for earthquake coverage
 - 5 million limit for public officials liability
 - higher payroll basis
- 2- Total ALA program premium = \$562,664
 - General Fund \$351,664
 - Highway Dept. \$211,000

C) Optional coverage and services ---

- 1- Additional Earthquake from 20 million up to 35 million at a cost of \$6000
- 2- Loss control services

OUR 80th YEAR

**VANDERBURGH COUNTY
INSURANCE ACCOUNT**

2400 Embassy Square Blvd. Suite 2405
Louisville, Kentucky 40299 • 502/499-1060

CITIZENS NATIONAL BANK
EVANSVILLE, INDIANA

No. 2686
000002686

DATE 01/26/93

PAY EXACTLY \$ *****517 DOLLARS AND 90 CENTS *****517.90 PAY EXACTLY

PAYEE THOMAS WATERMAN
2768 FOREST AVE
EVANSVILLE, IN. 47712

VOID AFTER NINETY DAYS

⑈002686⑈ ⑆086300041⑆ ⑈101236805⑈

AUTHORIZED BY _____

No. 2686
000002686

CLIENT	LOCATION	COV	CLAIM NUMBER	SUFFIX	DOL
06077	0020	WC	6077900510		11/19/90
STATUS	TRANS DATE	VOUCHER	AMOUNT		
OPEN			517.90		
EMPLOYEE/CLMT			EMPLOYER/INSURED		
THOMAS WATERMAN			COUNTY COURTS DEPARTMENT		

PERIOD 01/31/93 THROUGH 02/13/93

NARRATIVE	TYPE	SUBTYPE	AMOUNT
BENEFITS FOR 01-31-93 TO 02-13-93	IND	TTD	517.90

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED ABOVE. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

**VANDERBURGH COUNTY
INSURANCE ACCOUNT**

2400 Embassy Square Blvd. Suite 2405

Louisville, Kentucky 40299 • 502/499-1060

CITIZENS NATIONAL B
EVANSVILLE, INDIANA

No. 2685
000002685

DATE 01/26/93

*****395.88

PAY EXACTLY \$

*****395

DOLLARS AND

88 CENTS

PAY EXACTLY

PAYEE ST. MARY'S MEDICAL CENTER
3700 WASHINGTON AVENUE
EVANSVILLE, IN. 47750

VOID AFTER NINETY DAYS

⑈002685⑈ ⑆086300041⑆ ⑈101236805⑈

AUTHORIZED BY _____

No. 2685
000002685

CLIENT	LOCATION	COV	CLAIM NUMBER	SUFFIX	DOL
06077	0050	WC	6077920836		10/09/92
STATUS	TRANS DATE	VOUCHER	AMOUNT		
OPEN			395.88		
EMPLOYEE/CLMT			EMPLOYER/INSURED		
JAN HAPPE			BURDETTE PARK		

PERIOD 01/26/93 THROUGH 01/26/93

NARRATIVE	TYPE	SUBTYPE	AMOUNT
MEDICAL PAYMENT FOR JAN HAPPE #55368341	MED	HOSP	395.88

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED ABOVE. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

**VANDERBURGH COUNTY
INSURANCE ACCOUNT**

2400 Embassy Square Blvd. Suite 2405

Louisville, Kentucky 40299 • 502/499-1060

CITIZENS NATIONAL BANK

EVANSVILLE, INDIANA

No. 2684
000002684

DATE 01/26/93

PAY EXACTLY \$

*****225 DOLLARS AND 24 CENTS

*****225.24

PAY EXACTLY

PAYEE WELBORN BAPTIST HOSPITAL
401 S.E. 6TH STREET
EVANSVILLE, IN. 47713

VOID AFTER NINETY DAYS

⑈002684⑈ ⑆086300041⑆ ⑈101236805⑈

AUTHORIZED BY _____

No. 2684
000002684

CLIENT	LOCATION	COV	CLAIM NUMBER	SUFFIX	DOL
06077	0030	WC	6077920854		09/26/92
STATUS	TRANS DATE	VOUCHER	AMOUNT		
CLOSED			225.24		
EMPLOYEE/CLMT			EMPLOYER/INSURED		
DAVID WILKINS			SHERIFFS ADMINISTRATION INC. D		

PERIOD 01/26/93 THROUGH 01/26/93

NARRATIVE	TYPE	SUBTYPE	AMOUNT
MEDICAL FOR DAVID WILKINS #9263360121	MED	HOSP	225.24

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED ABOVE. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

BOARD OF COMMISSIONERS
OF THE
COUNTY OF VANDERBURGH
305 Administration Building
Civic Center Complex
Evansville, IN 47708
Phone (812) 426-5241

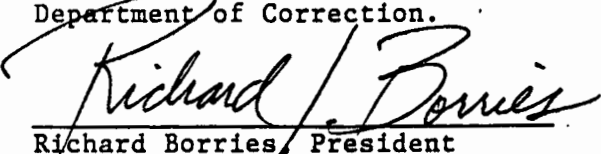
February 1, 1993

Mr. H. Christian DeBruyn, Commissioner
Indiana Department of Correction
E334 Indiana Government Center South
Indianapolis, IN 46204

Commissioner DeBruyn ;

On this date, Harris Howerton, Director of Court Services and Secretary-Treasurer of the Vanderburgh County Community Correction Advisory Board, notified this body of a resolution by the Vanderburgh County Community Correction Advisory Board approving a Community Correction grant application (Fiscal year 1993-1994). This grant application, including the Work Release, Community Service Restitution, and Training and Education Component, totalled two hundred sixty-eight thousand, eight hundred fifty-one dollars (\$268,851.00).


Therefore, on this date, as acknowledged by our signatures below, we, the Board of Commissioners of the County of Vanderburgh, State of Indiana, approve the grant request and allow Mr. Howerton to pursue acceptance from the Indiana Department of Correction.


Richard Borries, President
Vanderburgh County Commissioners


2-1-93
Date


Pat Tuley, Member
Vanderburgh County Commissioners

2-1-93
Date


Don Hunter, Member
Vanderburgh County Commissioners

2-1-93
Date


Sam Humphrey, Auditor

ORDINANCE CONCERNING ESTABLISHMENT AND FUNDING OF COUNTY
CORRECTION 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 No. 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 1st day of February, 1993 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

Richard J. Borries
Richard J. Borries, President

Patrick Tuley
Patrick Tuley, Member

Donald Hunter
DONALD HUNTER, MEMBER

Sam Humphrey
SAM HUMPHREY, AUDITOR
VANDERBURGH COUNTY, INDIANA

APPROVED AS TO LEGAL FORM:


County Attorney

Two copies of the foregoing Ordinance filed this _____ day of _____, 1993 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 _____

2345G-41886

Page 3 of 3

RESOLUTION OF BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY, INDIANA

Pursuant to the authority granted to the Board of Commissioners of Vanderburgh County, Indiana (hereinafter Board) by law, the Board, after meeting and discussing the following actions as required by law, does hereby pass and adopt the following resolution:

Whereas, the Board, is the owner and holder of the following mortgages which are recorded in the Office of the Recorder of Vanderburgh County, Indiana:

1. Mortgage recorded on February 10, 1992 in Mortgage Drawer 7, Card 9569, in the principal sum of \$1,845.00;
2. Mortgage recorded on February 22, 1992 in Mortgage Drawer 7, Card 10,267, in the principal sum of \$2289.00;
3. Mortgage recorded on March 23, 1992 in Mortgage Drawer 8, Card 787, in the principal sum of \$1,250.00; and
4. Mortgage recorded on April 14, 1992 in Mortgage Drawer 8, Card 724, in the principal sum of \$75.00.

(hereinafter collectively referred to as Mortgages)

WHEREAS, these Mortgages constitute liens against the following real estate located in Vanderburgh County, Indiana:

Lots Three (3) and Four (4) in University Heights Number 2, a subdivision of part of the West Half of the Southwest Quarter of Section Thirty (30), Township Six (6) South, Range Eleven (11) West, in Vanderburgh County, Indiana, according to the recorded plat thereof, as recorded in Plat Record "K", page 196, in the Office of the Recorder of Vanderburgh County, Indiana.

Subject to a six (6) foot wide easement for any and all public utilities along the entire South line of Lot Four (4) of the captioned real estate.

Commonly known as 612 Lemay Drive, Evansville, Indiana.

(hereinafter "Real Estate");

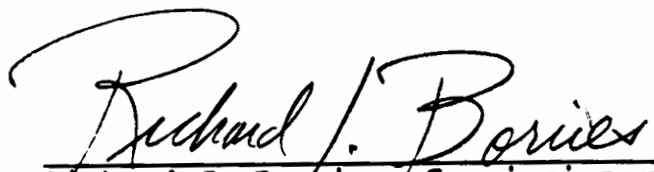
WHEREAS, Patricia Waitman, the owner of the Real Estate, desires to borrow the sum of Sixty-Eight Thousand Two Hundred Fifty Dollars (\$68,250.00) to be secured by a mortgage lien upon the real estate, and Mid-West requires as a condition of that loan, that the Board subordinate the liens of their Mortgages against the Real Estate to the mortgage lien of Mid-West; and

WHEREAS, these Mortgages secure indebtedness created as part of a property rehabilitation program being administered by the Department of Metropolitan Development of the City of Evansville, Indiana (hereinafter DMD) utilizing funds provided by Vanderburgh County, Indiana, and R. Michael Roebling, the Deputy Executive Director of DMD, recommends that the Board authorize the execution of the subordination of the liens of the Mortgages as requested by Mid-West.


THEREFORE, IT IS HEREBY UNANIMOUSLY RESOLVED AS FOLLOWS:

That R. Michael Roebling, as the Deputy Executive Director of DMD, is authorized and directed to execute the appropriate instruments to subordinate the liens of the Mortgages against the Real Estate in the total sum of Five Thousand Four Hundred Fifty-Nine Dollars (\$5,459.00) to a mortgage against the Real Estate in favor of Mid-West in the sum of Sixty-Eight Thousand Two Hundred Fifty Dollars (\$68,250.00).

Date: 2-1-93


Richard J. Borries, Commissioner

Date: 2-1-93


Patrick Tuley, Commissioner

Date: 2-1-93


Don L. Hunter, Commissioner


Jim Humphrey, Auditor

**COUNTY ENGINEER'S
CONSENT AGENDA
FEBRUARY 1, 1993
ITEMS**

1. U.S.I. INTERCHANGE
Supplemental Agreement #1 (Right of Way Engineering)
Total Additional Fee \$3,840.00
Approval of Reviewer Certificates
Parcel #24 Haas
Parcel #26 Ellert
Acceptance of Warranty Deed - Parcel #20 Bailey
2. CLAIMS:
 - U.S.I. INTERCHANGE - 430 BOND

Parcel #20 John & Gayle Bailey	\$ 2,250.00
Bernardin Lochmueller (91-98-5(8))	\$ 700.00
Bernardin Lochmueller (92-057-5(3))	\$22,847.43
Bernardin Lochmueller (89-24-1(31))	\$ 4,896.53
 - GREEN RIVER ROAD NORTH 216-4910

So. Ind. Gas & Elec.	\$ 190.02
----------------------	-----------
 - LYNCH ROAD EXTENSION 216-4827

Bernardin Lochmueller (90-038-1(13))	\$29,427.20
Vand. Superior Court (Marathon Oil)	\$ 2,400.00
 - EICKHOFF-KORESSEL 216-4741

Bernardin Lochmueller (90-040-1(20))	\$44,363.00
Bernardin Lochmueller (90-042-1(19))	\$ 7,717.86
 - CONTRACTUAL SERVICES 216-3930

J. H. Rudolph (VC 92-08-03) Korff	\$ 3,871.80
Koester Contr. (VC 92-10-02) Paving	\$49,226.76
Huff Sealing (VC 92-08-04) Crack	\$35,174.78
 - PETERSBURG ROAD BRIDGE #75 203-4368

CCC of Evansville (Inv #92002B)	\$ 7,505.53
CCC of Evansville (Inv #92002C)	\$18,861.30
 - OHIO STREET BRIDGE #3C 203-4345

Bernardin Lochmueller (91-068-1(8))	\$ 7,329.93
-------------------------------------	-------------
 - COLUMBIA/DELAWARE ST. BRIDGE #1C 203-4353

IndOT (Increase due to change order)	\$ 1,571.00
--------------------------------------	-------------
 - RED BANK ROAD BRIDGE 203-4385
 - ** CHANGE ORDER - NET DECREASE

Phoenix Construction (Inv. #3551)	\$ 1,783.26
	\$55,211.12
 - STRINGTOWN ROAD BRIDGE #72 203-4348

RW Armstrong/Add'l Work Authorization	\$ 275.00
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— CONSENT AGENDA 02/01/93

SUPPLEMENTAL AGREEMENT NO. 1

This Supplemental Agreement is made and entered into February 1, 1993, by and between the County Commissioners of Vanderburgh County, Indiana, hereinafter referred to as the "COUNTY", and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the "COUNTY" and the "CONSULTANT" did on February 18, 1992 enter into an Agreement providing for the "CONSULTANT" to provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

U.S.I. Interchange at S.R. 62, Project No.: C-E 180(1)

Interchange at the entrance to the University of Southern Indiana and S.R. 62, tying into the future Eickhoff-Koressel Road Extension in Vanderburgh County, Indiana.

WHEREAS, due to the increased project size because of a design change requested by the COUNTY, and;

WHEREAS, due to the increased work necessary to transfer the ownership of lands purchased adjacent to S.R. 62 to the State of Indiana, and;

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

1. Paragraphs eight (8) and nine (9) shall be included at the end of Appendix "A": SERVICES BY CONSULTANT - Section A. Right-of-Way Engineering to read as follows:

8. Provide the necessary legal descriptions, transfer documents, and land plats to satisfactorily transfer the ownership of lands purchased adjacent to S.R. 62 to the State of Indiana.
9. Provide the necessary services to successfully transfer ownership of the lands described in paragraph A.8 of this Appendix.
2. Appendix "D": COMPENSATION - Section A. AMOUNT OF PAYMENT shall be amended to read as follows:

APPENDIX "D"

COMPENSATION

A. Amount of Payment

1. The CONSULTANT shall receive as payment for the work performed under this agreement the total fee not to exceed \$ 58,706.00, unless a modification of the Agreement is approved in writing by the LOCAL PUBLIC AGENCY.
2. The CONSULTANT shall receive as payment for the work performed under this Agreement based on specific cost per unit multiplied by the actual units of work performed.

	<u>QUANTITY</u>		<u>UNIT PRICE</u>	<u>TOTAL</u>
a. Final Right-of-Way Plans	<u>1</u> LSUM	@	<u>\$10,360.00</u>	<u>\$10,360.00</u>
b. Title Search	<u>41</u> parcels	@	<u>\$ 225.00</u>	<u>9,225.00</u>
c. Title Update & Insurance	<u>18</u> parcels	@	<u>\$ 125.00</u>	<u>2,250.00</u>
d. Permanent Legal Descriptions	<u>31</u> each	@	<u>\$ 354.00</u>	<u>10,974.00</u>
e. Add'l Permanent & Temporary Legal Descriptions	<u>8</u> each	@	<u>\$ 200.00</u>	<u>1,600.00</u>

f. Transfer Documents	<u>31</u> each	@ \$ <u>45.00</u>	<u>1,395.00</u>
g. Land Plats	<u>31</u> parcels	@ \$ <u>316.00</u>	<u>9,796.00</u>
h. Appraisal Problem Analysis	<u>31</u> parcels	@ \$ <u>100.00</u>	<u>3,100.00</u>
i. Right-of-Way Stake-Out	<u>30</u> parcels	@ \$ <u>233.00</u>	<u>6,990.00</u>
j. Transfer Right-of-Way To State	<u>1</u> LSUM	@ \$ <u>3,016.00</u>	<u>3,016.00</u>
TOTAL:			<u>\$58,706.00</u>

The amount of \$ 58,706.00, determined above is an estimate of the cost which the CONSULTANT will incur in fulfilling the requirements of Appendix "A". The final amount will be adjusted according to the actual units of work performed; however, the final amount shall not exceed \$ 58,706.00 without approval of the LOCAL PUBLIC AGENCY.

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 L. Hunter
Don L. Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey, County Auditor

Approved as to Legality and
Form:

Alan Kissinger, Attorney for
Vanderburgh County

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

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

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

and each acknowledged the execution of the foregoing agreement on this 12th day of January, 1993, and each acknowledged and stated that he is the party authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans
Notary Public

Cynthia L. Evans
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

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

Don L. Hunter, Member; Board of County Commissioners, Vanderburgh County

and acknowledged the execution of the foregoing agreement on this 1ST day of February, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:
JOANNE A MATTHEWS
NOTARY PUBLIC STATE OF INDIANA
VANDERBURGH COUNTY
My County is President 1996

Joanne A. Matthews
Notary Public

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 12th day of January, 1993.

Cynthia L. Evans
Notary Public

My Commission Expires:

September 22, 1995

rev. 1/12/93

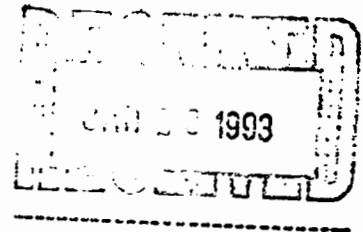
DESCRIPTION	MANHOURS BY JUSTIFICATION									TOTAL MAN-HRS	L.S. + ENG	TECH + SECTRY
	L.S.	Eng.II	Eng.I	Tech.	Draft.	Sectry.	Pty.Chf.	Instrmn.	Rod/Chn.			
Title & Index Sheets												
Title & Index Sheets												
Parcel Listing Sheet												
Plat No.3's												
Plan & Profile & Detail Sheets												
Final Review of R/W Plans												
Project Management	2	6	2									
FINAL R/W PLANS	2	6	2							10	10	
Deed Research												
Deed & Abstract Reviews												
Surveyor's Report												
Calculate R/W Coordinates				4								
Write Permanent Legal Descriptions				10								
PERMANENT LEGAL DESCRIPTIONS				14						14	14	
Calculate Add'l Perm & Temp R/W Coords.												
Write Add'l Permanent & Temp Legal Descr.												
ADD'L PERMANENT & TEMP LEGAL DESCR.												
Deed Preparation				12				11				
TRANSFER DOCUMENT PREPARATION				12				11		23	12	
Land Plat Preparation				12				24				
LAND PLATS				12				24		36	12	24
Stake-Out Parcels												
RIGHT-OF-WAY STAKING												

REV. 1/12/93

DESCRIPTION	L.S.	Eng.II	MANHOURS BY JUSTIFICATION								TOTAL MAN-HRS	L.S. + ENG	TECH + SECTRY
			Eng.I	Tech.	Draft.	Sectry.	Pty.Chf.	Instrmn.	Rod/Chn.				
Title & Index Sheets													
DIRECT NON-SALARY COSTS											TOTAL		
Mileage:		0 days x		0 mi/day @ \$		\$0.25 /mile =							
Meals:		0 men x		0 days @		\$18.00 /day =							
Lodging:		0 nights x		0 rooms @		\$40.00 /night =							
Reproduction:		Prints & Photographic Reductions								0			
Title Search:		1 parcels @		\$0.00 /parcel =									
Title Updates & Insurance:		1 parcels @		\$0.00 /parcel =									
Last-Deed-of-Record Search:		1 parcels @		\$0.00 /parcel =									
Appraisal Problem Analysis:		1 parcels @		\$0.00 /parcel =									
TOTAL DIRECT NON-SALARY COSTS											\$0		
COST SUMMARY													
INFLATION													
Total Manhours		2	6	40		24	11				83	48	24
Hourly Wage	1992 -	\$22.00	\$18.35	\$14.60	\$12.30	\$9.38	\$9.71	\$8.36	\$10.17	\$7.88			
Direct Salary Costs											\$1,063		
Overhead Costs (148.72%)											1,580		
Salary + Overhead Costs											\$2,623		
Fixed Fee (15.00%)											\$393		
Direct Non-Salary Costs											0		
TOTAL FEE											\$3,016		



January 26, 1993



Mr. Gary Kercher
Assistant County Engineer
715A Locust Street
Evansville, Indiana 47708

RE: Vanderburgh County Bridge #72
Stringtown Road over Pigeon Creek in
Evansville, Indiana

Dear Mr. Kercher:

As we discussed on the phone, the Glenn A. Black Laboratory of Archaeology has prepared the Archaeological Records Review Report for the above project. On August 10, 1992 the Board of Commissioners authorized the \$275.00 fee that the Black Laboratory had estimated. However, this previously authorized fee has been exceeded.

Attached is a Work Authorization for this additional work. The Board of Commissioners needs to consider this request and, if approved, it needs to be signed by the Board Members. Please return this form to us at your earliest convenience.

If you have any questions, please contact this office.

Sincerely,

R. W. ARMSTRONG & ASSOCIATES, INC.

Chip Charles, P.E.

Chip Charles, P.E.
Vice President
dam
cc: 91208-0.03

WORK AUTHORIZATION☐ for additional work☐ for change in scope of services**Date:** January 26, 1993**Client:** Vanderburgh County Commissioners**Project Name:** Vanderburgh Co. Br. #72
on Stringtown Road**Client Contact:** Mr. Gary U. Kercher**Project Number:** 912080-03**R. W. Armstrong Project Number:** Michael A. Masterson, P.E.Description of Services


In accordance with the requirements of the INDOT, Division of Location and Environment, an archaeological records check must be conducted as part of the early coordination for the Environmental Study. This work is being performed by the Glenn A. Black Laboratory of Archaeology, Indiana University.

Cost for Services

The field reconnaissance and report was originally estimated to be \$275.00. That amount was approved by the Commissioners on August 10, 1992. The original amount seems to have been underestimated because the Glenn A. Black Laboratory of Archaeology is now requesting an additional \$275.00 for the completion of the field reconnaissance and report.

If this additional fee is acceptable as requested, please sign below.

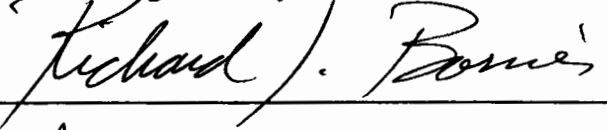
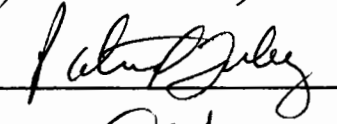

Agreed to by:


R. W. Armstrong & Associates, Inc.

Date 1/26/93

Agreed to on this date: February 1993

Vanderburgh County Board of Commissioners

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

Room 325A Administration Building

Civic Center Complex

Evansville, Indiana 47708

ACCNT NO: _____ PROJ.: Br # 55 CONTRACT NO: 92-08-01

The following change(s) ~~is~~(are) recommended. (Give loc., descr. and reason)

During excavation of Roadway for Dead man piling, two buried end piers from a previous Bridge. These piers required removal for piling and re back filled with 'B' Borrow to ensure compaction. Additional filter cloth was needed to expedite compaction/stabilization of Bridge Approaches. Reductions: Over estimated Design Quantities.

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
#5 Common Excavation	11.00	56	\$616.00			+18%
#8 "B" Borrow backfill	10.00	261.5	\$2615.00			+500%
#17 Filter Cloth	2.75	750	\$2062.50			+280%
#6 Driving 12' Timber Piling	\$10.00			240	\$2400.00	-16%
#10 Type 'P' Agg.	\$12.00			70.98	\$851.76	-12%
#16 Dumped Rip Rap	\$15.00			255	\$3825.00	-61%
CHANGE <u>DOES</u> / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS		\$5293.50		\$7076.76	
NET INCREASED DECREASED ESTIMATED COST \$ <u>1783.26</u>						

Signed: Ray Gendler Title: Manager Date: 11/11/92

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

Contractor: _____ By: _____ Date: _____

Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

Richard J. Bonis
President

Patricia Fulea
Vice-President

Bill Huns
Member

ATTEST:

Ann Humphrey



DEPARTMENT OF VETERANS' AFFAIRS
302 W. WASHINGTON ST.
ROOM E-120
Telephone (317) 232-3910
Fax Number (317) 232-7721

EVAN BAYH, GOVERNOR

GERALD L. "Dutch" BOLE, DIRECTOR
CARMEN W. WILSON II, DEPUTY DIRECTOR

VETERANS SERVICE OFFICERS - NOTICE OF APPOINTMENT

For year ending December 31, 1993 County Vanderburgh

This is to certify that the County Commissioners, with the approval of the County Council of Vanderburgh County, state of Indiana, did appoint Michael Robbins to be the Veterans' Service Officer, in accordance with Indiana Code 10-5-1-11, as amended.

Ann Murphy
Attested to, County Auditor

Richard J. Bowers
President, County Commissioners

Dated: 2-1-93

Dated: 2-1-93

Note: The words "Mayor" "City Council" and "City Clerk" may be substituted for county officials where the Service Officer is an employee of the city.

INDIANA VETERANS' AFFAIRS LAW

IC 10-5-1-11. The county executive may employ a county service officer and assistants. In any city the fiscal body may provide for the employment by the mayor of a city service officer and assistants to render service to the veterans of the county or city if the remuneration and expenses of such service officer and assistants are paid from the funds of such county or city wherein such employment is made. In such event, such service officer shall have the same qualifications and subject to the same rules as other employees of the department of veterans' affairs and shall serve under the supervision of the director of veterans' affairs. The county and city fiscal bodies may appropriate the necessary funds for such purposes. As amended by P.L. 3-1989, SEC.89.

IC 10-5-1-12. Each county or city service officer shall, in the discretion of the director of veterans' affairs, be required to undergo a course of training to adequately take care of the problems of the discharged veterans in their respective counties or cities including a thorough familiarization with all laws, rules, and regulations of both the federal government and Indiana which have a bearing on any and all benefits to which veterans, their dependents, or both, may be entitled. As amended by P.L. 3-1989, SEC.90.

IDVA COMMISSIONERS: WILLIAM N. HEDGE, DONALD PEEK JR, DONALD ROSS

VETERANS SERVICE OFFICERS - NOTICE OF APPOINTMENT
SIGNATURE SHEET FOR COUNTY COUNCIL

James B. Huber
President, County Council

Dated: 2/3/95

LAW OFFICE
DENNIS L. BRINKMEYER
555 1/2 SYCAMORE STREET
EVANSVILLE, INDIANA 47708
(812) 423-3125

January 27, 1993

Mr. Scott Bingham —
Sternberg International
9000 N. Kentucky Ave.
Evansville, IN 47711

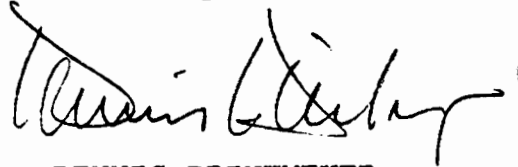
Dear Mr. Bingham:

The Board of County Commissioners has requested that as a county attorney I contact you concerning the delay in the delivery of three (3) of the Tandem Axle Trucks. You will note in the delivery terms of the bid that was let to your firm that delivery of all five trucks would be made within one hundred and twenty (120) days.

Your prompt performance of delivery of the remaining trucks is requested. The Board is aware that some detailing and inclusion of parts is required by a third party. However, the Board of Commissioners would appreciate your efforts to expedite this process so that delivery can be made immediately.

Thank you for your attention to this matter. If you have any questions or comment, please do not hesitate to contact me.

Sincerely,



DENNIS BRINKMEYER

DB/lw

cc: Commissioners Borries,
Tuley,
Hunter

Alan Kissinger
Mark Abell

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
Friday, Jan. 22, 1993 thru Thursday, Jan. 27, 1993

Friday, Jan. 22, 1993

Tree Crews & Mulcher - Lynn Road.
Gradall #1 & 2 Crews - worked on the access road off of Lynn Road to install flood gate.
Gradall #2 and 1 Crew - worked on Bassett Ave. swelling out the ditch.
Garage - One crew washed trucks, one crew worked on new offices, and one crew hauled rock.
Trash Crew - worked on Frontage Road, River Road, and Ficus Road.
One crew cleaned drains in the subdivisions.

Monday, Jan. 25, 1993

Tree Crews - worked in the yard and on Old Henderson Road.
Patch Crew - put UPM on Seib Road.
Grader & Rock Crews - worked on Harmony Way and St. Joe Avenue, North.
Garage - one crew washed trucks, one crew worked on new offices and one crew built barricades and worked on flood gates.

Tuesday, Jan. 26, 1993

Tree Crews and Mulcher - worked on Little Schmuck Road.
Gradall - worked on Baumgart Road.
Patch Crew and Roller - worked on Evergreen and Larch, Hirsch Road, St. Joe Avenue, and Seib Road.
Belt Loader, Grader and 3 trucks - worked on Mill Road and Birch Drive pulling and rocking shoulders.

Wednesday, Jan. 27, 1993

Tree Crews - 3 crews worked on Little Schmuck Road.
Gradall - worked at 2413 W. Mill Road installing culvert.
Patch Crew and Small Roller - worked on Evergreen & Larch, Hirsch Road, St. Joe Avenue, and Seib Road.
Belt Loader, Grader & 3 trucks - pulled and rocked shoulders on Birch Drive and Baumgart Road.

Thursday, Jan. 28, 1993

Tree Crews & Gradall - 3 crews worked on Little Schmuck Road.
Patch Crew & Small Roller - Seib Road.
Grader, Belt Loader & 5 trucks - worked pulling and rocking shoulders on New Harmony Road.

VANDERBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, Jan. 22, 1993 thru Thursday, Jan. 28, 1993

Friday, Jan. 22, 1993

Crew #1 - worked in garage building retaining wall for rock pile.
Crew #2 - Haul scrap culverts & guardrail to scrap yard, clean storm drains.
Crew #3 - Remove log jam from Kremer Road & Denzer Road, clean off storm drain.

Monday, Jan. 25, 1993

Crew #1 - Build retaining wall for rock pile at garage.
Crew #2 - Clean out storm drain at 2500 Pine Tree Road, clean off bridges on North Kentucky and Old State Road.
Crew #3 - Heckel Road Bridge - cut out hole and repair deck with duracrete.

Tuesday, Jan. 26, 1993

Crew #1 - Baumgart Road - Finish placing 24" concrete pipe, start building drop box.
Crew #2 - Clean off St. Joe Ave. bridge, replace 2 sections guardrail on Frontage Road.

Wednesday, Jan. 27, 1993

Crew #1 - Build drop box on Baumgart Road.
Crew #2 - replace driveway culvert at 2413 W. Mill Road, repair pot hole on Allen's Lane Bridge.

Thursday, Jan. 28, 1993

Crew #1 - Move rock pile, spread rock, compact at garage.
Crew #2 - Pour concrete for storm drain inlet at 7925 Baumgart Road.
Crew #3 - repair deck of Allen's Lane Bridge with duracrete.



IACC

INDIANA ASSOCIATION OF COUNTY COMMISSIONERS

500 Market Tower
10 W. Market St.
Indianapolis, IN 46204
Phone: 317-464-8198
Fax Number: 317-464-8252

DONALD F. MICHAEL – Executive Director

EXECUTIVE BOARD – 1992

President
DAVID HESS
(Elkhart County)
24438 CR 32
Goshen, Indiana 46256

Vice President
CORBEY SLUSHER
(Cass County)
R.R. 1, Box 21
Walton, Indiana 46994

Secretary
JOHN McGRADY
(Henry County)
R.R. 1
Shirley, Indiana 47384

Treasurer
WARNER CLEM
(Gibson County)
R.R. 1, Box 89
Francisco, Indiana 47649

Past President
MARTIN REDMAN
(Posey County)
R.R. 1, Box 121
New Harmony, Indiana 47631

DISTRICT PRESIDENTS – 1992

N.W. District
JOHN CHEEK
(Howard County)
10954 E. 100 S.
Greentown, IN 46936

N.E. District
DALE HUGHES
(Steuben County)
3420 S. 800 W.
Hudson, IN 46747

W.C. District
JOE GOSSARD
(Clinton County)
Rt. 3, Box 49
Frankfort, IN 46041

E.C. District
KEN SEARS
(Fayette County)
Rt. 5 Box 100A
Connersville, IN 47331

S.W. District
MARY LOU SCHNELL
(Dubois County)
9999 Schnellville Rd.
Birdseye, IN 47513

S.E. District
J. RAYMOND BOLEY
(Scott County)
R.R. 2
Lexington, IN 47138

Vanderburgh County
Board of Commissioners
County Civic Center
Evansville, In. 47708

HOUSE BILL 1456, Introduced by State Representatives Dennis Heeke (D) of Dubois and Jeff Espich (R) of Uniondale, if enacted as it presently is, would do more for **Vanderburgh County Roads** than anything introduced in many, many years.

The bill increases the gasoline tax by five (5) cents over a two (2) year period. It also changes the funding for the State Police.

I am enclosing a chart showing how much more each county would receive in FY94 (fiscal year 1994) and FY95 (fiscal year 1995). In the column marked FY 94 County Increase, you can see how much the increase would mean to Vanderburgh county, and to all of the cities and towns in the county

It is very important that every County inform their legislators about this bill and ask them not only to support it, but to work actively for it. Ask them to go to Representatives Heeke and Espich and pledge their support for the bill.

This bill, as with all tax bills, goes first to the Ways and Means Committee. These Representatives are on that important committee:

B. Patrick Bauer, Chairman
Dennis Avery ✓
Bill Cochran
Susan Crosby
Earle Howard
Shelia Klinker
Markt Lytle
Esther Wilson
Jerry Bales
Brian Bosma
Jeff Espich
Sue Scholer

Phil Warner

Earl Harris
Richard Bodicker
Bill Crawford
Ben Giaquinta
Donald Hume ✓
Mark Kruzan
Vern Tincher
Sam Turpin
Vaneta Becker ✓
Woody Burton
Gloria Goeglein
Dave Wolkins

If any of these people represent any part of your county, contact them immediately! At the present time, these are the most important legislators if this bill is to pass. Don't wait, call them at 317-232 9600 or 9700, or 1-800 382-9841.

Also write to them today! Contact all legislators, but especially those on this committee.



HB 1456 (As introduced) City, Town and County Increase

Total FY '94 Local Increase \$84,400,000.00 (Counties \$52,451,438.15 Cities & Towns \$31,858,561.85)

Total FY '95 Local Increase \$97,700,000.00 (Counties \$60,187,189.37 Cities & Towns \$37,512,810.63)

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Adams		425,924.92		481,338.42	
	Berne		24,349.07		27,436.42
	Decatur		56,170.54		62,812.81
	Geneva		9,118.88		10,333.61
	Monroe		5,306.90		5,966.17
Allen		2,139,260.75		2,519,852.42	
	Fort Wayne		1,945,503.17		2,315,312.54
	Grabill		9,497.63		11,406.87
	Huntertown		15,108.69		17,996.18
	Monroeville		14,231.56		16,974.41
	New Haven		107,550.69		128,268.43
	Woodburn		14,938.04		17,850.68
Bartholomew		620,808.24		715,820.88	
	Clifford		3,272.86		3,876.35
	Columbus		343,249.32		407,094.37
	Elizabethtown		5,716.92		6,818.63
	Hartsville		4,643.49		5,550.58
	Hope		22,964.49		27,187.98
	Jonesville		2,392.75		2,838.57
Benton		263,783.65		281,562.15	
	Ambia		1,625.22		1,818.62
	Boswell		4,771.51		5,299.56
	Earl Park		3,063.36		3,457.05
	Fowler		14,463.79		16,055.57
	Otterbein		7,673.29		8,458.79
	Oxford		7,597.03		8,380.44
Blackford		206,488.43		231,608.85	
	Hartford City		48,926.47		55,341.86
	Montpelier		13,565.47		15,399.25
	Shamrock Lakes		1,785.69		2,071.86
Boone		567,183.12		648,147.74	
	Advance		3,579.02		4,036.29
	Jamestown		5,550.37		6,306.43
	Lebanon		83,451.59		94,186.42
	Thorntown		11,200.27		12,765.45
	Ulen		618.22		741.27
	Whitestown		3,932.36		4,540.24
	Zionsville		36,402.13		41,061.74
Brown		254,606.13		288,143.47	
	Nashville		6,129.54		6,932.10
Carroll		383,395.08		423,414.40	
	Burlington		3,842.93		4,323.24
	Camden		4,026.20		4,516.22
	Delphi		16,496.92		18,456.22
	Flora		13,937.19		15,547.42
	Yeoman		924.09		1,045.77

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Decatur		370,397.46		413,638.49	
	Greensburg		57,742.14		64,127.57
	Milford		1,159.41		1,354.50
	Millhousen		1,603.88		1,899.55
	Newpoint		2,265.25		2,591.31
	St. Paul		6,975.59		7,846.34
DeKalb	Westport		9,925.09		11,153.35
		503,504.02		573,705.37	
	Altona		1,437.60		1,679.77
	Ashley		6,351.71		7,335.64
	Auburn		66,927.13		75,859.56
	Butler		18,149.86		20,508.59
Delaware	Corunna		1,864.31		2,135.55
	Garrett		37,686.81		42,641.82
	St. Joe		3,288.07		3,736.63
	Waterloo		15,318.17		17,480.60
		824,516.02		950,364.79	
	Albany		24,171.28		28,537.15
Dubois	Daleville		17,599.37		20,817.11
	Eaton		17,435.53		20,680.12
	Gaston		10,221.35		12,087.15
	Muncie		705,380.68		830,297.20
	Selma		8,532.78		10,109.46
	Yorktown		41,720.86		49,214.88
Elkhart		471,858.71		537,967.23	
	Birdseye		3,641.82		4,170.31
	Ferdinand		17,590.07		20,100.40
	Holland		5,846.57		6,786.56
	Huntingburg		37,967.89		43,122.37
Elkhart	Jasper		68,117.16		76,672.69
		1,287,216.56		1,510,466.41	
	Bristol		13,296.65		15,879.30
	Elkhart		455,328.80		538,426.82
	Goshen		240,219.64		283,199.78
	Middlebury		22,161.58		26,338.18
Fayette	Millersburg		9,503.79		11,300.86
	Nappanee		56,779.17		67,064.27
	Wakarusa		17,529.94		20,743.14
		310,348.50		356,829.44	
	Connersville		108,980.88		123,218.80
		452,431.45		530,965.28	
Floyd	Georgetown		22,633.54		26,848.95
	Greenville		6,624.00		7,973.03
	New Albany		394,247.66		467,805.30
Fountain		322,833.16		354,778.61	
	Attica		21,843.11		24,320.33
	Covington		17,397.01		19,377.02
	Hillsboro		3,286.95		3,683.19
	Kingman		3,714.85		4,165.94
	Mellott		1,564.48		1,770.23
	Newtown		1,598.93		1,791.38
	Veedersburg		14,790.01		16,631.91
	Wallace		555.26		616.99

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Hancock		609,724.60		710,828.36	
	Fortville		20,172.66		23,016.52
	Greenfield		92,216.40		105,924.65
	McCordsville		8,095.67		9,674.57
	New Palestine		6,122.22		7,146.15
	Shirley		7,524.27		8,791.18
	Spring Lake		2,248.78		2,658.59
Harrison	Wilkinson		3,736.22		4,320.71
		505,541.70		574,214.52	
	Corydon		18,937.67		21,457.31
	Crandall		1,235.10		1,428.80
	Elizabeth		1,412.91		1,651.27
	Laconia		473.90		527.65
	Lanesville		3,946.31		4,518.40
Hendricks	Mauckport		962.02		1,134.47
	New Amsterdam		430.72		521.80
	New Middletown		774.89		907.72
	Palmyra		4,598.58		5,238.25
		854,633.75		1,003,458.43	
	Amo		4,485.86		5,359.65
	Brownsburg		80,965.02		95,884.62
Henry	Clayton		6,931.21		8,256.02
	Coatesville		5,565.91		6,652.82
	Danville		47,876.98		56,882.64
	Lizton		4,472.51		5,309.25
	North Salem		5,834.15		6,965.26
	Pittsboro		8,486.68		10,033.45
	Plainfield		111,571.72		132,218.19
Howard	Stilesville		3,703.39		4,442.14
		558,001.06		633,622.37	
	Blountsville		1,634.21		1,934.20
	Cadiz		2,093.14		2,473.54
	Dunreith		2,143.92		2,535.66
	Greensboro		2,104.15		2,485.51
	Kennard		3,888.43		4,587.64
Huntington	Knightstown		20,779.00		24,508.05
	Lewisville		4,499.61		5,314.29
	Middletown		23,476.97		27,669.09
	Mooreland		4,684.42		5,521.45
	Mount Summit		2,570.86		3,049.25
	New Castle		177,045.77		208,483.39
	Spiceland		7,803.25		9,217.02
Howard	Springport		2,141.07		2,544.15
	Straughn		3,209.67		3,783.86
	Sulphur Springs		2,736.78		3,242.02
		703,812.90		818,363.07	
	Greentown		23,550.89		27,942.46
	Kokomo		478,074.31		566,257.52
	Russiaville		10,747.48		12,755.12
Huntington		465,729.39		529,898.96	
	Andrews		8,579.21		9,817.46
	Huntington		112,384.21		126,675.78
	Markle		7,979.95		8,945.74
	Mount Etna		1,025.70		1,198.81
	Roanoke		7,312.68		8,296.17
	Warren		9,020.32		10,311.71

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Kosciusko		826,326.12		942,929.32	
	Burket		2,142.52		2,539.38
	Claypool		4,162.35		4,908.49
	Etna Green		5,687.84		6,689.34
	Leesburg		5,888.69		6,941.50
	Mentone		9,149.57		10,780.28
	Milford		13,972.47		16,467.99
	North Webster		9,209.88		10,892.28
	Pierceton		10,474.82		12,357.32
	Sidney		1,743.14		2,061.28
	Silver Lake		5,149.75		6,051.33
	Syracuse		26,862.53		31,593.29
	Warsaw		109,667.06		129,172.15
	Winona Lake		39,767.72		46,756.88
Lagrange		420,120.27		468,169.53	
	Lagrange		14,303.33		15,794.61
	Shipshewana		3,310.94		3,686.45
	Topeka		5,708.45		6,346.38
	Wolcottville		5,404.86		5,991.71
Lake		1,299,177.72		1,468,132.28	
	Cedar Lake		111,889.15		134,339.80
	Crown Point		196,489.95		233,564.94
	Dyer		117,879.04		139,803.09
	East Chicago		341,320.46		402,296.81
	Gary		1,294,777.59		1,539,276.25
	Griffith		190,236.14		225,298.89
	Hammond		901,800.88		1,068,780.61
	Highland		256,595.86		304,409.02
	Hobart		252,869.69		301,681.11
	Lake Station		164,386.90		196,436.19
	Lowell		75,066.34		89,609.53
	Merrillville		322,442.11		385,312.50
	Munster		225,368.13		268,317.40
	New Chicago		25,098.01		30,053.19
	St. John		61,992.68		74,433.52
	Schererville		212,722.91		252,049.45
	Schneider		5,919.81		7,284.73
	Whiting		53,100.20		62,716.66
LaPorte		885,065.01		1,017,561.19	
	Kingsbury		2,924.48		3,482.77
	Kingsford Heights		17,622.99		21,063.27
	La Crosse		7,436.69		8,833.22
	LaPorte		219,722.82		259,319.75
	Long Beach		22,903.77		27,250.24
	Michiana Shores		5,720.94		6,953.25
	Michigan City		341,899.942		403,120.91
	Pottawattomie Park		3,211.83		3,827.58
	Trail Creek		25,313.01		29,891.00
	Wanatah		9,816.75		11,706.33
	Westville		48,578.89		56,780.29

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Monroe		742,144.43		865,305.62	
	Bloomington		540,070.57		628,802.62
	Ellettsville		31,938.87		37,530.12
	Stinesville		2,330.34		2,776.97
Montgomery		511,930.17		577,744.27	
	Alamo		1,033.49		1,207.75
	Crawfordsville		88,073.40		98,454.48
	Darlington		5,258.94		5,957.48
	Ladoga		7,846.69		8,866.96
	Linden		5,008.05		5,658.55
	New Market		4,177.81		4,703.83
	New Richmond		2,340.95		2,671.15
	New Ross		2,459.46		2,802.83
	Waveland		3,242.29		3,653.30
	Waynetown		6,376.25		7,207.95
	Wingate		1,974.12		2,239.42
Morgan		623,855.33		723,722.76	
	Bethany		993.57		1,180.64
	Brooklyn		11,521.50		13,559.94
	Lake Hart		2,343.37		2,783.79
	Martinsville		116,759.13		137,525.91
	Mooreville		54,752.05		64,418.02
	Morgantown		10,049.21		11,866.45
	Paragon		5,428.96		6,425.47
Newton		305,323.79		334,203.00	
	Brook		5,874.29		6,574.45
	Goodland		6,735.11		7,535.38
	Kentland		11,734.31		13,130.51
	Morocco		7,086.47		7,975.93
	Mount Ayr		1,108.99		1,261.88
Noble		533,960.33		607,110.24	
	Albion		13,427.36		15,284.36
	Avilla		9,086.62		10,196.89
	Cromwell		3,705.03		4,198.66
	Kendallville		52,258.82		58,736.16
	Ligonier		24,281.28		27,477.42
Ohio	Rome City	92,231.68	9,382.61	102,426.56	10,830.52
Rising Sun					
Orange		306,580.12		338,647.88	
	French Lick		13,536.88		15,133.40
	Orleans		14,024.05		15,765.56
	Paoli		22,238.97		24,736.37
	West Baden Springs		4,738.73		5,359.09
Owen		330,232.02		366,917.29	
	Gosport		5,166.64		5,747.57
Spencer					
Parke		329,925.11		359,191.13	
	Bloomington		2,256.78		2,530.61
	Judson		474.08		543.36
	Marshall		2,296.70		2,540.01
	Mecca		2,253.79		2,537.82
	Montezuma		7,357.70		8,225.84
	Rockville		16,571.53		18,358.74
	Rosedale		4,847.36		5,379.58

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Rush		359,646.63		394,877.12	
	Carthage		5,680.71		6,338.30
	Glenwood		1,743.38		1,931.05
	Rushville		33,352.48		36,853.46
St. Joseph		1,606,504.48		1,892,002.02	
	Indian Village		1,897.45		2,287.78
	Lakeville		7,803.39		9,330.05
	Mishawaka		451,202.26		534,237.10
	New Carlisle		16,060.44		19,094.17
	North Liberty		15,259.89		18,151.17
	Osceola		23,463.47		28,021.20
	Roseland		8,393.23		10,033.64
	South Bend		1,157,959.61		1,375,304.81
	Walkerton		24,180.34		28,876.30
Scott		262,195.50		301,203.97	
	Austin		31,505.13		35,826.18
	Scottsburg		39,855.11		45,452.28
Shelby		587,564.67		671,061.65	
	Morristown		6,795.01		7,671.19
	Shelbyville		101,164.94		113,384.69
Spencer		362,396.33		399,548.46	
	Chrisney		3,248.97		3,620.97
	Dale		9,508.14		10,533.14
	Gentryville		1,956.18		2,214.09
	Grandview		5,301.39		5,988.94
	Rockport		14,184.95		15,716.20
	Santa Claus		6,910.68		7,878.87
Starke		377,785.60		422,626.65	
	Hamlet		5,969.38		6,818.68
	Knox		24,834.96		27,900.97
	North Judson		11,284.70		12,790.15
Steuben		427,444.97		486,780.11	
	Angola		40,814.77		46,146.70
	Clear Lake		3,791.53		4,584.48
	Fremont		10,767.34		12,317.15
	Hamilton		5,950.46		6,910.46
	Hudson		3,949.21		4,604.00
	Oriand		2,653.53		3,019.70
Sullivan		388,947.16		424,030.28	
	Carlisle		4,149.90		4,668.99
	Dugger		6,161.01		6,902.95
	Farmersburg		7,634.61		8,554.98
	Hymera		5,398.98		6,103.62
	Merom		1,991.82		2,282.14
	Shelburn		7,805.23		8,788.11
	Sullivan		29,301.78		32,596.63
Switzerland		167,634.41		181,896.50	
	Patriot		1,266.92		1,422.23
	Vevay		8,242.78		9,079.73

Counties	Cities & Towns	FY 94 County Increase	FY 94 City & Town Increase	FY 95 County Increase	FY 95 City & Town Increase
Washington		400,238.08		444,883.79	
	Campbellsburg		4,202.71		4,744.77
	Fredericksburg		1,071.91		1,209.68
	Hardinsburg		2,455.43		2,807.59
	Little York		1,254.22		1,444.58
	Livonia		1,034.30		1,182.23
	New Pekin		7,138.72		7,986.83
	Salem		35,637.11		39,702.07
	Saltillo		1,096.44		1,283.32
Wayne		591,411.55		675,522.63	
	Boston		1,454.13		1,697.74
	Cambridge City		21,823.81		25,806.71
	Centerville		23,477.12		27,597.37
	Dublin		8,314.32		9,822.43
	East Germantown		3,735.17		4,401.22
	Economy		1,747.98		2,085.22
	Fountain City		7,925.61		9,364.72
	Greens Fork		4,130.85		4,862.38
	Hagerstown		18,689.73		22,051.66
	Milton		6,492.07		7,663.64
	Mount Auburn		1,376.02		1,620.33
	Richmond		377,370.55		443,422.71
	Spring Grove		4,094.95		4,811.70
	Whitewater		1,052.85		1,233.80
Wells		425,953.46		479,459.78	
	Bluffton		60,181.68		67,565.20
	Ossian		15,791.86		17,661.70
	Poneto		1,699.34		1,928.51
	Uniondale		2,165.93		2,471.08
	Vera Cruz		806.01		946.72
White		459,790.20		508,433.70	
	Brookston		11,453.27		12,761.76
	Burnettsville		3,284.47		3,788.41
	Chalmers		3,716.02		4,207.28
	Monon		10,308.20		11,528.61
	Monticello		34,402.02		38,533.26
	Reynolds		3,651.41		4,120.71
	Wolcott		6,010.65		6,764.53
Whitley		428,815.16		488,127.50	
	Churubusco		11,566.94		12,933.67
	Columbia City		39,694.84		44,834.22
	Larwill		1,778.47		2,049.28
	South Whitley		10,580.59		11,993.66

01/18/93

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 8, 1993

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Hunter Ridge Sub/Section "B"/Request for Waiver of Sidewalks.....	1
American Disabilities Act/Personnel Issues/Kent Irwin of Waggoner, Irwin, Scheele & Associates	1
(Board to take proposal under advisement, with decision to be made next week)	
Awarding of Contract for Mowing & Trimming Services of Unattended Lots in Vanderburgh County	6
(Complete Lawn Care)	
Request for Permission to Advertise for Timber & Bridge Materials	6
(To be advertised 2/11 and 2/18, with bid opening on March 1st)	
Agreement with C.A.P.E. (approved)	7
(Agreement thru May 31, 1993 only, at which time County will again advertise for proposals)	
SIGECO Easement/Burdette Park	7
Burdette Park/1993 Rate Schedule (Cottages/Campground).....	7
Rate Schedule for Aquatic Center will be submitted at later date	
Construction of Two (2) New Chalets in progress	
County Attorney/Alan M. Kissinger	8
Claim/Interprop Case Deposition Lloyd, etc. Real Estate Settlement (to be submitted to the Commissioners next week for approval)	
County Highway (No Report)	9
County Engineer/John Stoll	9
Street Plan Approval/Hunter Ridge Sub/Section "B"	
Approval of Waiver of Sidewalks/Hunter Ridge Sub Section "B"	
Approval of Waiver of Sidewalks/Hunter Ridge Sub Section "A"	
Approval of Street Plans/Bolin Meadows/Section "C"	
Approval of Waiver of Sidewalks/Bolin Meadows/ Section "C"	
Approval of Street Plans/Oak Wood Sub (Private gravel road; no action with regard to waiver of sidewalks would be appropriate until such time as developer would ask the County to accept the road, having brought the road up to County standards)	
RFP for County-Wide Bridge Inspection to be advertised (Advertised 2/12 and 2/19, with proposals due 3/15/93)	
Change Order/Bridge #75/Petersburg Rd. (\$1,329.54)	
RFP Process to Begin/Design Services/Heckel Rd.	
Darmstadt Rd. Bridge (Mr. Stoll to check on possibility of Federal funds and report back to the Board)	
Update on Relocation of County Engineer's Office to the Old Court House	
Authorization to go on Council Call re Funds for Relocation of County Engineer's Office	

Consent Agenda	16
Old Business	16
Amendment/Earthquake Insurance Policy (\$6,900, including fee)	
Management Negotiating Team/Teamsters Union Contract (Representatives from Burdette, County Highway and Auditorium to meet w/County Attorney Kissinger; Corrections Employees thru the Sheriff's Dept. do not have to be involved at this time as a contract is already in effect.)	
New Business	17
Hybrid Inn & Union Township School Ordinance re Group Health Insurance/Sheriff's Dept. Qualified Retired Employees (referred to Attorney Kissinger for review and necessary modifications Discussion re Ordinance re Group Health Insurance for Qualified County Employees	
Scheduled Meetings	18
Executive Session (Tuesday, February 16th @ 5:00 p.m.)	
Next Regular Commission Meeting on February 16th @ 5:30 p.m.	
County Department Head Meeting (February 22nd) -- Canceled	
County Department Head Meetings will be held only on the 1st Monday of Every Month	
Meeting Adjourned @ 7:25 p.m.	19

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 8, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, February 8, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the meeting participants, introduced members of the County Staff and asked the group to stand for the Pledge of Allegiance.

RE: HUNTER RIDGE SUB/SECTION "B"/REQUEST FOR WAIVER OF SIDEWALKS

Mr. Jim Fuquay, owner and developer of Hunter Ridge Subdivision in McCutchanville, said he is here today to ask the Commissioners to waive the requirement of sidewalks in Hunter Ridge, Section "B". He said he'd written a letter to the Commissioners last week, as follows:

"The streets in the subject subdivision have been constructed and accepted by the County. The Area Plan Commission staff has informed us they have no record of the Board of Commissioners waiving the requirement of sidewalks in this subdivision. It is requested that the Board of Commissioners waive the requirement of sidewalks in this subdivision, which contains ten (10) lots. This subdivision is similar to other large lot type developments located in the McCutchanville area that, in the past, have never been required to have sidewalks. The street construction plans were prepared and approved by the County Commissioners with no provision for any sidewalks. The roadway has been excavated and graded in a manner where it would be difficult to construct sidewalks. It is our opinion the sidewalks would not be in harmony with the country estate character of this development."

Mr. Borries asked if this is the only item Mr. Fuquay is asking for tonight -- a waiver of the sidewalks?

Mr. Fuquay confirmed that this is correct.

Mr. Borries asked that the record show this letter was received on February 8th (today) in the Commission office.

In continuing, Mr. Fuquay said there are six (6) lots that have been sold in Section "A". Those property owners -- it is unanimous, he spoke with all of them -- do not wish to have sidewalks. In fact, he has four of those people with him this evening. The other two were not able to attend tonight.

Mr. Borries asked if there are other persons who wish to speak concerning this issue?

Mr. Jim Gardner, a McCutchanville area resident, said he agrees with what Mr. Fuquay said.

Mr. Borries entertained questions of the Commissioners.

Mr. Tuley asked if Mr. Fuquay remembers when the street plans with no provision for sidewalks were approved by the Commissioners?

Mr. Fuquay said he thinks it would have been in May or June of

1991.

Mr. Easley said the streets have been accepted, so they were duly constructed in accordance with the approved plans.

Mr. Hunter said he was under the impression streets were required at least on one wide in all subdivisions in the County unless those sidewalks were waived. He said this approval may have been in 1991, but the law states there will automatically be sidewalks unless there is a waiver given by the Commission.

Mr. Easley requested, "Let the record show that I was not the engineer for Section "A" and the plans were approved and the street was constructed and accepted -- and I don't know how that fell through the cracks. I wasn't associated with Section "A". It is a known fact that in the McCutchanville area there are no sidewalks and perhaps the request was not made. It is a long cul-de-sac. There are twenty (20) lots. The people who live on it -- I think there are very few children who live on it -- and they request that sidewalks not be required."

In response to query from Commissioner Hunter, Mr. Fuquay said the lots have 130 ft. to 160 ft. frontage.

Mr. Hunter cited the law, "The subdivider shall provide sidewalks for all streets within and abounding the subdivision, including those within one (1) mile of the City Limits -- except where specifically waived by the Board of County Commissioners of Vanderburgh County."

Mr. Borries commented, "Well, they are mandatory within a mile -- but, again, unless they are waived -- but I can't recall any of them being waived within that mile."

Mr. Easley said this is just south of the Boonville-New Harmony Rd. and he doesn't think there are any sidewalks within miles.

Mr. Borries said the only record he has been provided with here today is the acceptance of the streets, which was on July 13, 1992. He knows some of the residents were here in October -- but he doesn't believe sidewalks were discussed at that time; however, the streets themselves were accepted on July 13th. There was no mention of sidewalks at that time. What was mentioned was some mud from construction and that type of thing. He then entertained further questions from the Commissioners.

In response to query from Commissioner Tuley, Mr. Easley said it has been customary in a larger estate type lot subdivision to waive the sidewalks. Now, as you get.....

Mr. Borries interrupted, "Where we are here, Andy, is that we've put the cart before the horse. The correct way of doing this would have been that as you were doing the streets to come in and ask for the waiver then. And I think that is the whole issue here."

Mr. Easley said, "I think it fell through the cracks. Joe Ballard doesn't know why they didn't get waived."

Mr. Borries continued, "Because we normally take them on a case-by-case basis. There are certain criteria I will take into consideration -- if it's a cul-de-sac; the size of the lots; the location if it is near the city, etc. But we do that before the streets are built, not afterwards -- and that is what makes this case unusual."

Mr. Fuquay said he cannot explain what happened either. Fred Kuester was the engineer and he is here today.

Mr. Kuester said he can't recall; but he believes it was mentioned

at Plan Review.

Mr. Borries said Sub-Review would make a recommendation on a plat, but they wouldn't make the final decision on sidewalks -- that would have to come before this Board. The Engineer would have to review the street plans and then they would come to this Board. At this point we have a decision to make; we either allow the road to stay as it is or we make additional requirements.

Mr. Fuquay said none of the other subdivisions in the area have sidewalks -- Old State, Brookview, etc., etc.

Mr. Borries entertained a motion to waive the sidewalks, if that is what the Board wants to do. If not, he would be required to build sidewalks on one or both sides.

Mr. Hunter asked, "And we're only solving the problem right now with Hunter Ridge Section "A" right now? We've still got Section "B" to deal with? As it presently stands, the rules say that he's going to have to put sidewalks on one side of the street or the other."

Mr. Borries asked, "You haven't advanced those plans yet, have you?"

Mr. Easley said, "They will be presented by the County Engineer. If you want to discuss and act on both of them it will save you some time."

Mr. Borries said he thinks this is what the Board had better do. Again, for the record, everybody wants to raise cane with County government or raise cane with the rules until it applies to them. So let me make this as clear here as I possibly can in a polite way. We need these plans and we need to have these presented to the Engineer. The one thing I dislike the most about these kinds of boards is -- we have to make decisions post haste without enough information to do it. As a developer or an engineer, you need to get these materials to our staff so they can review them so we can make the right decision. And that needs to be before, not after something is built.

Mr. Hunter said his real problem with this is not Hunter Ridge Subdivision. The problem is that in the two years he's been on this Commission it seems that every subdivision that is in the County -- the developer and/or engineers come through wanting a waiver on sidewalks. He has a problem with this in that we're building high density. This one doesn't fit that; but we're building high density subdivisions in the County and that same kind of subdivision in the City of Evansville would have sidewalks on both streets. He has asked some of the engineers, he has asked the Home Builders Association to please put together some guidelines that the Board could act on that they could live -- that the developers could live with -- so we're not faced with this particular problem. He feels that the youngsters living in the County are just as precious and as important in terms of having a sidewalk on the streets as the ones in the City. And we are developing subdivisions in the County that have 100 ft. frontages or less. So his concern with this goes a great deal deeper than Hunter Ridge Subdivision. He would like for them to begin to push in this direction so we have some agreed guidelines by which to operate, rather than just getting the Commissioners to waive the sidewalks.

Mr. Borries said there is a difference of opinion on this, because he has talked with developers. He is as concerned with the safety of children as anyone. But he also knows that there are clear guidelines that if these particular subdivisions are inside a mile of the Evansville City Limits -- if they are high density -- there have been occasions maybe when sidewalks were waived on one side of

the street to allow children to walk on the other. But you will also find homebuilders who will clearly tell you that if you're out in the County in rural areas or very large lots, when you're talking about frontages here you're talking almost 40 yds. on some of them. That's almost half a football field and that adds a sizeable amount of cost to a developer to put a sidewalk in there. And, frankly, if you could ever get kids to walk on sidewalks like they're supposed to -- and kids will be kids -- that in itself is something -- so it is a concern on the part of developers. He feels there is a situation in place. If you're going to put a blanket resolution like this out there, you're going to again have exceptions to a lot of rules and what this Board does and it is time consuming -- but in most cases, particularly before the road is built, we take these under consideration on a case-by-case basis. If it's close to the City of Evansville; if there are going to be school buses that pull in there -- we certainly should consider sidewalks. Again, he is always open to suggestions as to whether they have to be on both sides or just on one side. But there have to be other instances where they have to be considered as a waiver, because when you're dealing with large lots you're already increasing the cost of those lots in a significant way when you start talking about sidewalks on both sides.

Mr. Easley said he goes walking in McCutchan Estates, which is behind his house -- and he sees other people walking. They walk on the pavement. There is not a lot of traffic and occasionally he sees small children playing in their driveway and sometimes they come down the street and turn around. But he doesn't think it is a hazard in that area.

Mr. Hunter asked, "What would it cost to put a sidewalk in front of the 130 ft. lot -- just a ballpark figure?"

Mr. Easley said it is something like \$7.00 per ft.

In response to query from Commissioner Hunter, Mr. Fuquay said he sells the lots including the house -- but the lots are appraised anywhere from \$35,000 to \$50,000 and the sidewalks would cost \$1,040.

Mr. Hunter said the \$1,040 for sidewalks in front of a \$50,000 lot is not really asking too much. He'd like to see the sidewalk go in last so it doesn't get destroyed during the construction period.

Mr. Fuquay said it is terribly expensive to develop these days. One of the biggest hidden cost you have when you get into a wooded area -- especially like the McCutchanville area -- we have EPA requirements now whereby they can't burn trees; they have to dispose of them. He's spent \$70,000 in that first section just to get rid of trees in that subdivision -- not including the cost of the streets, the sewers, the storm sewers, the water lines, other utilities, excavation, etc.

Moving along, Commissioner Borries said this matter will be deferred until the Board hears the County Engineer's report.

RE: ADA/PERSONNEL ISSUES - KENT IRWIN

President Borries recognized Mr. Kent Irwin of Waggoner, Irwin, Scheele & Associates, saying he has a proposal he'd like the Commission to listen to and consider with regard to the ADA (American Disabilities Act) and personnel issues.

Mr. Irwin said he brought a handout this evening and there should be enough for people in the audience -- a summary of the American Disabilities Act that was passed back in 1990 that went into effect for Public Sector jurisdictions a year ago in January 1992. The Act has five (5) separate and distinct titles: Employment, Public Services & Accommodations operated by private entities,

Telecommunications and Miscellaneous provisions. Their firm works statewide with public jurisdictions in developing procedures and policies to address the employment provisions of ADA. While that is a separate title, it also is linked to the others and something that this Commission may wish to consider with regard to your public accommodations and structures that are currently owned by the County and may impact the public. Under the Employment title it basically says that as employers we cannot discriminate against qualified employees or applicants with a disability because of their disability and it includes the hiring procedures, the job application, advancement, discharge, compensation of employees, training and any other terms of conditions of employment, including collective bargaining agreements. The Act simply says that we have to look at possible reasonable 'accommodations' in the event that a disability question is posed through the employment process. Most of the accommodations that have been tracked by the Job Accommodation Network since 1973 have shown us that about 31% of those are at no cost. Such items as restructuring a job; changing schedules to accommodate employees in need are of little or no cost. But there are other items -- if we have to put in an elevator, lifts and other things like this that get to be very expensive. Employers need to be in a position where they have documented their personnel practices and policies so that in the event a reasonable accommodation situation is posed, that you have accurate reliable information from which to make your decisions. The handout includes a list of employer steps that need to be taken with regard to ADA, as well as these apply to many other Federal Employment Acts as well, identifying the essential functions from your job descriptions and using those in your hiring and your advertising process for the selection of new hires; reviewing your hiring procedures to make sure that the standards are job related and consistent with business necessity of the County; and particularly in the law enforcement area, not requiring a medical examination prior to making an offer of employment. Sheriff Hamner had contacted our firm several months back to see if something could be done to assist him. I talked to the Sheriff's Association last summer on this subject and there are a number of Sheriffs, Police Departments and Fire Departments that are particularly impacted by the ADA because of the way they go about selecting new hires and especially as how it relates to the Academy. Our firm is currently working with the City of Evansville Police & Fire Departments and Personnel with Todd Garrison in getting those policies in place for those two departments and they're suggesting through an offer of services they could do the same thing for the County.

The last page of the handout includes an administrative checklist that they would suggest the Commissioners give careful review regarding ADA and some of the steps as public employers we need to be taking with regard to designating an ADA Coordinator, establishing a grievance procedure for persons who may have a complaint with regard to any parts of the act, a self-evaluation of your programs. There should be a transition plan on file for our structural changes or plans we have. He understands this facility is pretty well covered by the Building Authority, but the Commissioners may want to take a particular look at the other facilities that the County is responsible for -- the Highway Garage, the Old Court House, the Auditorium, Burdette Park, etc., and get a program on file where we've identified any structural changes we may want to make there and have that plan to follow and be in place by January of 1995. The Act calls for retaining our files for three (3) years and he would recommend we keep them forever. Their offer of services includes an assessment of our practices, coming back to the Commissioners as a Commission with a report of those findings and recommendations for any changes, along with a new set of application forms and other related personnel documents that are a part of a standardized personnel system. In the event there would be a need for development of a handbook, they've also quoted prices for doing that. However, he understands

we have one in place and perhaps it would be most cost effective to make some amendments to our existing policies. That, in a nutshell, is ADA and the services that his consulting firm provides. He would be happy to respond to any questions the Commissioners or anyone else here might have this evening.

President Borries entertained questions from the Commissioners.

In response to query from Commissioner Hunter concerning the hourly rate, Mr. Irwin said the \$40/hr. rate is for consultants who are primarily writers of job descriptions. His time is billed out at \$85.00/hr.

Mr. Hunter said he is specifically looking at Item #4.

Mr. Irwin said, "The office work through the consultants would be at \$40/hr. If it is me coming to your meeting, then my billing would be at \$85.00/hr."

Mr. Hunter asked, "So which one would we plug in on that item?"

Mr. Irwin said, "Flip back to the first page. Under the special fees section, those fees -- the last line -- would be established at the time such additional services would be requested of our firm. So we would give you a breakdown of that at the time you request them, so there would not be any billing of hourly services unless we had had a prior request."

Commissioner Borries said he would like for the Commissioners to take this proposal under advisement, allowing them to review the proposal and the ADA and be prepared to make a decision next week with regard to what services, if any, we would ask Waggoner, Irwin, Scheele Associates to do. He would say that Kent has had extensive experience and developed the original Job Study for Vanderburgh County. He thinks he is currently working with the City of Evansville and he's done work in how many counties in Indiana?

Mr. Irwin said it is well over 35 or 40 counties now; they're doing the same project in Floyd County at the moment. They've also been working with Allen County and Madison County upstate and surrounding counties. They are particularly attached to this system inasmuch as they did develop the original job descriptions and, he thinks, are most knowledgeable about our present situations and, hopefully, or present needs. They look forward to working with Vanderburgh County again on such a project.

RE: AWARDING OF CONTRACT FOR MOWING & TRIMMING SERVICES
ON UNATTENDED LOTS IN VANDERBURGH COUNTY

Ms. Susan Jeffries of Purchasing said they have reviewed the bids received last week and it is their recommendation that we award the bid to Complete Lawn Care, which is low on three out of the five items. They would recommend not breaking it apart. This is the first year this is being done, so Roger Lehman is not sure of the quantities of each category. Therefore, they recommend going with one vendor, which is Complete Lawn Care -- the overall low bidder.

Commissioner Borries entertained questions of Ms. Jeffries. There being none, a motion was entertained.

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

RE: REQUEST FOR PERMISSION TO ADVERTISE FOR TIMBER & BRIDGE
MATERIALS

Ms. Jeffries said they would like to advertise for timber and bridge materials for the County Highway Department on February 11th and February 18th, with bid opening on March 1, 1993.

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

RE: AGREEMENT WITH C.A.P.E.

President Borries said Mr. Al Riecken was here last week for Ms. Alice Weathers, the Director of Cape. This also gave the County Attorney the opportunity to review this particular contract and correct some confusion. The confusion centered around the fact there was never a contract for these services and this certainly should put things in order from that standpoint.

Attorney Kissinger said basically what he has done to the agreement is he has blanked out the dates so if, in fact, this should be approved, the date of approval or date of entering into the agreement can be inserted. Also, in Paragraph #4 on Page 2, consideration and compensation -- we've set that at \$18,281.25, which is 5/12 of the amount of last year's total contract. It is 5/12 of \$43,000 odd dollars. In Paragraph #5, we have left in the provision in reference to the fee and that was for one reason. Al indicated that the problem with continuing this was that a part of their bid included this. He knows this was a point of controversy as far as the Commission was concerned. This is kind of a compromise in an interim situation. These services will be provided under this contract until the 31st day of May, at which time -- or before which time presumably -- we will have sent out our request for proposal for bids to renew this contract. He told Al that if C.A.P.E. sees fit to bid on this project again that it would be appropriate for them to exclude that \$2.00 charge. He did show me their collections and their collections are running about \$1.00 for every \$2.00 they charge, so they are running way behind on their collections and they are not pushing them. It's a \$2.00 bill and if a person said they have \$1.00, they pay the \$1.00 and they are not pushing the collection of that. He explained to him that if they bid next time they should take into consideration the fact that the Commissioners do not like the \$2.00 fee. Also, it is noted in the very last paragraph (Paragraph #11) that this is an interim agreement entered into merely for the purpose of guaranteeing the service up until May 31st, at which time the new successful bidder -- perhaps C.A.P.E. -- will once again enter into a new agreement based on their proposal.

Commissioner Borries entertained questions. There being none, he entertained a motion.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the agreement, as submitted by Attorney Kissinger, was approved. So ordered.

RE: SIGECO EASEMENT/BURDETTE PARK

Mark Tuley, Manager of Burdette Park, said that with regard to the utility easement for Burdette Park, that is to remove some overhead wiring that feeds the existing cottages. They're going to have to remove some overhead wiring. Anything new that you put in where you have to add new service, it has to be underground. This allows them to come in and install a new CT panel which is a big transformer and it allows them to install the underground cable.

There being no questions or discussion, a motion was entertained.

Motion to approve the easement was made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

RE: BURDETTE PARK - 1993 RATE SCHEDULE

Mr. Tuley said he believes each of the Commissioners has a copy of the recommendation letter. He is not asking the Commissioners to

set the rates for the Aquatic Center at this time. Their consultants have yet to get back with them with their recommendation. As soon as he gets that, he will pass it on to the Board. There are very minor changes in the rate schedule. On shelter houses, they are recommending no change in the fees over the 1992 fees. There are some minor changes in the campground rates. The daily rates would stay the same. However, they recommend that the weekly and monthly rates be reduced to be more competitive with area campgrounds. They lost a lot of their weekly and monthly customers last year because of last year's rate increase. The increase in the daily rate last year was fine -- and very competitive with what is out there.

They also recommended some changes in the cottage rates. Under the old rate the cottages did include swimming and water sliding. One of the five year recommendations and assessments by William L. Haralson & Associates was that we separate the business interests -- basically so we could keep a cost on all segments of the park. One of his recommendations was that the cottages be self-sustaining and you also have a better accounting of the aquatics center and the cottages. There also some changes due to the fact that this time Council has given them the money for -- and they are currently under construction with -- two new chalets out at the park and they will still have three of the old cottages. They are asking for two different rates until such time as they have all five of the new chalets. In coming up with the prices, they did check with State Parks and it is their recommendation that the in season rate be \$65.00 per night. Harmonie Park's rate is \$60 and their cottages are basically unfurnished in regards to linens, eating utensils, etc. He thinks they furnish pillows, but they do not furnish towels or anything like that -- you have to take those. He feels like \$5.00 per night is reasonable. A lot of their customers do not like to bring all of that stuff. In the off season, the rate would be \$55.00 per night (from Labor Day to Memorial Day). The new chalets are about 1,300 sq. ft.; two bedrooms and a bath down, with a loft and full bath up. This is what you would find if you go over to Branson, MO or Kentucky Lake, etc. He is looking forward to getting the funding for the other three new chalets.

Auditor Humphrey noted the funding for the two new chalets was approved by Council in January and has already been approved verbally by the State.

With regard to construction of the new chalets, Mr. Tuley said they are running way ahead of schedule on these and he'd like to invite the Commissioners out to look at same; he thinks they will be very impressed. Mr. Tuley also noted these are handicapped accessible; they have the entrance ramps, extra wide doors, shower facilities, etc. -- very, very nice and they do meet the guidelines of the law.

There being no questions and no discussion, a motion was entertained.

Mr. Hunter moved to approve the rates, as presented, with a second from Commissioner Tuley. So ordered.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Claim: Attorney Kissinger said he has a completed claim for a deposition with regard to the Board of Commissioners vs. Interprop. This deposition was taken by Rich Hawley of Kahn, Dees. This is a case they are continuing to handle because of the closeness to the time of trial on this and it has not been taken over in transition. He basically reviewed the case and he knows why they took the deposition. He recommends payment of the claim.

Lloyd, etc. Real Estate Settlement: Attorney Kissinger said he has put this item on the agenda for next week. He doesn't know whether the Commissioners are familiar with this, but it is one of those

situations in which an inverse condemnation case was filed against the County because of the fact that apparently the County built a road on private property without realizing where they had built it. It has been acknowledged that apparently the County did, in fact, build on this property and there is an agreement that is about to be entered into based on an appraisal of the property taken at approximately \$5,700. It has been recommended -- and he will also recommend -- that the agreement be entered into. The agreement itself has already been signed by the property owners. The only thing left to be done is that the claim needs to be signed by the property owners. He is not asking for approval on this tonight, but if the Commissioners have questions on that he would be glad to talk with them between now and next week's meeting. Basically we are between a rock and a hard place. We did, in fact, do what they said we did and the potential of punitive damages here is very real and they haven't asked for that. It is an amicable settlement at this point based on David Matthews' appraisal.

Exit/Commissioner Hunter: Commissioner Hunter asked to be excused from the meeting, saying he needs to attend a function across the street which probably would not excite either of his fellow Commissioners -- he's going to the Lincoln Day Dinner.

RE: COUNTY HIGHWAY

It was noted by Commissioner Borries that Fred Howard is not here this evening and no Weekly Work Report was submitted.

Mr. Abell said Mr. Howard did not leave a Work Report in the office today and he doesn't know why he is not here tonight.

RE: COUNTY ENGINEER - JOHN STOLL

The meeting continued with President Borries welcoming Mr. John Stoll.

Street Plan Approval/Hunter Ridge Sub/Section "B": Mr. Stoll said this is an extension of the street discussed earlier this evening. It is a 29 ft. pavement with curb and gutter and the street plans are acceptable by the County Engineer's office.

In response to query from Commissioner Borries, Mr. Andy Easley said the pavement will be concrete, just as in Section "A" and the grade is 9%. They're following Mother Nature's terrain.

Mr. Borries said with the grade and concrete streets, we're going to be real careful on the streets, aren't we?

Mr. Easley said it will have good traction and it will have lugs under the pavement so no water can get underneath there and cause problems.

Mr. Fuquay said that when they can, they do lower the grade and try to help the situation with regard to the existing property -- insofar as making the lot a little higher or bringing it up in some situations where it is low to help that situation on both ends. He does that every time he has a high grade situation. Although it has been drawn to those specifications, the specs the Commissioners have is the worst case scenario.

Mr. Borries said he is not opposed to concrete streets, but he wanted to hear Andy's explanation in terms of the lugs. That is a very high grade. We've had other subdivisions where we've had to make substantial amounts of repairs -- because sometimes on grades if these streets are not properly constructed voids get underneath and then we have to go in and literally tear out some of the streets. He is not telling him not to use concrete -- but if they're properly put in there on those steep grades we'll be all right. He's sure they will crack seal, too.

Mr. Easley said that is required before the streets are accepted.

Mr. Borries asked Mr. Stoll for his recommendation.

Mr. Stoll said he recommends approval of the street plans.

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

Request for Waiver of Sidewalks/Section "B": Mr. Fuquay said Section "B" is an extension of the street in Section "A", and it does cul-de-sac. If you had sidewalks in one area, you'd definitely have them in the other area or vice versa. There are ten lots on almost ten (10) acres -- actually 9.9 acres.

Mr. Borries asked if Mr. Fuquay understands this is the way the Commissioners prefer to do it -- before the streets are built. He then entertained a motion to waive sidewalks in Hunter Ridge Section "A".

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Borries. He said he would also note Commissioner Hunter's objections earlier stated -- since he is not present at this time. He probably would not vote with him and Commissioner Tuley, as he does have a difference of opinion -- and that is fine. So ordered.

Waiver for Sidewalk Requirement/Hunter Ridge Section "A": Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the Board waived the requirement for sidewalks. So ordered.

Bolin Meadows West/Section "C"/Approval of Street Plans: Mr. Stoll said this is the same cross section as the last subdivision, 19 ft. width concrete street, maximum grade is again 9%. His office found these plans to be acceptable.

Following confirmation by Mr. Easley that these streets will also have lugs, upon motion made by Commissioner Tuley and seconded by Commissioner Borries the street plans were approved, as presented. So ordered.

Oak Wood Subdivision/Approval of Street Plans: Mr. Stoll said Mr. Fred Kuester, the engineer who designed this, is here this evening. The cross section of this road is an 18 ft. gravel road with shoulders. It is not going to be a County road and it is acceptable for a gravel road. The County will not maintain it. He has received a couple of complaints on this, because some of the residents in that area were concerned about a gravel road being constructed next to their property because of dust, etc.

Mr. Borries asked Mr. Kuester if there is any reason why they are going to do a gravel road?

Mr. Kuester stated, "Yes, I have the owners here and they may want to speak. But basically, this subdivision is an eight (8) lot subdivision on thirty-seven (37) acres -- close to 4-1/2 to 5 acres per lot. Some of the lots are 2-1/2 acres and one lot is 10 some acres. But these three individuals have purchased this property and they actually have sectioned off. One of the owners is going to have two lots; the other two owners are going to have three lots each. Their plans are to build their own homes there and just have future lots for children down through the years. I guess really, as it stands now, in the near future there will be three homes on thirty-seven acres and they just couldn't justify building around of street to County standards. They do realize -- and I think anybody would realize -- that if they ever have a change of heart on that, that they would have to meet County standards and petition the County to take it over at that time. They don't see that in

the near future, but we can't say what their plans might be twenty-five years from now."

Mr. Borries said he respects their request on that. Do we have 50 ft. of right-of-way altogether so we'd have enough?

Mr. Kuester said it is basically 50 ft. and some areas have more than 50 ft. -- probably around 60 ft. But there is a minimum of 50 ft. right-of-way.

Mr. Borries said on a private road like this, as long as we have the right-of-way that would be dedicated if they ever wanted to pave the road, that's all right.

Mr. Kuester said he guesses they would have to request a waiver on the sidewalks?

Mr. Borries said we didn't do that for Bolin Meadows and probably need to get Mr. Easley back up here. If it's a private road, he doesn't think you have to. At some point, if he were asking the County to accept the road -- he would apply for a waiver. But he doesn't think that is applicable in this case. It is his road and he is going to maintain it. Basically, we get into situations like this all the time because people say if it's a private road why do we have to pass judgment on it. As Mr. Kuester well knows, if at point in the future it will and we don't have enough dedicated right-of-way or if the road were paved and not set up to where the County could maintain it on a good basis, then there'd be no reason for us to ever accept it. And we've had some road that were unusually narrow or we don't have any right-of-way where it started as a private road and all of a sudden somebody said, 'Let's accept it'. So that's the whole purpose here. We're not trying to hassle him in any way. However, it looks like everything is in order from that standpoint. It's a private road, so he doesn't think Mr. Kuester would have to have a waiver for any sidewalks until such time as he would ask the County to accept the road.

Mr. Kuster asked if the minutes will reflect that thought.

Commissioner Borries responded affirmatively, saying he is not an attorney -- but some would say he has been around a while.

Attorney Kissinger interjected, "I am and I agree. It's appropriate to note it in the minutes, but I don't even think we have the authority to give a waiver on sidewalks at this point. However, it is appropriate to note it in the record so if it comes up later, as you said, it has been noted."

Mr. Borries asked that Mr. Kuester please get a copy of the records, because sometimes there is confusion and if years down the road future owners want to have the road dedicated, then it would be important to produce those records to show that at this point nothing was decided and that it would have to be decided in the future. Mr. Borries said he is not sure what we do on private streets in terms of keeping some street plans available. Again, it just indicates that based upon our County Engineer's recommendation that we do have enough right-of-way in the areas described here that if the County ever would do it.....

Mr. Stoll said that with regard to the private and public streets, he's talked with the Area Plan Commission and, as Fred said, most people recognize the fact that the road would have to be brought up to County standards before it can be accepted. Would Mr. Borries like to see some sort of standard language on the road plans?

Mr. Borries stated that he would.

Mr. Stoll said they do not have anything devised yet, so it will not affect Fred's plan.

Mr. Borries said we'd grandfather him, but he thinks it would be helpful at some point in time.

Bolin Meadows Sub/Section "C"/Request for Waiver of Sidewalks: Mr. Borries asked if Mr. Easley would want to request waiver of sidewalks in this section of Bolin Meadows?

Mr. Easley said Sections "A" and "B" do not have sidewalks and it would be more compatible if Section "C" did not have sidewalks. This subdivision is located out on Broadway where the West Side Drive-In was located -- in the general area of Rollett's Lane.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the requirement for sidewalks in Bolin Meadows, Section "C", was waived. So ordered.

Mr. Stoll said he has spoken with Herb Butler and Jeff Whitaker in the City Engineer's office and they told him that at one time the County Engineer's office and the City Engineer's office were getting together to develop standard road plans for both the City and the County. If the Commission would like, this can be brought up again and he can attempt to get more standardized specifications for road.

Both Commissioners Borries and Tuley and said this would be great.

Mr. Stoll said Herb Butler was all in favor of this and he'd like to see something.

RFP/Bridge Inspection Report: Mr. Stoll said he is not sure how to handle this. The opening date he originally put on the advertisement was March 15th.

Attorney Kissinger asked if Mr. Stoll is going to do two ads?

Mr. Stoll responded affirmatively, and Attorney Kissinger instructed him to proceed with the two ads, but make the bid opening date 30 days from the first ad. We will comply with two ads, and then 30 days from the first ad.

Ms. Matthews clarified that Attorney Kissinger wants to advertise in two papers for two weeks, with the opening of the proposals being a minimum of 30 days from the date of the first ad.

Attorney Kissinger confirmed that this is correct.

Commissioner Borries said Joanne Matthews can usually provide accurate information with regard to advertising dates, if Mr. Stoll will call her in advance.

There being no further questions or discussion, upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the RFP for Bridge Inspection was approved, with advertising on Friday, February 12th and Friday, February 19th, with the proposals being due on or before March 15th. So ordered.

Change Order/Bridge #75/Petersburg Rd.: Mr. Stoll said he has the subject Change Order in the amount of \$1,329.54, which came about as the result of a guard rail that needed to be relocated. It was right on a curve as you're heading south and being 4" to 6" wide wood guard rail it could have the potential to act as a ramp if somebody tired off the edge of the road. Therefore, we had them relocate that.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries the Change Order was approved, as presented. So ordered.

RFP/Design Services/Heckel Rd. Bridge: Mr. Stoll said he needs guidance as to whether to move forward with preparing an RFP for Design Services for the Heckel Rd. Bridge. The bridge needs to be replaced. From what Gary and Valerie in his office have told him, it is too large a bridge to be designed in house. Closing the road permanently and just eliminating the bridge would be a substantial inconvenience to the residents in that area.

Mr. Tuley asked if that is the old bridge just east of Green River Rd.?

Mr. Stoll confirmed that this is correct.

Mr. Borries said he doesn't think we're going to have any choice. At one time when the I-164 was being planned, there was some discussion as to whether or not we were going to need that bridge. Probably that one and the Ohio Street Bridge -- there are probably some historical markers that we'll want to save. But the superstructure on that is unbelievable -- it is a long bridge. But it is probably knocking at 100 years right now -- probably 1896 or 1898. He doesn't think we have any choice. Andy Easley may have been the County Engineer then. We thought Heckel Rd. was going to end, but they changed it along to Heerdink and there's a little loop in there for school buses.

Mr. Easley said if Commissioner Borries will recall, the Commission allowed bridge money to be spent to build that road from Millersburg Rd. to Heckel Rd. so that in case we ever had to replace the bridge -- and if the bridge became unserviceable -- we could use Heerdink Lane. And then we had an option of replacing the bridge or not replacing the bridge. He was under the impression that if we put a load limit on it -- maybe it could be renovated and kept?

Mr. Stoll said that based on the last inspection report, it really couldn't be rehabilitated enough to have a very long life.

Mr. Easley said we wouldn't expect it to carry concrete trucks, but the people who are driving the smaller automobiles would love to have it -- because it would take them almost three (3) miles to get to town if ever it were closed.

Mr. Borries said that is the dilemma. The other thing is school buses. You hate to get into a situation where the kids are walking across the bridge -- and that is about what it was going to get to, because the load limit on that.....

Mr. Easley said there comes a time when a bridge becomes functionally obsolete.

Mr. Borries said this one is. It's narrow. It's going to be a long bridge because it goes over Pigeon Creek.

Mr. Easley said it will probably be a multiple-span bridge; he doesn't think they'd want to make it single-span.

There being no further questions or discussion, upon motion made by Commissioner Tuley and seconded by Commissioner Borries, Mr. Stoll was authorized to begin the RFP process. So ordered.

Darmstadt Rd. Bridge: Mr. Stoll said this is a rehab project. It has been designed and all the specifications have been prepared. He wondered if the Commissioners want him to proceed with the bidding process so we can get that under construction.

Mr. Borries asked, "We can apply for some Federal funds on this one, can't we? Or will this rehab come out of all Local funds?"

Mr. Stoll said he is not certain, he will have to check on this.

Mr. Borries said he doesn't know either, but he doesn't think we've done any work on that bridge for quite some time.

Mr. Tuley asked if we want to defer this until Mr. Stoll can look into it, or authorize him to proceed with the bidding process.

Mr. Borries said he would prefer to defer it until Mr. Stoll can check this out. The reason he was asking about that, we're doing the Franklin Street and Columbia-Delaware bridges on some Federal rehab and he was just wondering if there is a way in which we could tag into some Federal monies.

Mr. Stoll said he will check this out and get back to the Board next week.

Update on Relocation of County Engineer's Office to the Old Court House: Mr. Stoll said they've been checking on estimates for carpet, painting and plastering the walls, air conditioning, etc. The problem they're running into is that it is new money and needs to be appropriated in order to make this move. The request has to be put in to County Council by this Thursday if we're going to be able to do it during March.

Commissioner Borries said he thinks we need to do that. As he's told Mr. Stoll, he doesn't want his work environment to be any less than where he is leaving. He would prefer that, as an engineer, Mr. Stoll coordinate a lot of this. This is not saying anything against Faye Gibson but, in effect, it is still County property and he would prefer we have a good work environment. The bottom line for him on this air conditioning is that he just doesn't think the window units are going to be adequate. That is why he's asked Mr. Stoll to perhaps look at a zoning situation. And there could be some interest on the part of other County offices also locating over there. If there is available space and we have other County offices wishing to locate over there -- he feels perhaps a zoning situation is better because, frankly, he thinks window air conditioners in those big rooms are just not going to be effective.

Mr. Stoll said Faye Gibson said she has not received complaints from anybody else who uses those. He doesn't know how well they work. Two or three air conditioning contractors have been over there. From what he can find out currently, the Old Court House Preservation Society will not allow an exposed duct work system to be installed on the ceiling. They don't want the looks of that on the thing.

Mr. Borries said he doesn't want to hurt the aesthetics of the building; on the other hand, he thinks the aesthetics also look bad when you're sitting there with window air conditioners hanging out of the building. He thinks there ought to be some kind of technology available wherein we could zone that and get some central air in there.

Mr. Stoll said the contractor he talked to today was looking at the possibility of running the duct work through the attic and the problem he was having was trying to find a place to locate the unit on the outside -- to hide it, where it wouldn't be visible on the roof of the Court House. He has no idea what he would charge for a system like that.

Mr. Tuley said he thinks it is worth pursuing in terms of seeing what is going to happen. Once we see what it is going to cost, we can always re-think. I'm like Rick, the idea of having those window air conditioners sticking out those windows doesn't appeal

to him very much.

Mr. Stoll said the other option they discussed was a wall mounted unit that had a return on the bottom. It blew the cold air out the top and instead of being a window unit, they just mounted it on a wall somewhere. They said they are about 6 ft. tall and several feet wide -- but it would be up against the wall rather than hanging out the window.

Mark Abell said Roger Elliott has something like that down in the computer room. He doesn't know much about it, however.

Mr. Borries said he doesn't want everybody to think he's against window air conditioners, but he just doesn't think that is going to work with those high ceilings, the number of employees, and everything else. He thinks Mr. Stoll ought to pursue this until such time as we can come up with some other creative solutions.

Mr. Easley said the modern -- it's what they call a 'through the wall' unit that most motels and nursing homes use. It is not unlike a window air conditioner. There may be something available that they could put in the window in a manner that would be aesthetically -- just a plain grill -- and you might have to give up some of your windowsill -- but they are not that deep. They have through the wall units in his office building and they've had them since 1974 -- and they do a good job of throwing the air. They are not noisy. Cold air does not rise -- so the tall ceiling wouldn't make any difference. He would say give Mr. Stoll a little latitude to check into some kind of through the wall unit -- or even a good quality window unit. You can get an aesthetically pleasing -- if you have a floor mounted or air handler, you have to have the outside compressor within 40 ft. of it or it is not going to be efficient. And those big rooms up there -- 40 ft. is going to put you outside and you're going to have an ugly looking compressor. You'll either have to hang it, suspend it, or put it on a fancy bracket. You can't hardly put them on the roof. So there may not be much choice if they're saying you can't have any duct work. Even if you have the duct work you have to have the compressor inside.

President Borries thanked Mr. Easley for his comments.

Mr. Abell asked if there was also an option of doing the whole building through their existing system?

Mr. Stoll said they didn't get into that since they were primarily looking at their two offices there. He would guess that would be an option, but it was not discussed with the contractors who showed up.

Mr. Abell said he just wondered about that. Like President Borries, he can envision others that might end up going over there. He knows there is a limited amount of space on the third floor and eventually he'd think we'd need to go to other floors.

Mr. Borries said he is not opposed to looking at a total solution, but obviously the County doesn't want to pay for someone else's air conditioning unless it was costed out some way or the other through the Preservation Society. Mr. Stoll mentioned that a decision needs to be made with regard to determining whether the County will pay for these changes and pay a lower annual rent, or if the work should be coordinated by the Old Court House Preservation Society. Again, he's prefer that John Stoll do that.

Mr. Stoll said he's gotten several estimates and they can just continue to do that. The air conditioning contractors are supposed to get back with him this week (Wednesday) to look over the situation.

Mr. Borries suggested Mr. Stoll be authorized to go on Council Call, so we can meet the deadline and get this started.

Mr. Stoll asked how much appropriation he should be looking for, since this may not all fall into place by Thursday.

Commissioners Tuley and Borries said we could ask for some funding now and once we've determined exactly what we are going to do and we get some good bids, we could go back and get whatever is necessary.

Commissioner Borries said we may have to do this over two Council Calls, but as soon as he can get some estimates on the paint, carpeting, etc., as soon as possible.

Auditor Humphrey said Mr. Stoll ought to get an estimate on the air conditioning and then ask for more than that, with the promise that he will repeal any monies not needed for those functions. We must have the money in place prior to letting the contract.

Mr. Borries said he is sure that Commissioners Hunter and Tuley will concur that the Commission does not want the County Engineer to end up with a bad work environment, so it should be something that is productive for him and his staff.

Mr. Stoll said he also needs to go on Council Call for monies for the bridge inspection. The way he understands it has been done in the past, is that they have paid for it with local money and then when the Federal monies become available in October they reimburse the local.

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

Update/Vogel Rd.: Mr. Stoll said he met with Jack Rogers and Joe Roehm last week and they are in the process of hiring an engineer to design the road. Once they get their engineer hired, we can coordinate the work with the bridge and take it from there.

Commissioner Borries said that is on that has been a longstanding development. It seems as if all the developers have their act together and in our limited way, we can certainly coordinate our bridge plans over the legal drain.

RE: CONSENT AGENDA

Commissioner Borries entertained questions concerning the Consent Agenda.

Auditor Humphrey raised questions concerning one of the employment status changes due to the 8/5/92 release and appointment date, with increase retroactive to January 1, 1993 for an employee in the Center Assessor's office. The Board approved this specific item, subject to verification with Council. (A check with Sandi Deig subsequent to the meeting revealed that this was a step increase approved by Council effective August 5, 1992 and the employee was indeed paid the higher salary through 1992. But because the 1993 budget excluding the step increase per the Job Study had already been printed, monies had to be appropriated to cover the salary increase in the 1993 budget and this paperwork was a necessary part of the overall process, hence the 1/1/93 date.)

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the Consent Agenda was approved. So ordered.

RE: OLD BUSINESS

Amendment/Earthquake Insurance Policy: Mr. Borries said the premium for the policy mentioned was \$6,000, but there is also a

\$900 fee. Hence, the total claim amount is \$6,900.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries the claim was approved for payment. So ordered.

Management Negotiating Committee/Teamsters Union Contract:
Commissioner Borries said he would like approval to have the designated individuals at the following locations serve on the Management Negotiating Committee for the Teamsters Union contract:

Burdette Park	-	Mark Tuley & Tom Goodman
County Highway	-	Bill Morpew & Fred Howard
Auditorium	-	Sandra Toton & Andy Davidson

These individuals would meet with County Attorney Alan Kissinger to negotiate with the Teamsters and develop a proposed contract.

Mr. Borries said it is his understanding there is already a contract in effect with the Corrections employees through the Sheriff's Department. Therefore, it will not be necessary at this time for them to participate in the negotiations.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries the foregoing appointments were approved. So ordered.

RE: NEW BUSINESS

Hybrid Inn & Union Township School: Mr. Borries said the Hybrid Inn located in Union Township burned some time ago and is in a condition that could be regarded as hazardous. He asked Roger Lehman to file a written report, which he did. There is also the famous Union Township School he is asking him to investigate. Mr. Lehman said he did receive a complaint concerning the unsafe chimney left standing after the Hybrid Inn burned. He has issued orders and some progress has been made. He has not look at Union Township School from a structural integrity standpoint. He requested Brett Townsend of the Health Department to go with him on February 1st to perform a complete inspection of the building, safety and sanitary conditions of both properties. Judging from the Perry Township Fire Department report, he would anticipate a recommendation that both properties be cleaned up immediately, which may mean a request for expenditure from the County fund if the owners will not comply. Mr. Lehman does write that from past experience this is very likely. He is issuing a 14 day order to remove the debris.

Mr. Borries said he has ended up in Court at least on one occasion regarding this Union Township School. It is a tremendous frustration because this particular piece of property has been to courts and courts have ruled against this particular property owner. However, it doesn't seem like anything has ever taken place out there. He hopes Roger goes ahead and does that. If there is failure on the part of the owners to do this, perhaps even a lien could be placed on the property because, frankly, he thinks that is the only way it is ever going to get cleaned up. It is never going to happen the way we've done it in the past. It is a sore spot and the residents hate it. Again, if the property owner refuses to comply with that, he thinks the County should spend the money, a lien should be placed against the property and the property should be condemned. It's a mess -- and that's the nicest thing he can say about it.

Clarification Requested/Group Health Insurance Benefits for Qualified Retired Sheriff's Department Employees, etc.: In response to query from Commissioner Tuley for request from the County Auditor for the County Attorney to interpret certain portions of this ordinance for the Insurance Department, Attorney Kissinger said this has already been done. There is an application for health insurance coverage by an individual -- it is his

understanding the individual is 65 years of age and he was on this coverage to this point. He is now eligible for Medicare and, consequently, ineligible for coverage under this ordinance. The question is, in the very last paragraph on Page 1, it says, "The health insurance plan shall be made available to cover dependents under the same terms and conditions of said plan." It was this individual's impression that his wife, age 61, could still remain covered under this plan. Attorney Kissinger said his interpretation is that she cannot fit under the definition of a covered dependent in consideration of the fact that her sponsor, the former Sheriff's employee, is no longer eligible. As a consequence, she does not qualify as a covered dependent. It just can't be; otherwise, we would be picking up families....

Auditor Humphrey said he would like to have this ordinance re-written to clarify that.

Attorney Kissinger said there are a couple of things in the ordinance that are confusing and he's been contacted by other members of the Sheriff's department who have asked for an interpretation as to people under the age of 50. Perhaps the ordinance should be rewritten completely.

Commissioner Tuley asked, "Along this line of thinking, isn't this something that we had at one time for all County employees -- that was removed during the last couple of years?"

Mr. Humphrey said he doesn't think so -- this was a special provision.

Ms. Matthews noted there was an ordinance concerning certain qualified retired County employees, but it was repealed.

Commissioner Tuley said while we're looking at the one for the Sheriff's Department, he'd also like to look into that possibility.

Commissioner Borries entertained motion that the Ordinance re Group Health Insurance/Sheriff's Department be referred to Attorney Kissinger for his review and modifications.

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

RE: SCHEDULED MEETINGS

It was noted by Commissioner Borries that the next regular meeting of the Board of Commissioners will be AT 5:30 p.m. on Tuesday, February 16th.

Executive Session: President Borries requested that an Executive Session of the Board of Commissioners be advertised for 5:00 p.m. on Tuesday, February 16th. Purpose of said meeting is to discuss Personnel Matters.

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

County Department Head Meeting: Mr. Borries said the agenda also includes a County Department Head meeting on February 22nd. He would want to strike that. Apparently there is some misunderstanding here with the Commission office secretary. He had envisioned that he would want to meet on the first Monday of every month. But he does not see this as a meeting that would be held every two weeks. Therefore, there will be no meeting on February 22nd.

Mr. Abell said he thinks this is something that just got stuck in Ms. Farrell's computer program and she hasn't gotten it out yet when she prints it out.

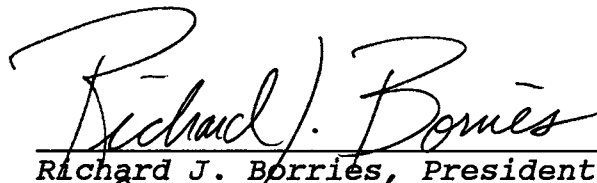
Commissioner Borries said, "Okay -- but I have asked to meet with them on the first Monday of each month."


There being no further business to come before the Board, upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the meeting was adjourned at 7:25 p.m. So ordered.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, Auditor
Alan Kissinger, County Attorney
Kent Irwin/Waggoner, Irwin, Scheele & Associates
John Stoll, County Engineer
Jim Fuquay/Developer
Jim Gardner
Andy Easley/Easley Engineering
Fred Kuester/Engineer
Susan Jeffries, Purchasing
Mark Tuley/Burdette Park
Mark Abell/Commission Office
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

FEBRUARY 8, 1993

5:30 P.M.

FINAL

- ✓ 1. CALL TO ORDER — 5:30 P.M.
- ✓ 2. INTRODUCTIONS
- ✓ 3. PLEDGE OF ALLEGIANCE
- ✓ 4. ACTION ITEMS
Hunter R. Lynn / Jim Ferguson / Request for Waiver of S. Lawrence
 - A. Any group/individual wishing to address the commission
 - ✓ B. Kent Irwin/Waggoner, Irwin, Scheel & Associates, Inc.
re: ADA/personnel issues
 - ✓ C. Susan Jeffries/Purchasing
 - 1) Bid Award:
re: Mowing and Trimming Services *Complete Lawn Care*
 - 2) Approval to advertise Timber Materials *2/11 + 2/18 open 3/1/93*
 - ✓ D. CAPE Agreement *App'd.*
re: deferred from 2/1/93
 - ✓ E. Utility Easement — *App'd.*
re: SIGECO/Burdette Park

(1)

6. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney ✓
John Stoll ----- County Engineer ✓
Fred Howard ----- County Highway - Absent
Mark Tuley ----- Burdette Park ✓

7. CONSENT ITEMS

A. Citizens/USI 15 K Run
re: use of county roads

B. Acceptance of Checks: (Copies in your folders)

- | | | | |
|----|----------------------------------|-----------|------------------|
| 1) | Capital Cable # 24859 | 598.38 | (Quietus # 6447) |
| 2) | TCI Great Lakes # 169767 | 39,708.37 | (Quietus # 6532) |
| 3) | Glenn Deig/County Attorney # 547 | 2,080.63 | (Quietus # 6531) |
| | * Recapitulation Fees | | |

C. Travel Requests

Veteran's (1)

D. Approval/Acceptance of Commissioner Minutes for 1/1/93

E. Monthly Reports Received:

- 1) Legal Aid
- 2) Sheriff
- 3) Vision 2000
- 4) City and County VSOs (Veterans Service Officer)

F. Employment Changes:

Center Assessor/Appointment

Debbie Burch/1st Deputy/Office Coordinator.....20,523.00/YR 8/5/92
* retroactive to 1/1/93

Center Assessor/Release

Debbie Burch/P Deputy.....	18,835.00/YR	8/5/92
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App. 1. Waiver of Sidewalk - Hunter Ridge "A" & "B"
 " - Street Plan B
 " - " " Bottom Meadows "C" x Sidesway Waive.
 " - Oakwood Sub - GRACE STREET; Owners will maintain

Land
County Assessor/Land Valuation Commission/Release

John Bittner/CLVC Member.....35.00 12/30/92
*per diem

Superior Court/Appointment

Carrie Profaizer/Misdeamor Sec'y.....17,800.00/YR 2/8/93

Superintendent of County Buildings/Appointment

Mark Abell/Superintendent of County Buildings.....24,311.00/YR 2/3/93
*six month increase/retroactive to 2/3/93

Superintendent of County Buildings/Release

Mark Abell/Superintendent of County Buildings.....23,178.00/YR 2/3/93

G. Glenn Deig/Attorney

re: Claim.....1,297.96 (Final payment for services)

H. County Engineer requests:

* see attached

COUNTY ENGINEER'S AGENDA

FEBRUARY 8, 1993

ITEMS

- | | | |
|----|--|--------------|
| 1. | COVERED BRIDGE CERTIFICATION | |
| 2. | LYNCH ROAD - SUPPL AGREEMENT NO. 1 | \$ 4,967.00 |
| | New Agreement Amount | \$579,067.00 |
| 3. | U.S.I - | |
| | PROPOSED ADM. SETTLEMENT/PARCEL #23 DECKER | |
| 4. | CLAIMS: | |
| | U.S.I. INTERCHANGE - 430 BOND | |
| | Permanent Federal/Parcel #31 | \$ 100.00 |
| | Steve Hoffman - Parcel #31 | \$16,400.00 |
| | CONTRACTUAL SERVICES - 216-3930 | |
| | Koester Contr. (Inv. #2231) | \$ 3,086.07 |
| | PETERSBURG RD BR #75 - 203-4368 | |
| | CCC of Evansville (Inv #92002D) | \$ 9,656.07 |
| | CONTRACTUAL SERVICES - 203-3930 | |
| | Charles W. Ruston (Inv. #22) | \$ 408.00 |

8. OLD BUSINESS

- a. Helfrich Insurance Agency/claim6900.00
re: New Policy for Earthquake Insurance
Original claim was for 6000.00
Broker Fee 900.00 (accidentally omitted
by Mr. Feldhaus when being discussed at 1/1/93 mtg.)
Total claim submitted 6900.00 for approval

9. NEW BUSINESS

- a. Correspondence from Roger Lehman, Building Commission
re: Hybird Inn and Union Township School

10. MEETING ADJOURNED

Scheduled Meetings

Feb 8	Mon	Solid Waste - Executive Session	4:00 PM	RM 307
		Solid Waste	4:30 PM	RM 307
		County Commissioners Exec Session	5:00 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Feb 12	Fri	BUILDING CLOSED - PRESIDENT LINCOLN'S BIRTHDAY		
Feb 15	Mon	BUILDING CLOSED - PRESIDENT'S DAY		
Feb 16	Tues	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Feb 22	Mon	Department Head (County)	4:00 PM	RM 303
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Feb 24	Wed	County Council		
		Personnel/Finance	3:30 PM	RM 301

NOTICE OF MEETING
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
EXECUTIVE SESSION
Tuesday - February 16, 1993
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold an Executive Session at 5:00 p.m. on Tuesday, February 16, 1993 in Room 307, Civic Center Complex, Evansville, Indiana.

PURPOSE OF SAID MEETING is to discuss Personnel Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

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

ATTEST:

Sam Humphrey
County Auditor

APPROVED:

Alan M. Kissinger
County Attorney

FUQUAY CONSTRUCTION
2225 N. Cullen Avenue
Evansville, Indiana 47715
812/473-8618
February 1, 1993

Vanderburgh County Board of Commissioners
Room 305
City-County Administration Building
Civic Center Complex
1 Martin Luther King, Jr., Blvd.
Evansville, IN 47708

RECEIVED

FEB - 8 1993

VANDERBURGH COUNTY
COMMISSIONER'S OFFICE

Re: HUNTER'S RIDGE Subdivision, Section "A"

Greetings:

The street in subject subdivision has been constructed and has been accepted by the County.

The Area Plan Commission staff has informed us that they have no record of the Board of Commissioners waiving the requirement of sidewalks in this subdivision. It is requested that the Board of Commissioners waive the requirement of sidewalks in this subdivision which contains ten (10) lots.

This subdivision is similar to other large lot type developments located in the McCutchanville area that, in the past, have never been required to have sidewalks. The street construction plans were prepared and approved by the County Commissioners with NO provision for any sidewalks. The roadway has been excavated and graded in a manner that would make it very difficult to construct sidewalks.

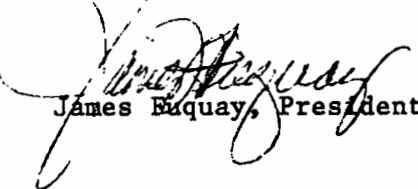
It is our opinion that sidewalks would not be in harmony with the country estate character of the development.

Your cooperation in this matter will be appreciated.

Please include this request on the agenda for the February 8, 1993 meeting of the County Commissioners.

Sincerely,

FUQUAY, CONSTRUCTION


James Fuquay, President

3 | 140
4
12

AMERICANS WITH DISABILITIES ACT (ADA) of 1990

Summary
by
R. Kent Irwin
Waggoner, Irwin, Scheele & Associates, Inc.

WHAT IS ADA?

Congress enacted the ADA to "provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." ADA was signed by President Bush on July 26, 1990 and became effective for public sector employers on January 26, 1992, and private sector employers with 25 or more employees on July 26, 1992; and July 26, 1994 for those with 15 - 24 employees.

HOW IS THE ADA STRUCTURED?

ADA HAS FIVE TITLES:

Title I - Employment--Prohibits discrimination in employment against a qualified individual with a disability.

Title II - Public Services--Prohibits discrimination by a public entity in providing public services to a qualified individual with a disability.

Title III - Public Accommodations and Services Operated By private Entities--Prohibits discrimination in providing public accommodations and services.

Title IV - Telecommunications--Requires common carriers of interstate wire or radio communications provide technological accommodations for individuals with hearing and speech impairments.

Title V - Miscellaneous Provisions--Contains various provisions of the ADA such as prohibiting an individual from retaliating against or coercing an individual who seeks to enforce another's or their own rights under ADA.

HOW DOES ADA IMPACT EMPLOYMENT PRACTICES AND PROCEDURES?

The purpose of the ADA is to end employment discrimination against people with disabilities. Section 102(a) of the ADA prohibits discrimination against a qualified employee or applicant with a disability because of the disability in regard to:

- * Job application procedures
- * Hiring
- * Advancement
- * Discharge
- * Compensation
- * Job training
- * Other terms, conditions, and privileges of employment

WHAT IS ADA'S DEFINITION OF "DISABILITIES?"

The ADA provides covered entities from discriminating against a "qualified individual with a disability." This phrase defines the group protected by the ADA. The analysis of the ADA in an employment setting begins with a determination of whether the applicant or employee is a "qualified individual with a disability."

A "qualified individual with a disability" is a person:

- (1) With a disability as defined by the ADA, who
- (2) Can perform the essential functions of the job
- (3) With or without reasonable accommodation.

The term **disability** means, with respect to an individual

- (A) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (B) A record of such an impairment; or
- (C) Being regarded as having such an impairment."

WHAT ARE REASONABLE ACCOMMODATIONS?

An accommodation is any change in the work environment or in the way things are customarily done that will enable a person with a disability to enjoy equal employment opportunities.

HOW DO EMPLOYERS GO ABOUT DETERMINING REASONABLE ACCOMMODATIONS?

It is nearly impossible for the employer to determine reasonable accommodations without first describing the "essential functions and job qualifications of actual jobs being performed.

An individual who cannot, with reasonable accommodation, perform an essential job function will not be considered "qualified." Employers are encouraged to identify the essential job functions to determine whether an individual is "qualified."

WILL MAKING REASONABLE ACCOMMODATIONS BE EXPENSIVE FOR THE EMPLOYER?

Job Accommodation Network, (JAN) determines the cost of individual items: (Section 504 of the rehabilitation Act of 1973)

Survey

31% = No Cost	
19% = Accommodations	\$1 - \$50
19% = Accommodations	\$51 - \$500
19% = Accommodations	\$501 - \$1000
11% = Accommodations	\$1000 - \$5000
1% = Accommodations	+ \$5000

HOW IS ADA REGULATED?

The EEOC regulates Title I, and the Department of Justice for Title II, and other Federal agencies for the other Titles.

WHAT ARE THE ENFORCEMENT MECHANISMS AND PENALTIES?

Enforcement will be accomplished in the manner set forth in Title VII of the 1964 Civil Rights Act. Title VII provides various equitable remedies including reinstatement and back pay for up to two years prior to the time the charge was filed; attorneys fees, expert witness fees, and other court costs.

A charge of discrimination must be filed with the EEOC within 180 days after the alleged discrimination occurred.

WHAT STEPS DO EMPLOYERS NEED TO TAKE WITH RESPECT TO THE EMPLOYMENT PROVISIONS OF ADA?

1. **Check and revise job descriptions** to ensure that "essential functions" are accurately captured; and that job qualification standards and requirements are supported by actual duties of the job.
2. **Review hiring procedures** to ensure that hiring standards are "job related and consistent with business necessity." ADA prohibits subjecting applicants to medical examinations prior to making an "offer of employment."
3. **Review and revise written personnel policies and work rules, application and selection standards, performance evaluation procedures, collective bargaining agreements, and affirmative action plans** to ensure that document provisions do not discriminate against individuals with disabilities.
4. **Check benefit plans** to ensure provision of non-discriminatory insurance benefits.
5. **Check "911" capabilities** to ensure that telephone emergency number systems be equipped with technology that will give hearing and speech impaired individuals a direct line to these numbers.
6. **Train all staff** to ensure proper use of personnel policies, documents, work rules, and procedures.

(ADA) ADMINISTRATIVE CHECKLIST:

1. *Designate (ADA) Coordinator (Jan. 26, 1992)
2. *Adoption of Grievance Procedure.
3. Conduct Self Evaluation of programs and activities.
(Jan. 26, 1993)
4. *Transition Plan outlining necessary structural
changes. (July 26, 1992)
5. Public Notification to (program) beneficiaries and
employees that the public entity does not discriminate
on basis of disability.
6. Structural changes identified in transition plan
must be completed by Jan. 26, 1995.
7. *Retention of (ADA) files for three years.

*Applies to public entities that employ 50 or more people.

Architect
- also: plans for Burdette Park-
AUDITORIUM -

Prepared By:

WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC.
413 South Tillotson
Muncie, Indiana 47304
317-286-5195

COUNTY OF VANDERBURGH, INDIANA
CONTRACT FOR PROFESSIONAL SERVICES
WITH

WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC.
118 SOUTH FRANKLIN
MUNCIE, INDIANA 47305

STATE OF INDIANA

COUNTY OF VANDERBURGH

SECTION 1. PARTIES TO THE CONTRACT

This contractual agreement is made and entered into by and between the COUNTY OF VANDERBURGH, INDIANA, hereinafter referred to as the "County" and WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC., hereinafter referred to as the "Firm."

SECTION 2. PERIOD OF PERFORMANCE

Consulting services specified in "Exhibit A" shall commence upon execution of this Contract and continue unless terminated in written form by either party with no less than (60) days notice.

SECTION 3. CONTRACTOR PERFORMANCE

The Firm shall provide specific consulting services as specified in "Exhibit A" attached hereto.

SECTION 4. FEES

Consulting fees for this contract will be billed as specified by billing schedule specified in "Exhibit A," plus travel expenses.

SECTION 5. SPECIAL FEES

Consulting fees for the provision of services not specified in "Exhibit A" including, but not limited to, special projects, research, meeting attendance, expert witness research, testimony, related Court reports or proceedings shall be billed at hourly rates. Special fees shall be established at the time that such additional services are requested by the County.

SECTION 6. TRAVEL EXPENSES

Travel Expenses incurred by the Firm in connection with this Contract shall be itemized and accompanied by receipts. Payments will follow standard and accepted practices and policies of the Indiana State Board of Accounts and the County Auditor's Office.

Travel expense reimbursement will be billed using the following rates:

Mileage: \$0.28 per mile
Per Diem: \$24.00 per day
Lodging: Per receipts
Air Fare: Per receipts

SECTION 7. AMENDMENTS AND CHANGES

Any alteration, addition or deletions to the terms of this Contract shall be by amendment hereto in writing and executed by both parties hereto.

SECTION 8. DISPUTES

This Contract shall be construed in accordance with, and governed by the laws of the State of Indiana and suit, if any, must be brought in the State of Indiana. Venue shall be held in the County of Vanderburgh.

SECTION 9. ORAL AND WRITTEN AGREEMENTS

9a. All oral and written agreements, relating to the subject matter of this Contract, the County and the Firm have been reduced to writing and are contained herein.

9b. "Exhibit A" is attached, made part of this Contract and constitutes promised performance by the Firm in accordance with Sections 3 and 4 of this Contract.

FOR THE FIRM:

DATE: _____

TYPED/PRINTED NAME: R. Kent Irwin

TITLE: President

FEDERAL IDENTIFICATION #: 35-1675340

FOR THE COUNTY:

DATE: _____

DATE: _____

ATTEST

EXHIBIT "A"

**VANDERBURGH COUNTY, INDIANA
SCOPE OF CONSULTING SERVICES/FEES**

Waggoner, Irwin, Scheele & Associates Inc. shall provide the County the following professional personnel consulting services:

I. CONDUCT FAIR LABOR STANDARDS ACT & CONFIDENTIALITY ANALYSIS:

Consultants will conduct an independent analysis of each job description under the authority of the County Commission with regard to Fair Labor Standards Act (FLSA) and confidentiality status. A written report will be submitted to County Attorney detailing findings.

Fees:..... (\$2,760.00)

II. CONDUCT (ADA) ASSESSMENT:

Using applicable provisions of the Americans with Disabilities Act (ADA), consultants will conduct an assessment of County personnel policies and practices. This assessment will involve a comprehensive review of hiring procedures, applications, physical agility tests, record keeping systems, job qualification standards, and selection procedures for new hires. A written report including recommended forms and procedures will be prepared and submitted.

Fees/Billing Schedule: Upon completion of the following steps, the Firm would expect payment of specified fees within two weeks after submission of Statement of Charges:

Step 1: Gather Personnel Documents, Interview County Officials..... (\$2,860.00)

Consultants will gather copies of existing personnel policies, applications, and related personnel documents. Interviews will be held with selected County officials to elicit personnel practices information and determine how employment policies and practices are conducted.

Step 2: Prepare and Submit (ADA) Assessment Report (\$5,280.00)

Consultants will draft an (ADA) assessment report detailing findings and recommendations to address the employment provisions of (ADA), and various other state and federal employment regulations.

Step 3. Specify "Essential Job Functions:"
.....(\$11,240.00)

Using applicable provisions of the Americans with Disabilities Act (ADA), identify and provide the County with "essential functions and job requirements" listings for (261) classified County jobs. Each Office/Department will be provided an "essential functions" document for each job. This document will be designed for use in job posting and advertising for hiring, and evaluation of "reasonable accommodation" decisions posed by (ADA).

Step 4: Prepare New Job Descriptions...(\$40.00 hour)

Using completed job questionnaires, consultants will prepare new job descriptions for those positions under the authority of the County Commission where a job descriptions does not currently exist. (ADA) "essential functions" will likewise be identified. (County Highway)

III. (OPTION) DEVELOP PERSONNEL POLICIES HANDBOOK:

Consultants will assist County officials with the preparation of a new personnel policies handbook.

Step 1: Prepare County Personnel Policies Workplan.....(\$1,920.00)

Consultants will meet with selected County officials constituting a Personnel Policy Advisory Committee to develop content material to be included in new Personnel Policies. A workplan will be prepared.

Step 2: Prepare and Submit "Draft" Personnel Policies.....(\$5,640.00)

Consultants will prepare and submit "draft" personnel policies handbook for review.

Step 5: Prepare Final Personnel Policies Handbook.....(\$3,440.00)

Consultants will make appropriate revisions and prepare Final Personnel Policies Handbook. Note: A bound employee handbook may be produced at a per copy publishing costs.

Step 6: Supervisor Training.....(\$1,880.00)

Consultants will provide supervisor training in the use of personnel policies handbook.

IV. CONSULTATION/PAY SURVEYS:

Provide labor contract consultation and external market pay surveys as requested.

Fees:.....(Hourly)

V. ASSUMPTIONS

Provision of the above consulting services are based on the following operational assumptions.

1. The County will provide copies of existing personnel policies and related documents.
(e.g. personnel manual, evaluation forms, merit system rules and regulations)
2. The County will provide temporary work space for Firm staff with access to local telephone service during field operations.
3. That each County Office/Department will designate a contact person to serve as a liaison with project operations and training participation.
4. That the County is committed to maintaining a new personnel system through time.

MOWING & TRIMMING SERVICES

ITEM	BIDDER:	COMPLETE LAWN CARE	EVANSVILLE LAWN CARE	QUALITY LAWN CARE	EVANSVILLE RESCUE MISSION	B&M ENTERPRISES
1 Small cut - 5,000 sq ft or less		\$11.00	\$25.00	\$30.00	\$50.00	\$30.00
2 Standard Lot - 5,000 sq ft up to 1/2 acre		\$17.50	\$40.00	\$44.00	\$100.00	\$35.00
3 Large Lot - 1/2 acre to 1 acre		\$47.50	\$45.00	\$68.00	\$150.00	\$40.00
4 Acreage - over 1 acre		\$47.50	\$50.00	\$75.00	no bid	\$40.00
5 Hourly Rate (per man hour)		\$12.50	\$15.00	\$25.00	\$7.50	\$17.50
		\$ 136.00	\$ 175.00	\$ 242.00	incomplete	\$ 162.50

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9303

Opening Date: Monday, March 1, 1993 - 5:30 p.m.

Dates Advertised: February 11 & 18, 1993

Bid Item(s): Timber Materials

Term of Bid: January through December 1993

GENERAL CONDITIONS

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Warranty information must be included.
3. Estimated delivery time must be stated.
4. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
5. Manufacturer specifications and other relevant information must be included in the bid package submitted.
6. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
7. Installation costs, where applicable, must be listed separately with any terms and conditions which are applicable.
8. The Board of County Commissioners reserves the right to reject any and all bids.
9. Bid Bond should be based on five percent (5%) of \$100,000, or \$5,000.

RECEIVED

FEB - 8 1993

VANDERBURGH COUNTY
COMMISSIONER'S OFFICE

VANDERBURGH
COUNTY HIGHWAY DEPARTMENT SPECIFICATIONS

Class# To Include The Following Items:

- . Treated Timber Bridge Planking
- . Treated Timber Box Culverts
- . Treated Timber Laminated Deck Panels
- . Creosote Treated Bridge Timbers
- . Creosote Treated Timber Deck Components
- . Salt Storage Building Package Components
- . Galvanized Attaching Hardware for Above
- . Geotextile Fabric Filter Cloth
- . Treated Timber Piling

Treated Timber Bridge Planking:

All materials shall meet the requirements specified in section 910.02 Treated Lumber in the 1988 Indiana Department of Highways "Standard Specifications".

Treated Timber Box Culverts and Laminated Deck Panels:

Design: HS-20-44 loading

MATERIAL:

a) Lumber - All lumber used in the construction of deck panels shall conform to the requirements set forth in the current edition of the American Association of State Highway Officials "Standard Specifications for Highway Bridges".

Treated timber shall meet the requirements specified in paragraph 910.02 in the 1988 Indiana Department of Highways "Standard Specifications" with the following additions and exceptions:

All timber material shall be Southern Yellow Pine, No. 2 or better, and only one species of lumber shall be used in any one laminated section.

All surfacing shall be S4S to standard size. All cutting, framing, boring, and assembly shall be done prior to treatment, and certification of such shall be furnished by the manufacture prior to delivery of any material. The individual laminae shall be assembled into panel sections using 9/16" diameter steel bolts spaced not greater than three (3) foot center-to-center spacings. Laminated deck panels shall be either 4", 6", or 8" nominal size in thickness, with width and length to be determined at the time of placing order.

All lumber shall be treated by the "empty cell process" using CCA only, and conform to the requirements of the American Wood Preservers Association "Standard Specifications for CCA". with a minimum retention of 4.5 pounds of preservative per cubic foot of wood treatment.

b) Hardware - Bolts used for assembling sections shall be formed of rolled steel rods of structural grade and of such length as to properly grip the laminae composing the sections. Heads and nuts of bolts shall be resessed into the lumber so they do not interfere with placement of adjacent panel sections.

c) Fasteners used to connect the deck panels to bridge floor beams shall be manufactured from A151 1065 steel, austempered to a minimum core hardness of 50-54rc. Typical tensile strength to be no less than 270,000 psi, typical shear strength to be no less than 102,000 pse. The standard finish for all fasteners to be zinc plating to a minimum thickness of 0.0002" and passivated with a supplemental clear chromate finish which meets the requirements of federal specification QQ-Z-325B. Fasteners are to be no less than 4" in shank length, 11/64" in shank diameter, and 3/8" in head diameter.

ATTACHMENT PROCEDURES:

Bidder will provide no less than (4) four attaching tools to the County, to be used under our supervision, by which the fasteners will be installed. Only approved standard velocity (direct-acting) tools for extra-heavy duty fasteners as described above will be provided, such as Ramset Super-Power 238M, using .38 caliber power loads. All tools will be in good working order, complete with all accessories, having been cleaned and safety checked by an authorized instructor prior to use on each job.

TREATED TIMBER MATERIALS - BRIDGE PACKAGES/SALT STORAGE BUILDING PACKAGES

Creosote Treated Bridge Timbers
Creosote Treated Timber Deck Components
Salt Storage Building Package Components
Galvanized Attaching Hardware

DESIGN SPECIFICATIONS:

The design load capacity will be HS-20-44 in accordance with current A.A.S.H.T.O. Specifications and current Indiana Department of Highways Standard Specifications. One set of design drawings signed by a registered Indiana Professional Engineer, shall be provided by the Manufacturer, certified and sealed by same, and submitted within 14 days of notice to proceed. They shall be specific in detail and dimensions on 22" X 34" sheets. An itemized "Bill of Materials" showing in detail all materials used for the complete package (including all treated timber items, piles, nuts, bolts, cable, cable clamps, drive spikes, drift pins, etc.), as required, will also be submitted with each sealed quotation.

MATERIAL SPECIFICATIONS:

a) TIMBER: All timber except piling shall be of Coastal Region Douglas Fir species, dense #1 structural grade, with minimum of

1,500 psi unit stress for extreme fiber in bending and 120 PSI in horizontal shear stress. All timber will be pressure creosote treated to minimum net retention of ten (10) pounds preservative per cubic foot of wood, in accordance with AITC 109-65 "treating standards for structural timber framing" and section 910.02, subsections (a), (b), and (f-1) of the 1988 Indiana Department of Highways Standard Specifications. All timber material shall be pressure-creosote treated by the "Empty-Cell" process, and certification of such provided by the supplier as required, before the final design is accepted by owner, and notice to proceed given. All timber to be cut to exact lengths and dressed to size required. all framing and boring to be done prior to treatment.

b) LONGITUDINAL DECK: All planks in the decking shall be panelized in approximately six foot wide sections using 4" thick plank and to be predrilled prior to treatment. Deck panels to be shop assembled with hydraulic or mechanical press procedure and fitted hot-dipped galvanized ring-shank dowels with a minimum size 3/8" diameter by 15" long. Assembled Deck panels will be free from any damage and/or indentations from hammer and have at least 90% of all timber plank in panels touching adjoining timber plank. Design Drawings must show doweling diagram of each deck panel with center to center placement to the ring-shank dowels as required, and certification of the entire pre-drilling and assembly process, as described herein, shall be provided by the Bridge Manufacture, as required by County, before final design is accepted by owner and notice to proceed given.

In addition, deck panels will conform to the following dimensions for HS-20-44 design loading:

Using #1 Dense Structural, 1500 PSI/120 PSI

Span to 12'	- use 4" X 8" timbers	
" " 18'	- " 4" X 10"	"
" " 26'	- " 4" X 12"	"
" " 32"	- " 4" X 14"	"
" " 36"	- " 4" X 16"	"

Using #1 Select Structural - 1600 PSI/120 PSI

Span to 42' - use 4" X 16" timbers

c) HARDWARE: All hardware such as dowels, nails, cable clamps, nuts, bolts steel beam guard rail, and all other hardware are to be hot-dipped galvanized in accordance with current Indiana department of Highways Standard Specifications.

d) PILING: All test piling shall be delivered with structure, with balance of piling to be furnished in appropriate lengths as per final design. All timber piles shall be creosote-pressure treated and be as specified in current Indiana State Highway Department of Highways Standard Specifications.

e) CERTIFICATION REQUIREMTNES: Supplier will, as required by County, furnish three (3) copies of an affidavit in which a

Professional Engineer registered in the State of Indiana has sworn before a Notary Public that he has personally inspected the materials as to specie and grade, their treatment, the fabrication of structural members as required, and that they have been treated and fabricated according to and that the materials used in the complete package comply with these specifications and the Standard Specifications of the Indiana Department of Highways. Delivery of the signed affidavit and acceptance of the sealed design drawings must precede any order to proceed from Owner. These pre-Engineered, pre-Fabricated, Creosote-Pressure Treated Timber Bridge packages will be complete and delivered to the site by a Manufacturer regularly engaged in the design, fabrication, treatment, and furnishing of such Pressure-Treated, Federally approved structures. Bridge packages shall include sealed Design Drawings certified and signed by the manufacturer with a Professional Engineer registered in the State of Indiana, that the design and all components, when assembled as a completed bridge package, shall meet current A.A.S.H.T.O. and 1988 IDOH design standards for HS-20-44 loading. The bridge manufacturer will also provide a capable field advisory person who shall be present for at least two (2) consecutive days at the start of construction, and at all other times, when called upon, during the duration of the construction project.

HANDLING AND SHIPPING:

The entire structure including piling shall be shipped directly to the job site or as directed by the Owner, for storage in such a manner as to cause no damage to the members or any other materials. The Owner will be notified forty eight (48) hours prior to delivery, and a Factory representative shall be present for unloading at the storage site, as required by County. The Supplier shall also arrange for the equipment to safely unload the materials, and furnish the necessary blocking to prevent any of the materials from being placed directly on the ground. All shipping and handling shall be included in the unit price for each item.

GUARANTEE:

The supplier shall guarantee that any materials or workmanship which prove defective within five (5) years after date of completion and acceptance shall be replaced by them or made good without charge to the OWNER. This guarantee shall be in addition to the Insurance provided by the Manufacturer, covering both the design and component materials provided, in the amount of One Million Dollars liability coverage.

TREATED TIMBER PILING

Timber Piling shall be 12" in diameter, and in conformance with Section 910.02 of the 1988 Indiana Department of Transportation's Standard Specification, Subsections (c) and F-1) and have an allowable working stress compression of 1200 p.s.i.

SPECIFICATIONS

All bridges or bridge components or alternatives to the above to be designed in accordance with current HS-20-44 loading. The design and construction drawings and specifications shall be subject to the approval of the Vanderburgh County Highway Engineer. All materials and construction shall meet or exceed specifications. Bidder shall submit unit prices F.O.B. as designated in Vanderburgh County. Materials to be included in this line or class are:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
1.	Treated Bridge Planking (per 1,000 board foot)	_____
2.	Timber Box Culverts (per 1,000 board foot)	_____
3.	Panel Laminated Decks (per 1,000 board foot)	_____
4.	Creosote Pressure-Treated Bridge and Salt Storage Building Package Components (per 1,000 board foot)	_____
5.	Longitudinal Creosote Pressure-Treated Super Structure Deck Replacement Components (per 1,000 board foot)	_____
6.	Galvanized Hardware for above (per pound)	_____
7.	Treated Timber Piling (per linear foot) (15' - 40' lengths)	_____
8.	Treated Timber Piling (per linear foot) (41' - 55' lengths)	_____
9.	Treated Timber Piling (per linear foot) (56' and longer lengths)	_____

VENDOR

DATE

ADDRESS

TELEPHONE

AGREEMENT FOR SERVICES

THIS AGREEMENT, entered into as of the 8 day of February, 1993, by and between the Community Action Program of Evansville (hereinafter "CAPE") and Vanderburgh County, Indiana, acting by and through its Board of Commissioners (hereinafter "County").

WHEREAS, the County desires to contract for transportation services for certain elderly and handicapped citizens of Vanderburgh County; and

WHEREAS, CAPE has provided and is willing to continue to provide such services.

THEREFORE, the above-named parties enter into this contract upon the following terms and conditions.

1. Term. The term of this Agreement shall be from January 1, 1993, to May 31, 1993.

2. Employment of CAPE. The County hereby agrees to engage CAPE and CAPE hereby agrees to perform the services hereinafter set forth.

3. Scope of Services. CAPE shall perform and carry out in a good and professional manner the following service:

a. Transportation services to elderly and handicapped citizens of Vanderburgh County, Indiana, who do not reside within the corporate city limits of Evansville, Indiana, where either the trip origin or destination is outside the Evansville corporate limits.

4. Consideration/Compensation. The County agrees to pay CAPE a sum not to exceed Eighteen Thousand Two Hundred Eighty-one Dollars and Twenty-five Cents (\$18,281.25) for the term provided in Paragraph 1, above.

5. Fees. The sum of Two Dollars (\$2.00) shall be charged to any individual utilizing the services as detailed in Paragraph 3 herein. Collection of said fee shall be the sole responsibility of CAPE.

6. Availability. The service will be available throughout Vanderburgh County, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.

7. Service Criteria. All vehicles utilized in performing the services set forth in this Agreement shall be passenger vans equipped with wheelchair lifts and tie downs and have radios on board to communicate with the dispatching office. All vehicles used shall be accessible to all elderly and handicapped persons. All drivers of such vehicles shall have valid Public Passengers license.

8. Liabilities of the Parties. CAPE agrees to hold harmless the County, its agents, officials and employees from any and all claims, actions, causes of actions, judgments and liens arising out of the performance of CAPE under this Agreement.

9. Assignment. CAPE shall not assign or subcontract the whole or any part of this Agreement without the County's prior written consent.

10. Entire Agreement. This Agreement represents the entire agreement between the parties in connection with the subject matter hereof, and supersedes any prior representations or agreements, whether oral, written, express or implied. This Agreement may be modified only in writing.

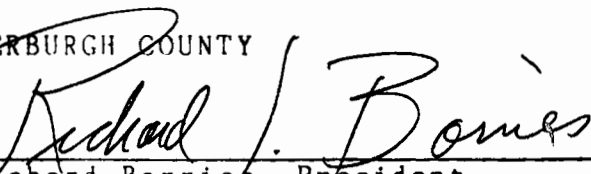
11. Interim Agreement. This Agreement is entered into only to provide services in the interim period of January 1, 1993, to May 31, 1993, for the reason that, the necessary transportation services described above would cease without such agreement.

IN WITNESS WHEREOF, Vanderburgh County Board of Commissioners and the Community Action Program of Evansville have executed this Agreement on the day first written above.

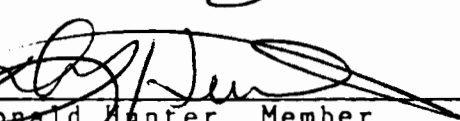
COMMUNITY ACTION PROGRAM OF EVANSVILLE

By: 
Alice Weathers, Executive Director

VANDERBURGH COUNTY

By: 
Richard Borries, President

By: 
Pat Tuley, Vice-President

By: 
Donald Hunter, Member

COPY

Resp. Area 180-3108000

ELECTRIC DISTRIBUTION LINE EASEMENT

Form 162
7/1988

THIS INDENTURE WITNESSETH, That THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, hereinafter called "Grantor", for and in consideration of the sum of One Dollar (\$1.00), and other valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT and CONVEY unto SOUTHERN INDIANA GAS AND ELECTRIC COMPANY, an Indiana corporation whose mailing address is 20 NW FOURTH STREET, P.O. BOX 569, EVANSVILLE, INDIANA, 47704-0569, its successors, assigns, and lessees (hereinafter collectively referred to as the "Company"), an easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines underground and one or more electric lines above ground upon one (1) line of supporting structures, together with guy wires, anchors, cables and such other appliances, fixtures, equipment and appurtenances as may be convenient or necessary for the transmission of electric energy, upon, over, under and across a strip of land ten (10) feet in width, the approximate center line of which is shown upon the plat which is attached hereto, made a part hereof, and marked "Exhibit A", together with the right of ingress and egress over the lands of Grantor to and from said line in the exercise of the rights herein granted, provided, that in the exercise of such rights the Company will, whenever practicable to do so, use regularly established highways or roadways.

The real estate of Grantor upon, over and across which said easement and right-of-way shall be laid out and located is situated in Perry Township, Vanderburgh County, State of Indiana, and is more particularly described as follows:

Part of the Northeast Quarter of Section Four (4), Township Seven (7) South, Range Eleven (11) West and being the same real estate described in a deed recorded in Deed Record 177, Page 180 and in Deed Record 189, Page 126 in the office of the Recorder of Vanderburgh County, Indiana

Grantor for the same consideration further grants to the Company the right to trim or remove, at Company's sole discretion, any and all trees located within said strip of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said electric lines, and the right to remove brush or other obstructions from said strip of land.

Subject to the right herein granted to the Company, the Grantor reserves the right to use and enjoy the land included within said easement and right-of-way, but no buildings, structures, equipment, machinery, or any other type of improvement or property, either of a permanent or temporary nature, shall be located or maintained within said strip of land.

IN WITNESS WHEREOF, this instrument is executed this 8th day of February, 1993.

BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

By

Printed

By

Printed

By

Printed

Its Members

ATTEST:

By

Sam Humphrey
Sam Humphrey, Auditor of Vanderburgh
County, Indiana

STATE OF Indiana)

COUNTY OF Vanderburgh) SS:

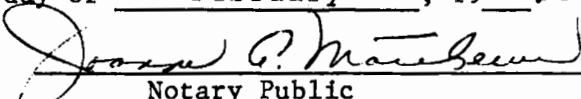
Before me, the undersigned, a Notary Public, in and for said County and State, came THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, by _____,

its members, who as such members, for and on behalf of said Board, acknowledged the execution of the foregoing Electric Distribution Line Easement.

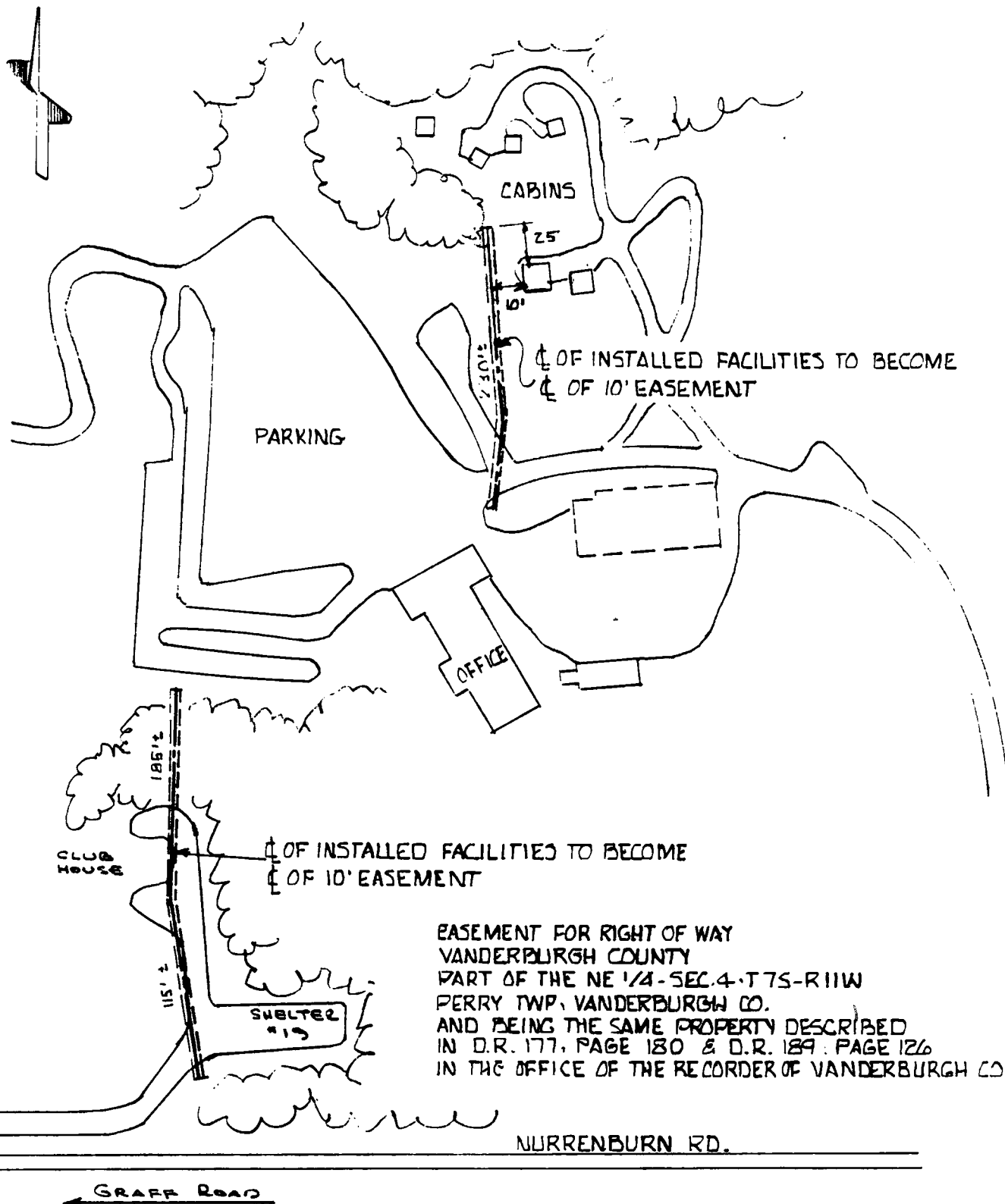
WITNESS my hand and Notarial Seal this 8th day of February, 1993

I reside in Vanderburgh County, State of _____, and my commission expires:

JOANNE A. MATTHEWS
NOTARY PUBLIC STATE OF INDIANA
VANDERBURGH COUNTY


Notary Public
Joanne A. Matthews
(Printed)

THIS INSTRUMENT WAS PREPARED BY C. E. OSWALD, JR. WITH INSERTIONS BY: J. MCKENDREE
W.O.# 3122102 DWG.# 71104-2



EASEMENT FOR RIGHT OF WAY
 VANDERBURGH COUNTY
 PART OF THE NE 1/4-SEC. 4-T7S-R11W
 PERRY TWP, VANDERBURGH CO.
 AND BEING THE SAME PROPERTY DESCRIBED
 IN D.R. 177, PAGE 180 & D.R. 189, PAGE 126
 IN THE OFFICE OF THE RECORDER OF VANDERBURGH CO.

REV. BY	DESCRIPTION	DATE	BY J. McKENDREE DATE 1-15-93	SOUTHERN INDIANA GAS & ELECTRIC CO. EVANSVILLE INDIANA EXHIBIT A EASEMENT FOR RIGHT OF WAY EST. NO. 3122102 DWG. NO. 71104-2
			DWN. JMK DATE 1-22-93	
			CHK. DATE	
			APP. <i>me</i> DATE 1-22-93	



App'd 4/17/93
P.O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47712
TELEPHONE (812) 424-9535

TO: VANDERBURGH COUNTY COMMISSIONERS

RE: 1993 PROPOSAL RATES FOR BURDETTE PARK

PLEASE ACCEPT THIS AS A FORMAL REQUEST THAT THE RATES FOR BURDETTE PARK BE ADJUSTED TO A MORE COMPETITIVE PRICE. DURING THE PAST YEAR IT WAS REALIZED THAT NUMEROUS OTHER PARKS LURED CUSTOMERS FROM OUR FACILITY. WE WOULD THEREFORE PROPOSE THAT RATES BE ADJUSTED AS FOLLOWS:

PRESENT CAMPING RATES

\$5.50 PRIMITIVE TENT CAMPING

\$9.50/DAY	\$57/WEEK	\$171/MONTH	WATER & ELECTRIC ONLY
\$11/DAY	\$66/WEEK	\$198/MONTH	WATER, ELECTRIC, & SEWER

PROPOSED

\$6/DAY	\$30/WEEK	\$100/MONTH	PRIMITIVE TENT CAMPING
\$9.50/DAY	\$45/WEEK	\$145/MONTH	WATER & ELECTRIC ONLY
\$11/DAY	\$54/WEEK	\$170/MONTH	WATER, ELECTRIC, & SEWER

PRESENT COTTAGE RATES (INCLUDES SWIMMING & WATERSLIDES)

MAY 15 - SEPT 15	SEPT 16 - MAY 14
\$45/DAY FOR 1 OR 2 PEOPLE	\$30/DAY FOR 1 OR 2 PEOPLE
\$5/DAY PER ADDITIONAL PERSON	\$3/DAY FOR EACH ADDITIONAL PERSON

PROPOSED (WILL NOT INCLUDE SWIMMING & WATERSLIDES)

MEMORIAL DAY - LABOR DAY	LABOR DAY - MEMORIAL DAY
\$45/DAY UP TO 5 PEOPLE (3 OLDER COTTAGES)	\$35/DAY UP TO 5 PEOPLE
\$65/DAY UP TO 8 PEOPLE (2 NEW CHALETS)	\$55/DAY UP TO 8 PEOPLE

WE ARE NOT REQUESTING ANY PRICE INCREASE IN OUR SHELTERHOUSES.

RESPECTFULLY,

MARK T. TULEY
BURDETTE PARK MANAGER

1992

THESE RATES ARE SET BY THE VANDERBURGH COUNTY COMMISSIONERS FOR BURDETTE PARK

PAVILION	\$325 UP TO 300 PEOPLE	\$400 FOR 300-500 PEOPLE
	\$550 FOR 500-1000 PEOPLE	
BISHEA	\$250	
CLUBHOUSE	\$100	
LAKESIDE	\$90	
SHELTER #7	\$40	
SHELTER #8	\$45	
SHELTER #12	\$70	
SHELTER #13	\$70	
SHELTER #16	\$40	
SHELTER #17	\$40	
SHELTER #18	\$190	
SHELTER #19	\$60	

**** THERE IS A 5% SALES TAX ON ALL SHELTER HOUSE RENTALS ****

IT IS THE OBLIGATION OF THE MANAGEMENT AT BURDETTE PARK TO PROVIDE A SAFE, CLEAN AND RESPECTABLE PLACE FOR YOU, THE RENTER, TO COME AND ENJOY. THE OBLIGATION OF THE RENTER IS TO RESPECT THE REMODELING WHICH HAS BEEN DONE AND TO USE THE TRASH BARRELS THAT HAVE BEEN LEFT FOR THE DISPOSAL OF TRASH.

THE MANAGEMENT DOESN'T CONDONE UNDERAGE DRINKING OR THE USE OF DRUGS. YOU MUST BE 21 OR OVER TO RENT A BUILDING IN THE PARK. WE ARE NOT A BABYSITTING AGENCY EITHER, SO AS NOT TO ALIENATE PARENTS WE ARE GOING TO HAVE TO ENFORCE THE FOLLOWING RULE, WITH THE COOPERATION OF THE VANDERBURGH COUNTY SHERIFF'S DEPARTMENT. IF ON A ROUTINE SECURITY CHECK, UNDERAGE DRINKING OR THE USE OF DRUGS IS DETECTED, THE PERSON OR PERSONS WILL BE WARNED AND ASKED TO VACATE THE PARK. IF ON SECOND CHECK THE SAME PERSON OR PERSONS ARE STILL IN OCCUPANCY, THE SHERIFF'S DEPARTMENT WILL BE CALLED AND THE PROPER ACTION WILL THEN BE TAKEN. THE PARK WILL BE CLOSED AT 11:00 p.m. ON WEEKDAYS, AND AT 12:00 MIDNIGHT ON WEEKENDS AND HOLIDAYS. PLEASE LOCK THE KEY INSIDE THE BUILDING, AND LOCK THE DOOR WHEN YOU LEAVE.

THE MANAGEMENT OF THE PARK IS PROUD OF THE DIRECTION IN WHICH THE PARK IS HEADED. WE WANT IMPROVEMENTS TO CONTINUE AND YOU, THE RENTER, TO WANT TO COME BACK. IT IS BECAUSE OF THE GOOD PEOPLE OF EVANSVILLE AND VANDERBURGH COUNTY THAT THE ABOVE ACTION AND STATEMENT HAS BECOME A PART OF OUR PARK POLICIES AND RULES.

THE TRASH CONTAINERS ON THE PREMISES AND INSIDE THE BUILDING ARE THERE FOR YOUR



Vanderburgh County Engineering Department

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

To: Rick Borries
Don Hunter
Pat Tuley
From: John Stoll
Subject: Update on moving offices to the Old Court House
Date: February 8, 1993

As you requested, the staff of the Vanderburgh County Engineering Department has been evaluating what will be necessary in order to facilitate moving our office to the Old Court House. The list of things that will need to be done, as well as estimated costs, is as follows:

1. The old carpet must be removed and new carpet installed. We have one estimate on this for \$2,339.
2. The walls and ceiling must be re-plastered and painted. Based upon a preliminary estimate by Faye Gibson this will cost approximately \$3,500.
3. In order to eliminate the need for window air conditioners, I have contacted three air conditioning contractors to provide estimates for alternative A/C systems. I have not yet received any of their estimates.
4. Six phone lines need to be installed.
5. Miscellaneous office equipment, such as dividers, blinds, and map cabinets, will need to be purchased.

There may need to be additional equipment purchased that we have not yet foreseen. A decision needs to be made to determine if the County will pay for these changes and pay a lower annual rent, or if the work should be coordinated by the Old Court House Preservation Society and in turn charge the County a higher annual rent. In either of these cases, the money to do this must be appropriated by County Council, and the request for appropriations must be made by Thursday February 11, 1993 in order to be able to move the office by March.

If you have any questions concerning this, please contact me.

COUNTY ENGINEER'S AGENDA

FEBRUARY 8, 1993

ITEMS

1. COVERED BRIDGE CERTIFICATION
2. LYNCH ROAD - SUPPL AGREEMENT NO. 1 \$ 4,967.00
New Agreement Amount \$579,067.00
3. U.S.I -
PROPOSED ADM. SETTLEMENT/PARCEL #23 DECKER
4. CLAIMS:
 - U.S.I. INTERCHANGE - 430 BOND
 - Permanent Federal/Parcel #31 \$ 100.00
 - Steve Hoffman - Parcel #31 \$16,400.00
 - CONTRACTUAL SERVICES - 216-3930
 - Koester Contr. (Inv. #2231) \$ 3,086.07
 - PETERSBURG RD BR #75 - 203-4368
 - CCC of Evansville (Inv #92002D) \$ 9,656.07
 - CONTRACTUAL SERVICES - 203-3930
 - Charles W. Ruston (Inv. #22) \$ 408.00

COVERED BRIDGE CERTIFICATION

Vanderburgh COUNTY

Number of covered bridges per IC 8-14-1-10. - 0 -

We, the undersigned commissioners of the said county, hereby certify that the foregoing is the true number of covered bridges in said county per IC 8-14-1-10.

Dated this 2/8/93 day of _____, 19____.

Richard J. Bonnis

Patricia J. Juley

County Commissioners

Jim Humphrey
County Auditor

Due by June 15.

Mail to:

Settlement Deputy
240 State House
Indianapolis, IN 46202

Note: We have an administrative advisory letter to clarify IC 8-14-1-10, (...the number of covered bridges located on the county's road system; ...). It says "Since a county road system includes the road's right-of-way, any covered bridge in Indiana located on county road right-of-way is eligible for the ☐ appropriation, even if not currently in use by traffic."

SUPPLEMENTAL AGREEMENT NO. 1

This Supplemental Agreement is made and entered into February 8, 1993, by and between the County Commissioners of Vanderburgh County, Indiana, hereinafter referred to as the "COUNTY," and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT."

WITNESSETH

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

WHEREAS, due to a requirement for a traffic warrant study to justify the design and installation of a traffic signal at the two ramp approaches to I-164 and of the proposed intersection with S.R. 62, and

WHEREAS, in order to provide for completion of the work, it is necessary to amend and supplement said agreement.

1. The first paragraph of Section A - Appendix "D" is changed to read as follows:

1. The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 579,067.00, unless a modification of the Agreement is approved in writing by the COUNTY.

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

g. Warrant Study at the West and East Ramp
Intersections with I-164 & at S.R. 62

\$ 4,967.00

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

The previous "not to exceed" total was \$574,100.00. This Supplemental increases this value by \$4,967.00, to a new "not to exceed" value of \$579,067.00.

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

CONSULTANT

Bernardin, Lochmueller &
Associates, Inc.

BY Keith Lochmueller
Keith Lochmueller, President

Attest:

Thomas G. Bernardin
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Board of County Commissioners
Vanderburgh County

BY Richard J. Borries
Richard J. Borries, President

BY Patrick Tuley
Patrick Tuley, Vice President

BY _____
Don Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey, County Auditor

Approved as to Legality and
Form:

Alan Kissinger, Attorney for
Vanderburgh County

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

State of Indiana County of Vanderburgh SS:

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

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

and each acknowledged the execution of the foregoing agreement on this 29th
day of January, 1993 and each acknowledged and stated that he is the party
authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans
Notary Public

Cynthia L. Evans
Print or type name

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

State of Indiana, County of _____, SS:

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

Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this _____ day
of _____, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:

My County of Residence: _____

Notary Public

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
)
COUNTY OF Vanderburgh)

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

BERNARDIN, LOCHMUELLER & ASSOC., INC.

Keith Lochmueller

Keith Lochmueller
(Print or type name)

Subscribed and sworn to before me this 29th day of January, 1993.

Cynthia L. Evans
Notary Public

My Commission Expires:

September 22, 1995

Project No.: 90-38-1
file: 90-38w1.wk3

WARRANT STUDY FEE JUSTIFICATION
PROJECT NO.: RS 6682 () & RS-6687()
ROUTE: LYNCH PART II AT (I-164 EAST AND WEST INTERSECTION AND SR 62)
COUNTY: VANDERBURGH AND WARRICK

rev. 05/15/92

DESCRIPTION	MANHOURS BY JUSTIFICATION					TOTAL
	Principal	Senior Engineer	Transport Engineer	Engineer Technician	Clerical	MAN-HRS
Conduct Warrants Study	4	2	36	4		46
Prepare Warrants Study Report	2	4	20	2	6	34
Revise after INDOT Review			10		4	14
Assemble Copies After Approval			2		2	4
TOTAL MANHOURS	6	6	68	6	12	98
HOURLY RATES 1993	\$32.69	\$24.63	\$18.37	\$13.03	\$8.70	
MANHOURLY COSTS	\$196.00	\$148.00	\$1,249.00	\$78.00	\$104.00	

DIRECT NON-SALARY COSTS Mileage: Per diem		DIRECT SALARY		\$1,775.00
		OVERHEAD	143.34%	2,544.00
		SUBTOTAL		\$4,319.00
		PROFIT	15 15.00%	\$648.00
TOTAL DIRECT NON-SALARY COSTS		DIRECT NON-SALARY		0.00
		GRAND TOTAL		\$4,967.00

BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.

PLANNERS · ENGINEERS · SURVEYORS

SUITE 606 HULMAN BLDG. · EVANSVILLE, IN 47708

TEL. (812) 426-1737

February 4, 1993

Mr. John Stoll
Vanderburgh County Engineer
Vanderburgh County Auditorium
715A Locust Street
Evansville, IN 47708

Attention: Mr. Richard Borries, President Vanderburgh County Commission

Re: Proposed Administrative Settlement
USI Interchange
Parcel #23 - Decker
Project #C-E180(1)
BLA Project #92-57-5

Dear Mr. Borries:

It has come to my attention that the above referenced property owner has refused to accept the offer for the purchase of their property for this project. They contend that the appraisers have not assest enough damages to their property.

After discussions with the project buyer and appraisers I recommend that the county administratively make a counter offer to the Deckers as follows:

- A) the offer will be increased \$1500 from \$21,300 to \$22,800; or
- B) the offer will be increased \$1500 from \$21,300 to \$22,800 plus the county will transfer title to the Deckers of an adjacent 0.517 acres of uneconomic remnant left from Parcel #29 - Robinson, ET AL (appraised at \$500 as an uneconomic remnant).

This means that the Deckers will be given and either/or counter offer. They can either take the \$1500 increase in compensation, or the \$1500 increase plus the 0.517 acres of real estate.

I believe that either offer is in the best interest of the Vanderburgh County. It, first of all, may save the County about \$5000 in legal fees should this parcel go to condemnation. Secondly, it could "properly" dispose of an uneconomic remnant which has very low utility to the county. And, thlrldy, it adequately compensates the property owner for any "benefit-of-the-doubt" that the appraisers would consider in adjusting their present appraisal.

Mr. Richard Borries
February 2, 1993
Page 2

IN ORDER FOR THE COUNTY COMMISSION TO APPROVE THIS RECOMMENDATION PLEASE SIGN AND DATE IN THE SPACE PROVIDED IN THE LOWER RIGHT-HAND PORTION OF THIS LETTER.

Please call if you have any questions and/or comments.

Respectfully,

BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.

Richard Bennett/map

Richard Z. Bennett
Project Engineer II

RZB/map

cc: Francis Miller

ADMINISTRATIVE SETTLEMENT APPROVED

Richard J. Borries

Signature

2-8-93

Date

VANDERBURGH COUNTY PUBLIC WORKS DEPARTMENT

715A Locust Street
Evansville, Indiana 47708

ACCNT NO: 203-4368 PROJ.: Br #75 CONTRACT NO: VC 92-10-01

The following change(s) is(are) recommended. (Give loc., descr. and reason)

PETERSBURG Rd Br #75 Over SCHLESKER Ditch
REMOVE & RESET 100 LF OF GUARDRAIL ON NORTH SIDE
OF BRIDGE #75

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
#11 <u>INSTALLING</u> <u>TIMBER BRIDGE PKG</u>	<u>L SUM</u>		<u>\$1,329.54</u>			
CHANGE DOES / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS		<u>\$1,329.54</u>			
		NET INCREASED DECREASED	ESTIMATED COST \$ <u>1,329.54</u>			

Signed: John Still Title: County Engineer Date: Feb 2, 1993

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

Contractor: _____ By: _____ Date: _____

Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

Richard J. Jones
President

Patricia J. Jones
Vice-President

Member

ATTEST:
Sam Humphrey



3100 Broadway - P.O. Box 7055
Evansville, IN 47719-0755

General Contractors

Highway • Industrial • Commerical

(812) 423-4352

Fax (812) 426-9634
0364

February 5, 1993

Mr. Gary Kercher, Asst County Engineer
Vanderburgh County Engineers
715 A Locust Street
Evansville, IN 47708

RE: Bridge #75

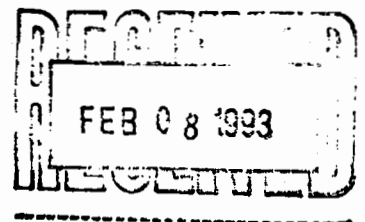
Dear Sir:

CCC of Evansville, Inc. proposes to remove and reset 100 LF of guardrail on the north side of Bridge #75 located on Old Petersburg Road for the sum of \$1,329.54

Sincerely,

A handwritten signature in cursive script that reads 'Donna G. Cook'.

Donna G. Cook
President
CCC of Evansville, Inc.



An Equal Opportunity Employer



Request for Proposal for County-Wide Bridge Inspection

The Board of Vanderburgh County Commissioners is requesting proposals to provide consulting services to Vanderburgh County for the bi-annual bridge inspection program required by the State of Indiana.

All proposals submitted by the required deadline will be reviewed and a short list of Consultants to be interviewed prepared. Interviews will be scheduled at the convenience of the County Commissioners.

One Consultant will be chosen by a majority vote of the Commission to complete the 1993 inspection (Phase I) and the 1995 re-inspection (Phase II) as required by the State of Indiana.

A) Proposed Project

The Phase I inspection and Phase II re-inspection of ALL bridge structures, with a span 20 feet or greater, under the jurisdiction of the Vanderburgh County Commission. The services shall be performed in accordance with the most recent edition of the "Manual for Maintenance and Inspection of Bridges" as required by the State of Indiana to secure Federal Funding.

B) Work Elements

The work shall consist of but not be limited to the following:

- 1) Coordination of project requirements with INDOT Bridge Inspection Engineer
- 2) Perform the collection of ALL field data including photographs
- 3) Code in data for Structure Inventory and Appraisal sheets and coding forms
- 4) Prepare the following schedules:
 - a) Priority bridge replacement
 - b) Priority bridge repairs
 - c) Posting and signing requirements
 - d) Needed safety improvements
- 5) Prepare bridge Inspection reports in hard copy for Approval by Commission
- 6) Submit report to INDOT for review and approval
- 7) Submit approved report on computer disk in Paradox 386 format
- 8) Update file map, in AutoCAD drawing format, with new bridge numbers

Included in the proposal will be the Consultant estimated overhead rate as determined by the State of Indiana, anticipated work schedules (excluding review times), proposed staffing of the project and qualifications and the contact person for questions and updates.

Facility Management

In addition, the bridge inspection data must be delivered in a Paradox database format in order to develop a facility management (FM) application to link the bridge inspection database to an AutoCAD drawing file, provided by the County, showing all of the bridges in the County. Applications shall allow a user to the following functions in AutoCAD:

- 1) View the bridge inspection data by pointing to a bridge when in AutoCAD
- 2) Zoom in to any bridge by entering the name of the road or street it carries. If there is more than one bridge on that facility, the user shall be able to select one from a list of the bridges
- 3) View a raster image (scanned photo) of a bridge by entering the bridge number
- 4) Highlight all bridges meeting a specified criterion such as repair scheduled, sufficiency rating, etc.

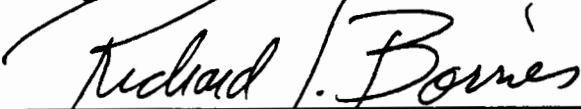
The Board of Vanderburgh County Commissioners voted at their regular meeting of February 8, 1993 to retain a Consultant to provide the aforementioned services.

A Consultant will be selected in accordance with "Procedures for Selection of Consultants" contained in the INDOT Policy and Procedure Manual.

The Board of Vanderburgh County Commissioners may elect to interview candidates to clarify the scope of work and reserve the right to eliminate the Facility Management portion of this proposal.

Consultants who are interested should submit their proposals in writing before 4:30 PM local time on Monday March 15, 1993 to the Commissioners Office, Room 305 of the Civic Center Complex.


Vanderburgh County Engineer


President, Vanderburgh County Commission

Date: 2/8/93

CITY OF EVANSVILLE

INTER-DEPARTMENTAL MEMORANDUM

DATE: January 28, 1993

TO: Rick Borries, President, Board County Commissioners

FROM: Roderick L. Lehman, Building Commissioner

SUBJECT: HYBRID INN AND UNION TOWNSHIP SCHOOL

=====

A review of our files on the above referenced locations indicates most of the complaints we have received to date have been on the trash, debris and unsanitary conditions. These matters have been referred to the Health Department.

However, we did receive a complaint regarding the unsafe chimney left standing after the Hybrid Inn burned. We issued an order to remove the chimney and other debris March 18, 1992. The owner, Mr. Edward Whiting, came in and obtained a demolition permit March 25, 1992. It appears that the chimney was razed and some clean-up was done over the next few weeks. Since it appeared that progress was being made and the owner was making periodic phoned-in progress reports, the priority of this project was modified to a "complaint-response" status. In retrospect, we should have left it on mandatory follow-up.

Since we have not looked at the Union Township School from a structural integrity standpoint, I have requested Brett Townsend, from the Health Department, to go with me on Monday, February 1, 1993 to perform a complete inspection of building safety and sanitary conditions for both properties. Judging from the Perry Township Volunteer Fire Department report, I would anticipate a recommendation that both properties be cleaned up immediately, which may mean a request for expenditure from County fund, if the owners will not comply. (From past experience, this is very likely).

I will provide a written report to you February 1, 1993 (Brett is out of town until Monday), and we will likely request a hearing before the Board of County Commissioners in the next few weeks.

RLL:kek

cc: William E. Phipps, Assistant Chief
Perry Township Volunteer Fire Dept.

CITY OF EVANSVILLE

INTER-DEPARTMENTAL MEMORANDUM

DATE: February 1, 1993

TO: Rick Borries, President, Board County Commissioners

FROM: Roger J. Lehman, Building Commissioner

SUBJECT: HYBRID INN AND UNION TOWNSHIP SCHOOL

=====

This is a follow-up to the memo of January 28, 1993 regarding the above referenced properties.

1.) **UNION TOWNSHIP SCHOOL:**

The Health Department has been actively working on this, and Brett Townsend will forward a memo to you. From a building code standpoint, the old school building is currently housing animals and is possibly being used for agricultural purposes. It does not appear to be in danger of collapse. Building Codes for agricultural outbuildings require only minimum structural integrity standards and are basically the same for sheds, barns, and similar types of buildings.

2.) **HYBRID INN:**

The Health Department is issuing a 14 day order to remove debris. I will obtain estimates for cleanup costs. If removal of debris is not completed in 14 days, I would suggest the Board of County Commissioners order it done by a contractor and a lien filed against the property.

RLL:kek

cc: William E. Phipps, Assistant Chief
Perry Township Volunteer Fire Dept.

Brett Townsend, Health Dept.

RECEIVED

FEB - 1 1993

VANDERBURGH COUNTY
COMMISSIONER'S OFFICE

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 22, 1993

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Feb 16, 1993

MEETING

Cancelled

do to Snow

(See Feb 22 minutes)

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 22, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, February 22, 1993 in the Commissioners Hearing Room, with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff and asked the group to stand for the Pledge of Allegiance.

Mr. Borries said there are no minutes for last week, as last week's meeting was canceled due to the snow. Actually, it wasn't so much the snow as it was some other commitments that some of the other Commissioners had. Some of those commitments are still with us as we meet this week. The Commission certainly wishes Commissioner Tuley well this week, as they know things are going to change during the week. Mr. Borries then asked if there are groups/individuals 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.

RE: BOARD OF FINANCE

President Borries said we are required by statute to hold a Board of Finance meeting within the framework of the Commission Meeting and County Treasurer Jayne Berry-Bland is here to present information to the Board of Finance, which also includes the Board of Commissioners.

Ms. Bland said she just wants to report that we received information from all nine (9) of the local banks and savings and loans institutions. She has distributed copies of the percentages, what the breakdown is going to be for the next two years. We go by their assets in Vanderburgh County. Everyone did respond just as they have in the past. We are looking at the four (4) banks and five (5) savings and loans institutions locally. She believes this finalizes the business for the Board of Finance for this year. Ms. Bland said she does not believe any of the financial institutions are represented this evening.

Commissioner Borries entertained a motion to approve the percentages as submitted by the County Treasurer.

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

RE: ADA/PROFESSIONAL SERVICES OF WAGGONER, IRWIN, SCHEELE
& ASSOCIATES

President Borries said the Board has a contract to consider this evening with regard to the professional services of the above-mentioned firm. He is not aware of any budgeted amount, but he is in receipt of a proposal for professional services that deals specifically with two items. After discussing them he wanted some definite fees so that we could budget appropriately for any kind of contractual agreement. Waggoner, Irwin, Scheele & Associates have done work for this County and about thirty-five other counties throughout the State regarding Professional Personnel Consulting Services. He is particularly interested in this Board's having items that relate to the Fair Labor Standards & Confidentiality Analysis, as well as ADA and an ADA Assessment which, he believes, is perhaps extremely critical for this County. Those would be the

two most immediate options that he would want to consider. Are there comments or questions from the Commissioners at this time?

Commissioner Tuley asked if at this time we are discussing Parts I and II?

Mr. Borries confirmed this is correct.

Mr. Tuley asked if this is something that can be funded out of our Professional Services account, or does the Commission need to go before the Council?

President Borries said he is not sure, so that is why the Board would have to say pursuant to available funding. We may have to go to County Council. He is very concerned regarding the ADA and feels the Board needs to move forward very quickly on this.

Mr. Tuley said based on previous conversations he'd have to agree with Mr. Borries.

Commissioner Hunter said he guesses the one question that he would have on this -- he always has a problem with money being spent outside the County. Is there anyone locally who could do this ADA? Has anybody checked on that?

Mr. Borries responded, "No, I've not checked. I'm not aware of others, but am certainly familiar with this group's work -- since I think they developed some of the original personnel policies for the County. I'm also aware that they are doing work for the City of Evansville at this time."

Mr. Tuley said, "I also checked with the Association of Indiana Counties one time about this company and it is one of two or three companies that they recommend for this kind of work in the State and the A.I.C. is a very non-partisan, non-political organization."

Mr. Hunter commented, "Yes, I sat in on some of the Job Study meetings and these people are very professional; they're very good. But I'm wondering if there is enough depth here in what we're asking them to do to justify -- if there is anybody locally who could do this. What they were doing previously was really putting Job Descriptions together, a salary schedule and the whole nine yards."

Mr. Tuley said, "I haven't personally checked, but I don't know of anyone. Not at any time we've had these discussions has anyone come forward and said they'd like to be considered."

Mr. Hunter said, "Well, I'll tell you -- I had heard the Rehabilitation Center had somebody and I have not had a chance to check with them. That is what I was kind of wondering about."

Attorney Kissinger interjected, "If I may, I know you haven't asked for a legal comment, but I know within the legal community we are just getting to the point that we're getting up to date on these things and I've dealt with Kent Irwin. Quite frankly, I'm embarrassed to tell you this -- but he has educated me extensively in reference to what needs to be done and what they are doing. So in that respect, as far as their abilities are concerned, I feel like they probably have a good handle on the entire picture. We may be able to find some local people who can help us in specific areas, but I don't know of anyone who can handle the entire program."

Commissioner Hunter countered, "Well, I was just looking at the numbers here and it looks like about \$20,000."

Attorney Kissinger said, "I hadn't looked at the numbers."

Mr. Hunter continued, "That's pretty heavy numbers, you know."

Mr. Borries said he's sure that all numbers are heavy. The thing that concerns him the most is the relationship to County government and also the aspect of the knowledge of what is necessary in the public sector. He's sure there may be some private sector kinds of things that may differ from time to time.

Auditor Humphrey commented, "Well, it interests my office greatly, because we're the ones most affected on all these things. The last change we made in terms of reference to personnel has caused nothing but trouble in my office and the County Council office -- nothing but trouble. We've revised the figures they've given us at least six times and I don't like that. We're not being paid for that and it's taking up a lot of our time."

Commissioner Hunter asked, "What are you talking about exactly?"

Mr. Humphrey responded, "In this case I'm talking about Job Study. We are normally contacted by all folks who want to deal with you people and we've had one other contact from somebody up north -- I don't recall who it was."

Mr. Hunter asked, "You're not talking about Waggoner & Irwin, are you?"

Mr. Humphrey said, "No, I'm drawing an analogy of expertise in certain areas. They were the folks who did the Job Study previously and there has been a change; and that change is not so good regardless of who has it -- and anyone can verify that by checking in the Council's office or my office. Sometimes when we've gone outside these areas of expertise we've really gotten ourselves in trouble."

Commissioner Hunter asked, "Well, could we do this -- could we check with the Rehab Center this week just to kind of make me feel a little more comfortable? Then if it doesn't look good, go ahead and do it next week? Is it critical that we do it tonight?"

Mr. Borries countered, "I think it's critical we get going on the ADA. I don't have any objection to a week, but I sure want to take some action and I would want an absolute certainty that these items can be conducted in a timely fashion. I would also want to know what their experience would be, because I'm not sure that they have experience...."

Mr. Hunter interrupted, "That's what I say. Just a week. Then if we're not comfortable with the Rehab Center and they don't have any expertise, then let's jump on it next week and go ahead and proceed with this."

Commissioner Tuley commented, "I'm like you -- we need to move. There's nothing wrong with exploring other possibilities, but I think..."

Mr. Hunter interrupted, "There's no doubt in my mind that these people are good."

Mr. Borries said, "Here's what I would ask for you to do then. You brought this up. You contact them and you get something in writing to share with the rest of us."

Mr. Hunter said, "Either that, or I'll have them here next Monday and let them make a presentation -- if they are interested."

Mr. Borries said, "They can make a presentation, that's fine. But I also want something in writing so we can compare what kind of services we'd be getting."

Mr. Hunter said, "That's fine."

Auditor Humphrey asked, "Does the Rehab Center do this on a consulting basis?"

Commissioner Hunter responded, "I don't know -- that is what I was told. As I said, I simply haven't had a chance to pursue it. Okay, let's do that then."

RE: COUNTY ATTORNEY - ALAN KISSINGER

Lloyd/Rickhardt Property Settlement: Attorney Kissinger said we were supposed to do something on this last week and, for obvious reasons, didn't. Luckily we didn't do it last week. He's talked with Mr. Cox, who is representing the parties involved here. This was a claim for payment on an inverse condemnation action. We are not in the time crunch that we were originally. Mr. Cox has advised his clients of eminent settlement. He is getting the claim form signed or getting permission from his clients to sign in their behalf. Attorney Kissinger said he will submit the subject claim to the Board for their approval at next week's meeting. In response to query from Commissioner Borries, Attorney Kissinger said no action by the Board is required this evening.

RE: VANDERBURGH AUDITORIUM - ANDY DAVIDSON

SESAC Contract: Mr. Davidson said the Commissioners had the SESAC contract to review over the weekend. He'd really ask to defer this contract and let the new County Attorney review the same. Since they put this on the agenda there have been several articles that have come out in the trade magazines, basically stating that the facility should not be required to go ahead and pay this contract. The SESAC is one of three licensing groups that basically want you to give them the money for the copyright infringements. He is not sure who the new Attorney is for the Auditorium, but would ask that the Commissioners have him review the contract, the information provided by SESAC, and the most recent articles that the Auditorium Management has seen and find out whether or not the County needs to pay the fees for this contract. (All pertinent material was handed to Attorney Kissinger for his review.)

1992 Year End Report: Mr. Davidson said he believes the Commissioners will be very pleased with the numbers. Given & Spindler, in conjunction with Aiken Management, believe that 1992 was a banner year at the Auditorium. He then cited figure comparisons for 1991 and 1992, saying the income increased 12.5%, which is \$21,965. If they included all the events that were booked in December that they were unable to collect until January, that is an additional \$13,743. In essence, if you include everything that was booked income was up 20%. The expenses for Fiscal Year 1992 reflected a 5% reduction; that is \$22,452. That is including the professional management fees in that reduction of expenses. They were able to reduce the deficit for 1992 17% or \$44,417. Basically, what this is saying is that professional management really has not cost the County any money -- it actually saves the County money. Also, in 1992 there were 118,368 patrons that used the Vanderburgh Auditorium and the Gold Room. They believe this is an increase over last year; yet, they could not find any numbers to actually have this for a base year. With their computer process they are able to keep track of every event, the number of people that are there, the number of tickets that are there -- so next year they will be able to show the Commissioners the increases in the number of people that actually use the Auditorium. They are very pleased with those figures the first year; and actually the first eight months of private management at the Auditorium.

Commissioners thanked Mr. Davidson for the good report and entertained questions.

There being none, Mr. Borries asked, "Andy, did you roll December's figures into your income, expenses and deficit?"

Mr. Davidson responded, "No, this was just everything booked in 1992. So the additional \$13,000 is gift for 1993; yet, our new projections and our new budgets of what we propose next year really didn't include that -- so we hope to show better progress at the end of 1992."

Auditor Humphrey asked, "Do those expenses include all of your management fees?"

Mr. Davidson responded affirmatively, saying these numbers were all pulled off the year end report that they reconciled with the Auditor in 1992.

TicketMaster: Mr. Davidson said the TicketMaster booth that has been open now for about four (4) months has been extremely busy. They're getting very close to bringing the Commissioners their first quarter's contribution of what that office is generating. It has gotten to the point that it is so busy that currently they only have one phone line in there. This phone uses Visa, MasterCard and also incoming inquiries. What they'd like to be able to do is get another phone line in there that is dedicated to the Visa/MasterCard machine so she can take phone calls, get the number, run it through and make sure that it's an approved card. Now she's got to take it, make sure and call them back. It delays the progress quite a bit. In talking with Mr. Abell in regard to this, they went ahead and checked with Indiana Bell. We're looking at a \$69.00 one time charge to get the line there and then the monthly charge is \$50.00 per month. They don't actually see the phone bill, but they'd like approval to go ahead and get another phone line in there. The \$50.00 per month will more than generate itself in income from the TicketMaster.

Mr. Borries entertained questions or a motion.

There being no questions, upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, authorization was given to install the additional telephone line. So ordered.

Operating Fund: Mr. Davidson said he is sure Auditor Humphrey gave the Commissioners copies of the response from the State of Indiana in regard to the legality of actually funding an operating fund. They do not want to do anything that is obviously illegal and they don't want Sam (Humphrey) to be on the line for anything. He is still puzzled as to why the Stadium and the City can do one way and the County can't; but if they cannot go ahead and somehow fund their operating account two or three months in advance. If they are not allowed to get some funds so they can pay all the bills that have already accumulated in January, they're going to have to go back -- and the approved budget had a large amount for Professional Services -- they will have to transfer everything out of that line item and back into the County line items. If there is any way they can get a \$25,000 (and he hates to use the word "Petty Cash", because that is not a Petty Cash fund) -- but if there is any way they can get a monthly advance of \$25,000 so they can go ahead and pay all the bills they currently have and then at the end of that month blue claim one total amount. If they spent \$20,000 during the month with all the invoices, all the bills and check registers -- and then just get that replenished on a monthly basis, that will enable them to work the way they are able to work and do professional management the way they'd like to. They're open for any suggestions; the only problem is they have bills that have now been sitting since January 1, 1993 trying to get all this worked out and they're open to do it any way they can. They'd just like to be able to pay a lot of the bills that they submitted in the budget and got approval to do so and would like to do it however they can do it legally. He knows this opinion is an audit stance.

Whether they need to have a legal opinion -- he means, they're open for anything just so they can get the ball rolling smoothly and correctly.

Commissioner Borries asked Auditor Humphrey what he thinks.

Auditor Humphrey said there's a whole can of worms this opens. He cited a letter sent to the State, Attention Nancy Pennycoff dated February 10th, which stated the terms of the contract and that they had asked us for an advance of \$52,000 plus. He asked whether he, as Vanderburgh County Auditor may pay this claim for **anticipated** expenses, even though it is a payment for goods/services which have not yet been rendered, without violating the Indiana Statute, which allows him to issue warrants only for the payment of services **already rendered**. He enclosed a copy of the pertinent sections of the contract for their consideration. He received an answer on February 17th. At the same time he was in the office of the State Board of Accounts and they told him what they had done and gave him copy while he was there in Indianapolis. They also sent down a complete citation of all the cites in the code which pertain to this item. Among those relevant is that the State Board of Accounts has authority to issue regulations governing the operations of the County office. I.C. 5-1-21, "An Officer who fails to keep the accounts in his office as directed by the Board commits a Class "C" Felony. Mr. Humphrey said he is not going to do that. "And forfeits his office". Mr. Humphrey said I.C. 5-11-10-1 says, "No warrant or check shall be drawn in payment of any claim unless the same has been fully itemized and its correctness properly certified to by the Claimant. I.C. 5-11-10-3, "A violation commits a Class "D" Felony. That is even worse than "C", and he is not going to do that. I.C. 36-1-2-7, "The Fiscal Officer means the County Auditor of or for a County". (Copy of related documents attached hereto.) The answer from the State says, "To your question of paying for goods/services that have not yet been rendered, we would refer you to Opinion No. 12 issued by the Attorney General in 1975, which states in part: "Although the appropriating body may have acted unauthorized in expenditure for services, the dispersing officer may not expend that amount until after the services have been rendered and the provider of those services has submitted a claim showing that the amount is legally due. This is not to be construed as a legal opinion, but merely represents the position this department takes in an audit. That audit becomes the Order for the County Fiscal Officer." Mr. Humphrey said this is his position and he doesn't know how the Commissioners can handle it. At the same time, when he was in Indianapolis he discovered that previous Counsel had mailed a copy of the contract to the State Board of Accounts, not requesting a return answer, but stating that their position was that the \$52,000 was petty cash fund. Mr. Humphrey said he is sorry, but he doesn't agree that that is petty cash. The State Board never responded to that letter because no response was requested.

Commissioner Borries asked, "How is the City doing this?"

Mr. Humphrey said he can't answer that.

Mr. Davidson said the Stadium contract -- they started out with somewhere between \$70,000 and \$100,000 that is the operating fund and then they draw down on that. Quarterly they submit a blue claim or whatever the City does and it gets replenished. So they have an operating fund initially that they pay all the bills and they blue claim or whatever the City does. If they spend \$40,000, they blue claim \$40,000 and then they get that replenished. So, in essence, that is what they would like to establish. Yet, for some reason, they've always been told that the City can do things legally that the County can't do. His only concern is that if we established a precedent last year, he doesn't want Sam -- he guesses he is already a felon if they got funds. Last year when they started that they got a \$96,000 advance that they drew down

on.

Auditor Humphrey asked, "May I suggest one thing? If Leslie (Blenner) is here I can get a copy of their contract."

Mr. Borries asked, "What would be different about City?"

Mr. Humphrey responded, "Municipalities fall under a different set of laws and I don't know that they have a different set of laws."

Attorney Kissinger interjected, "Personally, I think the principle would be the same for the City. How they're doing this I don't know and maybe I shouldn't suggest this -- but perhaps they shouldn't be doing it that way either -- I don't know."

Auditor Humphrey said, "We had a case come up a couple of years ago if you all will remember (two of you were here) where there was a retainage and the attorney wanted to escrow retainage of a contractor to his private account so he could draw the interest on it. You can do it under State law but you can't do it under County law."

Commissioner Tuley said he talked to Leslie Blenner last year and perhaps he is wrong and maybe we need to go back and read the contract, but he was under the impression they were given "X" amount of dollars like you suggested in this operating fund. Then Ogden uses that money to operate. At the end of each month or quarter, they submit, "This is where we spent your money and we'd like to have that put back up to the original dollar amount. At that point in time the City has the right to dispute any claim that was paid and say they are not going to pay this. They will return \$35,000 and the management, in turn, will have to eat the \$5,000 spent. At the end of the contract period the full \$100,000 or whatever it was is then turned back to the City. That gives them the ability to operate and conduct their business, plus it then gives the City or the County control over where this money is actually going. As it stands now.....

Mr. Humphrey said how they counter advancing funds for them to operate on he doesn't know what the rationale is. Nobody he talked to -- and he talked to everybody up there from Don Euratte down would approve of it.

Mr. Tuley said, "I went through this last year and it was very clear from the Board of Accounts that this was just an audit position. When we referred it to the then County Attorneys, they backed up and said we have it by contract, therefore it is legal, and that is when I backed off and said well...:

Mr. Humphrey said, "The only letter that has been up there that I was shown said this is regarded like a petty cash fund. They didn't think that was petty cash. They didn't ask for an answer, so the State Board didn't respond it. They made that very clear to me. They did not request an answer so they didn't respond."

Mr. Tuley said, "Well, we can't completely tie their hands. You know, I was the biggest critic last year - but we can't completely tie the hands of the management company. Yet, at the same time, you want to build in safeguards on the money. You don't want to go to jail and I don't want to go to jail -- that's for sure. At the same time, they've got to have some way to operate."

Mr. Humphrey responded, "I'm not going to say one way or the other. But how they get their funds is...."

Mr. Borries interrupted, "It seems to me we need to start. If there is a contract in effect with the City and another firm, unless we could cross reference to say there is a difference between the municipalities, then I think we ought to be able to

proceed on the idea that there ought to be some amount that could be set aside and then used in similar fashion to what they are doing there. Therefore, I would ask our County Attorney to research that for starters. Again, if there are some built-in differences between City and County...."

Mr. Humphrey said, "That I can't answer. If there's a parallel and a precedent established in the City and you can use that as a precedent..."

Attorney Kissinger interjected, "Sam, if I am correct, I think the State Board of Accounts invited us to present them our position if our legal position was different than theirs."

Mr. Humphrey said, "Yes, they said they would consider it."

Attorney Kissinger said, "If you can walk over to Leslie's office and get that contract, I'll pick up from there."

Mr. Davidson said he will be glad to give Attorney Kissinger a copy of their contract in the morning. He said the only question he has concerning the first page of the response, "The entire budget amount will be deposited into the operating fund". Council approved \$196,000 for professional services. When we came in and blue claimed we just asked for the first quarter (\$56,000) -- so they're not wanting the entire yearly amount. It goes into an interest bearing checking account and at the end of the year they gave the County a check for \$57.00 or something like that for the interest that was generated throughout all of 1992. It is the 22nd of February and they haven't closed the computer out for January and they have bills they haven't paid in January either.

Attorney Kissinger said, "As far as bills you have to pay, obviously if you can put those together and file the appropriate claim for those, I don't think Sam is going to have any problem at all in paying those. The question is, Andy, where do we go from here as far as the operating fund is concerned? There is some concern that it may not have been legal at the outset and we need to correct it now, if it needs to be corrected. But if you make a claim for those bills outstanding, then we have an obligation to pay those."

Auditor Humphrey said that process can also be accelerated.

Mr. Borries asked, "What about the claims for payment on the Consent Agenda today?"

Mr. Davidson said those are management fees that really have nothing to do with this. They have already been earned. The services have been performed. The 10% management commission was the last quarter of 1991. The management fee is for January of 1992.

President Borries said if this can be resolved in the next week or so he would strongly urge we do so.

Mr. Tuley asked, "Is there a particular reason why the County doesn't pay them like they do for every other department to start with? The bills that you have right now -- until we get this thing resolved -- you are going to submit to the County and the County is going to have to pay them. Is there a reason why we don't pay them to start with -- directly?"

Mr. Davidson said the basic reason is that they, through the management company, can buy things cheaper than the County can and it enables them to pay things on a timely basis. Right now they're just getting January reports to settle January on February 22nd.

Mr. Tuley said what Mr. Davidson is saying is that the wheels of government don't move fast.

Mr. Davidson said that is correct. It makes it easier and more efficient for them to be able to pay everything; to know monthly whether it got paid or didn't get paid -- so when they reconcile and give the County all the monthly reports, they don't have to wait for the other computer to make sure it is up or down. They can just do things on a much more timely basis. It really is taking the burden from the County. Basically, if the County is paying all the bills they are paying the management company for not doing anything. If they're paying them, they can negotiate and put the screws to the vendors and make sure they are performing on a timely basis and reimbursing them on a timely basis. They're open to let the County do it, but they would prefer to do it because they can do it quicker and just a little more efficiently than the previous way. He thinks this is one reason why the deficit was reduced and a lot of those things were as good as they were in 1992 -- because with them paying the bills, every month all he does for two days is look at the Auditorium and make sure things are the way they should be. If something is out of line, then he addresses it immediately. Otherwise, it could be 60 days before he actually knows what happened in January. This way they have a much better pulse for what is going on over there and it enables them to generate income and get it operating more efficiently.

Commissioner Borries said, "We're creatures of the State and I'm not going to get into a philosophical argument as to whether it is more efficient or less efficient. But if there is a way in which we can work within the legal framework here we'll try to get this matter resolved within a week or so."

RE: RESOLUTION/DMD/SUBORDINATE MORTGAGES

President Borries said the Board has a Resolution authorizing Mike Robling of DMD to subordinate mortgages on behalf of Vanderburgh County.

Attorney Kissinger said this is just like the one we handled about two weeks or so ago. The County had loaned some money that was made available to it by the federal government for home improvements and we maintain a mortgage or lien for that amount. The property owner is now applying for a conventional loan on these premises. Once again, it is basically another success story. Before the bank will loan the money we have to subordinate our lien, which he believes will terminate in April anyway. His recommendation is that the Resolution be approved.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Resolution was approved. So ordered.

RE: AGREEMENTS RE COMPENSATION OF COUNTY ATTORNEYS

These matters have been brought before the Vanderburgh County Council and agreement was made as per their official meeting. At this time he would enter the Agreements into the record. Action has already been taken, so no further action is required. The State Board of Accounts has approved the request.

RE: COUNTY ENGINEER - JOHN STOLL

Hood Subdivision/Street Plan Approval: Mr. Stoll said this subdivision has private streets; it is going to be a gravel road. This is just for the Commission's review. Gary Kercher has been out and reviewed the grades, etc., and they are acceptable. He would recommend approval. In response to query from Commissioner Borries as to the amount of right-of-way should we ever accept the road, Mr. Stoll said there is a statement on the plan that says 40 ft. right-of-way and the road shall be maintained by the residents

and on the subdivision plat it says that if the road were ever requested to be accepted, that they would bring the road up to Vanderburgh County standards that exist at that time.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the street plan was approved. So ordered.

Edinburgh Sub: Mr. Stoll said that this is really a 120 ft. extension of a roadway south. When this subdivision was initially platted they just left this easement for a future roadway. Now they are looking at going ahead and putting in this road, but this was not approved as part of the initial road plans.

Mr. Borries asked if this is the end of the subdivision or are they just going to stop the roadway at the designated point?

Mr. Stoll said it is meant for future extension if they continue developing to the south, so it can connect up with the subdivision.

Mr. Borries said the only question would be whether they need to construct some kind of barrier or a cul-de-sac if it is not going to go anywhere.

Mr. Stoll said their plan right now is a driveway to two houses. For the time being it is going to be more like a 29 ft. driveway to access the two houses. If the Commissioners find no problem with it, he would recommend approval.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the road plan was approved. So ordered.

Intersection Sign Approvals: Mr. Stoll said that back when he worked at EUTS they were asked to look at some signs up in Old Petersburg Place Subdivision. After talking with Mark Abell he found that these signs had not been officially approved by the Commissioners. The Commissioners have a copy of the memo detailing where the signs were recommended for installation. These are three-leg and four-leg intersections where we're putting in a sign on the "T" leg of the intersection or installing two-way stop signs.

Mr. Borries said these just need to be added to the master list for the County. He asked if this requires any advertisement?

Ms. Matthews said she believes these have to be incorporated into the Traffic Ordinance. She will coordinate this, but can't commit to an advertising date until the Amended Ordinance is read so it can be set for First and Final Reading. She will get this back on the agenda when it is ready.

Mr. Stoll said the Lexington Avenue and Charlotte Drive and Charlotte Drive and Glenview Rd. intersections on the handout need to likewise be included. Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the inclusion of the aforementioned signs as outlined by Mr. Stoll in the Traffic Ordinance was approved. So ordered.

RE: HECKEL ROAD BRIDGE #76/DESIGN SERVICES/REQUEST FOR PROPOSAL

Mr. Stoll said this is just the standard RFP for Request for Design, which is ready to be signed off on.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the RFP was approved. So ordered.

RE: TRAVEL REQUESTS

Mr. Stoll submitted travel requests for himself and Mr. Kercher to go to Road School next week, as well as one for Dave Franklin to attend the Engineer's Workshop in Indianapolis the following week.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the two requests were approved. So ordered.

RE: UPDATE RE LYNCH RD.

Mr. Stoll said the Commissioners have a letter in their meeting packets written today discussing the funding options. With their approval he will instruct the Consultant to go ahead and prepare everything necessary to get the bridges under construction. They are looking at a June letting date. If everything meets with the Commissioners' approval they will just go with the bridge construction.

RE: DARMSTADT RD. BRIDGE REHAB/FUNDING

Mr. Stoll said at the last meeting the Commissioners asked him to look into the funding for the Darmstadt Rd. Bridge Rehab over the railroad. With the cost being estimated at \$200,000 to \$250,000, we can handle that in house and with all the federal hurdles you have to jump it wouldn't be feasible for us to try go get that funding right now and there are some questions he's been discussing with EUTS-- that federal funds may not be available for bridge projects within the urban area. It may have to be outside the urban area boundary. If the Commission was asking for federal funds for something like that, they'd then be in competition with all the other Federal Aid projects. To keep some of those things from happening, we'll move forward on our own.

RE: PUBLIC HEARING/COUNTY ROADS

With regard to the paving list for the Public Road Hearing, how does he go about starting that process?

Commissioner Borries suggested the Public Road Hearing be held on March 22nd -- one month from today. He then asked if Joanne Matthews will advertise same.

Continuing, Mr. Borries said if Mr. Stoll will begin to prepare a list of roads -- any that his office has accumulated -- and the Commissioners will forward any information they have so Mr. Stoll can begin to prepare the road paving list.

Ms. Matthews asked if the hearing on County Roads will be held as part of the regular Commission Meeting or as a separate Public Hearing. The Commissioners have done it both ways in the past.

Commissioner Borries said he would like to schedule the Public Hearing re County Roads at 5:00 p.m., half an hour before the regular Commission Meeting.

RE: TEKOPPEL OVERPASS

Mr. Borries said he continues to have more and more complaints or expressions of concern that the Tekoppel Overpass is poorly lighted at night and people are having difficulty. For example, if you're traveling on Old Henderson Rd. and you want to use that road, they don't see the left turn because there are no lights out there and there is poor signage. He knows this Board discussed the problem at some point last year when it was opened but we're not getting any results. He knows the Board took action to request better signage. The Sheriff's Department has also discussed this. We need some reflective kind of material signs and we talked about this. Traffic Engineering should have this. Mr. Borries asked

that Mr. Stoll check on this to see if we can move this along.

Mr. Stoll asked if this is traffic traveling toward Broadway.

Mr. Borries said, "Toward the Overpass. If you're coming north on Old Henderson and you'd want to use it rather than continue on Old Henderson, they're having trouble seeing where that turn is. We need to do something about that if we can."

Mr. Stoll said he will see if the work orders have ever been issued, etc.

RE: HELFRICH INSURANCE/DENNIS FELDHAUS

County Group Benefits Service Agreement: Mr. Feldhaus said this is a new item to the Commissioners. He has submitted to the Board an agreement that has been approved by the department of Insurance between his firm, Helfrich Insurance Agency, himself as representative of that Agency, and the Board of Commissioners and Vanderburgh County. Basically the agreement involves the servicing of and somewhat a job description of what his duties are on behalf of the Commissioners and on behalf of the County with respect to the County's Group Health Insurance Program and its Group Life & Accidental Death & Dismemberment Program. The term of the agreement (top of Page 2) -- basically it has already begun as of January 1, 1993. He has been doing this at the request of Mr. Borries. It will expire in conjunction with the rest of the County's insurance programs, that being February 1, 1994. What he would do basically is serve as the Commission's liaison between that Board and the County Employee's Insurance Committee. Secondly, to attend all those scheduled meetings, which is the 3rd Tuesday of the month; to coordinate all service and all claim procedures with appropriate County staff. He's added Ms. DoLores Gugin in Sam Humphrey's office. At present she is the one he does most of the correspondence with in regard to the Group Health and Group Life. Unfortunately, this past week we've entertained two claims: Judge Matthews and Imogene Evans. Fourth is to facilitate the renewal process of all the group plans as needed with all the benefit providers. As the Commissioners know, the County's group health program is a Cafeteria Plan and it is provided by three different carriers (Blue Cross/Blue Shield, PHN and HMO Welborn and fourth is ITT Hartford, which is the group life and disability. Fifth is to advise the Commissioners of coverage and/or rate changes and to assist in the budgetary process to achieve County Council approval for the said programs. Sixth, to meet with the Commissioners and County Attorneys as needed -- and that is an open end item. The last page is the Service Fee. Again, going in as a new situation, he is basing his fee on a minimum of three (3) hours per week for fifty (50) weeks at an hourly rate of \$50.00 for a total annual fee of \$7,500. The liability limitation is basically the standard wordage that says that within his profession liability is limited to him as a professional insurance agent and not to any incidental consequential damages as the result of his during this particular service. He would ask the Commission to approve the said agreement. He did not entertain how the fee is to be paid; he doesn't want to get Sam in trouble and he doesn't want to be considered part of the Auditorium Management Program. If approved, he would ask that he submit a blue voucher at the end of each quarter for one-fourth of the service fee after services are rendered. In response to query from Commissioner Hunter, Mr. Feldhaus said it was the desire of Mr. Borries that we try to package service fees and not be hourly rating the County to death. Quite honestly -- and, hopefully, it will slow down, but the transition period between the previous administrator of these programs and himself, three hours wouldn't begin to touch it. But hopefully that will eventually slow down. But you have no way of judging that, as you don't how many claims and when the claims are going to occur. He will stick to this. He will stick to the \$7,500 annual fee; he will not come back in and ask for more if he

works more.

Mr. Hunter asked if this is something new that we did not have last year.

Mr. Feldhaus said it is something new in that there is an agreement between a sub-contracted individual. He is basically contracting with the County. In previous years we had an employee on staff handling most of this.

Mr. Hunter asked how Mr. Feldhaus' duties differ from those done by Norris Robinson.

Commissioner Tuley commented, "About \$4,500 per year."

Mr. Hunter said he was wondering if it was a savings. He will be basically be doing what Norris did in the past but, with due respect...

Commissioner Borries interjected, "He will be monitoring the Group Life Insurance. As far as I know, group life was not part of this and there was no real official explanation of exactly what you would be doing in terms of the benefit providers. This health insurance is becoming such a complicated thing that, frankly, without some kind of coordination here we can't make good decisions. That is why we have to have someone who can coordinate all of this."

Mr. Feldhaus said he would add that with all due respect to Mr. Robinson, there were some job duties per his job description that he did that he will not be doing -- and those will be handled through the Loss Control, which he will get into in a few minutes. When he is finished, he would like to look at the total price for all three agreements and what we paid in 1992 for those three and then the Commissioners will be able to see the savings.

Mr. Hunter asked how we're going to handle loss control?

Mr. Feldhaus said he will get to that in just a minute. At this point he would ask for approval of the County Group Benefits Service Agreement and the pay plan accordingly of billing for services rendered on a quarterly basis.

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

Agreements with Jerry Schenk & Associates, Inc.: Mr. Feldhaus said the next item is really two agreements, but he will address them as a package. This is the County Appraisal Service Agreement. He distributed a flier and credentials re the company, that being Jerry Schenk & Associates, Inc. It is important that the Commission know the credibility of who is doing this. Jerry Schenk has been doing the appraisal work for Vanderburgh County since 1985, with no questions asked from our insurance carrier on the figures. He can only say that he does a very professional thorough job and he highly recommends that he continue those services. In 1992, not through agreement, but through our early wages for work asked of him through Norris Robinson -- the Commissioners paid Jerry Schenk & Associates somewhere in the neighborhood of \$21,500. He has negotiated at length with Jerry and conveyed our desire to encompass this in a package to get away from an hourly rate. Jerry has done so in good faith. Mr. Feldhaus then distributed the subject agreement for the Board's perusal. This year we already know which of our properties that we need to update and we also know which properties we need to do an original appraisal on. Obviously, when you get into original appraisal as opposed to an update, you are doing a lot of leg work for the first time. Part of the 1992 expense was involved in doing the original appraisal of the Vanderburgh County Community Corrections Center building. This

year what we would like to do in a package is to do updates on the Old Court House. We do that each and every year because of historic value and because of the amount of insurance on that, that is required by the insurance carrier. We want to do updates on the Civic Center Auditorium; the Burdette Park Administration Building, where there have been substantial renovations; we want to do the Hillcrest Home, which has also undergone extensive renovations over the past two years; and we want to do the Vanderburgh Community Corrections Center as a finish up. When we did the original appraisal work it was in process. Even as we speak, work is continuing to be in process in the main building itself.

An original appraisal needs to be done on the rear building at that location, which is a storage/maintenance building -- more so, for the sake of knowing what is there and the construction and soundness of that building rather than the value of the building itself. We were able to get this package for \$10,000 this year. As mentioned, his fee last year was \$21,500. He doesn't think there is any question but that we are getting a good bargain. Jerry Schenk is here this evening and would be more than happy to answer any questions the Commissioners would have of him.

Mr. Feldhaus said the reason he is presenting this is because Jerry does not work for him, he works for the County; the agreement is with the County. But, again, he will act as a buffer or liaison for the Commissioners -- so Jerry works through him and he (Feldhaus) subsequently reports back to the Commission and PENCO.

Mr. Schenk said that this year there is only one building requested for an original appraisal.

Mr. Hunter asked how often we have to do these original appraisals.

Mr. Schenk responded, "Normally it varies with companies. Some of the contracts that we have with companies they require annual updates every year -- for this reason, they know there has been an inspection of the building, etc., because the underwriter does not see the building and does not know if there's been a new addition. We've run into cases where some of the other companies only set it up every three years and then come along and find out they built a new wing onto a building and it's never been reported. Consequently, the values were way off. Other companies require an opinion. That is why Dennis is acting as a Liaison between PENCO. As he understands it, they notify Dennis what buildings they want updated or appraised and he will, in turn, notify him (Schenk) and they'll put that on the meeting agenda and get that portion completed for PENCO to satisfy the company.

Commissioner Hunter said, "So this year it will be \$10,000 and next year it could be \$21,000 again -- depending on the requests of PENCO and the Commissioners. It will vary each year."

Mr. Dennis said he would like to add that PENCO has agreed with his negotiating this contract with Jerry for Commission approval. They have agreed that with the exception of the Old Court House, all the properties can be updated on a 1/3 basis; so that we get all properties every three (3) years. That way we can make sure we average out this expense over a period of time, provided we don't buy any new buildings or obtain any new buildings by acquisition.

Commissioner Borries entertained questions. There being none a motion was entertained.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the agreement was approved.

Ms. Farrell said that last year we paid Mr. Robinson out of the

insurance consulting account. We have repealed the money from that account. We paid Mr. Schenk out of the 3000 insurance account. Is it possible to pay Mr. Feldhaus out of the same account? If not, may she go ahead and have approval for Council Call to put funding in place?

Mr. Borries said to answer Ms. Farrell's first question, he thinks it is possible to pay him out of the insurance account.

Agreement w/Jerry Schenk & Associates for Loss Control Services:
Mr. Feldhaus said he was here the first of February and asked for the loss control services agreement to be deferred to a later meeting and we had a discussion as to why that was. The purpose of his wanting to defer the loss control until a later point was two reasons. One, he was not in a position to offer the Board an agreement. Secondly, it was his intent and his desire to bring loss control back to a local provider of that service. PENCO has done that the last two years. Last year the service fee from PENCO was \$11,777. He got a renewal fee of \$14,777 from PENCO which he could have brought to the Commission on February 1st for their approval and we could have continued loss control with PENCO as in the past. He had some difficulty with that for two reasons: One was the price; secondly, was basically the amount of service we were being provided by PENCO and the type of service. The amount basically involved two to three days of PENCO's loss control engineer coming in. His name is Chuck Peters. What he did was basically an engineering report telling the Commissioners we need to take a look at the top of the hill at Nurrenbern Rd. We need to take a look at having more safety committee meetings for the County Highway Department because they don't wear goggles when they do weed eating, and those types of things -- basically, advisory capacity. He still likes and we still need that, but what he believes the County needs is a little more hands on; more hands on, on a more periodic basis. Rather than three days a year, what he would like is loss control that meets with department heads no less than monthly, so we can get back to what he considers adequate loss control and try to get a grip on some of the losses that occurred over the past two and three years. He doesn't just want to nail into two years because, as the Commissioners know, the Mesker loss occurred prior to PENCO. But our losses have been substantial and we need to get a grip on that. PENCO has already advised us of that and, for that reason, he wants to entertain a service agreement once again with Jerry Schenk & Associates. He distributed copies of the agreement for the Board's perusal and approval. The fee is \$20,000 and, more importantly, to the County is twenty (20) hours per month at loss control services. What that gives us is 240 hours of loss control rather than three times 24. The bottom line is that the County needs it. It is \$5,300 more than PENCO's proposal of \$14,777, but he thinks it is money well spent and in the long run it will show up in the loss fund. To put everything into focus for the Commissioners, last year he doesn't know what they paid Mr. Robinson -- he's heard some figures -- but if we look at what we paid Mr. Robinson and what we paid PENCO last year (\$11,777) and Jerry Schenk \$21,500 -- that is about \$45,000 plus in 1992 for the services we're talking about in the three areas this evening and what we're looking at tonight is \$20,000 for the loss control, \$10,000 for the appraisal and \$7,500 for the group benefits for a total of \$37,500. In his opinion, we're getting a lot better job done for right at \$8,000 less to the County. With that, he would ask for approval of the loss control agreement.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the agreement for loss control services was approved as submitted, to be blue claimed on a monthly basis. So ordered.

President Borries said he appreciates Mr. Schenk's sincerity and

his work. This is a difficult area for the County and he guesses he really appreciates those concrete figures there that we can focus in on and have a handle on what the County is getting. With Messrs. Feldhaus and Mr. Schenk, he thinks we're getting a lot for our money. He again expressed appreciation for their attendance this evening and their hard work.

The time being 7:05 p.m., Commissioner Borries said he will temporarily recess this part of the Commission meeting to consider the Rezoning Petitions at this time. The Board will subsequently come back to Item #6, Department Head Reports, with Alan Kissinger, County Attorney.

R E Z O N I N G P E T I T I O N S

VC-1-93/Bob Straub (Final Reading): The common known address is 12820 Big Cynthiana Rd. Mr. Straub is requesting zone change from Ag to CO-1.

Attorney Steve Bohleber said he is representing the Petitioner in this cause. Since the Commission has a heavy agenda due to the cancellation of last week's meeting, he will be very brief. His clients have operated a photography studio for the past 33 years in the basement of their home. Several years ago they built a lab behind their home and came before the Commission and had that portion of the property rezoned. They are here this evening requesting a rezoning of some property they've owned for years on the other side of their driveway from their home for the purpose of moving and relocating their studio. This has come about for a couple of reasons. First, the current facility has a very steep stairway to get down to the basement; there is no really convenient way to get their even for the able bodied. Even at the age of 43 he appreciates the fact of not having to do down those steps himself when he goes to the Straub's studio. Because of the new '88 regulations and insurance concepts they wish to relocate and make the property more handicap accessible. In all probability the Straubs will someday turn this business over to their sons and would like to utilize this property for purely a residence once again. They have submitted a site plan and a transcript of the Plan Commission meeting and the Staff Field Report. He will not belabor those unless the Commissioners have questions re same. The Straubs have ample space to accommodate the parking and that needs to be modified a slight bit and that will be done prior to construction at the Site Review process. Likewise, they have been notified that even though this is a pre-existing nonconforming use of a commercial nature, they will have to get a commercial driveway permit and that will certainly be done, as well, if this is approved. They've already begun that process. The matter comes from the APC with a unanimous do pass recommendation. There were no remonstrators and they've heard no negative comments from anyone in the area. The Straubs are here this evening if the Commissioners have questions. Other than that, they'd simply ask the blessing of the Commission and their positive vote to approve this rezoning.

Commissioner Borries entertained questions. There being none, Mr. Borries asked if there is anyone in the audience who wishes to speak either for or against the petition. There was no response and a motion was entertained.

Commissioner Hunter moved for approval of VC-1-93, with a second from Commissioner Tuley.

President Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Motion passed by unanimous roll call vote. So ordered.

VC-2-93/Petitioners, John & Tamara Schroeder (Continued):

President Borries announced that this matter has been continued until March, before the Area Plan Commission, therefore it will not be heard this evening.

VC-3-93/Petitioner, Rick Reising (Final Reading): The meeting room was filled to capacity as proceedings began with regard to this matter. President Borries welcomed the attendees and said the Board is here to exercise a lesson in democracy. They will find that he is rather arbitrary with the use of this. The Board has been here since 5:30 p.m., but that is their job. They are here to listen to the public and to listen to the public in a polite manner. What he would like for them to do is, in a polite way, tolerate all of the statements made here to allow the Board to gather as much information as they can to make the best decision they feel is right in this situation. Again, he is asking for their patience and their tolerance. Also, any new information after people speak. It is a very simple matter. What the Board will do is ask the Petitioner to come forward to state his request, allow the Commissioners to ask him any questions at that time, and after that, those who wish to speak -- of if they have a spokesperson -- please come to the podium and identify yourself for the official record. He would ask that the individuals be as brief as possible but, again, he would also request patience and tolerance of the behalf of the group.

The common known address is 5102 Middle Mt. Vernon. Petitioner is requesting change from R-1 to C-4 zone.

Mr. Richard Reising approached the podium, introduced himself, and stated he lives at 5102 Middle Mt. Vernon Rd. in Vanderburgh County. "I'm the owner of approximately a 20 acre block located on the west side of Evansville. The reason I am here is to propose for rezoning of 1.05 acres from part agricultural and residential to a C-4 status. I desire to park my company vehicle in the existing pole barn or on the said premises and the vehicle has my company name (Environmental Management Consultants) on it, and I understand for storage, maintenance of equipment, working in or around the pole barn requires a change in zoning. Therefore, my reasoning is to come before the Commissioners and make myself legal and comply with the rules and regulations. I've elected to represent myself in lieu of an attorney, since I've always dealt with my friends and neighbors on a one-to-one basis and I feel it is in the best interest of my adjacent neighbors that I will live with for the rest of my life. Before I decided to undertake this petition in an attempt to be up front with my neighbors and my abutting neighbors, drafted a letter to all the owners of record to tell them what I was proposing. This was before the standard letter as required as part of this petition. I was telling the people what I was going to do, when I was going to do it, and what would happen and what would happen next. I had a few inquiries and felt that everyone was informed and I'd answered their questions and that letter was dated December 8, 1992. I was made aware that there would be remonstrators and that yesterday handbills were handed out in his neighborhood in opposition of this meeting. However, none of the 39 holders of title whose property abuts the entire 20 acre tract are amongst the remonstrators that he is aware of. Yesterday, to quote from the letter that was handed out in my neighborhood by the White School Community Club, it said, 'The best way for us to influence the Commissioners is to show our support in keeping our neighbors as residential and not let spot zonings be allowed to creep in and ultimately destroy the fabric of our neighborhoods, our homes and our property.'

Continuing, Mr. Reising said, "This property has been in my family for sixty (60) years. We've maintained this property and paid taxes on it for this period of time. My children represent the fifth generation that has worked, that has farmed, that has raised livestock and lived on this property since 1933. I was first aware

that the entire 20 acres of my property has been rezoned as residential. It is farmland and it is wooded. My home and property abutting Middle Mt. Vernon Rd. (as you can see yourself from your documentation) is zoned agricultural -- the house is. However, the fields and farmlands and woods are zoned residential. I asked the Area Plan Commission as to when and how this change and the logic for doing so. They were very helpful through this whole procedure. They granted me information and things of that nature. However, they were unable to answer what I consider this very important question. Logic dictates that the area I wish to rezone closer resembles agricultural than residential. The site review conducted by the Area Plan Commission indicated that I have a 3.5 acre zoned M-1 (industrial) within one (1) city block of my property. They failed to mention, however, that approximately a four acre block less than 1/2 mile directly south of me is also zoned C-4." (Mr. Reising approached the Commissioners' table and shared a location map of the area being discussed.) "I own and operate Environmental Management Consultants from my office located on the downtown walkway. We provide a variety of environmental consulting and remediation services to municipalities, cities and a variety of other clients. We do think tank type work and subcontract different types of excavation and construction services to people who do that type of work for a living. We bring no off site waste to the property, since it is illegal to transport without proper permits and do not treat nor discharge any of these wastes except for the sites from which they are generated. I've been in the environmental arena for over 25 years and held positions with the Federal E.P.A. in field operations and regional offices in Chicago and Washington, D. C. headquarters. I make my living by employing fifteen (15) professionals -- clerical and support technicians. I'm not going to jeopardize my home where I live or my property by violating any rules or regulations. In 1991, I received approval to construct a pole barn. I tore down an old dilapidated garage, as well as a chicken house that my ancestors made their living from. The barn was used for agricultural purposes. I currently store my Ford tractor, the implements and tools to maintain 20 acres of hay ground and timber, as well as the company truck. My intentions are to comply with all the recommendations provided by the Building Commission, the Health Department, EUTS, and the APC should my petition be granted. Ladies and Gentlemen, this petition represents the precise reason why the County Commissioners have the authority to grant justified spot zonings in the light of the APC's Comprehensive Plan. As you are aware, the APC unanimously voted 11 to 1 in favor of granting that petition. In further support of my cause I have abutting neighbors, neighbors of the West Siders and a few employees who have come to support me here tonight. That's all I have."

Commissioner Borries entertained questions of Mr. Reising.

Mr. Tuley queried Mr. Reising concerning the equipment he plans to store in the pole barn.

Mr. Reising said he has a cube truck that has power washers for steam cleaning of equipment to decontaminate it. He has air compressors, scientific instrumentation to detect levels of contamination and things of that nature. They pulled the tanks at the AT&T job downtown; they have to build construction barricades out of wood and paint them white and things of that nature. It is a support facility. They have the office downtown, but it doesn't allow him to have that type of vehicle there -- and that is pretty what he has. There are also some bush-hogs, tractors and things he uses with the property out there.

Mr. Tuley asked if this will actually be stored inside the barn and out of view.

Mr. Reising said some of the stuff is outside back in the farm

ground -- not normally visible. Most of stuff is in the pole barn -- but he does have implements, etc., back in the field.

Mr. Hunter asked, "Rick, how can we be sure there is not going to be waste water?"

Mr. Reising responded, "Mr. Hunter, that is why I went into this situation about what I do for a living, because the Health Department's report alluded to that since he deals with generated waste from other properties that it may come back to my facility -- and that is not the case. If we go to an industrial site, the material is either put in roll-offs or 55 gallon drums or whatever and then transported to disposal sites. If it is a special waste, to BFI or Rose Bros. If a hazardous waste, it goes to Alabama. It never comes onto this site. Since it is such an issue with those types of waste materials, it is very important that they are correctly manifested and they go to their port of destination."

Mr. Hunter asked, "The equipment you are proposing to put in this pole barn, would it be capable of holding that kind of waste? You said that waste goes into 55 gallon drums."

Mr. Reising said, "I will keep clean, empty 55 gallon drums in storage in the area so they can be transported to the job site -- but I subcontract the tank truck transport to people who have that type of equipment."

Mr. Borries entertained further questions. There being none, he directed questions to Mr. Reising, asking if he lives on the front of the property in question. Mr. Reising responded affirmatively. In response to query as to whether Mr. Reising plans to continue to live there, Mr. Reising said that he does -- until he can build a house on the other 20 back acres. As he said, his family has been there for 60 years and that is where his roots are -- he is staying.

Commissioner Borries asked if there are spokespersons or other individuals who wish to speak regarding this particular rezoning. If so, would they please come forward and state their name and address for the record.

Nancy Whitsell, Rezoning Subcommittee Chairman for Westside Improvement Association, said she is sure the Commissioners have read the letter that was issued at the APC a couple of weeks ago. (Copy attached here.) "At that particular time we were given to understand that the neighbors were all in agreeance that Mr. Reising have his rezoning. However, since that time we have heard some of the neighbors who have voiced opposition and some of them would rather remain anonymous."

Mr. Borries asked, "Why is that?"

Ms. Whitsell replied, "Well, they are friends of his and they, you know, they don't want to pose him either. But we are speaking in representation of them, as well as the people who are here to remonstrate against this. However, in #4 we do think that even though the petitioner in his good intent in keeping the property in the family cannot predict future events that would necessitate the sale of the property, thus leaving the surrounding neighbors and friends in jeopardy as to the growth and sundry ways in which land zoned C-4 can be used -- and you know yourself the plans of mice and men sometimes go astray. In conclusion, the Westside Improvement Association believes commercialization is important to growth, but feel strongly that locating commercial entities in residential areas only serves to help the few and would have far greater ramifications for the families and homes surrounding zonings of this nature if they do go awry.

Williams Holland/4025 Broadway Avenue: "I've lived most of my life

on the west side. I am President of the White School Community Club and also a member of Westside Improvement Association. I have been asked to represent the neighbors of the property proposed to be rezoned. The neighbors do protest the rezoning of 5102 Middle Mt. Vernon Rd. from R-1 to C-4 classification. They have fears about the future land use of this property and the impact of future development of this area. In the last few weeks I've walked and talked to people living on Middle Mt. Vernon Rd., Jobe's Lane, Forest Glen and Shady Court. This area is 95% occupied by middle class homeowners who are raising families. These homes are all well kept single-family homes. We also have some families who live in apartments and also have a new subdivision being built in this area. It is Glenwood Subdivision, with a price range of \$60,000 and up homes. The homeowners in this area are concerned with the environmental uses of this property as the owner has an environmental company that does soil testing and asbestos removal and other hazardous waste. We have concerns about waste dumping after testing. The land surrounding this property is flat, with a creek running nearby. The APC did not recommend the rezoning of this property in their field report. The property is limited as to usage. The property consists of a family home. I will repeat a family home right in front, with a pole barn being built in the back. It is located next to another family home, both R-1 residential places. I cannot understand why this rezoning was passed on to you people. The property does not meet required criteria. It has no green area in front. Parking would be a big problem. This property is not on a sewer system. A C-4 zoning would open up this land to 180 uses. The proposed use of this property is a field office and storage building. I do not think that, if granted, this would be the only uses. If this property is sold after granting this rezoning, you would open up another avenue to other uses who could build a new garage or barn and then seek a rezoning. We, as neighbors who reside in R-1 homes, have to live by strict R-1 restrictions request that you deny this rezoning, as recommended by the APC Field Report. Leave it as R-1. The Westside Improvement Association and White School Community Club have always opposed this type of spot zonings. It is our hope that you will, too. I would like to thank you on behalf of the neighbors for your time in listening to our request."

Shirley James: I am Shirley James and a resident of Middle Mt. Vernon Rd. The reason I am speaking this evening is because we have severe traffic problems already on that road. It is curvy; it has no side areas that you pull off onto. We already are impacted terribly by a junkyard that has a large automotive vehicular equipment that leaves grass and debris everywhere. We have not been able to enforce the regulations regarding this particular junkyard -- salvage yard -- and this has created a vast problem for our area. An elderly gentleman was injured because the vehicles were coming down the road and hit him; they couldn't see because of weeds and growth. Because this is agricultural it is not often a manicured area. So we feel that first of all the road does not justify additional traffic. Also, we're having a real problem with the traffic on Highway 62. Middle Mt. Vernon Rd. is becoming a heavily traffic area with high speeds. Even though there are 'Slow Down' signs, they don't. You almost take your life into your hands to go out onto this road. Also, what was important to us was that Mr. Reising -- and many of my neighbors would not come, even though they actually voted against and urged us to move against that manufacturing zoning down there already -- they would not do so because they respect Mr. Reising, like him, and have known the family for many years. They had him in their Scout troops etc. So they are betwixt and between -- even though they don't want the zoning -- they don't want to have to move against a neighbor -- and this makes it very difficult for us, too. But the simple fact of the matter is that area is congested traffic wise; we have poor septic waste problems -- and I do understand he is going to tie into a sewer -- but there is no parking. When I was past the facility a few days there were four vehicles parked to the

side of the pole barn. As Mr. Reising's business prospers -- and we hope it does -- he is going to have more vehicles. As his business prospers, other people may come in and want to purchase the property and offer him a vast amount. All of us when the dollar signs are there -- we are tempted. And I'm sure Mr. Reising would certainly be tempted if somebody came in and wanted to offer a large sum of money. That would leave that neighborhood, which is apartment houses and middle income persons, with very little recourse. They could have any one of 180 different things parked on their doorstep. Thank you.

Steve Henderson: I am an employee of Mr. Reising and I don't have a prepared speech. But I have sat back and listened to a couple of allegations or concerns from homeowners re following safe environmental practices. Under no circumstances would he allow environmental waste or anything like that to get there. Secondly, there was a concern about increased traffic. This is a support facility for a think tank. The types of services that are being performed only require certainly instrumentation. It is not a construction industry or anything like that. Having seen the layout, there is no frontage to this to speak of -- other than an access road to this C-4 zoning. I cannot envision an increase in traffic or an increase in industrial activity at this site. Mr. Reising is trying to comply as best he can with the dictums of the City Council in storing his vehicle. As you know, there is simply no place to put a vehicle like that in the downtown area where his business is located. The concerns that the adjacent property owners appear to have concern themselves only with what might happen should the property leave Mr. Reising at some point. I don't foresee that happening; and, if it did, I don't think that property would be of much value commercially, given the surrounding area. And if that did happen, I think Mr. Reising would take some steps to assure his fellow residents that they would be protected from commercial entities. He is a man of character. That is all I have to say.

Sue Reising: Good evening, Ladies and Gentlemen, my name is Sue Reising. I can speak on behalf of Rick and the Environmental Management, because I have known Rick for over 15 years and I have been his wife for most of that time. I have lived at 5102 Middle Mt. Vernon Rd. since 1979 and I can guarantee you that Rick Reising will never ever let that property be rezoned for apartments or any kind of commercial development. This is his home. He is trying to rezone this property to park one vehicle in the pole barn. As for the vehicles parked in the driveway, there is mine, there is our son Shaun's, Rick's and occasionally or perhaps a couple of times a week one of Rick's employees will come in and park his vehicle in our driveway to take the van out of the pole barn to do his business for the day for Rick. The pole barn is approximately 50 ft. in back of our residential house. As for the residential area -- as brought up this evening -- most of that property is low flood plain. It would take an exorbitant amount of money to bring it up to the elevation to build houses on. It is cow pasture; horse pasture and anybody that would try to rezone it for residential subdivision development would have to have an awful lot of money. I have lived there and I know we don't have city water; it was our hope that some day we would -- and we will whenever it happens. But we have raised three children on this property since 1979 and before, with Rick's previous marriage. I have no intention -- and Rick has no intention -- of ever doing that. Thank you.

Dave Miller: Good evening. My name is Dave Miller. I'm an engineer by profession and I can't say I'm an environmental expert, but I've learned with a lot of things that you kind of expect things and anticipate things. You know, there were surprises with environmental related projects. I've done some asbestos abatements and hazardous waste disposal. Without getting into that, I know Mr. Reising may have good intentions -- but I'll remind everybody of (I think it was Indiana Plating Works in Evansville a few years

ago) -- they had good intentions until they went bankrupt and hazardous waste was found on the site -- at great expense to whoever had to clean it up. I think the name of the company was Indiana Plating Works -- but in any event it was a local plating company. Immediately when I hear inconsistency I guess I start to get concerned. I'm hearing the word think tank a lot; I've heard it twice I guess and, to me, a think tank is people who do a lot of discussing, planning -- basically an office type atmosphere. Then I'm hearing about trucks and drums being stored on the site that are being used for a think tank. That certainly seems inconsistent to me and I think inconsistencies should bother any of us. Also, I live on Jobe's Lane roughly eight houses up from Mr. Reising's property and I feel sure that if other people in the neighborhood have known about this intended change of use and the company involved that they would have attended too. I think a lot of us read things that for every person you have a response from there are at least 10 other people out there who feel likewise who haven't responded. I think that is the case here. I think there are probably another 10 people out there for every one of us here who feel like we do -- that this property should not be rezoned and should remain residential zoning.

Ken Lyon: I live at 5019 Shady Court, just on the corner. Like most of these people here, I haven't lived in the neighborhood long. I moved to this neighborhood to be in a residential neighborhood. I moved from a commercialized area in Evansville. One of the reasons I moved to that area was to get away from the business. It all sounds very fine and I believe that if it would go commercial we don't know what could happen. Nobody knows who is going to be alive tomorrow. But I would like to voice my opinion that I would like for that to stay residential. Thank you.

Daniel Craig: I live at 810 Jobe's Lane and I want to be one of the ten who did not speak that wants to get up and speak against this rezoning. At the risk of being rather redundant, I would like to say first of all that I don't want to see this become commercialized. The main reason -- and I'm sure Mr. Reising is a man of character -- I'm sure that he has great intentions for that property -- however, when I was a child I was in a neighborhood similar to this and I suffered from an accident. I was hit by a car when I was in the second grade. I know what it is like to be in a commercialized area. I moved almost a year and a half ago to Jobe's Lane from the far east side, right behind Green River Rd. I want nothing to do with a commercialized area. I moved into the Jobe's Lane area and before I purchased that house I watched in early evening as everybody was getting off work just to see what it looks like. What does the fabric of this neighborhood look like. If you go out there and watch in the early afternoon, you will see upwards of thirty to forty people who are out taking walks, riding bikes, coming home from school -- enjoying their residence; enjoying this beautiful neighborhood. If you look at that tract of property, it is large. Twenty (20) acres is a large area. If this goes to C-4, who is to say what is going to happen? I don't want to see that commercialized. I like my neighborhood. Let's keep it the way it is. Thank you.

Steve Craig: Good evening. I've been a neighbor of Rick's for twelve years -- directly next door to him -- and a lot of these concerns that these people have I can see them having the concern if they didn't know Rick. But in the last twelve years I've lived there that ground has done nothing but gotten better. He's landscaped it and put the pole barn in and did an A-1 job on it. He's got bird feeders, bird houses; he plants trees; we have gardens back there. I don't think he wants to -- or that anybody else wants him to change it. By adding one truck and one person to come in and pick the truck up and leave a day is adding any traffic to the area whatsoever. I think that Rick -- and I'm speaking for a lot of our other neighbors -- is an asset to our neighborhood and I don't think he would do anything to jeopardize

that. I'm saying I don't care -- I think he does a good job -- and he ought to be able to have it rezoned. Thank you.

Mary Burn: We live two doors down from Rick -- right next door to Steve, who just spoke. We've lived there about seven years. Shortly after we moved in we heard all about his plans to build a house some day on his 20 acres -- and they still have those plans. We're not concerned with what he wants to do because he has been an excellent neighbor; his property is in excellent shape; it doesn't have trash sitting around -- it's all very well kept. The only access to his pole barn goes right next to his house. I'm sure with their children they are not going to have people running in and out all the time -- because they have a family there. I'm real confident that they will be there for many, many years. Also, the company I work for is a licensed waste hauler and I don't believe that Rick will have anything to do with waste, because it is a big, long drawn out process and costs a lot of money -- and if you have any problems with that kind of thing it is going to cost you a whole lot. He does not store waste on the property. If he stores empty drums there, fine. Empty clean drums don't hurt anything. I think he should do it.

Bob Miller: Ladies and Gentlemen, I live at 5024 Middle Mt. Vernon Rd. and my property is the only property adjoining his rezoning. I've known Rick my entire life. We've grown up together and Rick has always been one to leave something in better shape than when he has found it -- and I have no question whatsoever as to the opposition of this rezoning. I'm all for it.

Rick Meyers: I live at 816 Jobe's Lane -- about seven houses up from Rick. I've been out there for just five years and I have two little girls. If it's just one truck I don't understand why he can't just build a garage to park one truck, rather than having an entire lot commercialized. Can you just add on to the house and park the truck in a garage? I'm just voicing my opinion against the rezoning.

Aaron Weyer (?): I live at 935 Jobe's Lane and I was just aware tonight of what this was about. We were thinking it was the property directly behind us. Now that I hear both sides I think my wife and I are against this. If he wants to park a truck -- build a bigger garage -- that's all I have to say. You don't have to rezone 20 acres to do that.

Commissioner Borries said he would correct for the record that the applicant is petitioning to rezone 1.50 acres of his 20 acre site -- not rezone 20 acres. He also noted that Ms. James wishes to again speak before he asks Mr. Reising to sum up. First, however, he would commend the audience for their excellent conduct. We can't always all agree about things and probably never will -- but he would commend the audience for their politeness and consideration and their sincere concerns on both sides.

Shirley James: For one thing, we would never question Mr. Reising's integrity -- because I think we are all aware that he is a very good neighbor, etc. We are not questioning that at all. But I will say, Mrs. Reising, that I did talk with Rick at length when I asked Rick if he wouldn't consider a limited use commitment, restraining it just to his business with the opportunity of maybe of not having the neighbors have a recourse then and come back and say the use commitment was not met. I pointed out to Mr. Reising at that time that he might drop dead tomorrow -- heaven help us, we wouldn't want that -- but, on the other hand, if his family was in need and he was offered a sizable sum of money for his property that he would sell. He said, "Yes, I think I would."

Commissioner Hunter queried Ms. James concerning the first item in the letter from Westside Improvement Association of 2/16/93, wherein they feel the Petitioner is in violation of the original

permit. Could she explain that.

Ms. James: Well, we understood he has been operating this for an extended period of time. He is just now applying, but that he had been using it as such for a period of time. I think that is what that is about.

Mr. Hunter asked, "When you say operating -- do you mean parking the truck there?"

Mrs. James: Well, I can't say. I went one day and I saw four vehicles. I don't go that way -- it's too hazardous for me. And I'm not joking -- it's too hazardous for me, because you all are well aware of the problem we've had there and that is hazardous for me, personally. But I made an effort to go down and see. The day I went down there were four vehicles parked there. I don't know whose vehicles they were and I don't know whether they were business vehicles. I know nothing other than that there were four vehicles. Nancy Whitsell, the zoning chairman, can better answer some of these questions regarding the time element there. I kind of stepped aside from it because it is a neighborhood problem for me.

Commissioner Borries asked if Ms. Whitsell has further comments.

Ms. Whitsell: No, except I have had neighbors call me and say he was already using the property for storing of the trucks. They might have just been there during the day or something. As I say, I just had comments from the neighbors.

President Borries asked if Mr. Reising would like to conclude his remarks at this time.

Rick Reising: Thank you. Just a couple of points that I would like to make. First is the comparison to the piece of property that I showed you the aerial to a few minutes ago. It has no likeness, Ladies and Gentlemen, to the Evansville Plating Works on an industrial site in downtown Evansville, Indiana. None whatsoever. That is zoned industrial -- not what we're talking about. Secondly, I think it is important to talk about the parking. We're talking about four vehicles (three of them were probably mine, my wife's or my kids). As you saw by the drawing, what is provided by the package is ample room to park a considerable number of vehicles in there. There is one access -- the driveway that runs next to the house. As far as the traffic problems, I'm sorry there have been circumstances where people have been injured on roads in the United States of America in the past. The expertise we have in this County -- the EUTS system -- has made a statement they don't find a problem. They've just approved a new subdivision up the road -- so I can't imagine that being a real issue. I have to feel very strongly with both of these groups in the opposition of junkyards -- that is my neighborhood, too -- I don't want to be put in that type of category or class. We have a city sewer recently put out in front of the property - because when I developed the residential property across the street I put the sewer in. So that is where this is going to go. Another person mentioned asbestos removal. We do inspections, management plans, technical specifications, design, and monitoring -- we do not remove asbestos. One other thing I think is very important for the Commissioners when they weigh this decision is that they understand that the people you've heard opposition from this evening have been in the area for a very short period of time with one exception -- and one fellow. The other fellow was five years, the other one a year and a half; the other one just got there. The other fellow was under the impression I was rezoning twenty (20) acres. I'm rezoning one (1) acre. Another item of importance is that I had thirty-nine (39) abutting owners of property of the entire twenty (20) acres that I had to contact. I don't believe one abutting property person has spoken in opposition this evening

-- and I think that is very significant. Thank you.

Commissioner Borries entertained questions from the Board.

Commissioner Tuley said he has heard both sides and there is only one thing that bothers him -- and it goes back to the construction of the pole barn in October 1991. Was it Mr. Reising's intent at that time to move his business out there?

Mr. Reising responded, "No, my business is in the office down on the walkway. Within the last six months or so I purchased this cube van that we need to take on site with instrumentation and things of that nature. If you get into the instrumentation that is involved in determining field screening techniques and analysis for contamination, those are kept in that van and I prefer to keep it locked and inside the facility. Does that answer your question?"

Mr Tuley said the APC Field Report says the applicant constructed a new pole barn on this site in October 1991. This permit was conditioned upon the applicant's using the building for agricultural use only, allowing no commercial activity, use or storage. He guesses his question is that Mr. Reising's intent in October 1991 was to use that solely for storing his tractor and he assumes, for what ever reason, that Mr. Reising has since that time felt the need or seen the need to store some of his work related equipment in that building.

Mr. Reising said that is correct. And, since that time, the company has expanded. He has twenty acres out there and he thought it would be reasonable to come to the Commissioners and ask for the rezoning of one (1) acre that abuts only one adjacent property owner, Mr. Miller, and he thought it a reasonable request not to ask to rezone twenty acres, but limit it to one acre -- and that is where he is at this point.

Ken Lyon Mr. Lyon queried Mr. Reising concerning his future intentions -- but his remarks in their entirety were inaudible.

R. Reising: The choice of one acre will be sufficient for all I'm ever going to need for commercial. I'm not going to go through this again. That is why I thought one acre was a reasonable choice. If I owned twenty acres I thought one acre reasonable -- one acre will be all I'll need.

Commissioner Borries said the Board will entertain a motion at this time concerning VC-3-93.

Motion made by Commissioner Hunter, with a second from Commissioner Tuley to approve the petition for rezoning, as submitted.

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

VC-4-93/Petitioner, Robert G. Woodward (First Reading): Common known address is 6401 Old Boonville Highway. Requested change is from Agricultural to C-4. Mr. Borries entertained a motion. Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the Petition was approved on First Reading for forwarding to the Area Plan Commission. So ordered.

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At 8:05 p.m., President Borries stated the Board will now resume the regular Commission Meeting according to the printed agenda, beginning with Attorney Kissinger.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Attorney Kissinger said that throughout the meeting he said almost everything relevant to tonight's meeting. He will now pass.

RE: TANDEM AXLE TRUCKS/STERNBERG INTERNATIONAL

Note: This portion of the minutes is attached hereto as a separate Addendum, and is identified.

RE: COUNTY HIGHWAY - FRED HOWARD

Weekly Work Report: Mr. Howard submitted his written weekly report....report received and filed.

Gradalls/Repairs: Mr. Howard said they found some metal in one of the engines of one of the Gradalls. It's been a while back and they have not used this unit except very sparingly because the engine could go down and it would cost us considerably more than the estimate he's obtained to get it repaired. There are only two companies we know of in the tri-state who do repair these gradalls and we have estimates from both (Southeastern Equipment - \$17,155, at their garage) and Carlisle - \$4,875.00 - in house in the County Garage. We've done work with Carlisle before and they've worked with us. When they do this work in house for us, we do have mechanics there who do help them and they learn by this. Hopefully, in the future whatever we do it will go toward our mechanics knowing a little bit more than they do now on the repair of these gradalls -- because these are the heart of the highway department and without these we're nowhere. Right now we're behind anywhere from six months to ten months on ditches. He can't say just because of this one Gradall -- but he can say it partly has to do with it -- and partly to do with the management and how they handled it prior to this.

Commissioner Borries said the only thing that bothers him¹ about this is that it says where a high concentration of metal is found in the system, the cooler will have to be changed at additional cost of the cooler. Are we talking about the same thing here? There is a big discrepancy in the quotes. One has 15,000 part and the other has 3,100 parts.

Mr. Howard said he thinks so. Why the discrepancy, he can't say. Southeastern and Carlisle are usually within a few thousand of each other. If the Commissioners want him to do more research on this, he will be more glad to do so.

Commissioner Borries said he would like a week to get more information. See what the other Commissioners think.

Mr. Howard said he has let his Garage Foreman , Dave Hudson, pretty well handle this and he probably should have brought him to tonight's meeting.

Commissioner Hunter said he gets the feeling we're not comparing apples to apples here at all.

After further brief discussion it was the consensus of the Board that Mr. Howard should obtain additional information and bring this back to the Board. In response to query from Mr. Hunter, Mr. Howard said he does not know where he could obtain a third quote. Carlisle works out of Owensboro and Louisville, KY. They have a service truck and they come from Owensboro to do the work at our garage.

Commissioner Tuley asked if the "providing" comes back to bite you in the behind later? Is that the catch all here? And Southeastern

is going on the assumption they are going to replace all parts? It sounds as though we need some clarification. What if we get into it and that "providing" doesn't work? Then what will it cost? Maybe then we'd be comparing apples to apples.

The Commissioners again instructed Mr. Howard to obtain additional information and get back to the Board next week.

Commendations: Mr. Howard said he does want to commend the foremen and the crews at the County Garage. Everybody did an excellent job during the snowstorm -- and they were glad to finally get some rest.

Commissioner Borries said he doesn't think we received any complaints. We'd have heard about them if there were. The schools were extremely pleased. He received a letter today from Gary Staley, the Deputy Superintendent who works with the school buses. On Wednesday it was a difference between going and not going -- particularly in relation to county roads -- because they are, by nature, more narrow and less traveled. If they weren't adequate for those school buses to go out, then they wouldn't have gone. The kids used to love those snow days -- but they will love them until April or May when they have to make them up. They're no longer free days.

Mr. Howard said he was out following the buses on Wednesday and Thursday mornings, stopping the drivers and personally asking them if they had a problem with any of the routes. If they did, the County Highway addressed them at that time.

Commissioner Borries said they did an outstanding job and he appreciates the fine achievement out there.

Commissioner Hunter said he cut across Kansas Road Thursday morning and it not only was clean, it was dry.

RE: CONSENT AGENDA

Travel Request: Mr. Tuley said he has a question on the travel request for Burdette. It says Dodge van; is that the County-owned van that is assigned to Burdette?

Mr. Hunter said it lists the County vehicle number, so he assumes it is.

Mr. Tuley said it then says "Reimbursed mileage"; should that not say just say gas and actual expenses as opposed to mileage?"

Mr. Borries said they should be reimbursed for actual expenses, rather than mileage. Part of the reason they are driving is that they are going to a couple of children's attractions and, one of the park persons is afraid to fly.

There being no further comments, Mr. Borries said he is adding a Travel Request from Area Plan Commission - Indianapolis, Census Bureau Center on March 16th. Also, for the record, he will add the Annual Report of the APCreport received and filed.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the Consent Agenda was approved, as amended with regard to the reimbursement of actual expenses as opposed to mileage, the addition of the travel request from APC and the addition of the receipt of the APC Report. So ordered.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

Appointment of County Highway Superintendent: Mr. Tuley asked if the money has now been funded for the new County Highway Superintendent and Mr. Borries responded that it has. The Commission has received approval for the position of County Highway Superintendent and he would entertain any motion to fill that position.

Motion was made by Commissioner Tuley that Mr. Bill Morphew, the current Bridge Foreman, be appointed as County Highway Superintendent.

Commissioner Hunter asked if he missed some interviews or something. Did we not have interviews for this, or what?

Commissioner Borries said he has not interviewed anyone, except individually.

Commissioner Tuley said that is what he's done; he talked to two individuals who expressed an interest in the position.

Commissioner Hunter said he wasn't even aware that we were going to do this.

Commissioner Borries said, "You were aware that we asked for the position. You've always been aware that you have at this time or any other time your right to either ask or put another person out.

Mr. Hunter said he was just wondering if there were other people out there. He thought maybe there'd been some interviews and he wasn't here or something. Are we sure we've kind of shaken the bushes? Just off the top of my head I guess the one name that comes to mind is Dave Franklin, who filled in I thought pretty admirably for a period of time out at the County Garage and has worked out there. I was impressed with his actions. Maybe he doesn't want it, but....."

Commissioner Tuley said he is one of the ones he talked to.

Mr. Hunter interrupted, "Does he not want it?"

Mr. Tuley responded, "The last I talked to him he expressed -- yes, he did want it."

Mr. Hunter said, "That is the only one I can think of, but I was so very impressed with his ability to get along with those people out there. I guess he'd worked out there with them somewhere along the way. Mr. Morphew may be very good, but I don't know him that well. But I do know Dave Franklin and I wondered if he'd been given any consideration."

Commissioner Borries said he gave him consideration.

Mr. Tuley said Mr. Franklin stopped him in the hallway and they talked briefly. He talked with him on the telephone later on. He won't discuss it publicly, but he will tell Mr. Hunter privately why he didn't select David. It's not something that needs to be printed in the newspaper. But he did have an interview with him.

Mr. Hunter said he would like an opportunity to talk with Dave Franklin and see if he is interested. He may not be.

Commissioner Borries said, "I want to make a decision on this, because I feel -- and have felt for a long time -- that the highway needs to have a sense of direction, that it has been a long going concern of mine that there is a lack of someone who is a leader, who knows the people out there who, in my opinion, can work to assure that the highway is working as efficiently as it possibly

can on a long range plan. My personal feeling is that Mr. Morpew can do that. If you have another request, that is fine."

Mr. Hunter said, "As I said, I've spoken with the man two or three times and I'm just wondering if anyone else who would like to have been considered is being considered."

Commissioner Borries said he's had calls from other people who have expressed interest and has talked to several on an individual basis.

Commissioner Hunter said, "You all will just have to do what you want to on this -- I'm just not comfortable about this one."

Motion seconded by Commissioner Borries.

Commissioner Hunter said he wants a roll call vote.

Commissioner Borries asked for same: Commissioner Hunter, no; Commissioner Tuley, yes; and Commissioner Borries, yes. Motion carried by 2 to 1 roll call vote. So ordered.

Bridge Crew Foreman: Commissioner Borries said this also puts a vacancy in the position of Bridge Crew Foreman. If there is a name to consider in that particular position, then he'd like to do so at this time.

Commissioner Tuley said one of the ones who approached him for the position of County Highway Superintendent, whom he did not personally want to see in that position because of previous health problems -- but because of his previous experience he would like to see him back out at the County Highway Department, was Cletus Muensterman. He personally felt with his previous problems that he didn't need the headache and strain. But his leadership and experience he showed at the County Highway earlier makes us glad to have him out there in some capacity. Therefore, he moves that Mr. Cletus Muensterman be appointed Bridge Crew Foreman, replacing Mr. Morpew.

Commissioner Hunter said, "I don't agree with that either."

Mr. Borries said, "I didn't figure you would. I will second the motion and I do think Mr. Muensterman has long been a valued employee, one who I think has integrity and experience in this particular position; one who served this county well; and, again, adds a very deep aspect of experience to that position. I will second. Would you like a roll call vote?"

Mr. Hunter responded affirmatively.

Commissioner Borries asked for a roll call vote: Commissioner Hunter, no.

Commissioner Hunter continued, "I feel that Mr. Muensterman is in large part responsible for the horrendous clean-up bills that we're going to have at the County Garage -- or presently have -- and will continue to pay because of the diesel fuel dumped out there during his tenure -- even after he had been instructed by this body long before I came on it that it be stopped -- and it was not stopped. So, no, I can't support that. I think he's a fine gentleman, But I can't support his becoming an employee when he was dismissed."

Commissioner Borries stated, "I think that's one of the worst smear campaigns that I've ever heard and one of the most misleading statements that you could make. Mr. Muensterman clearly stated in sessions you attended, posted notices on the bulletin board, concerning the dumping out there. The person who was in charge, suspiciously on the day off, reported a small spill in the creek. If this had been going on entirely during Mr. Muensterman's

situation, then I don't know how we had chemicals that had been stored out there since 1979 we could not move that had been rusted in barrels out there under a previous administration before I was on this Commission. Mr. Muensterman was not responsible for that. He was not responsible for the rather weak environmental kinds of rules and restrictions that were in place and where, at that time, just rather indiscriminate showering or drenching of the asphalt trucks with diesel fuel was used -- because the laws weren't there at that time. The laws have changed. So to say that Cletus Muensterman was, at that point, responsible for the problem that took place that became a campaign issue is, I think, totally inaccurate."

Commissioner Hunter said, "Well, I guess my concern -- and you say the Commission Minutes speak for themselves -- they are the voice of this body -- during 1990, I found something like ten references in the Commission Minutes where there had been concern expressed about the diesel on the parking lot at the County Garage. Yet, in 1991, the practice was still being carried out and you had very clearly instructed that it be stopped -- and it hadn't been."

Commissioner Borries said, "Well, the practice was not being carried out upon the investigation that I was aware of on the premises -- or any time that Mr. Muensterman was aware of it there. If it was being carried out it was being carried out off site -- and I could find no verification it was being done. For one thing, part of the diesel tanks had, at that point, been removed out there. Again, I must come back to the emphasis to say that he was responsible for that is a great misnomer -- because that is a problem that had been there for a dozen years before Mr. Muensterman was Superintendent."

Mr. Hunter asked, "How long was he Assistant Superintendent?"

Mr. Borries said he was Assistant Superintendent for perhaps two years and maybe Superintendent for two years.

Mr. Hunter said, "So roughly for a four year period of time he would have been in a policy making position."

Mr. Borries said, "That's right -- and did take steps to stop it when the environmental regulations called for that, because that is why is it was posted."

Commissioner Tuley said, "I vote yes. I just find it amazing that the person put out there under his guidance who couldn't find her way to the County Garage was so quick to find her way to an oil spill that he supposedly was allowing to go on. She's the one who found it and brought it to everybody's attention. So I believe he was not treated fairly. The only reason I don't want him back there in the top position is because of his age and I talked to him about that. Not his age -- but his health conditions. And he's very comfortable with accepting the Foreman's position -- so I vote yes."

Commissioner Borries said, "And I vote yes."

Motion carried by 2-1 roll call vote. So ordered.

President Borries entertained other matters of New Business to come before the Board.

Auditorium Contract: Auditor Humphrey said he has asked the County Attorney to write to the State and use the city's contract as a reference point and get their written approval of a procedure to allow.....

Commissioner Borries asked, "You're talking about the contract with Given & Spindler at the Auditorium?"

Mr. Humphrey said that is correct.

RE: OLD BUSINESS

Central Dispatch: Commissioner Borries said he has one other item of Old Business that was not noted on his agenda. This Board appointed an individual to the Central Dispatch Advisory Board and found that our ordinance does not match that of the City's. The City ordinance allows for persons other than elected officeholders to serve in those positions as an appointee. He would entertain a motion to direct the County Attorney to Amend our ordinance in compliance with the City Ordinance -- in other words, make sure they are both identical. According to Joanne's research, the Amended Ordinance was drafted but never enacted. It bears Commissioner McClintock's signature block, so the signature lines will need to be amended. Said Ordinance will also need to be advertised when the Amended version is ready.


Motion to prepare the Amended Ordinance was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 9:00 a.m.

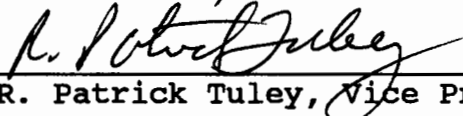
PRESENT:

Richard J. Borries, President
R. Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Dennis Feldhaus/Helfrich Insurance Agency
Jerry Schenk/Jerry Schenk & Associates
Jayne Berry-Bland/County Treasurer
Andy Davidson/Given & Spindler
Mr. & Mrs. Bob Straub
Steve Bohleber, Attorney
Richard Reising
Sue Reising
Shirley James
John Macke/Evansville Truck Center
Fred Howard/County Highway Dept.
Mark Abell/Commission Office
B. J. Farrell/Commission Office
Dave Miller
Ken Lyon
Steve Craig
Steve Henderson
Bob Miller
Rick Meyer
Aaron Weyer(?)
Nancy Whitsell/Westside Improvement Assn.
William Holland
Daniel Craig
Mary Burn
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews



Richard J. Borries, President



R. Patrick Tuley, Vice President



Don Hunter, Member

TRUCKS22293

ADDENDUM #1

TRANSCRIPT ON PORTION OF
COMMISSION MEETING OF 2/22/93 RE
FIVE (5) TANDEM AXLE TRUCKS
PURCHASED FROM STERNBERG INTERNATIONAL

* * * * *

Borries: I think these gentlemen who have sat so patiently this evening certainly deserve to be heard if they wish to be heard at this time.

Last year -- and we discussed this at a previous meeting about a month ago -- but last fall the County contracted to receive trucks. We took bids on trucks; the bids came in and there was a kind of controversial decision regarding the awarding of the bid; not so much for trucks, as I understand, but certainly for some of the specifications; and then the material to be put on these trucks. Now those trucks, per the agreement, were to be delivered on October 15, 1992. As we sit here this evening -- and I've talked with Fred Howard, the County Highway Department Head at this time, we still do not have at least two of the trucks. We've been through an entire winter; probably dodged a bullet in terms of this last snow storm; but, certainly, when you think of some of the other aging equipment and the outstanding work that the County Highway people did to remove a very heavy snowfall -- certainly by Evansville standards -- we really dodged the bullet. I'm dissatisfied with this process. I'm dissatisfied because now it is my opinion that this provider may be at fault -- because I think that even if you're looking at 120 calendar days it is now over -- the length of time that he had to provide for getting these. I think there has been some controversy concerning the specifications about the steel and that sort of thing. Gentlemen, is that why you are here? Would you like to speak?"

John Macke: Yes, thank you. My name is John Macke. I'm a taxpayer in Vanderburgh County. I also make a living selling trucks. Now, I work for Evansville Truck Center and we were high bid on the bid -- so I have no objection or anything ...

Borries: You had the low bid?

Macke: No, you did not take the low bid. I have no objection to your taking the bid you took. My objection is that you bought five units; you had one simple page of specifications. Everybody can read them; everybody can meet them. The only purpose for not meeting the specifications is because you didn't want to. The trucks that are being delivered to the County do not meet the specifications -- strictly because whoever bid them either did not do their homework or they did not want to meet the specifications. Now, here again, what is it going to do to make them meet specifications? The manufacturer establishes the GVWR on the truck at the factory. They will not change the GVWR on the truck once it leaves the

factory. Anybody can change it that wants to, but they become the further manufacturer.

Borries: Explain to us, Mr. Macke, what you are talking about -- the GVWR here.

Macke: Okay. The first paragraph said you were going to buy five 1993 six by four, which means a six wheel truck, 4-wheel drive, 46,000 lb. tandem axle truck. Okay, the 46,000 lbs. is its carrying ability. This is what the manufacturer says this truck will do on what you bought from us. The trucks that are being delivered are not 46,000 lb. GVWR trucks. They are of a lesser quality. Now, here again, they are International trucks; they are built by Navistar. When they left the factory Navistar established what this truck would do. If you wanted to buy a lesser quality truck or a lesser sized truck, then everybody should have had the same opportunity to bid a lesser truck. I looked at the bids and the successful bidder did not take an exception. He said he met all the specifications. But with what he is delivering, if you will look on the door of the truck it does not meet the specifications. And as simple as these bids are, nobody was written out; nobody had any complaint. It is strictly a matter of they either didn't want to or they didn't give a damn. I'm sorry I used the language, but that's the fact.

Borries: Any questions of Mr. Macke?

Tuley: What are we getting, Mr. Macke, as opposed to what we bid, do you know?

Macke: You're getting a 44,860 GVWR truck.

Tuley: And you're saying your bid would have been lower if you were only delivering a 44,860 lb. truck?

Macke: Everybody should have had an opportunity to bid a lesser truck. And here, again...

Tuley: And what we are getting is not what was advertised in the bid?

Macke: Yes -- and paid for. I understand you have paid for them.

Borries: Yes, we have. We have not paid for the -- you see, I was not aware of your comments here -- but what I objected to was the 120 days period here that is not only excessive but, at this point, has lapsed and we are still short two trucks.

Macke: You know, here again, when we bid this equipment we know we don't get paid for it until we have produced. Yet.....

Hunter: I am totally confused -- but you're talking about about two different issues. We're not getting the trucks we paid for and secondly, I don't understand why it is that we still don't have two or three of the trucks. What is the relationship between that and....

Macke: I had nothing to do with the equipment. I was an

unsuccessful bidder and I don't want to feel like I am throwing rotten eggs, because

Borries: What the deal was is, is that the trucks were bid and each truck, as I understand it, there were several truck dealers who would then match a bid or had a connection with a particular local provider to then put specified equipment on the trucks. Am I correct about that?

Macke: Most of the bidders bid with -- we've got two truck equipment houses -- and we bid with both houses, letting the County make the decision as to whose equipment is bought. That is why it wasn't the low bid that was awarded. But my concern is if you didn't want 46,000 lbs. GVWR trucks, why did you specify it? If you wanted this, why are you accepting and why have you paid for a lesser truck?

Abell: These tandem axle trucks initially were 46,000 lb. trucks if you add the axles together, correct?

Macke: The rating on a -- a GVWR rating -- and this is a Department of Transportation rating, it is not my rating or GMC's rating or anything like that. You rate it on its weakest link; i.e., you could have 12,000 lb. front axles and 34,000 rear axles and adequate tires and everything -- but if your springs weren't adequate you still couldn't get this rating. If your tires aren't adequate you can't get this rating. Now, once this equipment leaves the factory it is established what the thing is going to do; and I imagine this is where your warranty line is drawn. I don't know. My only concern is why are they accepting a lesser value truck and why have they paid for it?

Borries: But now, he makes a comment -- are you saying that other trucks would have on the GVWR thing 46,000 lbs.?

Macke: Only if somebody did their homework and put the adequate equipment on it.

Abell: So the trucks -- the two axles added together would be 46,000 lbs?

Macke: But the rating wouldn't be 46,000 lbs.

Abell: But the rating comes down because...

Macke: Because of the weakest link.

Humphrey: Whether it be springs, tires, or what?

Borries: What I am saying is, did the other trucks that were bid have the 46,000 lb. rating?

Macke: Three of the bidders picked up that what you asked for would not give you 46,000 lbs.

Tuley: So they were going to modify them to equate?

Macke: Yeah. They were going to give you greater than your specifications because you needed greater than your specifications to meet the -- and what it is is the front axle, which is what is important

because of your snow plows on them. As I say, I'm a taxpayer and I've got the figures here and I know where I stand. And if you had bought anything else I would have been down here, too. But I think you should get what you purchased -- or what you contracted for.

Abell: Is this a situation that could be easily remedied by
....

Macke: You would have to talk to International or to Navistar, the manufacturer, and see if once the truck leaves the factory whether the GVWR can be changed. Now, you could take it to Raben and put better front tires on it and he can change it, but he then becomes the further manufacturer. Miller could do it, but then he would become the further manufacturer.

Borries: Let me ask you this. To insure -- because we're dealing with some highly technical things here-- which is why I'm asking for more information -- how can you insure you're getting what you purchased and paid for? Who should do this?

Macke: You mean who should check the specs?

Borries: Yes.

Macke: Very simply, whoever wrote these specifications -- when that truck comes in should inspect it. When we deliver to the State on a bid, there is an inspection form that is checked.

Humphrey: Is there a legal requirement to have the gross weight put on the vehicle -- attached to the vehicle?

Macke: Yes, there is.

Humphrey: So if we bid 46,000 lbs. and it shows 44,000 lbs., they obviously haven't met the specifications.

Hunter: Are they then in default? Is there a legal issue there?

Kissinger: Of course. They haven't delivered what we paid for.

Howard: They are the ones who helped write the specs. They are the ones who helped us write the specs.

Kissinger: Who is **they**?

Howard: Sternberg International -- Scott Bingham offered to help us.

Humphrey: You mean you didn't take the specs that we got from St. Joe County?

Howard: No Sir, because those were too beefed up. The cost would be prohibitive.

Humphrey: Well, I was told it would add \$1,500 to the cost of the truck.

Howard: No, it would add thousands of dollars -- that is what I was told.

Macke: That's all. And, again, I'm here strictly as a

taxpayer.

Borries: Fred, did you have a comment?

Howard: Yes. I'm not as well aware of that rating as these gentlemen are -- they are in the business. But I was under the impression we were getting 46,000 lbs. I met with Mr. Abell, Scott Bingham from Sternberg International and one other person -- I can't remember right off hand -- because it is handwritten on the doors whatever said, 44,000 -- but it is handwritten in there. And I was very concerned at that time if it did meet the 46,000 lb. specs. I brought Scott Bingham out there and had him sign something saying 'yes, this is what meets our specs', because I am no pro on this by any means, Mr. Borries.

Borries: I'm glad you've got his signature.

Howard: I do have that.

Borries: 44,000 and 46,000 don't mean the same thing to me -- I can't understand how...

Howard: Well, he told me the rear ends weighed 34,000 lbs. and the front ends weigh 12,000 lbs. So I just added the two together and came up with 46,000 lbs. But it is handwritten on the door that it comes out to less than that.

Kissinger: Do you know who is responsible for the handwriting on the door?

Howard: No Sir, when those trucks hit the yard that handwriting was on the door.

Hunter: Is it a normal procedure to handwrite it on the door? This is all Greek.

Macke: All manufactures -- on the door -- put a rating what the truck is when it leaves the factory. Now, if there is a handwritten designation on the door, this is what the body manufacturer says he did to the truck -- that he did not change the configuration of the truck. They are normally typed -- but it may be handwritten.

Hunter: And you're saying it should have been typed or handwritten 46,000 lbs. and this one says 44,000 something.

Macke: 44,680 lbs.

Borries: All of them do I guess, huh? I'd like to get a copy of what the State does. Obviously, if they have a checklist, this is something we need to be doing.

Macke: Every time we deliver a truck to the State and it is inspected -- everything you bid is on the form and if it doesn't meet the specs there is a notation made. If it exceeds it, no notation is made.

Hunter: What significance is the notation? What does that mean?

Macke: When that goes back in for them to pay you, if you don't meet the specs they won't pay you.

Borries: I don't know how we did that.

Tuley: I don't know why the County ever paid for that like they did anyway.

Borries: I don't either -- except somehow or another we apparently paid because somebody acknowledged that the trucks were delivered to the equipment company.

Macke: It was a one bid item. We were also going to furnish you the equipment and you were going to pay us for the equipment.

Kissinger: Mr. Macke, if you had bid a 44,680 lb. truck could you have met the price of the other bidders?

Macke: No, I couldn't have. The price is not the thing here. It is the fact they did not take exception. If they had taken exception -- then -- but they did not take exception. They said they were going to deliver

Kissinger: That is what I am saying. If the bid had been for a 44,680 lb. truck rather than a 46,000 lb. truck, could you have delivered at that price?

Macke: No. I think there was something like \$26,000 or \$27,000 -- and, as I said, as simple as your specs were, the only reason the guy -- they did not do their homework.

Kissinger: Who is they?

Macke: Whoever is supplying the vehicle. When they order these trucks they get a confirmation back from International or Navistar that says this is what we're going to build for you and it's right -- and they have to sign it.

Borries: Well, thank you for bringing this matter to our attention. I'd like to refer this matter to the County Attorney. I think we're going to have to investigate this.

Tuley: Oh well, I think we have a formal complaint.

Kissinger: As a matter of fact, I believe Dennis Brinkmeyer has already written one letter...

Borries: He has written one letter.

Kissinger: ...and I'll get Dennis to work on this and, whatever seems appropriate we'll discuss it and we probably ought to do something soon.

Borries: Okay. I guess my question is, what do we do with the two trucks we haven't taken delivery on and what do we do with the ones we've got out there now?

Humphrey: I might point out that in the literature I gave you on the Auditorium contract, one of the sections in this -- if an item is issued illegally, it does not preclude the County from recovering their funds.

Kissinger: Of course, that is correct. But, you know, we're a little ways from there right now.

Howard: Within the next week we'll have the fourth truck.

Kissinger: The fourth but not the....

Humphrey: I guess we'd better check the claim submitted for payment and see who signed for it. Because it certifies that these trucks meet the specifications.

Tuley: Right.

Hunter: Somebody had to recommend that the claim be paid.

Tuley: He's talking about the person who delivered it. The one filing the claim for the money.

Howard: I was under the impression these were 46,000 lbs. or I never ever would have accepted those trucks.

(Inaudible)

Howard: I had (unclear, but think this said Dave Hudson) the I.D. number on the axles checked just to make sure. Right now I feel like I'm caught with my pants down and I apologize for that.

Hunter: And International indicated that it was 46,000 lbs.?

Howard: That is correct. I have no intentions of taking anything that is not in accordance with the specs.

Tuley: I think we need to refer it to the County Attorney, let him investigate it, and go on from there.

Borries: Yeah. I think we'll have to do that and I'm not sure at this time -- we'll just take it week by week. But wouldn't you say we would not want to accept the other two trucks until we thoroughly investigate this?

Howard: Again, I apologize.

Borries: No, I don't think any apologies are necessary. You know, these things are complicated. This gentleman is saying some thing here. I didn't get all that stuff and, frankly, you can see the pile of information here that we go through every week. You have to rely a lot on people who are skilled, but they makes mistakes, too. But, again, I have some concerns about the whole process -- one of which is, I don't want to ever pay for anything until we get it. And then, we've got to have this kind of checklist to determine that what we have is right. And I think we do need to develop some kind of a checklist to make sure -- maybe based on State models; because they have to have trucks and we have to have trucks.

Hunter: You say you have a written statement from a representative of Navistar that it is 46,000 lbs?

Howard: I signed it; Mr. Abell signed it; Bill Higgins signed it and Scott Bingham (representative of Sternberg International) signed it. And he is a representative of Sternberg International.

Borries: Well, we've referred it to the County Attorney.
Again, we appreciate you gentlemen calling this
to our attention.

Hunter: Thanks for the quick course on trucks, too.

Borries: Did we get your name and address for the record?
Or if you like, leave a card with the Attorney --
I think somebody will be in touch.

Fred, your report at this time?



EVANSVILLE URBAN TRANSPORTATION STUDY

Civic Center Complex, Room 316, 1 N.W. Martin Luther King, Jr. Blvd. Evansville, IN 47708-1833 (812) 426-5230

ROSE M. ZIGENFUS, M.P.A.
EXECUTIVE DIRECTOR

Advertise

TO: Mark Abell
FROM: *JS* John Stoll
SUBJECT: Old Petersburg Place Intersection Signs
DATE: December 1, 1992

As you requested, EUTS has examined the following intersections in Old Petersburg Place subdivision where no traffic control signs currently exist, and recommends that stop signs be installed on the following streets.

INTERSECTION

STOP CONTROLLED STREET

Southport Drive	- Lancaster Court	Lancaster Court
Southport Drive	- St. Thomas Court	St. Thomas Court
Southport Drive	- Christopher Drive	Christopher Drive
Bob Court Drive	- Northfield Drive	Northfield Drive
St. Clair Drive	- Northfield Drive	Northfield Drive
St. Clair Drive	- Copperfield Drive	Copperfield Drive
Bob Court Drive	- Copperfield Drive	Copperfield Drive
St. Clair Drive	- Glendale Drive	St. Clair Drive
Hilton Court	- Greendale Drive	Hilton Court
Caranza Court	- Greendale Drive	Caranza Drive
Barkley Court	- Greendale Drive	Barkley Court
Merrill Court	- Greendale Drive	Merrill Court
Bob Court Drive	- Greendale Drive	Greendale Drive
Green Hill Drive	- Pleasant View Drive	Green Hill Drive
Briar Court	- Caranza Drive	Caranza Drive
Pleasant View Drive	- Greendale Drive	Pleasant View Drive

In addition to these stop signs, 30 mph speed limit signs should be posted on Bob Court Drive between Green Hill Drive and Greendale Drive.

If you have any questions concerning these recommendations, please contact me.

JS/jw

cc: David L. Savage
Jerry Hays

**RESOLUTION OF BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY, INDIANA**

Pursuant to the authority granted to the Board of Commissioners of Vanderburgh County, Indiana (hereinafter Board) by law, the Board, after meeting and discussing the following actions as required by law, does hereby pass and adopt the following resolution:

Whereas, the Board, is the owner and holder of the following mortgage which is recorded in the Office of the Recorder of Vanderburgh County, Indiana:

Mortgage recorded on January 14, 1993 in Mortgage Drawer 9, Card 357, in the principal sum of \$15,681.74 (hereinafter Mortgage); and

WHEREAS, this Mortgage constitutes a lien against the following real estate located in Vanderburgh County, Indiana:

Part of the Northeast Quarter of the Northeast Quarter of Section Number Three (3), Township Seven (7) South, Range Eleven (11) West, commencing at an iron pin at the Northwest corner of said quarter quarter section, thence South nineteen and eighty-seven hundredths (19 87/100s) chains, thence east eight (8) chains, thence north eight (8) degrees west fifteen and seventy-five hundredths (15 75/100s) chains, thence north fifty-eight (58) degrees and thirty (30) minutes West two and eighty hundredths (2 80/100s) chains, to the right-of-way of the Henderson Bridge Company, thence in a northeast direction three and thirty-seven hundredths (3 37/100s) chains to the section line between sections three (3) and thirty-four (34), Township Seven (7) South, Range Eleven (11) West, thence West along said line six and twenty-five hundredths (6 25/100s) chains, to the place of beginning, containing in all thirteen and twelve hundredths (13 12/100s) acres, more or less; EXCEPTING that part of said real estate lying south of the Henderson Road as previously conveyed by deed recorded in Deed Book 103 at page 70; and, EXCEPTING therefrom that certain parcel located in the Northeast Quarter of the Northeast Quarter of Section Three (3), Township Seven (7) South, Range Eleven (11) West, previously conveyed to Martha Mae (Milligan) Johnson, as described in that certain Deed as recorded in Deed Record 287,

NOTICE OF CHANGE IN MEETING LOCATION
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
MONDAY - MARCH 8, 1993
5:30 P.M.

NOTICE IS HEREBY GIVEN that the Board of Commissioners will hold their regular scheduled weekly meeting at 5:30 p.m. on Monday, March 8, 1993 in the Restored Court Room, 2nd Floor, Old Court House, 201 N.W. Fourth Street, Evansville, Indiana.

The location is being changed to hold this commemorative meeting in conjunction with the 175th Anniversary of the County and in honor of the first meeting of the original Board of Commissioners of Vanderburgh County which was held on March 9, 1818.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

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

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

COUNTY ENGINEER'S

CONSENT AGENDA

FEBRUARY 22, 1993

ITEMS

1. ACCEPTANCE OF WARRANTY DEEDS - U.S.I.
Parcel #1,1A &1B U.S.I. (Donation)
Parcel #15 Ester L. Schoettlin
Parcel #28 Gilbert H. Hartig, Jr. & Clara G. Hartig
2. CLAIMS:
 - U.S.I. INTERCHANGE 430 BOND

W. Jack Schoeder	\$ 45.00
Gilbert H. Hartig, Jr. (Parcel #28)	\$ 8,000.00
Esther L. Schoettlin (Parcel #15)	\$68,900.00
Bernardin Lochmueller (#89-24-1(32)	\$ 5,517.20
Bernardin Lochmueller (91-98-5(9)	\$ 600.00
Bernardin Lochmueller (92-057-5(4)	\$16,723.08
 - EICKHOFF-KORESSEL 216-4741

Bernardin Lochmueller (90-040-1(21)	\$23,081.70
Bernardin Lochmueller (90-42-1(20)	\$ 3,051.24
 - LYNCH ROAD EXTENSION 216-4827

Bernardin Lochmueller (90-038-1(14)	\$11,369.60
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 - GREEN RIVER NORTH 216-4910

Southern Indiana Gas & Electric	\$ 108.83
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 - OHIO STREET BRIDGE 3C 203-4345

Bernardin Lochmueller (91-68-1(9)	\$ 2,345.22
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 - CONTRACTUAL SERVICES 203-3930

Charles W. Ruston (Inv. #25)	\$ 288.00
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NEWS *Update*

FOR IMMEDIATE RELEASE
February 19, 1993

"It's been quite a launch year for our private management contract at the Vanderburgh Auditorium and The Gold Room."

That statement from Dan Spindler, President of Given & Spindler Companies, fairly well summarizes the excellent financial results at the Vanderburgh Auditorium and The Gold Room for the first year of this Given & Spindler Management Contract.

HERE ARE THE RESULTS:

1. In 1992, Given & Spindler orchestrated a 12.5% increase in income (\$21,965.00 Increase).
2. In 1992, we reduced operating expense by 5% (\$22,452.00 Decrease).
3. These accomplishments resulted in a 17% decrease in the operating deficit! (\$44,417.00 in deficit reduction.)
4. During 1992, the Vanderburgh Auditorium and The Gold Room played host to 118,368 patrons! (Prior to 1992, no records were kept of event attendance.)

"Given & Spindler, while delighted with its first year results, considers the record 1992 performance as just a good beginning. We have unbridled enthusiasm for the future potential of the Vanderburgh Auditorium and The Gold Room," Mr. Spindler stated.

FOR ADDITIONAL INFORMATION, CONTACT:

Mr. Andy Davidson
Given & Spindler Companies
P.O. Box 5016
Evansville, IN 47716
(812)464-2111

/sjw

FOR ADDITIONAL INFORMATION: (812) 426-2200



To: Robert Newman and T.S.E.I.A. Membership
From: Vanderburgh Auditorium Management *At.*
Date: January 25, 1993
Ref: Facility Policies

In order to correct several problems at the Vanderburgh Auditorium while being occupied and used by T.S.E.I.A. #102 members, the following policy items will be enforced by management.

- A. All facility equipment used by the above mentioned local #102 will be returned to safe storage after each performance.
- B. Vanderburgh Auditorium equipment will not be removed from the facility at any time without permission of management.
- C. After each performance the stage is to be cleared and cleaned, riggings in proper position and all lights are to be rehung. All trash, boxes, -etc. are to be placed in trash cans located in the loading dock area.
- D. All interior doors are to be locked prior to leaving the facility.
- E. Sound Booth -
 - a. Main entrance door is to be locked at all times if not in use.
 - b. "No Smoking" will be allowed at any time, by anyone including outside companies.
 - c. All trash is to be placed in provided containers. (Not on the floor or tables).
 - d. Food and drink are not allowed in the Sound Booth. If food or drink creates damage to our equipment; the responsibility of repair or replacement lies with Local #102.
- F. Dismantling equipment in need of repair is not permitted. Any repairs are to be made by Auditorium maintenance. Place items to the left of the Boiler Room door.
- G. Any fresnals and lipzorial bulb changes should not be thrown or placed anywhere in the ceiling or rigging areas above the Auditorium.
- H. When lowering the lights, do not allow lights to hit the stage floor. This type of motion can break the expensive bulbs.

POLICY - SMOKING

Effective June 8, 1992, smoking will not be allowed in any area of the Auditorium including the stage per the Indiana Fire Prevention Code Section 13.101 and 13.105.

COMPLIANCE WITH "NO SMOKING" SIGNS 13.105.

"IT SHALL BE UNLAWFUL FOR ANY PERSON TO SMOKE
OR THROW OR DEPOSIT ANY LIGHTED OR SMOLDERING
SUBSTANCE IN ANY PLACE WHERE "NO SMOKING"
SIGNS ARE POSTED OR IN ANY OTHER PLACE WHERE
SMOKING WOULD OCCASION OR CONSTITUTE A FIRE
OR LIFE HAZARD."

Violators of the Indiana Fire Prevention Code section
13.101 will be asked to leave the facility.

4. SOUND SYSTEM

	excellent	good	fair	poor
A. How would you rate the sound system				
B. Cooperation & courteousness of the facility staff and stagehands (sound technicians, etc.)				
C. Comments: _____				

5. DECORATING SERVICES (Drapery, tables, skirting, carpet, etc.)

	yes	no	N/A
A. Did your activity require use of a decorating Co.?			
B. Was their service satisfactory?			
C. Which company did you use? _____			
D. Comments: _____			

6. OVERALL PERFORMANCE OF THE AUDITORIUM CONVENTION CENTER

	excellent	good	fair	poor
A. What is your general overall rating of the Auditorium Convention Center				
B. Was management helpful in planning your event?	Yes _____ No _____			
C. Would you use our facility again?	Yes _____ No _____			
D. Would you recommend our facility?	Yes _____ No _____			
E. Comments: _____				

7. BOX OFFICE AND TICKET SALES

	yes	no	N/A	
A. Were the tickets printed the way you requested?				
B. When settling the show were all charges explained?				
C. If a first time user of our service, do you feel your sales were increase?				
	excellent	good	fair	poor
D. Rate our service at the Box office				
E. Comments: _____				

8. GENERAL DESCRIPTION OF EVENT

A. Name of event _____ B. Date(s) of event _____

C. Type of event: Meeting _____ / Convention _____ / Tradeshow _____ / Convention _____
 Gate show _____ / Food Function _____ / Private party _____ /
 Other _____

D. Scope of event: Local _____ State _____ Regional _____ National/International _____

E. Signature _____ Title _____

**COUNTY ENGINEER'S
AGENDA**

FEBRUARY 16, 1993

ITEMS

- | | | |
|----|-----------------------------------|-------------|
| 1. | PETERSBURG RD BR #75 CHANGE ORDER | \$1,329.54 |
| 2. | CLAIMS: | |
| | CONTRACTUAL SVCS 203-3930 | |
| | Charles W. Ruston (Inv. #23) | \$ 372.00 |
| | Charles W. Ruston (Inv. #24) | \$ 360.00 |
| | COLUMBIA/DELAWARE BR #1C 203-4353 | |
| | United Consulting (Inv. #3) | \$11,206.57 |
| | GREEN RIVER ROAD NORTH 216-4910 | |
| | United Consulting (Inv. #32) | \$ 7,000.00 |
| | United Consulting (Inv. #10) | \$10,801.39 |
| | CONTRACTUAL SVC. 216-3930 | |
| | Huff Sealing Corp. (Inv. #5-24) | \$19,441.71 |

closure would be necessary. Regardless of whether the bridge would have to be closed, it is expected that funds will be available in 1994 to construct a new bridge.

If you have any questions concerning this, please contact me.

cc: Don Hunter
Pat Tuley
Rose Zigenfus



Southeastern

EQUIPMENT CO., INC.

**4951 W. 96th Street
INDIANAPOLIS, IN 46268**

**Phone: 317-872-4877
Fax: 317-879-9015**

**Vanderburgh County Highway Department
Evansville, Indiana**

*****PROPOSAL*****

**Repair estimate for Gradall G3WD as requested by David Hudson.
This estimate is based on telephone conversations only, the final
repairs may be adjusted according to actual condition at time of repairs.**

OPTION 1

**Remove transmission and torque convertor and replace with exchange
components.**

Repairs done at County facility.....labor.....	\$ 1,029.00
expenses	150.00
parts	15,976.00
TOTAL	\$17,155.00

OPTION 2

**Remove trans/conv. take components to Southeastern shop for rebuild,
reinstall.**

Rebuild done at SEC facility.....labor for R/I	\$ 1,568.00
expenses	200.00
rebuild cost NOT TO EXCEED	18,375.00
TOTAL	\$20,143.00

OPTION 3

**Southeastern Equipment will pickup entire unit and transport to Indianapolis for
repairs:**

**DEDUCT FROM OPTION 1 = \$542.00
DEDUCT FROM OPTION 2 = \$984.00**

**ALL ESTIMATES DO NOT INCLUDE FLUIDS OR FILTERS OR MISCELLANEOUS
SHOP CHARGES. THE ESTIMATED COMPLETION DATE FOR EITHER OPTION
WILL BE 21 WORKING DAYS FROM RECEIPT OF ORDER. THERE MAY BE ADD-
ITIONAL CHARGES FOR REPAIRS NEEDED BUT NOT KNOWN AT TIME OF EST-
IMATE. THERE IS A CHANCE THAT YOUR TOTAL COST MAY BE LESS THAN
QUOTED PENDING COMPLETION OF REPAIRS.**

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, Feb. 12, 1993 thru Thursday, Feb. 18, 1993

Friday, Feb. 12, 1993

HOLIDAY

Monday, Feb. 15, 1993

HOLIDAY - General Call in of all crews for snow removal..

Tuesday, Feb. 16, 1993

All crews worked on snow removal.

Wednesday, Feb. 17, 1993

All crews worked on snow removal.

Thursday, Feb. 18, 1993

All crews worked on snow removal.

REQUEST FOR APPROPRIATION

DEPARTMENT:

County Commissioners

DATE: 2/22/93

ACCOUNT	LINE ITEM	AMOUNT
130-3050	Patient & Inmate	60,000.00

EXPLANATION OF NEED FOR REQUEST

Indiana Boys School Invoice	\$ 191,143.79
Paid 70% on 2/22/93	<u>133,800.59</u>
Balance to be paid by 6/1/93	57,343.11

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPRO.
130-3050	200,000.00	195,525.82	4,474.18	64,474.18

* This will leave 7,131.07 to pay other incoming bills.

VCC-2

DEPARTMENT HEAD:

Richard J. Bonies



**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
(812) 426-5602



Jane Snelling,
Administrative Assistant

February 3, 1993

County Commissioner Rick Borries
1 NW Martin Luther King Jr. Blvd.
Room 305
Evansville IN 47708-1839

Dear Commissioner Borries:

The Emergency Management Agency ask for your approval for a Tornado Drill for the County employees on State Tornado Awareness Day in March 1993.

Last years drill was beneficial to Building Commission and County Employees for the tornado season. As with last years drill it will last only twenty to thirty minutes.

When the date has been set for Tornado Awareness Week we ask if you would make an proclamation to reinforce our efforts.

If you have any questions please feel free to call me at 426-5602.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Greer", written over a horizontal line.

Sherman G. Greer,
EMA Director

SGG/lp



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. 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 25, 1993 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.

Now, THEREFORE, I, COUNTY COMMISSIONERS of Vanderburgh County do hereby proclaim March 21 - March 27, 1993 as

"TORNADO AWARENESS WEEK"

in the City of Evansville, Indiana.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the great seal of the City to be affixed this 22 nd day of February in the year of our Lord one thousand nine hundred and ninety-three.

Richard J. Borries, President

Patrick Tuley, Vice-President

Don L. Hunter, Member

TERM OF AGREEMENT:

- 1- Expiring February 1, 1994

SERVICES PROVIDED:

- 1- To serve as liaison between the County Commissioners and the County Employees' Insurance Committee.
- 2- To attend all scheduled meetings of the County Employees' Insurance Committee.
- 3- To coordinate all service and claim procedures with appropriate County staff (Ms. Delores Gugin at present), for both Group Health and Group Life benefits.
- 4- To facilitate the renewal process of Group Plans as needed with all benefit providers (BC/BS, PHN, HMO, and ITT HARTFORD).
- 5- To advise Commissioners of coverage and/or rate changes and to assist in budgetary process to achieve County Council approval.
- 6- To meet with Commissioners and County Attorney as needed.

LOSS CONTROL SERVICE AGREEMENT

BETWEEN

JERRY SCHENK & ASSOCIATES, INC.

AND

BOARD OF COMMISSIONERS

OF

VANDEBURGH COUNTY

APPRAISAL SERVICE AGREEMENT

BETWEEN

JERRY SCHENK & ASSOCIATES, INC.

AND THE

BOARD OF COMMISSIONERS

OF

VANDEBURGH COUNTY

1993

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Burdette Park

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
118	Juliana Murphy	RR#2 Box 157	Painter	7	00	✓ 2-9-93
	THIS RATE WILL ONLY					
	BE FOR PAINTING INSIDE					
	OF NEW CABINS SPRING					

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
118	Juliana Murphy	RR#2 Box 157	Painter	5	00 ✓	2-9-93
			RB. PKA			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T Tuley (117) DATE 2-9-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Burdette Park sl

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
115	Dennis Ringler	513 N. Woods Ave.	Carpenter Grnd. Crew	7	00	2-8-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley

DATE 2-9-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
276-1990	WILLIAM O. MILLER		PART-TIME CORRECTION OF	\$ 7.00	HR	1-24-93
136-1990	JASON DAVIS		INTERN	\$ 5.75	HR	1-25-93
136-1-1990	JASON CANNON		PART-TIME CORRECTION OF	\$ 5.00	HR	2-3-93
13-1960	LUCILLE SMITH		SPECIAL REPORTER	OTHER		1-25-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
276-1990	WILLIAM O. MILLER		PART-TIME CORRECTION OF	\$5.00	HR	1-23-93
136-1990	JASON DAVIS		INTERN	\$5.25	HR	1-24-93
136-1980	LUCILLE SMITH		SPECIAL REPORTER	OTHER		1-24-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature]
JUDGE, CIRCUIT COURT

DATE FEB 9, 1993

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2/8/93	Matthew A. Coomer	831 Monroe Ave.	Part Time	Hourly 5.00	2/9/93
	<i>[Signature]</i>				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *David A. Fox* DATE *2-8-93*
Jm

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10501130 0205	John Sergesketter		P/T Clerk Cloth. Allow. Other	6 8362 7137 00 1000 00	1-30-93 ✓ 1-1-93 ✓
10501750	Clifford Trainer				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hamm DATE 2/10/93

MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 1, 1993

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Authorization to Open Bids/Timber/Bridge Materials	1
Software Maintenance Contracts - Roger Elliott	1
Request for Computer Equipment to be Declared Surplus	1
ADA Proposal/Rehab Center	2
(Under Review; To Be Placed on 3/15/93 Mtg. Agenda)	
County Attorney - Alan M. Kissinger	3
Lloyd/Rickhardt Property/Settlement	
SESAC/Auditorium	
Lady Day, Inc. (Notice sent 2/26/93 indicating our	
intent not to renew the agreement)	
Awarding of Contract for Timber/Bridge Material	
Acceptance of Check (A. Mesker Case - \$37,500)	5
County Engineer - John Stoll	5
Specifications/Repair to County Highway Garage Roof	
Update on Move to Old Court House (R. Borries to go	
to Council 3/2/93 in effort to obtain additional	
funding for air conditioning/heating	
Travel Request/Workshop re Road Inventory Systems	
(P. Tuley wants to go with J. Stoll)	
P.C. Solutions/County Highway (J. Stoll requested to	
work with County Highway on P.C. Applications and	
Training)	
Claim/Chuck Ruston	
Awarding of Contract to American Timber Bridge &	
Culvert, Inc.	
County Highway - Bill Morphew	8
Weekly Work Report Accepted	
Commendations re Snow Removal	
Consideration re Purchase of 4-Wheel Drive Vehicle	
for use by County Garage	
Consent Agenda (Approved)	9
Old Business	9
Lady Day, Inc. (Notice not to renew sent 2/26/93;	
Kissinger to defer appearance by Lady Day to 3/15/93)	
Claim/Given & Spindler	10
New Business	10
Public Hearing re County Rds. at 5:00 p.m. on	
March 22nd to be added to list of Scheduled Meetings	
on the Printed Agenda	
✓ Management Team/Teamsters Contract (Contract to remain	
exactly the same for 1993; Negotiations to begin	
almost immediately re 1994 Contract	
Special Meeting/Board of Commissioners to be held at	
Old Court House in Restored Court Room, 2nd Floor	
on Monday, March 8, 1993 at 5:30 p.m.; Reception at	
5:00 p.m.	
Meeting Adjourned @ 6:25 p.m.	11

MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 1, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, March 1, 1993 in the Commissioners Hearing Room, with President Richard J. Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff and asked the group to stand for the Pledge of Allegiance.

Commissioner Borries then asked if there are groups/individuals present who wish to address the Commission but do not find their particular item of interest on tonight's agenda. There was no response and he proceeded with the printed agenda.

RE: AUTHORIZATION TO OPEN BIDS/TIMBER & BRIDGE MATERIALS

Commissioner Borries entertained a motion to authorize the Attorney to open the subject bids.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, Attorney Kissinger was authorized to open the bids received on Timber/Bridge Materials. So ordered.

RE: SOFTWARE MAINTENANCE CONTRACTS - ROGER ELLIOTT

Mr. Roger Elliott submitted Annual Software Maintenance Contract between the City of Evansville/Vanderburgh County and Computeristics for approval and President Borries entertained a motion.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the contract was approved. So ordered.

Mr. Elliott then submitted Annual Software Maintenance Contract between the City of Evansville/Vanderburgh County and Personnel Data Systems, Inc. for approval and President Borries entertained a motion.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the contract was approved. So ordered.

RE: REQUEST FOR COMPUTER EQUIPMENT TO BE DECLARED SURPLUS

Mr. Elliott requested permission to declare all of the Honeywell computer equipment as being surplus (we are completely off the Honeywell equipment at this time), authorization to destroy surplus non-operational computer equipment, and authorization to sell at sealed bid auction surplus computer equipment. Every effort will be made to market the usable equipment. We have Honeywell equipment, AT&T equipment, Xerox equipment, some IBM equipment and some old DEC equipment owned by various offices throughout the complex. They have all been listed and are being advertised for bid. Assuming the Commission grants permission this evening, notification will be printed in the paper on Thursday of this week.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the foregoing requests were granted, as submitted. So ordered.

RE: AMERICAN DISABILITIES ACT

President Borries said that last week the Commission discussed compliance with the American Disabilities Act. This evening Mr. Ray Raisor, President of the Rehab Center of Evansville, is present to offer a proposal regarding ADA compliance, which is a matter of concern for the County.

Mr. Raisor thanked the Commission for the opportunity to present the proposal and introduced other individuals with him today: Lynne Kramer, Gary Palmer, Rose Young and John Halverson. Mr. Raisor said he will not bore the Commission with details unless requested to do so, since the Commissioners have copies of the proposal. He would, however, take a few minutes to say why they feel they can provide the Board with the proposal and do a good job. The Rehab Center has been in Evansville for 46 years. They've been doing job evaluations for people with disabilities for 46 years. So long before there was an ADA they were defining essential job functions and trying to match people with disabilities to jobs and they feel like they are qualified or they wouldn't be here. When the ADA was passed they formed a Consulting Team of their staff and some independent contractors and they are currently working with 27 clients in Evansville and the surrounding area, including the Airport, restaurants. The only clients they have who are not in this area are banks with branches that happen to be outside this area. If the Commission would like a client list they will be glad to provide same. They think because they are a local operation that their services will result in lower costs for the County. They are here and will stand by what they say. Also, they hope that if there should ever be any conflict or any kind of problem with regard to the ADA they can bring their good name into that confrontation and help resolve things. They have been used by the E.E.O.C. to go into businesses to try to work with people with disabilities and businesses who were having problems. One of the benefits of the ADA is that it tries to solve things as easily and at as low a level as possible. They think when they bring their good name into conflicts that this helps people resolve conflicts and trust them. They are also a not-for-profit organization, so they feel this results in lower cost; they do not have to pay shareholders.

Mr. Raisor proceeded to give a brief run-through of the proposal submitted (copy attached hereto) which is self-explanatory and offers various options. He said the ADA is so comprehensive that there are many people who can do parts of the compliance necessary, but they feel they have put together a team that can give us a comprehensive effort at meeting the requirements of the Act. Under Title II they propose to do self-evaluations, transition plans, program accessibility plans, administrative complaint process work and training, and they did not have specific dollar amounts there - - because without talking with the County more to see how many facilities they would have to review and just how much they would have to do they thought an hourly charge would be more appropriate. If the County is interested they could talk about what would be involved once they get in. Mr. Raisor then entertained questions.

Commissioner Hunter expressed appreciation to Mr. Raisor and Rose Young. After President Borries gave him a week, he contacted Rose and she called people in during the middle of a snowstorm to try to put this together and he thinks the Board needs time to look at this.

Commissioner Tuley said he, too, would like time to go back and compare this to the proposal the Board had last week. He does appreciate the time and effort the Rehab Center put in to get the proposal to the Board so quickly.

Mr. Raisor again expressed appreciation for the opportunity to submit the proposal and, as he has told every corporation that

they've consulted with, their not-so-hidden-agenda is to open up job opportunities for people with disabilities and he knows the County is interested in that, too, and will do what it takes to help people comply with the Act. But they also want to be very affirmative about presenting job opportunities for people with disabilities.

President Borries expressed his personal appreciation for their hard work and said the proposal looks very comprehensive. The Board will try to make a decision very soon. He then requested that Mr. Raisor forward the client list so the Commissioners might review same. (Copy of Client List is attached hereto.)

Attorney Kissinger asked, "Mr. Raisor, am I correct in that you can do all of these things you propose? You could do portions of it? Would your organization work with County Staff, for example, in training them insofar as compliance, etc., is concerned?"

Mr. Raisor responded, "Absolutely. As a matter of fact, I think a large part of this is to try to work with staff so they understand the Act and what is required so you can do as much of it as you can -- so that reduces your cost."

Mr. Kissinger continued, "So you are qualified then to start at the ground floor, for example, and bring us into compliance where we aren't and then advise us what we ought to do in other areas?"

Mr. Raisor responded, "Yes, Sir."

Mr. Borries entertained further comments.

Ms. Lynne Kramer said she just wanted the Board to know there is nothing in the proposal at this time that is not a requirement under ADA for the County -- under Title I or Title II. All of the functions they've talked about at this time are required functions.

Commissioner Borries said the Board of Commissioners will have a special meeting in the Old Court House next week and he envisions a rather limited agenda. He would think the Commissioners will need a couple of weeks to review the proposal and make comparisons and subsequently make a decision. He requested that this matter be placed on the agenda for March 15th.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Lloyd/Rickhardt Property/Settlement: Attorney Kissinger said he now has the claim approved for the Lloyd/Rickhardt inverse condemnation case. He has the Release prepared for the signatures of the Commissioners. This is a very reasonable settlement and he recommends approval of the claim for payment and execution of the Settlement Agreement.

At the recommendation of the County Attorney, upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the claim was approved for payment and the Settlement Agreement executed. So ordered.

SESAC/Auditorium: Attorney Kissinger said there was some question as to whether the Auditorium should purchase the licensing to permit the Auditorium to use copyrighted materials. There has been a lot of discussion about this. He talked with Andy Davidson and, quite frankly, he thinks they are looking in the right direction as far as saving money is concerned, but it is his feeling based on his review, based on the review of Gary Price (who worked as former County Attorney) and based on research personally conducted by himself (Kissinger) the County is in a very unusual circumstance here. If we hire performers to come to the Auditorium -- or if we lease the Auditorium to someone who is going to bring performers in and they are going to perform at the Auditorium, apparently this

has been such a troublesome area of the law that the Courts have remedied this situation by saying the Auditorium or the building owner is going to be liable in every case -- if someone else hasn't agreed that they will hold them harmless from this. Therefore, our options are to purchase the license or require that each promoter who leases the Auditorium for a specific function do this. Now, if a promoter comes in and doesn't get the licensing for the copyrighted material and it is used and a lawsuit is filed and the promoter can't indemnify us because they are financially unable to do so, then we still are liable. His advice is that we almost have an obligation here to protect ourselves out front. He thinks that even though the people at the Auditorium feel like they want to resist this, it is we who ultimately will end up with the liability. The law is somewhat ridiculous in this area. But, by the same token, he thinks we have to protect ourselves and the expense is not prohibitive. He thinks Andy told him it was something in the neighborhood of \$1,000 per year. They had not budgeted that, but he thinks they should in the future and he thinks we should pay for the licensing. There is just no other way effectively to insulate ourselves from this type of liability. The liability may be very minor, but it might be major -- and this is one of those areas where insurance is the best way to go.

Commissioner Hunter asked if there is no way to incorporate this into the contract signed by those who lease the Auditorium.

Attorney Kissinger said it can be, but the problem is we might say they have to get this licensing and the other party says they will get the licensing, but doesn't. Even if we have a hold harmless or indemnity clause, if the promoter can't financially hold us harmless or indemnify us it is still our pocket. So this is the only way effectively to protect ourselves. Other than SESAC, which is the organization mentioned, there's ASCAP (American Society of Composers, Authors and Publishers) and there is BMI (Broadcast Music, Incorporated). He's asked Andy to look into all three of those to find out where we can get the best rate. SESAC was the organization discussed in detail, because they sent a proposed contract back to us. He is checking on the other organizations. If we can get it more cheaply somewhere else, obviously we should. But one of these organizations can give us the licensing and it would be appropriate to seek it rather than to take that kind of a chance. It's expensive, but it's not prohibitively expensive and we can insulate ourselves from that type of liability. Next year the promoters could be told our rates are going to be "X" percent higher because of the fact we have had to buy this and that is going to be an expense of doing business.

Commissioner Hunter asked if this requires a motion or is the Board going to wait until we receive a lower bid?

Attorney Kissinger said we probably need to wait until Andy has received his information. Andy has indicated he will put it back on the agenda at that time.

Lady Day, Inc.: In response to query from Commissioner Borries concerning action in the Lady Day, Inc. matter, Attorney Kissinger said we have sent the notice -- it went out on February 26th -- indicating our intent not to renew the agreement. He would ask that the Commissioners make a motion approving the notice. He thinks there will be further discussion on this matter, but he believes it would be appropriate now to approve the notice as it was sent on February 26th.

Commissioner Borries entertained a motion.

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

RE: BIDS - TIMBER/BRIDGE MATERIALS

Attorney Kissinger said there was only one bidder (Susan has left, as she had something else planned this evening) and in consideration of this fact, she has asked that we go ahead and award the contract based on the bid. There is no total bid cost, as the bid was based on materials. She is checking the bid to be certain it is in order in every respect, but he believes that will be her recommendation.

RE: ACCEPTANCE OF CHECK

Commissioner Borries said this item is not on the printed agenda but he does have a check in the amount of \$37,500 to be deposited into the Loss Fund as a reimbursement on the A. Mesker case.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the check was accepted for deposit and endorsed. So ordered.

RE: COUNTY ENGINEER - JOHN STOLL

Specifications/Repair to County Highway Garage Roof: Mr. Stoll said the first item of business is the subject matter. He will give the Board a week to look over same and if no problems, the Board can approve same next Monday.

Commissioner Borries said if Mr. Stoll has reviewed the specs and there are no problems, the Board should approve the specs tonight. Again, next week's meeting is a special meeting.

At the recommendation of Mr. Stoll, upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the specifications were approved. So ordered.

Mr. Kercher asked if he can bring the Notice to Bidders and have it stamped for advertising next week, rather than having it signed next week. The Board granted permission for the Notice to be rubber stamped so advertising can proceed.

Update on Move to Old Court House: Mr. Stoll said if the money is all in place with the Council Meeting on Wednesday, can they proceed with the plaster work on the walls. This is the first thing to be done before they can do any painting, carpeting, etc.

Commissioner Hunter said the Board has made a commitment for them to move and once they get the bucks, he would imagine the quicker they get rolling -- is there some concern we need to look at more money for air conditioning?

Mr. Borries said he has a lot of concern re the air conditioning.

Mr. Hunter said he wonders if we start the plaster work if we'll mess up the air conditioning. He doesn't want to do something twice.

Commissioner Borries said he intends to go to the County Council on Wednesday and ask them to re-review this particular situation. There is available space in the Old Court House on the Third Floor for more offices -- even in addition to John's. He talked with some Old Court House Preservation Society people today. As he's said so many times, he doesn't want to see this become some kind of political football. John got cut a lot in air conditioning, because he had looked at some zone solutions to that situation. They wanted -- or particularly Curt Wortman wanted, some window units and he thinks that is what John is going to end up with. Frankly, he doesn't know if this is going to be adequate. He thinks the Commissioners made a commitment that if people are going to go to the Old Court House and it is going to be used in he

future, they can't have a work environment that is worse than that which they left. That is his concern. He doesn't care how they do it, he just wants to make sure Mr. Stoll has adequate heating and air conditioning.

Mr. Stoll said from what he can gather, the air conditioning system that would be more a central air conditioning system -- they would just punch a hole in the ceiling. So he thinks he can go ahead and do the wall plaster.

Commissioner Hunter said he thinks there is no question but that we're going to have to have central air conditioning over there, particularly if EUTS and a few others who have expressed interest in it go over there.

Mr. Borries said the Third Floor would be ideal for that kind of zone situation because, as John points out, they could put a hole and put one of these units down through the hole and it doesn't knock the aesthetics out. They have all kinds of problems with the Crown molding up there and they don't want to use a drop ceiling. He understands those requirements. But the attic is big enough that they could put the units in there on the Third Floor. The Second Floor is another matter, as is the First Floor -- but they could do it on the Third Floor where John and other offices are going to be.

Mr. Stoll said the wall plastering doesn't conflict with the air conditioning. He doesn't want to just sit around when they could be proceeding with some phase.

Mr. Borries said if Mr. Stoll wants to make contact with the Finance Committee to ask them to review the air conditioning. They cut him to \$2,000 for window units -- and that is just not going to do it.

Mr. Hunter asked what Mr. Stoll feels the central heating/air conditioning would cost.

Mr. Stoll said their estimates were \$10,000 and \$17,000 for two different types of systems.

Mr. Hunter asked if those could be extended to other offices if we pull this off?

Mr. Stoll said he thinks the \$10,000 estimate was basically for those two offices.

Mr. Hunter asked if we went with the \$17,000 estimate if there would be enough capacity there to heat and cool more square footage.

Mr. Stoll said he is not certain about that; he'd have to see how they plan to set that up. It would probably be cheaper than installing two separate systems, since they'd already be up there going through the attic and everything.

Mr. Tuley said it could be brought on down later, as needed.

Mr. Hunter said it ought to be done right the first time so we don't waste a bunch of time and a bunch of money.

Mr. Humphrey asked if Whirlpool has contacted Mr. Stoll.

Mr. Stoll said they have not yet.

Mr. Borries asked Mr. Humphrey if he would work on this.

Mr. Humphrey said he talked with Gil Mullen, who said he would call John the following Monday. He will contact Mr. Mullen again.

Mr. Borries said it ought to be done right now and the Commission will continue to support Mr. Stoll. Hopefully, we can get through this maze here in terms of the air conditioning and funding for same.

Mr. Stoll said he will check to make certain the work they are doing does not conflict with the air conditioning before proceeding with the plaster work as planned.

Mr. Hunter said they should proceed to relocate as soon as possible, and Mr. Tuley said he agrees.

Travel Request: Mr. Stoll said his next item is a Travel Request concerning a Workshop Norm Lochmueller is putting on for the road inventory systems they prepare. The meeting is in Jasper, IN. They've put this together in the past and this is an upgrade, so he thinks they should attend to see what the workshop could provide.

P.C. Solutions/County Highway: Mr. Borries said that perhaps with Mr. Stoll's computer background he could work with the County Highway to begin to look at some P.C. solutions (maybe Roger Elliott could help) to begin to look at ways we can not only update this road inventory, but put a lot of their record keeping on disks and begin to look at some solutions out there for automating that whole office operation. He'd like to see that done, as he believes it would make the work much clearer and easier. There are also other applications. He saw one application at the School Corporation where they have this whole weather system off of CompuServe now that can be set into a P.C. and provide some amazing data. When you began to watch that thing it was pretty clear what kind of major storm was beginning to develop and that certainly would be invaluable to units that are so influenced by the weather, such as the County Highway. If Mr. Stoll could work with them he'd appreciate it -- to examine the kind of P.C.'s. that are necessary and then get some training for some people out there.

Commissioner Hunter stated that the company we had come in a year or so ago on this weather thing has broken off and he has the name and address in his office he will provide to Mr. Stoll for a contact.

Mr. Borries said the application he looked at was CompuServe and he believes it was \$10.00 per month, which is cheap, and it's really a good system.

Commissioner Tuley said he would like to attend the aforementioned Workshop with Mr. Stoll.

Claim/Chuck Ruston: Mr. Stoll said he has a claim to Chuck Ruston; he got it too late to be included on the Consent Agenda.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the claim was approved for payment. So ordered.

Bids/Timber/Bridge Materials: Mr. Stoll confirmed only one bid was received from American Timber Bridge & Culvert, Inc. Susan Jeffries requested he proceed to award same tonight since there was only one bidder; everything is in order.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the contract was awarded to American Timber Bridge & Culvert, Inc. So ordered.

In response to query from Commissioner Borries, Mr. Stoll said he and Gary Kercher will be attending the Purdue Road School and will be leaving tomorrow morning.

RE: COUNTY HIGHWAY - WILLIAM MORPHEW

President Borries welcomed Bill Morpew, the newly appointed County Highway Superintendent, and noted Fred Howard from the County Garage is also present today. The County Highway Garage has certainly had a busy week. It's the worst snowstorm he can remember since he came onto the Commission. He then entertained questions of Mr. Morpew.

Commissioner Hunter said he just wants to welcome Bill and commend him and Fred Howard on the job the County Highway Garage did under unbelievably bad conditions this last weekend. Mr. Morpew was certainly initiated in a very fancy way.

Mr. Morpew expressed appreciation for the good comments and apologized, saying he has been "playing" in the snow so much this week he's almost lost his voice. He would like to commend his crews as they performed an excellent job.

Commissioner Tuley asked if the item he called Mr. Morpew on last night has been taken care of.

Mr. Morpew said it was taken care of this morning.

Mr. Tuley said this was the only call he received -- of all the roads in the County, that was the only call he received and he is sure it wasn't as big a deal as it may have sounded.

Mr. Morpew said, "No. It's a standard procedure after you plow the road -- you go back over that road several times. The thing about snow plowing is that you can't ever tell where the middle of the road is and you have ditches on both sides. Therefore, you have to plow strictly in the middle first to find out where the center is; then you start working toward the edges on each side.

Mr. Tuley said he, too, appreciates the work the County Highway did.

Mr. Hunter said he had a call on Tall Timbers, but by the time the second caller got to him the County Highway had already been back out there yesterday and gone over the road. He understands the County Highway also had some problems out there.

Mr. Morpew said they had a breakdown at approximately 11:30 p.m. on Friday. The truck broke down. Evidently there was some weak pavement out there and the plow went down into the pavement and the truck rolled up over the top of the plow.

Mr. Morpew said he went to look at the pavement yesterday. They will go back and repair that. He was out there in his own 4-wheel drive truck and he was with the crews all the time.

Mr. Hunter said that is one subdivision he would not want to plow -- that is terrible.

Mr. Morpew said we have some tricky roads in Vanderburgh County -- and subdivisions.

President Borries said he wants to add his commendations, too and noted that Mr. Morpew has submitted his written Weekly Report. During the heavy snow on Thursday, he had the opportunity to ride with one of the drivers. They found the centerline a time or two and found some ice and slid a little. This particular individual prides himself on being a fine driver -- and he was -- and very professional at what he did. Again, in the heaviest snowfall he can remember, one time he stopped to check the height of his plow and when he got out they were in maybe two or three feet of snow. He believes this was either on Meier Rd. or Fisher Rd. The road was narrow and tough. It was quite an experience. As the snow was

coming down you could take a sweep through there and look back and obviously see where you'd been, but it just wasn't going to quit. Again, the County Highway crews did a fine job and the Commissioners appreciate all their hard work. Mr. Borries then asked if Mr. Morpew is going to Purdue Road School.

Mr. Morpew responded affirmatively.

Mr. Borries said the Commissioners need to give Mr. Morpew permission to travel to the Road School and use a County vehicle for same.

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

Transportation: Commissioner Borries said the car Bill Morpew has and the car Fred Howard has are conventional vehicles. We don't have a lot of these, but every now and then when you get a big snow like this -- he doesn't think we have any 4-Wheel Drive vehicles out there.

Mr. Morpew said they do not own a 4-Wheel Drive vehicle.

Mr. Borries said it would be his feeling that the County ought to have at least one such vehicle at the County Garage. When you have folks out there who could wind up in a ditch, you ought to have at least one 4-Wheel Drive vehicle.

Mr. Morpew said he took his own 4-Wheel Drive truck out that night; as a matter of fact, he drove it for three days straight and he'd have been lost without it. Not only were they combatting the snow, we have several roads that are flooded and they are closed -- Union Township, Waterworks Rd. and South Weinbach. They were going in several different directions.

Mr. Borries said the Commissioners need to look through the budget -- but they do need to give consideration to purchasing one 4-Wheel Drive vehicle to be used in emergencies. Mr. Borries then thanked Messrs. Morpew and Howard for their fine work.

RE: CONSENT AGENDA

President Borries entertained questions concerning the Consent Agenda. There being none a motion was entertained.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the Consent Agenda was approved. So ordered.

RE: OLD BUSINESS

Lady Day, Inc.: In response to query from Commissioner Borries concerning the Lady Day, Inc. situation, Attorney Kissinger said we have done what we needed to do. We have approved the Notice. He thinks the people from Lady Day, Inc. are going to try to get on the agenda for next week. If the Commissioners think it more appropriate -- and it is his impression that they do -- he will contact them and tell them to get on the agenda for two weeks from tonight (March 15th) as opposed to next week. The Commissioners indicated this is their preference.

Commissioner Borries said this concerns providing services at Burdette Park where a contract was changed that, for all purposes, he thinks that eliminated the County having any options in terms of reviewing that for renewal.

Attorney Kissinger confirmed that is correct.

President Borries said that is why the action was taken at this time.

Attorney Kissinger said that is correct. This is the only way the County preserves the option.

Claim/Given & Spindler: Mr. Borries said he has a claim to Given & Spindler for payment for services rendered per the contract dated April 5th between the Vanderburgh Auditorium Management Corporation and the County. Auditor Humphrey has reviewed the claim and initialed his approval. Again, until we come up with a better mousetrap on this particular item, these bills will be paid if he has the Board's approval.

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

RE: NEW BUSINESS

Public Hearing/County Roads: President Borries entertained matters of New Business.

Secretary Joanne Matthews noted that on the list of Scheduled Meetings she doesn't see the Public Hearing re County Roads scheduled at 5:00 p.m. on Monday, March 22nd. This has been advertised.

Commissioner Borries stated that the Public Hearing should be added to the printed list of scheduled meetings.

Management Team/Teamsters Contract: It was noted by Commissioner Borries that the Board acted a couple of weeks to set up a Management Team to enter into negotiations with the Teamsters Union for employees at the various sites where union employees work. This team has met. They have reviewed and are going to continue to review the current contract. However, in reviewing items that have been budgeted and benefits that are currently in place for other employees, it was felt at this time that we could have a recommendation that in terms of a status quo that the contract be signed exactly as it is for 1993. We will be re-opening these negotiations very quickly for 1994, since the budget season for counties approaches rapidly. However, the contract would stay in place exactly as it is and as budgeted for 1992. The contract would simply be moved for one year - 1993. If the Board is in agreement, he would entertain a motion.

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

Mr. Borries continued by saying the Management Team will be meeting and submitting some revisions that will be submitted to the Negotiating Team from the Teamsters Union and negotiations will be taking place between the County and the Teamsters throughout the rest of this year or whenever they recommend there is an agreement.

Special Meeting/Board of Commissioners: President Borries said the Commission will be holding a Special Meeting at the Old Court House next week. It will be a meeting that will be somewhat abbreviated in the sense that what it will do is observe the 175th Anniversary of the County one day late. The official date for the beginning of Vanderburgh County's 175th Birthday would have occurred on March 9, 1818. We're going to observe it one day early -- on March 8th. The meeting will be held in the Restored Court Room on the 2nd Floor at the Old Court House. We've invited the Vanderburgh County Historical Association to give us a brief history of the first Commission meeting, as well as point out some of the highlights. The Old Court House Preservation Society will be inviting all of the former Commissioners to attend this so we can recognize them. One Commissioner, Wilfred Diekman, is probably the oldest living Commissioner at this time. He resides in Henderson, KY and served between January 1, 1955 and December 31, 1957. Hopefully, he will


be able to attend the reception. Again, we invite everyone to join us at 5:00 p.m. for a Reception and an official meeting at 5:30 p.m.


President Borries entertained other matters of business to come before the Board at this time. There being none, he declared the meeting adjourned at 6:25 p.m., with an announcement that the Drainage Board will convene following a very brief recess.

PRESENT:

Richard J. Borries, President
R. Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Gary Kercher/Engineer's Office
Bill Morpew/County Highway
Fred Howard/County Highway
Roger Elliott/SCT
Ray Raisor/Rehab Center
Lynne Kramer/Rehab Center
John Halverson/Rehab Center
Rose Young
Gary Palmer/Rehab Center
Bill Nicholson/Veach, Nicholson, Griggs
Gary Yellig/Veach, Nicholson, Griggs
Stanley Hollingsworth/Drainage Concerns
James A. Pickerell/Drainage Concerns
Scott Gartner/Drainage Board Concerns
Vaughan Young/Drainage Concerns
Mark Abell, Commission Office
B. J. Farrell, Commission Office
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


R. Patrick Tuley, Vice President


Don Hunter, Member



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

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 1, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wishing to address the commission
 - B. Bid Openings
 - (1) Timber/Bridge Materials
 - C. Roger Elliott/Data Processing
Re:
Signatures needed on (#1 and #2):
 - 1) The Annual Software Maintenance Contract between the City of Evansville/Vanderburgh County and Computeristics
 - 2) Annual Software Maintenance contract between the City of Evansville/Vanderburgh County and Personnel Data Systems, Inc.
 - 3) Request computer equipment be declared surplus
 - 4) Authorization to destroy surplus non-operational computer equipment
 - 5) Authorization sell at sealed bid auction surplus computer equipment.

(1)

305 ADMINISTRATION BLDG. CIVIC CENTER COMPLEX EVANSVILLE, IN 47708 812-426-5241

- D. Ray Raisor/ President, Rehab Center of Evansville
re: ADA Proposal
(at the request of Commissioner Hunter)
- E. Kent Irwin/Waggoner, Irwin, Scheele & Associates, Inc.
re: ADA/personnel issues (Deferred from 2/22/93)
- F. Lloyd/Rickhardt Property
* claim/payment to be presented by Attorney Alan Kissinger

6. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
John Stoll ----- County Engineer
*See attached engineer requests)
Bill Morpew ----- County Highway

7. CONSENT ITEMS

A. Travel/Education Requests

Treasurer (4) County Assessor (4)
Health (3)

B. Claims for payment

- 1) American Legal Publishing 8,921.74
 *codification of records /Vanderburgh County Code Books

C. Employment Changes:

Sheriff/Jail/Appointment

David Stefanich/Probationary Correc Off.....	19,319.00/YR	2/22/93
David Stefanich/Other Cleaning allow.....		2/22/93

Prosecutor/Appointment

Cindy Ewing-Lutgring/Superior Court Reporter...other pay	2/22/93
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Knight Township Assessor/Appointment

John R. Gerard/Real Estate.....	19,643.00/YR	2/24/93
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: -

Knight Township Assessor/Release

John R. Gerard/Real Estate.....18,733.00/YR 2/24/93

Circuit Court/Appointment

Mary A. Griggs/Extra Help.....5.00/HR 2/19/93

Stephen F. Roth/Caseworker.....7.00/HR 2/08/93

Tracy D. Meredith/QMA.....7.00/HR 2/08/93

A. Dale Williams/Correc Off.....17,699.00/YR 2/22/93

Deanna K. Moore/Typist.....4.75/YR 2/08/93

Circuit Court/Release

Stephen F. Roth/Caseworker.....5.00/HR 2/07/93

Tracy D. Meredith/QMA.....5.00/HR 2/07/93

Jason R. Stowers/Part Time Correc Off.....5.00/HR 2/07/93

Rebecca A. Springer/Typist.....5.25/HR 2/06/93

Area Plan Commission/Release

Joseph D. Ballard/Senior Planner.....30,046.00/YR 5/10/93

Burdette Park/Appointment

Shauntrece Deters/Pt Grnd Crew.....4.25/HR 2/10/93

County Highway/Appointment

William F. Morpew/Superintendent.....30,000.00/YR 2/23/93

County-Cumulative Bridge/Appointment

Cletus J. Muensterman/Superintendent.....26,656.00/YR 2/23/93

County-Cumulative Bridge/Release

William F. Morpew/Superintendent.....26,656.00/YR 2/23/93

Pigeon Township Trustee/Appointment

Scott Crawford/Clerk.....35.00/Day 3/01/93

Robert E. Heacock/Investigator.....18,418.00/YR 2/23/93

Pigeon Township Trustee/Release

Cletus Muensterman/Investigator.....20,148.00/YR 2/24/93

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

Scheduled Meetings

Mar 1	Mon	County Dept Head Meeting	4:00 PM	RM 303
		County Commissioners	4:30 PM	RM 307
		(Executive Session)		
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Mar 3	Wed	County Council	3:30 PM	RM 301
Mar 8	Mon	County Commissioners	5:30 PM	
		* This meeting will be held at the Old Courthouse		
Mar 15	Mon	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Mar 16	Tues	County Insurance Committee	9:00 AM	RM 303
Mar 18	Thurs	County Employee Steering Committee	9:00 AM	RM 303
Mar 22	Mon	County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Mar 29	Mon	County Commissioners	5:30 PM	RM 307
Mar 31	Wed	County Council	3:30 PM	RM 301
		*Personnel/Finance		

DRAINAGE BOARD IMMEDIATELY FOLLOWING

PRESCRIBED BY [REDACTED] BOARD OF ACCOUNTS

REVISED COUNTY FORMS NO. 20 - 194
NO. 21 - 1947

March 02, 1993

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 6882

FUND CO. REVENUE

\$37,500.00

I HEREBY CERTIFY THAT: HELFRICH/NORTHLAND INSURANCE

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$37,500.00 DOLLARS

ON ACCOUNT OF 428.1 LOSS CONTROL/REIMBURSEMENT
RE A. MESKER SETTLEMENT

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW.



Northland

Insurance Companies

1295 NORTHLAND DRIVE, ST. PAUL, MN 55120-1139
(612) 888-4100

Northfield Insurance Company

No. 617570

75-48
919

CHECK DATE

CHECK NUMBER

FEBRUARY 03, 1993

617570

PAY **THIRTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00 CENTS** *****

CHECK AMOUNT

*****\$37500.00

VOID IF NOT CASHED WITHIN 60 DAYS

VANDERBURGH COUNTY

TO
THE
ORDER
OF

NORWEST BANK RED WING N.A.
RED WING, MINNESOTA

VOID OVER \$37500.00

Luette Chapman

⑈617570⑈ ⑈091900465⑈

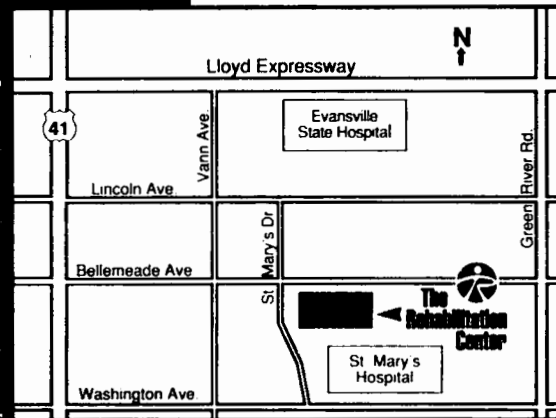
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The Rehabilitation Center



Excellence in Rehabilitation

The Rehabilitation Center is a non-profit organization dedicated to excellence in serving the disabled. Nationally and locally recognized as a leader in rehabilitation programming, The Rehabilitation Center stands ready to help businesses evaluate disabled employees. The Rehabilitation Center offers medical model outpatient therapeutic services and clinics as well as an extensive variety of educational, recreational and support services for the disabled.



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The Rehabilitation Center is an Equal Opportunity Employer and does not discriminate on the basis of age, sex, race, religion, or disability.

The Rehabilitation Center



COST EFFECTIVE BUSINESS SERVICES

Vocational Evaluation

*Providing You with
Psychologist Interpreted
Standardized Testing Data
to Aid in Selecting
the Best Applicant for the Job*

Industrial Audiological Services

*Customized Noise Protection Molds
and Quality Hearing Examinations
by a Certified Audiologist*

Driver's Evaluation

*Complete Driver's Evaluation
by a Multi-Disciplinary
Therapy Team*

Vocational Evaluations

When faced with selecting the most qualified job applicant or an applicant for a supervisory position, how do you determine if:

- the applicant can handle decision making pressure?
- the applicant is better suited for a management position or one that is supervised?
- the applicant has the ability or potential to be trained for the job?

How do you select from among several candidates who appear to be equally qualified?

Can you justify your selection decision to your supervisor, the union or other employees?

Most managers make these critical judgements based solely on subjective observations from an interview or assessment of the applicant's performance on the current job. However, as you may know, interviews can be misleading and good performance in one job does not always result in good performance in a supervisory position.

The Rehabilitation Center can provide you with a tool to make better hiring decisions - objective test data. This data will be based on standardized tests which will assess one or more job applicant's qualifications for the job as described by you. The test results will be interpreted by a licensed psychologist. When more than one applicant for

the same job is evaluated, the applicants will be ranked according to their test performance and qualifications for the job. These findings will be presented in an easy to understand format. The results of the objective evaluations and recommendations from The Rehabilitation Center can assist you to make better decisions when hiring personnel for your company.

Industrial Audiological Services

The Rehabilitation Center's certified audiologist can make customized ear molds for maximum hearing protection for your employees. The customized ear molds offer superior comfort and fit, as opposed to generic sponge ear plugs.

In addition, the audiologist can administer audiological examinations in an audiometric soundbooth for one or more of your employees. Hearing test results will be reported to you in an easy to understand format. Findings can be utilized to monitor progressive hearing loss and can be used to refute or support legal claims.

Driver's Evaluation

If you question an employee's ability to drive safely due to physical or mental deterioration or disabilities, let The Rehabilitation Center evaluate your employee and make a professional judgement about his or her driving ability. Employees with mild to severe physical and/or mental disabilities can be evaluated by The Rehabilitation Center's multi-disciplinary therapy team and, if necessary, can be taught to drive or drive more safely with vehicle modifications. Adults with low vision can also be evaluated by a low vision specialist and, if approved by the Bureau of Motor Vehicles, can be taught to drive under the bioptic driver's training program.

In addition to receiving specific driver's training from an instructor, clients may also receive therapy to improve functional ability related to driving. Clients are taught to drive first in a classroom, then with a driving simulator, and finally behind the wheel of a Rehabilitation Center car or van that is equipped with a variety of adaptive devices. Someone with mobility in as little as one extremity and/or is an educable mentally retarded individual can successfully be taught to drive.

THE REHABILITATION CENTER

ADA
SOLUTIONS

**COST EFFECTIVE PUBLIC ACCOMMODATIONS,
WORKSITE EVALUATIONS, AND
REASONABLE ACCOMMODATIONS
TO PUT YOU IN COMPLIANCE
WITH THE
AMERICANS WITH DISABILITIES ACT**





AMERICANS WITH DISABILITIES ACT

OVERVIEW

On July 26, 1990, President George Bush signed the landmark Americans with Disabilities Act (ADA). The ADA makes it illegal to discriminate against anyone who has a mental or physical disability in the areas of employment, public services, transportation, public accommodations and telecommunications.

TITLE I - EMPLOYMENT

Effective: July 26, 1992 for employers with 25 or more employees, and July 26, 1994 for employers with 15 or more employees.

The Law: Employers shall not discriminate against any qualified individual with a disability in:

- job application
- hiring or firing
- employee compensation
- advancement
- job training
- other terms, conditions and privileges of employment

Moreover, employers must provide reasonable accommodations in the workplace that will enable any qualified individual with a disability to perform the essential functions of the job.

TITLE III - PUBLIC ACCOMMODATIONS

Effective: January 26, 1992

The Law: Persons with disabilities shall have equal access to all establishments and services open to the public.

VALUABLE WORKFORCE RESOURCE FOR COMPANIES FACING LABOR SHORTAGES

According to the Society of Human Resource Management, people with disabilities are one of the most highly-educated and well-trained minority groups in this country. With an unemployment rate of nearly 66%, this group is one of the least utilized resources.

The end of the Baby Boom means the beginning of a smaller labor force. By the year 2000, young workers ages 16-24 will account for only 16% of the workforce as opposed to 30% in 1985. Adults with disabilities represent an untapped labor pool for the workforce of the future.

CALL ADA SOLUTIONS WHEN:



- your vice president has a physically and mentally disabling stroke and wants to return to work.
- your business wants to determine if it meets new public accommodations regulations.
- the best candidate for the sales position is in a wheelchair.
- a loading dock employee has a heart attack and wants to return to work.
- a disabled employee is suggesting a very expensive accommodation and you want to explore other options.
- your secretary is experiencing a progressive hearing loss.
- your employees need training on how to work with a disabled worker.
- the best applicant for a receptionist position has cerebral palsy.
- your company wants to hire a qualified disabled employee.
- the best applicant for a mechanic position has dyslexia.
- a mentally disabled job applicant needs a professional job coach to modify and teach him or her the job.

SERVICES

The Rehabilitation Center staff offers comprehensive services to solve businesses' ADA compliance challenges. Services can be utilized to improve job performance and accommodation of current or newly hired employees with disabilities. Fees will be charged on an hourly basis.

- Audit of business' physical accessibility to public.
- Evaluation of disabled employee's needs and abilities to perform essential job functions.
- Evaluation of disabled employee's worksite accessibility.
- Recommendations for cost effective reasonable accommodations regarding worksite accessibility and job routine.
- Rehabilitation therapy and job coaching at the worksite in equipment use and job routine.
- Preparation of individual work plans to ensure success of disabled employee.
- Education of disabled employee's supervisors and co-workers regarding disability awareness and/or ADA implications presented at a seminar or on an individual basis.
- Recruitment and placement of disabled employee through our Supported Employment program.
- Follow up for as long as needed on all worksite modifications and recommendations to ensure proper and continued implementation.
- Litigation support from Rehabilitation Center personnel.

In addition to evaluating ADA protected applicants and employees with permanent disabilities, our services can be used to assist an employer in evaluating current employees who have minor, short term injuries (i.e. hand injury, carpal tunnel syndrome, etc.) to prevent or minimize workers' compensation claims. ADA Solutions can effectively get people who develop temporary health conditions productively back to work.

ADA

The SOLUTIONS TEAM

For over 30 years, The Rehabilitation Center has been evaluating people with disabilities and providing therapy, training and job modifications to help them become employed and *stay* employed. As a local leader in the rehabilitation of people with disabilities, The Rehabilitation Center staff now stands ready to help Tri-State businesses comply with the ADA. Businesses can rely on our expertise in working with people with disabilities.

RESOURCE STAFF AT THE REHABILITATION CENTER

Accessibility and Disability Awareness Specialists

Qualified to evaluate and recommend modifications in business and worksite accessibility. Also, qualified to teach disability awareness to individuals and groups.

Architectural Engineering Consultant

Specializing in devising worksite modifications from the simple to the technologically complex. Able to design and construct adaptive equipment.

Physical Therapists

Licensed in evaluation and treatment of individuals with disabilities affecting mobility, strength, positioning and/or function of the trunk and lower extremities as it relates to work. Treatment may include splinting and/or assistive/adaptive equipment.

Occupational Therapists

Certified in evaluation and treatment of individuals with disabilities affecting mobility, strength, and/or function of the upper body as it relates to work. Treatment may include splinting and/or assistive/adaptive equipment.

Speech Language Pathologists

Certified in evaluation and treatment of individuals with disabilities affecting their communication skills as it relates to work. Treatment may include use of augmentative/alternative communication methods.

Audiologists

Certified in evaluation and treatment of individuals with hearing impairments affecting their communications skills as it relates to work. Therapy may include use of personal hearing aids, assistive devices, and suggestions to modify the work environment.

Psychologist

Licensed to conduct psychological evaluations to determine job abilities and limitations.

Job Coaches

Specializing in training disabled employees on the job in the use of worksite or job routine modifications.

Consulting Physicians and Rehabilitation Nurses

Medical consultation to evaluate disabled employees and make recommendations regarding physical job abilities and limitations.



3701 Bellemeade Avenue • Evansville, IN 47714
(812) 479-1411 • FAX (812) 474-2351
TDD Relay (812) 425-2841



The Rehabilitation Center
3701 Bellemeade Avenue
Evansville, IN 47714
(812) 479-1411
Fax (812) 474-2351
TDD Relay (812) 425-2841

**ADA SOLUTIONS
THE REHABILITATION CENTER
EVANSVILLE, INDIANA**

**CONTRACT FOR PROFESSIONAL
SERVICES**

**SUBMITTED TO THE
VANDERBURGH COUNTY COMMISSIONERS
EVANSVILLE, INDIANA**

MARCH 1, 1993



The Rehabilitation Center
3701 Bellemeade Avenue
Evansville, IN 47714
(812) 479-1411
Fax (812) 474-2351
TDD Relay (812) 425-2841

TITLE I - EQUAL EMPLOYMENT OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES

As Vanderburgh County is classified as a state or local government under the ADA, all regulations of Title II must be met. As an employer of more than 15 employees, the regulations of Title I also apply. Title I specifies the employment practices required to assure non-discrimination. The effective date for the employment regulations was January 26, 1992.

The major effects of these regulations on the employment practices of Vanderburgh County include job descriptions, personnel policies and practices, such as interviewing skills and staff sensitivity training.

The ADA Solutions team of The Rehabilitation Center can provide the required consultation and services to assure Vanderburgh County's compliance with the employment requirements of the ADA. It is the philosophy of ADA Solutions to create systems not only for our client organizations, but also for the disability community. It is our long-term goal that qualified persons with disabilities be productively employed in the community.

The following is a list of services to be provided to assure ADA Compliance by Vanderburgh County:

JOB DESCRIPTIONS

Option 1

Option 1 provides for most of the necessary actions to be accomplished by the ADA Solutions team. This will provide quick compliance with minimal disruption to the Vanderburgh County staff.

- Review of existing job descriptions
- Interview County Department Heads and Supervisors
- Preparation of Questionnaire used to determine essential job functions for each county job
- Train staff in use of questionnaire
- Determination of essential job functions
- Revise existing job descriptions to include:

- general description of job
- scope of activities
- essential job functions
- Preparation of new (non-existing) job descriptions.
- Training of appropriate staff on procedures to keep job descriptions current and drafting new job descriptions to assure future compliance

Fee.....\$10,500.00

Option 2

Option 2 provides for the County staff to take on more of the responsibilities for ADA compliance of job descriptions. This work will be completed under the direction and supervision of ADA Solutions.

ADA SOLUTIONS TEAM

- Train County staff on preparation of job descriptions
- Prepare questionnaire for use by County staff
- Review completed questionnaire
- Review completed job descriptions
- Follow-up with staff to address problem areas

VANDEBURGH COUNTY STAFF

- Attend training
- Complete questionnaires
- Prepare job descriptions
- Revise job descriptions as necessary
- Determine essential job functions
- Complete all clerical functions
- Complete activities within required time frames

Fee.....\$7,500.00

EMPLOYEE HANDBOOK/PERSONNEL POLICIES

The ADA Solutions team will review and revise the existing personnel policies to assure compliance with the ADA and other applicable regulations. The County staff will be trained in the implementation of the policies. Included will be policies in areas such as:

- Recruitment
- Applications
- Physicals
- Hiring
- Promotion
- Firing
- Employee records
- All other personnel policies
- Complaint procedures

The activities to be performed by the ADA Solutions team include:

- Review existing policies
- Meet with Department Heads to determine problem areas
- Revise existing policies
- Draft new policies as required
- Provide draft of policy manual
- Meet with County staff to review new policy manual
- Revise policy manual as necessary
- Train County staff on contents of policy manual
- Provide County with finished copy of policy manual
- Develop new Employee Handbook (optional)

Fee.....\$10,500.00

Fee (includes Handbook).....\$11,500.00

TITLE II - STATE AND LOCAL GOVERNMENTS

Title II of the ADA prohibits discrimination against persons with disabilities in all services, programs, and activities provided or made available by state or local governments. Unless otherwise specified, these requirements went into effect on January 26, 1992.

Title II of the ADA extends the nondiscrimination requirements of Section 504 of the Rehabilitation Act of 1973 to the activities of all state and local governments, regardless of whether they receive federal financial assistance.

SELF-EVALUATION

All state and local governments must do a self-evaluation of their current services, programs, and activities, and review all their policies and practices, and the effects thereof, that do not or may not meet the requirements of the ADA.

ADA Solutions Services: Implementation of self-evaluation procedures to include public notice, community input, designation of responsible employee, and internal grievance procedures.

Fee.....\$35.00 hour \

TRANSITION PLAN (If Required)

A transition plan addresses the structural changes that must be made to state and local government facilities. Unlike the self-evaluation requirement, which applies to all state and local governments, the transition plan requirement applies only if structural changes are needed to achieve program access, and if the state or local government has 50 or more employees. All structural changes that need to be made to provide program access must be made by January 26, 1995, but in any event as expeditiously as possible.

ADA Solutions Services: Implementation of transition plan procedures to include community input committee and drafting of transition plan.

Fee.....\$25.00 hour

PROGRAM ACCESSIBILITY

ADA Solutions Services: All Vanderburgh County programs will have been surveyed under Self-Evaluation (see page 3) to ascertain whether or not they are accessible to persons with disabilities. Each survey will have considered structural accessibility, communications, and signage under the Americans with Disabilities Act Accessibility Guidelines (ADAAG), as well as eligibility requirements, staff training, integration, community resources, and alternate formats. ADA Solutions will develop internal policies and procedures to assure ADA compliance.

Fee.....\$35.00 hour

ADMINISTRATIVE COMPLAINT PROCESS

ADA Solutions Services: Implementation of procedures outlining complainants' rights and designated agencies' responsibilities in the administrative complaint process to include complaint format, investigative process, informal resolution, Letter of Findings, voluntary compliance agreement, filing of lawsuits, and voluntary alternate dispute resolution.

Fee.....\$750.00

TRAINING

Staff training is essential to assure ongoing compliance with the regulations and the spirit of the ADA. Training sessions will be conducted with County staff on topics including:

- Applicants with disabilities
- Determining reasonable accommodations
- Dealing with applicant and employee complaints
- Disability awareness

Fee.....\$100.00 hour

FOR THE REHABILITATION CENTER:

DATE: _____

TYPED/PRINTED NAME: RAYMOND P. RAISOR

TITLE: PRESIDENT

FEDERAL IDENTIFICATION#: 35-1087526

FOR THE COUNTY:

DATE: _____

DATE: _____

ATTEST

Lynne C. Kramer, Vice President of The Rehabilitation Center, has 25 years experience in rehabilitation of persons with disabilities. She has a Bachelors Degree from the University of Kentucky and a Masters Degree in Audiology from New York University. Previous employment includes The Helen Keller Center for Deaf-Blind in New York. She is the author of the book, The Audiological Evaluation and Aural Rehabilitation of the Deaf-Blind Adult.

Since returning to the Evansville area in 1978, Ms. Kramer has been involved in new program development for The Rehabilitation Center. Specializing in community integration and services for persons with disabilities that increase independence and employment options, Ms. Kramer has participated in the rapid expansion of the programs of The Rehabilitation Center. Since the passage of the ADA, she has participated in several ADA trainings. Of note is the Phase I Training offered by the ADA Training and Implementation Network, a project of the U.S. Equal Employment Opportunity Commission and the Department of Justice, September 14 - 20, 1992, St Louis, Missouri. Ms. Kramer has also presented several seminars on the ADA to businesses and the disability community.

John C. Halverson is an expert in the field of Human Resources Management. He has a Bachelors Degree in Business Administration and Economics from Augustana College and earned a MBA (Personnel and Industrial Relations) from Arizona State University. He has over 20 years of Human Resources experience in manufacturing, consumer goods, health care, and financial services. He has strong experience in both union and non-union environments. He is an adjunct professor at both the University of Southern Indiana and the University of Evansville and acts as an independent consultant with ADA Solutions of The Rehabilitation Center. He serves on the Boards of several community organizations including acting as Treasurer of the Boys and Girls Club of Evansville, past president of the Harrison Soccer Club, and the Board of St. Benedict Church.

Halverson & Associates was formed in June, 1992. The firm provides a wide range of Human Resources consulting to firms in the Evansville area. Halverson & Associates has been involved in the development or updating of the personnel policies for such companies as Lensing Wholesale, South Western Communications, Knapp Given Veazey & Shoulders, Citizens Realty and Insurance, and Card Management Corporation. As Director of Compensation and Benefits for Kraft Foods and as Vice President of Human Resources at American General Finance, Halverson has developed hundreds of job descriptions. With the adoption of the Americans with Disability Act, he has assisted his client companies come into compliance and has been a seminar speaker on complying with the provisions of ADA.

Gary W. Palmer is the Accessibility and Disability Awareness Specialist at The Rehabilitation Center. He is currently involved in ADA Solutions and other Rehabilitation Center programs focusing on the vocational needs of persons with disabilities. Mr. Palmer has an Education Degree from the University of Southern Indiana and has previously been employed in the area of business ownership and management for persons with disabilities.

Mr. Palmer serves as a member of the Evansville Museum of Arts and Sciences Board of Trustees and is the ADA Consultant to the Board. He is also a member of the Section 504 of the Rehabilitation Act of 1973 Self-Evaluation Committee for the City of Evansville, Department of Metropolitan Development. Mr. Palmer has received extensive training in the ADA, including approximately 60 hours comprehensive ADA training provided by the ADA Training and Implementation Network, a joint project of the Equal Employment Opportunity Commission and the U.S. Department of Justice.



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

February 25, 1993

Lady Day, Inc.
Attn: Marlin Goebel, Secretary/Treasurer
c/o Duvall Goebel Services, Inc.
127 Chestnut, Suite A
Evansville, Indiana 47713

TAKE
OFFICIAL
ACTION

Re: Notice of Termination

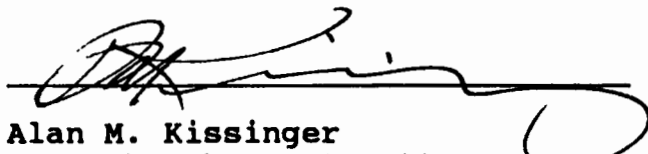
Dear Mr. Goebel,

You are hereby notified that the Board of Commissioners of Vanderburgh County, Indiana, will terminate the agreement between Lady Day Inc. and Vanderburgh County, which was entered into on the 18th day of June, 1990.

This notice of termination is made in compliance with the notice requirement contained in paragraph one (1), (TERM), of said agreement.

The agreement will terminate on April 30, 1993, without further notice.

Any inquiries regarding this notice shall be made at the law office of Alan M. Kissinger, 2113 W. Franklin, Evansville, Indiana 47712, telephone number (812) 425-4541, between the hours of 8:00 a.m. and 4:30 p.m. Monday thru Friday.


Alan M. Kissinger
Vanderburgh County Attorney

HAND DELIVERED

2-26-93



AGREEMENT OF RELEASE

THIS AGREEMENT OF RELEASE, made and entered into this 15th day of MARCH, 1993, by and between Robert L. Rickard, Jr. and Genevieve A. Lloyd, (hereinafter "Releasors") and Richard Borries, as Commissioner of Vanderburgh County, Indiana, Patrick Tuley, as Commissioner of Vanderburgh County, Indiana, Don Hunter, as Commissioner of Vanderburgh County, Indiana, and Vanderburgh County, Indiana, (hereinafter "Releasees").

WHEREAS, it is alleged that Releasees are using Releasors' property for the purposes of general road maintenance and road use which are purposes beyond those permitted by any existing easement through the Releasors' property (hereinafter the "Event"); and,

WHEREAS, Releasors claim and assert that as a result of the Event, they have sustained damages; and,

WHEREAS, Releasors filed a Complaint against Releasees on or about December 20, 1991, in the Vanderburgh Superior Court entitled "Robert L. Rickard, Jr. and Genevieve A. Lloyd, Plaintiffs, vs. Carolyn McClintock, Donald Hunter, Richard J. Borries, As Commissioners of Vanderburgh County, and Vanderburgh County, Defendants," Cause No. 26C01-9203-CP-0018, (hereinafter referred to the "Lawsuit"); and,

WHEREAS, Releasors and Releasees desire to avoid further litigation and the uncertainty and expenses thereof, the parties now agree to fully compromise and settle all controversies between them concerning the Event.

NOW, THEREFORE, in consideration of the mutual promises, agreements and covenants herein contained, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The recitals set forth in the above preamble are incorporated herein by reference.

2. Vanderburgh County, Indiana, agrees to purchase the following property for the total sum of Five Thousand Seven Hundred Dollars (\$5,700.00) and such purchase and payment by the Releasees shall constitute a full and complete satisfaction of any and all claims by the Releasors against the Releasees in any way related to the Event:

Part of the Northeast Quarter of the Southeast Quarter of Section Thirty-four (34), Township Six (6) South, Range Eleven (11) West, in the city of Evansville, Vanderburgh County, Indiana more particularly described as follows:

Beginning at a point on the North line of the said Southeast Quarter which is Seventy-six (76) feet West of the Northeast corner of the Southeast Quarter of said Section Thirty-four (34); thence Three hundred thirty-seven and eight tenth (337.8) feet West along said North line; thence South Five hundred forty-three and five tenths (543.5) feet more or less on a line parallel to the East line of Section Thirty-four (34) with the North line of Savage Road; thence North Fifty-four (54) feet parallel to the East line of said Section Thirty-four (34); thence East Two hundred thirty two (232) feet along said North line to a point which is One hundred eighty-two (182) feet West of the intersection of the East line of said Section Thirty-four (34) with the North line of said Savage Road; thence Northeasterly Two hundred twenty-five (225) feet to a point which is Seventy-six (76) feet from said East section line and Two hundred eighty-one (281) feet South of the North line of said Southeast Quarter; thence North Two hundred eighty-one (281) feet to the place of beginning, containing Three and eighth tenths (3.8) acres more or less.

Subject to the easement heretofore conveyed by grantors to the City of Evansville on May 7, 1941, and recorded on July 5, 1941, in D.R. 221, page 485 in the office of the Recorder of Vanderburgh County, Indiana. Subject to any legal highways, easements or rights of way.

3. Releasors agree to sell to Vanderburgh County, Indiana, the above described property for the total sum of Five Thousand Seven Hundred Dollars (\$5,700.00).

4. Releasors release and forever discharge Releasees, their attorneys, agents and servants, and all other persons, firms, or corporations liable or who might be claimed to be liable, of and from any and all allegations, claims, disputes, demands, losses, damages, equitable relief, actions and causes of action, compensation of any kind or costs arising out of the Event.

5. Each party is to pay their own costs.

6. Releasors represent and warrant that neither they nor any representative or agent have received notice of any claim, lien, right of subrogation, or any other interest of any other

person, partnership, group, or other entity, in the purchase price paid by Releasees or in the above described property other than that held by Releasors and an easement held by the City of Evansville. If such notice has been given, **RELEASORS AGREE TO INDEMNIFY AND SAVE HARMLESS RELEASEES FROM ANY SUCH CLAIMS WHICH ARE NOW OR MAY BE ASSERTED BY OTHERS CLAIMING INTEREST IN THE PURCHASE PRICE PAID BY RELEASEES AS REFERRED TO HEREIN OR CLAIMING AN INTEREST IN THE ABOVE DESCRIBED PROPERTY AND THAT RELEASEES' RIGHT OF INDEMNITY INCLUDES, BUT NOT BY WAY OF LIMITATION, THE AMOUNT OF THE CLAIM, ATTORNEYS' FEES, AND ALL OTHER COSTS.**

7. Releasors represent and warrant that they have continuously claimed ownership in the above-described property and that no other person or entity has asserted ownership in fee of any portion of the above-described property since 1967. If such is a misrepresentation, **RELEASORS AGREE TO INDEMNIFY AND SAVE HARMLESS RELEASEES FROM ANY SUCH CLAIMS WHICH ARE NOW OR MAY BE ASSERTED BY OTHERS CLAIMING INTEREST IN THE PURCHASE PRICE PAID BY RELEASEES AS REFERRED TO HEREIN OR CLAIMING AN INTEREST IN THE ABOVE DESCRIBED PROPERTY AND THAT RELEASEES' RIGHT OF INDEMNITY INCLUDES, BUT NOT BY WAY OF LIMITATION, THE AMOUNT OF THE CLAIM, ATTORNEYS' FEES, AND ALL OTHER COSTS.**

8. The parties and their attorneys, agents, employees, servants, heirs, executors, administrators, representatives, beneficiaries, insurance companies, parent corporations, subsidiaries, related companies, predecessors, affiliates, owners, shareholders, directors, officers, successors, and assigns, and anyone acting on their behalf are all both bound by this Agreement and also all receive the benefits of its protection.

9. Releasors agree to execute and file all necessary documents in order to dismiss the Lawsuit with prejudice.

10. This Agreement is entered into as a compromise of doubtful and disputed claims and is not an admission of liability and Releasees expressly deny any and all liability or wrongdoing.

11. This Agreement shall be governed by and construed according to the laws of the State of Indiana.

12. If any provision of this Agreement is contrary to, prohibited by, or deemed invalid under applicable laws or regulations then such provision shall be deemed inapplicable and deemed omitted, but shall not invalidate the remaining provisions hereof.

13. This instrument contains the entire agreement between the parties and supersedes all prior oral or written understandings, agreements or contracts, formal or informal,

between the parties hereto. THIS PROVISION, AND EACH AND EVERY OTHER PROVISION OF THIS AGREEMENT MAY NOT UNDER ANY CIRCUMSTANCE BE MODIFIED, CHANGED, AMENDED OR PROVISIONS HEREUNDER WAIVED VERBALLY, BUT MAY ONLY BE MODIFIED, CHANGED, AMENDED OR PROVISIONS HEREUNDER WAIVED BY AN AGREEMENT IN WRITING EXECUTED BY ALL OTHER PARTIES HERETO.

14. This Agreement may be executed simultaneously in several counterparts, each of which shall be deemed an original, but all which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day first above written.

Robert L. Rickard, Jr.
Robert L. Rickard, Jr.

Genevieve A. Lloyd
Genevieve A. Lloyd

VANDERBURGH COUNTY COMMISSIONERS

By: Richard J. Borries
Richard Borries, President

By: Patrick Tuley
Patrick Tuley, Vice-President

By: Don Hunter
Don Hunter, Member

[NOTARY ACKNOWLEDGEMENTS ON FOLLOWING PAGE]

STATE OF INDIANA

COUNTY OF VANDERBURGH

)
) SS:
)

Before me, this 8 day of Jan, 1993,
personally appeared Robert L. Rickard, Jr. known to me to be the
individual who executed this Agreement, and acknowledged and
affirmed that he fully understands its contents and freely
executed same for the sole consideration therein expressed.

My Commission Expires:

My County of Residence is:

(SEAL)

John Coates Cox
Notary Public

John Coates Cox
Printed Name

STATE OF INDIANA

COUNTY OF VANDERBURGH

)
) SS:
)

Before me, this 2 day of Jan, 1993,
personally appeared Genevieve A. Lloyd known to me to be the
individual who executed this Agreement, and acknowledged and
affirmed that he fully understands its contents and freely
executed same for the sole consideration therein expressed.

My Commission Expires:

My County of Residence is:

(SEAL)

John Coates Cox
Notary Public

John Coates Cox
Printed Name

The undersigned each represent and warrant that s/he is authorized to execute this document on behalf of the respective party and any and all actions necessary for this to constitute the valid and binding act of the respective party have occurred.

for City of Evansville

By Chris D. Melton
Chris D. Melton, President
Evansville Board of Public Works

By Jack McNeely
Jack McNeely, Vice President
Evansville Board of Public Works

By Jack Corn Jr.
Jack Corn, Jr., Member
Evansville Board of Public Works

Attested By Sharon A. Evans
Sharon A. Evans, Secretary
Evansville Board of Public Works

Effective Date February 17, 1993

for Vanderburgh County

By Rick Borries
Rick Borries, President
Vanderburgh County Board of Commissioners

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

By Don Hunter
Don Hunter, Member
Vanderburgh County Board of Commissioners

Attested By Sam Humphrey
Sam Humphrey, Vanderburgh County Auditor

Effective Date _____

**MAINTENANCE AGREEMENT JANUARY 1, 1993 TO JANUARY 1, 1994
CITY OF EVANSVILLE/VANDERBURGH COUNTY, INDIANA**

Licensee	City of Evansville				
Address	One N.W. Martin Luther King, Jr., Blvd.				
City	Evansville	State	IN	Zip	47708

Licensee	Vanderburgh County				
Address	One N.W. Martin Luther King, Jr., Blvd.				
City	Evansville	State	IN	Zip	47708

Computeristics, Inc. (Licensor) shall provide to Licensees, for the term hereof, those Maintenance Services described in this Agreement. Licensees shall pay Licensor the Maintenance Fee for January 1, 1993 to December 31, 1993 of twenty-eight thousand fifty dollars (\$28,050) which is payable thirty days after receipt of invoicing and signed city or county claim form, as required by law. The Licensor agrees to divide the total maintenance fee by fifty percent (50%), bill each Licensee separately and certify each Licensee's portion on its appropriate City or County claim form.

LICENSED PROGRAM(S)

Fund Accounting, Encumbrance Option
Mentor, Budget Functions
Accounts Receivable/Vendortrac
Accounts Payable/Creditrac
Purchasing
Fixed Assets
Configurator - Security, Report Writer,
Systems Generator, Menu Generator

TOTAL MAINTENANCE

\$28,050.00

MAINTENANCE SERVICES

During the term of this Agreement, January 1, 1993 to December 31, 1993, Licensor will provide the following services for each Licensed Program listed above:

1. Remote technical assistance and consultation (hotline) at any time during normal Licensor working hours, Monday through Friday, 8:30 a.m. to 5:00 p.m. EST. Telephone charges will be billable to the Licensees with complete, detailed documentation of the charges.
2. All program corrections necessary to make the Licensed Programs operate in accordance with the appropriate updated User Manual(s).
3. Updates to the Licensed Programs to correct any known problems or defects diagnosed by Licensor.
4. Enhancements that Licensor makes to the Licensed Programs.
5. Access to Licensor training schools and organized user meetings. Licensees shall be responsible for their own travel and subsistence costs and shall pay a reasonable attendance fee.
6. Automatically update the technical documentation for the newly enhanced versions.

Questions and problems pertaining to the use of the programs listed will be solved by phone or mailing between the parties. If it is impossible to solve an error by phone or mailing of documentation, Licensor shall travel to Licensees' location to fix the error in the programs.

Onsite assistance to correct problem nonconformances is available at a mutually agreeable time. All expenses incurred by Licensor in providing onsite support are at Licensees' expense and billable at one thousand one hundred dollars (\$1,100.00) per person per day plus expenses not to exceed the federal per diem rate per person for food and lodging plus transportation costs.

Licensees shall use their best efforts to implement Enhancements, updates and program corrections. If required, Licensor will provide onsite assistance to implement enhancements at Licensee's expense.

All maintenance services apply to Licensed Programs and Enhancements as delivered by Licensor. Licensees shall be responsible for modifying any program corrections, Enhancements and updates to fit Licensees' custom or unique requirements. Licensor shall not be responsible for maintaining Licensee-modified portions of the Licensed programs. Corrections required to be made by Licensor for difficulties or defects traceable to Licensee errors or system changes will be billed at one thousand one hundred dollars (\$1,100) per person per day plus expenses not to exceed the federal per diem rate per person for food and lodging plus transportation costs.

After the term of this Agreement, the Agreement will renew automatically on an annual basis unless terminated or amended by prior written notice of at least sixty (60) days.

This Agreement is subject to annual appropriation of funds by the City Council and County Council.

CITY OF EVANSVILLE

By: _____
Name: _____
Title: _____
Date: _____

VANDERBURGH COUNTY

By: _____
Name: _____
Title: _____
Date: _____

COMPUTERISTICS, INC.

By: _____
Name: _____
Title: _____
Date: _____

The undersigned each represent and warrant that s/he is authorized to execute this document on behalf of the respective party and any and all actions necessary for this to constitute the valid and binding act of the respective party have occurred.

for City of Evansville

By Chris D. Melton
Chris D. Melton, President
Evansville Board of Public Works

By Jack McNeely
Jack McNeely, Vice President
Evansville Board of Public Works

By Jack Corn, Jr.
Jack Corn, Jr., Member
Evansville Board of Public Works

Attested By Sharon A. Evans
Sharon A. Evans, Secretary
Evansville Board of Public Works

Effective Date Sept 24, 1993

for Vanderburgh County

By Rick Borries
Rick Borries, President
Vanderburgh County Board of Commissioners

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

By Don Hunter
Don Hunter, Member
Vanderburgh County Board of Commissioners

Attested By Sam Humphrey
Sam Humphrey, Vanderburgh County Auditor

Effective Date _____



MAINTENANCE AGREEMENT

1. IDENTIFICATION

This Maintenance Agreement made between Personnel Data Systems, Inc., (PDS) and CITY OF EVANSVILLE/COUNTY OF VANDERBURGH (Company) provides for services described below for the following PDS System:

PAYROLL MANAGER, PERSONNEL MANAGER, INFORMATION MANAGER AND SECURITY MANAGER - DEC/VAX VERSION

2. TERM OF AGREEMENT AND ANNUAL FEE

The term of this Agreement will be 12 months. Annual fees will be based on the then current rate at the time of renewal.

3. GENERAL SERVICES

NEW SOFTWARE - During the term of this Maintenance Agreement, the Company will receive each update to the standard software that is issued for the System and hardware listed in Section 1, above.

UPDATED DOCUMENTATION - User and program documentation will be updated as necessary.

SYSTEM SOFTWARE - PDS will correct problems encountered in the Basic system during the term of this Maintenance Agreement.

TAX SUPPORT - If this Maintenance Agreement covers the PDS Payroll system, tax table and calculation maintenance will be provided on a timely basis.

4. SUPPORT

PDS will correct defects in the system (as originally licensed to Company in unmodified form) and system updates (as originally published) unless the defects are attributable to the Company, in which case, PDS will analyze and/or correct such defects upon the request and expense of Company. All modifications are excluded from the provisions of this Maintenance Agreement, unless the modification was performed entirely by PDS. Support for custom code performed by PDS will include (if necessary) PDS assistance in retrofitting updates and enhancements at the request and expense of the Company.



5. TERM

This Maintenance Agreement extends for a period of twelve months. This Maintenance Agreement will be automatically renewed for successive one- year periods. Either party may terminate this agreement by giving sixty (60) days written notice to the other party prior to scheduled renewal.

6. FEES AND TAXES

The annual fee is due and payable upon invoice at the beginning of each service year. Company shall pay all taxes, including sales, use and excise taxes arising from this Maintenance Agreement. All fees are payable in U.S. dollars net.

7. LIMITATIONS

Other than as stated in this Maintenance Agreement, PDS makes NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY of the updates and services provided hereunder. In no event shall PDS be liable for loss of profits, indirect, special or consequential damages of Company or any third party. PDS' liability under or connected with this Maintenance Agreement is expressly limited to the monies paid to PDS by Company pursuant to this Maintenance Agreement. No action, regardless of form, may be brought by Company against PDS more than one (1) year after the cause of action arose.

8. PAYROLL SYSTEMS

If the system includes a PDS Payroll System, PDS shall provide to the Company information necessary to update the tax tables and tax calculation routines. These updates or new materials will be provided to the company as soon as practical after they have become available to PDS. PDS warrants that the updated taxes will be calculated correctly under normal conditions. However, PDS cannot assume responsibility for errors caused by program changes required to implement tax revisions, invalid parameters, hardware or auxiliary software failures, company modifications, or other unique operational problems. The company assumes complete responsibility for the accurate withholding of all payroll taxes.

9. SYSTEM INTEGRITY

It is understood and acknowledged that the continued integrity of the basic System is dependent upon installation of all updates in the licensed program logic and documentation.



10. HOT LINE SERVICE

An exclusive Hot Line is established for consult by phone services.
This service will be available to answer questions and discuss System concerns.

11. 24 HOUR EMERGENCY SUPPORT

Is available as required.

TERMS ACCEPTED:

PERSONNEL DATA SYSTEMS, INC.

BY: Herbert L. Smith

NAME: HERBERT L. SMITH

TITLE: VICE PRESIDENT

DATE: NOVEMBER 23, 1992

TERMS ACCEPTED:

CITY OF EVANSVILLE/
COUNTY OF VANDERBURGH

BY: _____

NAME: _____

TITLE: _____

DATE: _____

corrected
3/1/93

**SPECIFICATIONS FOR THE INSTALLATION OF A
LIQUID RUBBER ROOF SYSTEM
FOR THE
VANDERBURGH COUNTY HIGHWAY GARAGE**

This system shall be a liquid rubber system, white in color, maintain a Class "A" fire rating, and must be durable enough to withstand limited foot traffic. The system shall be installed with a five-year limited warranty against leakage resulting from product failure or workmanship.

DESCRIPTION OF WORK:

The extent of the liquid applied rubber roofing work is defined to include roofing, flashing and reinforcing of joints and roof accessories integrally related to roof installation.

QUALITY ASSURANCE:

Manufacturer Qualifications: The Manufacturer of the proposed roof system, here after referred to as "manufacturer", shall provide ALL primary products, which include, but is not limited to, the liquid applied rubber roofing material, brush and trowel grade seam sealer, polyester membrane, etc. Said products shall be approved and guaranteed by the manufacturer for the proposed roofing system. The manufacturer shall be in good standing and shall have been a producer of the products for not less than ten years. All secondary products must be approved by the manufacturer for use in the proposed roofing system.

Installer Qualifications: A single roofing contractor, here after referred to as "installer", shall perform the work and shall be licensed by the manufacturer to install the roof system. A written notice of certification from the manufacturer certifying the installer for the system must be included in the bid package.

Product Data: The submitted sealed bid package must include all technical data related to the proposed roof system, installation instructions and any manufacture recommendations for each type of product.

PRE-CONSTRUCTION CONFERENCE:

Prior to the scheduled work of the roof installation, the installer shall schedule a conference at the project site with the County Engineer and Highway Superintendent. The installer shall provide a proposed schedule of work and discuss any foreseeable methods or procedures related to the work. A representative from the manufacture must be present to ensure proper performance of work.

JOB CONDITIONS:

Roofing work will proceed only when weather conditions are suitable in accordance with the manufacturers specifications and recommendations.

The existing surface must be prepared to the approval of the manufacturer prior to the application of the liquid rubber system. Any damaged roof decking needing to be replaced shall be approved by the County Engineer and replaced by the installer at the contract price as set up in the Itemized Proposal.

Any existing unsuitable roofing material, not including decking, must be removed or repaired by the installer and included in the lump sum cost of the rubber roof system. Installation shall not proceed until all unsatisfactory conditions have been corrected.

See **Preparation of Substrate** for additional clarification.

PRODUCT DELIVERY, STORAGE AND HANDLING:

Only approved materials shall be delivered to the job site. All materials must be in their original sealed containers with all seals unbroken with labels legible and intact. Enough material must be present to eliminate work delays. Handling and storage of the material shall be in accordance with manufacturers recommendations to ensure the integrity will not be at risk and avoid possible contamination or damage. The County Engineer shall authorize the removal of all material and containers after completion of the project. Waste materials and debris shall be removed and disposed of daily. Any damaged material not conforming to the manufacturers specifications shall be rejected by the County Engineer, said material shall be immediately removed from the job site and replaced at no additional cost to the County.

EQUIPMENT:

All necessary equipment shall be in accordance with manufacturers specifications for application of the proposed system. Over-spray must be held to an absolute minimum.

MATERIAL REQUIREMENTS.:

Coating Requirements: The coating shall consist of a blend of synthetic rubbers in trowel, brush and spray grades. The coatings shall be one component, ready to use materials without asbestos or glass fiber additives.

Vehicle: The liquid carrier shall be a mild solvent with a flash point no lower than 105 degrees Fahrenheit. Within ten minutes of the coatings application, the carrier will prevent wash off or improper cure in the event of precipitation.

Pigments: The prime pigment shall consist of non-chalking titanium dioxide conforming to ASTM D-476. Anti-oxidants and UV-stabilizers are also to be provided for maximum ultraviolet resistance.

Fire Resistance: The field coating will have a Class "A" fire rating over non-combustible decks, meeting ASTM test method #E108-87 and UBC Code #32-7.

Moisture Permeability: The coatings shall record low moisture transmission as provided by ASTM E-96. All material grades, trowel, brush, and spray, will not exceed 0.2 perms.

Elongation and Recovery Characteristics: The spray and brush grade material will provide for 99% recovery from 600% elongation, while also exhibiting low tensile stress during elongation (100% modulus will not exceed 200 psi, 300% modulus will not exceed 400 psi.).

Tensile Strength: The spray and brush grade material will provide a minimum tensile strength of 1600 psi and 1500 psi, respectively, per ASTM D-412. The trowel grade material will provide a minimum tensile strength of 600 psi.

Container Stability: The coating shall have an indefinite shelf life provided all lids are tightly sealed. Spray grade materials in storage for several months may require agitation prior to use. However, as most project materials are made to order, little agitation should be required.

TECHNICAL SPECIFICATIONS:

Polyester Membrane:

Tensile Strength, ASTM D-1682	90 lbs
Elongation, ASTM D-1682	45%
Trapezoid Tear Strength, ASTM D-1117	22 lbs
Ball Burst Strength, ASTM D-3787	180 lbs

Elastomeric Flashing Cement - Trowel Grade:

Tensile Strength, ASTM D-412	600 psi
Elongation, ASTM D-412 (@72° F)	400%
Recovery from 100% Elongation, ASTM D-412	100%
Recovery from 400% Elongation, ASTM D-412	90%
Dry Time to touch in 24 hours and throughout in 30 days.	
Minimum Film Thickness	10 mils
Application Temperature Range (° F)	40 - 100
Service Temperature Range (° F)	-30 -200
Permeability, Water Vapor, ASTM E-96	0.15 perms

Seam Sealer - Brush Grade:

Tensile Strength, ASTM D-412	1500 psi
Elongation, ASTM D-412 (@77° and 32°)	600% and 300%
Recovery from 100% Elongation, ASTM D-412	100%
Dry Time to touch in 2-3 hours and throughout in three days.	
Minimum Film Thickness	7 mils
Application Temperature Range (° F)	40 - 120
Service Temperature Range (° F)	-40 -180
Resistant to oil, sunlight, chemicals and ozone.	
Permeability, Water Vapor, ASTM E-96	0.2 perms
Excellent resistance to foot traffic and abrasion.	

Liquid Rubber Coating - Spray Grade:

Tensile Strength, ASTM D-412	1500 psi
Elongation, ASTM D-412 (@77° and 32°)	600% and 300%
Recovery from 100% Elongation, ASTM D-412	100%
Dry Time to touch in 2-3 hours and throughout in three days.	
Minimum Film Thickness	6 mils
Application Temperature Range (° F)	40 - 120
Service Temperature Range (° F)	-40 -180
Resistant to oil, sunlight, chemicals and ozone.	
Permeability, Water Vapor, ASTM E-96	0.2 perms
Excellent resistance to foot traffic and abrasion.	

PREPARATION OF THE SUBSTRATE:

- Before installation of the roof system, all unsatisfactory conditions must be corrected. All large gaps existing between roof panels must be closed or made flush with self drilling screws. For voids larger than 1/4 inch, sponge foam strips or polyurethane foam pack may be used to pre-fill void prior to the application of a brush grade seam sealer.
- All fasteners must be re-tightened or replaced as required and totally encapsulated in seam sealer..
- All substrate must be pressure washed, with at minimum of 2000 psi (working pressure) to ensure all dirt, dust and waste products are removed.
- Rust areas must be treated prior to power washing. Treatment shall prevent any further deterioration of the metal decking and be applied as per manufacturers specifications.
- Deck replacement shall be paid for by the square yard under a separate line item. Replacement decking shall be of a material similar in nature to existing decking

FLASHING DETAIL AREAS:

All flashing detail areas, horizontal and vertical seams, penetrations, openings larger than 1/16" and curbing must be flashed with a trowel or brush grade mastic seam sealer and reinforced with a polyester membrane.

All voids and openings in ridge cap must be filled with backer rod, foam blocks or urethane foam prior to the application of the seam sealer.

MISCELLANEOUS:

Inspection of preliminary work will be by the County Engineer and installer to ensure that all work is complete and satisfactory. Upon the satisfactory completion of preliminary work, the installer will notify the manufacturer before preceding with application of the liquid roof system. Comprehensive photographs shall be taken to properly and completely log the nature and extent of the preliminary work.

All phases of work shall be inspected by the County Engineer before proceeding with the subsequent phase. The final roof surface shall be inspected for flaws, holidays, and insufficient thickness as set out in the manufacturers specifications. Upon completion, no seams shall be visible on the roof. Any unsatisfactory area will be repaired at the expense of the installer.

Itemized Proposal

Engineer's Estimate

1. Liquid Rubber Roof Membrane over Bur Roofs	1	LSUM	\$25,000.00
2. Liquid Rubber Roof Membrane over Metal Roofs	1	LSUM	\$6000.00
3. Wood Deck Replacement	400	SYS	<u>\$4000.00</u>
		TOTAL	<u>\$35,000.00</u>

**If you any questions or comments concerning the contract documents
please contact Gary Kercher
in Vanderburgh County Engineering Department at 424-9603**

COUNTY ENGINEER'S

CONSENT AGENDA

MARCH 1, 1993

ITEMS

1. GREEN RIVER ROAD Section B 216-4910
Approval & Acceptance of Temp. Easement Parcel #29 & 42
Acceptance of Warranty Deed - Parcel #43
2. GREEN RIVER ROAD Section C 216-4910
Authorization to Purchase - Parcels 50-55 & 61-68
3. CLAIMS:
Parcel #43 Roy G. Shrote \$1500.00

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 Given & Spindler Management Co # 1867

On Account of Appropriation for 1440-3790

Invoice No.	Itemized Claim	Amount	
	Payment for services rendered per contract		
	dated April 6, 1992 between Given & Spindler		
	Management Co. and the County Commissioners.	\$12,703.	47
	Total	\$12,703.	47

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.

Sandra Toton
Name
Gen. Mgr.
Title

Date 3-1, 1993.

A claim to be properly itemized, must show: Kind of service where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

Vanderburgh County, Indiana

To Roy G. Shrote..... Dr.

On Account of Appropriation For 1005 S. Cullen Ave., Evansville, IN..... 47715

19....	Order Number	ITEMIZED CLAIM	DOLLARS Cts.
		Purchase of R/W	
		Project: M-E 340(6)	
		Parcel 43	
		Total	\$1500.00

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.

Date 11-4, 19 92

X Roy G. Shrote
Title

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11300334	David Stefanich		Probationary Correct. Off.	19,319.00 9 2523 1HL	2-22-93 ✓
1750	David Stefanich		Other cleaning allow.		2-22-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Ray Hammer

DATE

2-25-1993

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor 108

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0801980	Cindy Ewing-Lutgring	Superior	Vanderburgh County Court Reporter - Other	Pay	2/22/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Stanley M. Levco

DATE

2/22/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-1130	John R. Gerard	7600 Bartals Rd	Real Estate	19,643.00	2/24/93
				9.4015/HR	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-1130	John R. Gerard	7600 Bartals Rd	Real Estate	18,733.00 18,732.91	2/24/93
				8.9717/HR	

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shirley Reader
Chief Deputy Knight Township

DATE 2/22/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1980	MARY A. GRIGGS		EXTRA HELP	\$5.00 HR	2-19-93 ✓
136.1-1990	STEPHEN F. ROTH		CASEWORKER	\$7.00 HR	2-8-93 ✓
260-1980	TRACY D. MEREDITH		QMA	\$7.00 HR	2-8-93
05.0136Z-1200	A. DALE WILLIAMS		CORRECTIONS OFFICER	\$17,699 AN	2-22-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	STEPHEN F. ROTH		CASEWORKER	\$5.00 HR	2-7-93
260-1980	TRACY D. MEREDITH		QMA	\$5.00 HR	2-7-93 ✓
276-1990	JASON R. STOWERS		PART-TIME CORRECTIONS OFFICER	\$5.00 HR	2-7-93 ✓
136-1990	REBECCA A. SPRINGER		TYPIST	\$5.25 HR	2-6-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Russell
JUDGE, CIRCUIT COURT

DATE

2/23/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	DEANNA K. MOORE		TYPIST	\$4.75	HR	2-8-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

2/23/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department AREA PLAN COMMISSION

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
4-112	Joseph D. Ballard	1112 S. E. Riverside	Senior Planner	30046	00	5-10-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE

2-25-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Burdette Park

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
2-10-93	Shauntrece Deters	444 E. New Hope Rd.	PT Grnd. Crew	4	25	2-10-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Paul T. Kelly

DATE Feb 23, 93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY - HWY. 2010 02010

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
0101001	WILLIAM F. MORPHEW	1121 ADAMS AVE.	SUPERINTENDENT	30,000	00	2-23-93
0101920	INSURANCE 6,913.00					
0101900	FICA 2,295.00					
0101910	PERF 2,175.00					

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Rick Barnes

DATE 2-25-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY-CUMULATIVE BRIDGE 2030 02030

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
03011302030	CLETUS J. MUENSTERMAN	6025 BROADWAY AVE.	SUPERINTENDENT	26,656	00	2-23-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
03011302030	WILLIAM F. MORPHEW	1121 ADAMS AVE.	SUPERINTENDENT	26,656	00	2-23-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Hide Barnes DATE 2-25-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Trustee

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	Scott Crawford	638 Jefferson	Clerk	35.00	per day	3-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mary E. Hart DATE 3-1-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Trustee

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	Robert E. Heacock	7730 Greenbriar Ct.	Investigator	18,148	00	2-23-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	Cletus Muensterman	6025 Broadway	Investigator	20,148	00	2-23-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mary E. Hart DATE 2/26/93

MINUTES
COUNTY COMMISSION MEETING
MARCH 8, 1993

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Welcome & Introductions	1
Request for Funding/Historical Sites & Structures Inventory	1
Historical Skit/Vanderburgh County Historical Society	2
Local Emergency Planning Committee	3
County Attorney/Alan M. Kissinger (No Report)	3
County Engineer's Report	3
Change Order/VC-92-08-04/Strawberry Hill Street Repair County Highway Garage Roof Specifications (Deferred until funding is in place)	
County Highway/Bill Morpew	4
Weekly Report Quotes/Gradall Repairs (Approved Carlisle Equipment in amount not to exceed \$10,500) Commendations/Snow Removal from County Roads	
Consent Agenda (Approved)	4
Old Business	4
1993 Teamsters Contract (same as 1992 approved, with the exception that 5% raise is to be included retroactive to 1/1/93)	
New Business	4
Sympathy Extended to Sandi Deig	
Meeting Adjourned @ 6:30 p.m.	4

MINUTES
COUNTY COMMISSIONERS MEETING
MARCH 8, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, March 8, 1993 in the Restored Court Room in the Old Court House in commemoration of the 175th Anniversary of the County and the first official meeting of the Board of Commissioners of Vanderburgh County which was held on March 9, 1818.

RE: WELCOME & INTRODUCTIONS

President Richard J. "Rick" Borries said it is not only his honor this evening to welcome the meeting attendees, but the Commissioners here this evening represent a part of the rich history of the County. He subsequently introduced Current Commissioners R. Patrick Tuley and Don Hunter. He then introduced the following former Commissioners, two or three of whom probably served as Commissioners when the Commission Meetings were still being held in the historic Old Court House: Wilfred W. Diekman (1/1/55-12/31/59); Charles J. Ellspermann (1/1/56-12/31/68); James M. Buthod (1/1/69-12/31/72); Robert Willner (1/1/71-8/30/90); Thomas L. Ossenberrg (1/1/73-1/1/79); Robert J. Schaad (1/1/73-12/31/80); Robert A. Davies (1/15/79-12/31/80); and Mark R. Owen (9/17/90-12/31/90).

President Borries also recognized former Commissioners Shirley Jean Cox and Caryoln S. McClintock, who were both absent from this historic meeting. He subsequently expressed appreciation to Faye Gibson, Executive Director of the Old Court House Preservation Society, for her cooperation in arranging and setting up this evening's event. As pointed out by Commissioner Davies earlier, this is a very imposing structure. Mr. Borries said that he thought as we began the 176th year of this County, certainly we couldn't have a more fitting scene and presence than to be in this magnificent structure for this evening's session.

Others introduced included: Mrs. Betty Lou Jarrel, Vice President/County Council and Mr. and Mrs. Walter Sirkle; and Auditor Sam Huphrey (who made copies of the minutes of the first Commission Meeting, which are available for distribution). Commissioner Borries said that Mr. Walter Sirkle, is one of the direct descendants of one of those first Commissioners (George Sirkle) and Mr. and Mrs. Walter Sirkle have honored us this evening with their presence. In response to query from Commissioner Borries, Mr. Sirkle said Mr. George Sirkle was his Great-Great-Grandfather. Also recognized were: Alan M. Kissinger, County Attorney, Mark Abell and B. J. Farrell of the Commission Office, and Joanne Matthews, Secretary for the Commission. President Borries then asked the group to stand for the Pledge of Allegiance.

RE: REQUEST FOR FUNDING/HISTORICAL SITES & STRUCTURES INVENTORY

President Borries said that Professor Darryl Bigham, University of Southern Indiana, Director of Historic Southern Indiana and active in the Vanderburgh County Historical Society, is present this evening with regard to funding request.

Professor Bigham said he would briefly introduce Marsh Davis, Director of Community Services for the Historic Landmarks Foundation. Continuing, he said he appreciates the opportunity to make a brief presentation this evening, especially in view of the historic occasion. Vanderburgh County has been selected as one of

three sites in the State for a 1993 Historical Sites & Structures Inventory. This survey would be the most comprehensive survey done to date and bring the number of counties in Indiana surveyed to forty (40). The survey would take approximately one year to complete and copies would be placed in public libraries, etc., and the remainder would be available for sale by historical societies, etc. The cost of the survey is born through a grant made available by the Department of Interior and the County provides a matching grant. The total cost would be approximately \$84,000, with the County's share being \$30,000 over a three year period or \$10,000 per year.

Mr. Davis said this is the nicest County Commission Meeting he has ever attended and he's been to lots of them across the State. Mr. Davis said the survey will become a planning tool while providing incentives for owners of some of the city's 19th century landmarks to preserve those structures. Mr. Marsh said that getting the building listed on the National Register of Historic Places is helpful and, in some cases necessary, for owners seeking grants and tax breaks in preservation projects. Both the federal and state governments need to know where the historic properties are, what the number is and the quality of the historic structures. The survey will be used as a tool for Indiana Tourism/Film Development and as an educational tool in the school system. The survey will build an awareness about what we have in the county and in the community. There has been widespread support throughout the state for the survey and they have a waiting list for 1995 of counties that want to be surveyed. It is becoming more and more common for the counties to pay for the entire project, leaving the grant funds for other projects. He then submitted copies of the Lawrence County survey to each of the Commissioners for their perusal.

Following further brief comments, a motion was entertained.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Commission approved the \$30,000 County share of the project and going on Council Call for \$10,000 for the first year of the County's share.

RE: HISTORICAL PRESENTATION BY VANDERBURGH COUNTY HISTORICAL SOCIETY - MS. BARBARA MOORMAN

Following the presentation by Messrs. Bigham and Marsh, President Borries introduced Ms. Barbara Moorman of the Vanderburgh County Historical Society, which has been existence since around 1982. Ms. Moorman said they are not going to re-enact the first County Commission Meeting, rather they will present a skit about what happened -- prepared by the Vanderburgh County Historical Society depicting a fictional newspaper interview. Those participating included teacher Rob Spear (reporter from the Western Sun), Evansville Museum's historic curator Tom Lonnberg (Hugh McGary), Bob Patry (Commissioner James Anthony) and historical society board member and retired attorney Louis Ritz (Thomas Casselberry). According to the skit, Hugh McGary and others had hoped to get Evansville declared the County seat of Warrick County, which was formed in 1813. Evansville didn't win the designation and subsequently the landowners got the Indiana Legislature to create Vanderburgh County (named after a Vincennes Judge who didn't live here). They awaited the arrival of a five-member Commission appointed by the Indiana officials to identify a county seat. The first County Commission met on March 9, 1818, but three of the five state officials didn't show up. Three locals, including Thomas Casselberry, were appointed to make the selection and to no one's surprise, they picked Evansville. Mr. Casselberry (played by Louis Ritz) said they knew if they didn't have the meeting and set a site for the county seat that maybe they'd take it away -- so the "seat site setters" did their job and subsequently adjourned the meeting, scheduling another meeting the following day.

Subsequent to the skit, which received resounding applause, President Borries thanked the group for their informative and entertaining presentation. He said the Vanderburgh Historical Society's headquarters are in the Old Court House. They have excellent exhibits which feature parts of County history. Mr. Bill Bartel (a teacher at Harrison High School and Professor at Southern Indiana University) and his wife have written a history of this Court House, which is actually the third Court House in the county and still stands majestically. The exhibits will be open following tonight's meeting and those present are encouraged to stop by and view same.

RE: LOCAL EMERGENCY PLANNING COMMITTEE

The meeting continued with Commissioner Borries stating he has a letter from Keith Kahre, Chairman of the Local Emergency Planning Committee, submitting a list of persons suggested to serve on the LEPC for 1993.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the suggested list was approved. So ordered.

RE: COUNTY ATTORNEY/ALAN KISSINGER

In response to query from Commissioner Borries, Attorney Kissinger said he has nothing to report to the Commission this evening.

RE: COUNTY ENGINEER

It was noted that Mr. John Stoll, County Engineer, is not present this evening, but Gary Kercher of the County Engineer's office has some matters to come before the Board.

Change Order/VC-92-08-04/Strawberry Hill Street Repair: Mr. Kercher submitted a Change Order in the amount of \$30,252.00, saying we have some problems. Late last year additional money was requested and approved to increase the pavement patch, flowable grout and grout sealing line items. This was done to more effectively repair the Melody Hills area and include patching of Strawberry Hill Drive, a road in Strawberry Hill Subdivision. Due to the severity of the past winter and the unforeseen extent of the voids and pavement damage, the amount of patching required nearly doubled. At this time, they feel that Melody Hills Subdivision has been adequately repaired. However, because of the nature of the area maintenance problems will be on going and there will be need for additional work in the future. Unfortunately, Strawberry Hill Drive will not last much longer and immediate action is required to eliminate the current problems of broken pavement and voids under the roadway. The expenditure of an additional \$30,000 is necessary to mitigate the problem. This amount can be added to the 1992 contract as a change order. This will allow their department to put together another contract for the lower portion of the road, as well as other roads in need of similar repairs. Having gone through a contract of this nature, they now feel they will be able to be more effective in estimating the "hidden" problems associated with repairs of this nature -- voids, pipe separations, subgrade failures, etc.

A motion was entertained. Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the Change Order was approved. So ordered.

County Highway Garage Roof Specifications: Mr. Kercher noted there have been revisions in the Notice to Bidders with regard to the specs. This project will be put on hold until we have funds available. Mr. Mark Abell is to go on Council Call Wednesday to request funding.

RE: COUNTY HIGHWAY/BILL MORPHEW

Weekly Report: Mr. Morpew submitted the written Progress Report for period of February 26, 1993 -- March 4, 1993.....report received and filed.

Quotes/Gradall Repairs: Mr. Morpew stated he has received two quotes as follows for Gradall Repairs:

- | | |
|-------------------------------------|--|
| 1) Carlisle Equipment Co., Inc. | \$5,495.00 (Not to exceed \$10,500) |
| 2) Southeastern Equipment Co., Inc. | \$17,155.00 (Option #1)
\$20,143.00 (Option #2) |

Mr. Borries asked if Mr. Morpew thinks the low bid will do the job in terms of what he feels needs to be done in the way of repairs. Mr. Morpew said he does.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, Mr. Morpew was authorized to go with the quote from Carlisle Equipment in an amount not to exceed \$10,500. So ordered.

Mr. Borries expressed appreciation to Mr. Morpew and his crews for their untiring efforts with regard to the snow removal, etc. Mr. Morpew stated they have received a number of commendation letters.

RE: CONSENT AGENDA

Commissioner Borries asked if there are any questions concerning the Consent Agenda. There were none.

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

RE: OLD BUSINESS

1993 Teamsters Contract: Commissioner Tuley said he does have one item under Old Business. In reviewing last week's minutes, he noted on Page 10 the Board approved a motion with reference to the Teamster's contract being extended through 1993. We had earlier discussions about granting them the 5% increase that all County employees had been granted and making it retroactive to January 1, 1993. For some reason, they failed to get that in the motion to extend the contract. At this time he would like to amend that motion to include those two specifications.

Commissioner Borries asked if Commissioner Hunter has comments. He had none.

Mr. Tuley moved the Teamster's contract be extended through 1993, as it was, with the exception that the 5% increase received by all County employees be included and that the 5% increase be made retroactive to January 1, 1993. Motion seconded by Commissioner Hunter. So ordered.

RE: NEW BUSINESS

Commissioner Hunter said he would request that the Board extend their sympathy and prayers to Sandi Deig, Executive Assistant to the County Council, in the loss of her son, David Garrett, during a motorcycle accident yesterday.

There being no further business to come before the Board at this time, President Borries thanked the entire group for their attendance at this historical meeting and adjourned the meeting at 6:30 p.m.

COMMISSIONERS MEETING
March 8, 1993

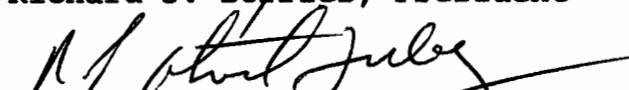
5

PRESENT:

Richard J. Borries, President
R. Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
Gary Kercher, County Engineer's Office
Mark Abell, Commission Office
B. J. Farrell, Commission Office
James M. Buthod, former Commissioner
Charles J Ellspermann, former Commissioner
Robert A. Davies, former Commissioner
Bob Schaad, former Commissioner
Thomas Ossenberg, former Commissioner
Mark R. Owen, former Commissioner
Robert L. Willner, former Commissioner
Wilfred W. Diekman, former Commissioner
Betty Lou Jerrell, County Council
Darryl Bigham
Marsh Davis
Louis Ritz
Bob Patry
Rob Spear
Caroline Nellis
Ken McCutchan
Ruth Adams
Richard G. Geier
Kelly Lonnberg
Tom Lonnberg
Sue Reel
Ruth Kleymeyer
Marylu Sonntag
Allan W. Moorman
Barbara Moorman
William F. Morphew
Mr. & Mrs. Walter Sirkle
Roseann Robbins
Ann Reynolds
Betty Felty
Connie Hollis
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


R. Patrick Tuley, Vice President

Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 8, 1993

5:30 P.M.

1. CALL TO ORDER

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

A. Any group/individual wishing to address the commission

B. Keith Kahre/LEPC Chairman

re: Letter submitting list of names for consideration
regarding persons to serve on the LEPC for 1993

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney

John Stoll ----- County Engineer

*See attached engineer requests

Bill Morpew ----- County Highway

6. CONSENT ITEMS

A. Travel/Education Requests

Legal Aid (1)

County Recorder (2)

County Assessor (2) \

Health (1)

B. Employment Changes:

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

Scheduled Meetings

Mar 8	Mon	Solid Waste	4:30 PM	RM 307
Mar 8	Mon	County Commissioners	5:30 PM	
* This meeting will be held at the Old Courthouse				
Mar 15	Mon	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Mar 16	Tues	County Insurance Committee	9:00 AM	RM 303
Mar 18	Thurs	County Employee Steering Committee	9:00 AM	RM 303
Mar 22	Mon	County Commissioners:		
		Public Hearing regarding County Roads	5:00 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Mar 29	Mon	County Commissioners	5:30 PM	RM 307
Mar 31	Wed	County Council	3:30 PM	RM 301
		*Personnel/Finance		

COMMISSIONERS

<i>Richard J. Borries</i>	<i>1/1/81 -</i>
<i>Don Hunter</i>	<i>1/1/91 -</i>
<i>R. Patrick Tuley</i>	<i>1/1/93 -</i>
<i>Carolyn S. McClintock</i>	<i>1/1/89 - 12/31/92</i>
<i>Mark R. Owen</i>	<i>9/17/90 - 12/31/90</i>
<i>Robert L. Willner</i>	<i>1/1/71 - 8/30/90</i>
<i>Shirley Jean Cox</i>	<i>1/1/81 - 12/31/88</i>
<i>Robert J. Schaad</i>	<i>1/1/73 - 12/31/80</i>
<i>Robert A. Davies</i>	<i>1/15/79 - 12/31/80</i>
<i>Thomas L. Ossenberg</i>	<i>1/1/73 - 1/1/79</i>
<i>James M. Buthod</i>	<i>1/1/69 - 12/31/72</i>
<i>Charles J. Ellsperman</i>	<i>1/1/56 - 12/31/68</i>
<i>Wilfred W. Diekman</i>	<i>1/1/55 - 12/31/59</i>

App'd. 3/18/93

VANDERBURGH COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
KEITH KAHRE, CHAIRMAN
ROOM 18, CIVIC CENTER COMPLEX
1 NW MARTIN LUTHER KING, JR. BLVD.
EVANSVILLE, INDIANA 47708-1839
812-426-5602 FAX: 812-426-5606

Vanderburgh County Commissioners
Civic Center Complex
Evansville, Indiana 47708

Dear Commissioners:

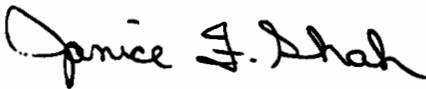
The Vanderburgh County Local Emergency Planning Committee hereby submits for your consideration the enclosed list of persons suggested to serve on the LEPC for 1993. This is an item on the agenda for March 8, 1993.

This list is to serve as nominations to be submitted to the State Emergency Response Commission (SERC) for appointment by them. This list has been developed according to SERC's recommendations for community representation.

A packet of information has been included with this list so that you may see the recent developments taking place in the Indiana Emergency Response Commission as it coordinates its work with the Local Emergency Planning Committees.

It is hoped this information will assist you as you consider this item of the Agenda for March 8, 1993. If further information is needed please contact our office or Keith Kahre, LEPC Chairman, at 479-4181.

Sincerely,


Janice F. Shah
Administrative Assistant

JFS

VANDERBURGH COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
KEITH KAHRE, CHAIRMAN
ROOM 18, CIVIC CENTER COMPLEX
1 NW MARTIN LUTHER KING, JR. BLVD.
EVANSVILLE, INDIANA 47708-1839
812-426-5602 FAX: 812-426-5606

LEPC ROSTER SUGGESTIONS

CHAIRPERSON: KEITH KAHRE

REPRESENTATION:

1. LOCAL/STATE GOVERNMENT:
JOHN ASBRO - AREA PLANNING COMMISSION
GREG SERVER - STATE REP.
PHIL HOY - COUNTY COUNCIL
ED BASSEMEIR - COUNTY COUNCIL
JEFF WILHITE - COUNTY ATTORNEY
RICK BORRES - COUNTY COMMISSIONERS
PAT TULEY - COUNTY COMMISSIONERS
GAIL RIECKEN - CITY COUNCIL
2. LAW ENFORCEMENT:
ART GANN OR DESIGNATE
RAY HAMNER OR DESIGNATE
TOM SNYDER - INDIANA STATE POLICE
3. EMERGENCY MANAGEMENT AGENCY:
SHERMAN G. GREER
JANE SNELLING
4. FIRE FIGHTING:
MATT TIMMEL
CLIFF WEAVER
DOUG WILCOX
JOHN BUCKMAN
JESS ROBERTS
GREG MAIN
JACK KERNEY
MAURY NICHOLS
BOB DOERR

5. **EMERGENCY MEDICAL SERVICES:**
MIKE KLUHEH (OR DESIGNATE: C.L. MITCHELL) - ALEXANDER
AMBULANCE
6. **HEALTH:**
BRET TOWNSEND OR DESIGNATE: GEORGE THOMPSON
7. **ENVIRONMENTAL:**
JIM DANIELS - RECYCLING COORDINATOR
JOAN SHELTON - FORMER EPA DIRECTOR AND LEPC CHAIRMAN
CHRISTINE TERRY - EPA DIRECTOR
ERIC DODD - SUBTECH
SAM ROACH - ENVIRO-GROUP, INC.
ERIC WELLING - DONAN ENGINEERING
8. **TRANSPORTATION:**
JOHN CONNELL - METS
RANDY COLLINS - INDIANA DEPT. OF TRANSPORTATION
CHRIS SCHELTZER - BOARD OF PUBLIC WORKS
FRED HOWARD - CITY/COUNTY HIGHWAY DEPT. REPRESENTATIVE
9. **BROADCAST/PRINT MEDIA: SUGGESTIONS FOR REPRESENTATION
TO BE SUBMITTED AT LATER DATE**
10. **INDUSTRY:**
DICK HAGEN - BRISTOL MEYERS SQUIBB
TOM CERVONE - BERNARDIN, LOCHMUELLER, & ASSOCIATES
RICHARD KUHN - PRO-TEX-ALL
HAROLD GROSSMAN - ALCOA WARRICK OPERATIONS
VIRGIL WHITLEDGE - RED SPOT PAINT & VARNISH CO.
EMIL ALTMAYER - ULRICH CHEMICAL CO.
11. **COMMUNITY GROUPS:**
SUSAN SAULS - CHAMBER OF COMMERCE
KATHY WEINZAPFEL - AMERICAN RED CROSS
MIKE SCHOPMEYER - ATTORNEY
12. **HOSPITALS:**
KEITH KAHRE - ST. MARY'S HOSPITAL EMS COORDINATOR
TIM MAHONE - WELBORN BAPTIST HOSPITAL EMS COORDINATOR

JFS

STATE OF INDIANA



EVAN BAYH, GOVERNOR

KATHY PROSSER, CO-CHAIR
JEROME M. HAUER, CO-CHAIR

INDIANA EMERGENCY RESPONSE COMMISSION

5500 W. Bradbury Ave.
Indianapolis, IN 46241
317/243-5176

24 Hour Emergency Notification - 317/241-4336

TO: LEPC Chairs
FROM: Indiana Emergency Response Commission
SUBJECT: IERC Policies and Procedures

RECEIVED

AUG 28 1992

UNDERSIGNED

Enclosed is a copy of the policy positions adopted by the Commission at its last meeting, on July 20, 1992.

These policies have been adopted in the interests of the IERC's providing the greatest possible support for and guidance to the LEPCs of Indiana. If the Commission has overlooked any issues that you would like to see addressed, please let us know.

Enclosed also is the new roster format adopted by the Commission for use by all LEPCs. Please utilize the form when submitting roster changes to the Commission for approval, and when making your annual roster submission. The form is also intended for your use in identifying any gaps there may be in your LEPC's makeup. The categories of representation on the form are those required by Title III law.

Finally, enclosed are model bylaws for your Committee's guidance. Title III requires that each LEPC "establish rules by which the Committee shall function." Your Committee may modify the model as you deem appropriate for your circumstances or preferences, but a copy of the bylaws adopted by your LEPC must be submitted to the Commission as soon as possible.

Again, if you can suggest additional policies or procedures the Commission can adopt in order to better help your LEPC in doing its work, please let us know.

Sincerely,

Handwritten signature of Jerome M. Hauer.
Jerome M. Hauer,
Chair

Handwritten signature of Greta J. Hawvermale.
Greta J. Hawvermale, for
Vice-Chair Kathy Prosser

LOCAL EMERGENCY PLANNING COMMITTEE

Address: County Emergency Management Office
Courthouse
Goodtown, IN 12345

Telephone Numbers: Administrative Number: () 555-5555
24-hour Number: () 555-1234
Chairperson: Jane Doe
Info. Coordinator: Jane Doe/John Smith
Document Location: Emergency Management Office

Planning Coordinator: Jane Doe/John Smith

Representative:

- | | |
|--------------------------------------|---------------------------------|
| A. <u>Local/State Govt:</u> | G. <u>Environmental</u> |
| B. <u>Law Enforcement</u> | H. <u>Transportation</u> |
| C. <u>Emergency Management</u> | I. <u>Broadcast/Print Media</u> |
| D. <u>Fire Fighting</u> | J. <u>Industry</u> |
| E. <u>Emergency Medical Services</u> | K. <u>Community Groups</u> |
| F. <u>Health</u> | L. <u>Hospital</u> |

LOCAL EMERGENCY PLANNING COMMITTEE

Address:

Telephone Numbers: Administrative Number: () -
24-hour Number: () -
Chairperson:
Info. Coordinator:
Document Location:

Planning Coordinator:

Representative:

- | | |
|--------------------------------------|---------------------------------|
| A. <u>Local/State Govt:</u> | G. <u>Environmental</u> |
| B. <u>Law Enforcement</u> | H. <u>Transportation</u> |
| C. <u>Emergency Management</u> | I. <u>Broadcast/Print Media</u> |
| D. <u>Fire Fighting</u> | J. <u>Industry</u> |
| E. <u>Emergency Medical Services</u> | K. <u>Community Groups</u> |
| F. <u>Health</u> | L. <u>Hospital</u> |

RECORDS REQUESTS

Section 301 of Title III states that "The State Emergency Response Commission (SERC) shall appoint Local Emergency Planning Committees (LEPC) under subsection (c) and shall supervise and coordinate the activities of such committees. The SERC shall establish procedures for receiving and processing requests from the public for information under Section 324, including Tier Two information under Section 312.

Pursuant to the foregoing requirement of Title III, and in the interest of facilitating the public's access to Title III information, the IERC issues the following guidelines:

1. In general, no requirements may be established to be met by the public which would tend to discourage, inhibit, or otherwise make difficult the obtaining of chemical data from the designated information location.
2. Any charges which are levied for copying MSDSs or Tier One/Two forms for the public under Title III may be no greater than charges already established for the duplication of other documents held as public records.
3. No requirement may be established which calls for a member of the public to go elsewhere or to request of others 311-312 information.
4. In addition to MSDS and Tier One and Two forms, a copy of the county emergency response plan and follow-up emergency notices subsequent to a facility's chemical release shall also be available to the public at the same location during normal business hours.
5. Requests from the public for Tier Two information, in contradistinction to MSDSs and Tier One information, shall be in writing and facility specific, and shall be provided within 45 days.
6. Specific location information will, at the request of the reporting facility, be kept confidential, and a separate file of such information should be maintained to prevent inadvertent disclosure.
7. Specific chemical identities will be withheld from the public if the reporting facility has complied with all Title III requirements for claiming Trade Secret exemption under Section 322.
8. In conformity with Section 324(b) of Title III, each LEPC shall annually publish a notice in local newspapers giving the location of the emergency response plan, MSDS, inventory forms, and post-release follow-up notices that are available for public inspection at the designated location during normal business hours.

POLICY COMMITTEE ISSUES

1. Responsibilities of SERC:

- A. "The State Emergency Response Commission (SERC) shall appoint local emergency planning committees under subsection (c), and shall supervise and coordinate the activities of such committees. The SERC shall establish procedures for receiving and processing requests from the public for information under Section 324, including Tier Two information under Section 312. Such procedures shall include the designation of an official to serve as coordinator for information." [Section 301(a)]
- B. "A State Emergency Response Commission may revise its designatories and appointments under subsections (b) and (c) as it deems appropriate. Interested persons may petition the SERC to modify the membership of a local emergency planning committee." [Section 301(d)]

2. Responsibilities of LEPC:

- A. "Each committee shall include at a minimum, representatives from each of the following groups or organizations: elected state and local officials; law enforcement, civil defense, firefighting, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of this subtitle." [Section 301(c)]
- B. "Such committee shall appoint a chair person and shall establish rules by which the committee shall function." [Section 301(c)]
- C. "Such rules shall include provisions for public notification of committee activities, public meetings to discuss the emergency plan, public comments, response to such comments by the committee, and distribution of the emergency plan." [Section 301(c)]
- D. "The local emergency planning committee shall establish procedures for procedures for receiving and processing requests from the public under Section 324, including Tier Two information under Section 312. Such procedures shall include the designation of an official to serve as coordinator for information." [Section 302(c)].

IERC Performance Issues

- A. **Frequency and Location Meetings:** The IERC will meet at least of quarterly, and its regular meetings will be held in Indianapolis at the Indiana Government Center; special meetings of committees or other sub-groups of the IERC may be held in various locations around the state.
- B. **Commission Proxies:** To ensure administrative continuity, those Commissioners permitted to name designees will appoint in writing particular proxies to attend Commission meetings in their absence and will authorize those proxies to vote on issues before the Commission.
- C. **Quorum:** A majority of the Commission members constitutes a quorum for the authority to conduct business.
- D. **Committees:** The Committees established by the IERC will meet on a basis established by the Committee chairs, and will report their findings and make their recommendations to the IERC for approval at its regular meetings; mileage and expenses incurred by Committee members in attending meetings will be reimbursed from IERC funds; reimbursement will be in accordance with State guidelines.
- E. **Tier Form Submission:** The IERC recommends that LEPCs require the Tier Two form to satisfy Section 312 of Title III.
- F. **MSDS Submission:** The IERC recommends that facilities submit lists of, rather than individual MSDS for, reportable chemicals.
- G. **Data Maintenance:** The IERC will maintain Title III documents for a period of three years from the date of their submission.

- N. Annual Legal Notice: The IERC will provide to each LEPC a model legal notice and will acknowledge receipt of each LEPC's legal notice submission to the Commission, due by January 30th of each year.
- O. Public Official Education: The IERC will take initiatives to apprise local officials of SARA Title III and the responsibilities of LEPCs under federal and state law.
- P. Inter-County Planning: The IERC strongly encourages each LEPC to plan jointly with contiguous counties to enhance planning and response capabilities; the IERC will explore the feasibility of funding inter-county planning, training and response efforts.
- Q. Sanctions for LEPC Non-Performance: If the IERC determines that an LEPC has failed to comply with either a requirement of state or federal law or with an IERC guideline, the Commission will so apprise such LEPC and will take whatever action it deems appropriate to bring such LEPC into compliance with the law and/or IERC guidelines.
- R. Risk Communication: The IERC will communicate to the public, the private sector, and to other agencies of government its assessment of threats posed to public health and safety and to the environment by transportation and fixed facility chemical hazards in Indiana.
- S. Emergency Planning Districts: Each county in Indiana is currently designated a Title III emergency planning district with its own LEPC.
- T. Attorney General's Opinion: The IERC accepts the Indiana Attorney General's opinion that LEPCs are state entities subject to the Tort Claims Act.

POLICY COMMITTEE RECOMMENDATIONS

LEPC Performance Issues

- A. **Frequency of Meetings:** Each Committee shall meet at least once quarterly.
- B. **Roster Submissions:** Each Committee shall submit a roster to the IERC at least annually by February 14; the roster format will reflect the categories of membership required by SARA Title III, Section 301(c).
- C. **Submission of Annual Financial Report:** Each Committee will submit by registered mail to the IERC a report of expenditures annually by April 17; the IERC will provide to each Committee a report form to satisfy the requirements of IC 6-6-10.
- D. **Adoption of Procedural Rules:** Each Committee will adopt written rules of procedure, a copy of which will be submitted to the IERC, to satisfy the requirement of Title III, Section 301(c).
- E. **Annual Publication of Legal Notice:** Each Committee will publish at least annually a legal notice, in its emergency planning district, setting out Committee meeting times and places, and the location of the Committee's emergency plan, Tier forms, MSDS sheets, and written follow-up notices by facilities experiencing accidental Title III chemical releases. A copy of such notice is to be furnished to IERC, by January 30th annually.
- F. **Plans Submission:** Each Committee will submit annually to the IERC, by October 17, its emergency plan for accidental Title III chemical releases; such plan will preferably be an appendix to the hazardous materials annex of the county's EOP.

N. LEPC Telephone
Numbers:

Each Committee will provide to the IERC and to Title III facilities in its emergency planning district a 24-hour emergency number for reporting Title III releases, and an administrative telephone number for routine calls.

O. Additional Duties:

Committees will comply with all additional requirements of Title III not explicitly referred to in IERC policy statements, and with any future guidelines established by the IERC consistent with state and federal law.

(NAME) COUNTY EMERGENCY PLANNING COMMITTEE
BYLAWS

ARTICLE VII - Title III Document Submissions	4
Section 1: Repository of Documents	4
Section 2: Availability of Documents to the Public	4
Section 3: Committee Records	4
Section 4: Legal Notices	4
ARTICLE VIII - Adoption/Amendment of Committee Bylaws	5
Section 1: Adoption of Bylaws	5
Section 2: Amendment of Bylaws	5
ARTICLE IX - Non-Exclusion Provision	5
ARTICLE X - Bylaws Adoption and Signing	5

Section 3: Duties of Sub-Committees

- (a) Sub-Committees will convene to consider issues assigned by the Committee and/or issues of the Sub-Committee's devising.
- (b) Sub-Committee meetings will be held at the discretion of Sub-Committee Chairs in terms of frequency and location.
- (c) Sub-Committees will report their findings and make their recommendations to the full Committee.
- (d) Sub-Committee recommendations must, to be adopted, be affirmed as resolutions by a majority of the Committee members.
- (e) Additional duties may be assigned Sub-Committees by the Committee Chair.

ARTICLE V

OFFICERS

Section 1: Officers

The Officers of the Committee are the Chair, Vice-Chair, and Secretary/Treasurer.

Section 2: Terms of Officers

The terms of the Officers are for a period of one year.

Section 3: Election of Officers

Annual election of Officers will be effected by a majority vote of all Committee members appointed by the Indiana Emergency Response Commission.

ARTICLE VI

POWERS AND DUTIES OF OFFICERS

Section 1: Meeting Frequency, Dates, Times and Locations

The Chair will determine the frequency, dates, times, and locations of Committee meetings.

Section 2: Sub-Committee Appointments

The Committee Chair will appoint the Chair and members of each Sub-Committee.

Section 3: Committee Meetings' Conduct

- (a) The Chair will conduct Committee meetings according to Robert's Rules of Order.
- (b) Committee meeting agendas will be set by the Chair.

Section 4: Delegation of Authority

The Chair of the Committee may delegate at his/her discretion his/her powers and duties to the Vice-Chair, consistent with other provisions of the bylaws.

Section 5: Meeting Minutes and Fiscal Records

The Secretary/Treasurer will keep Committee meeting minutes and a record of the finances of the Committee.

ARTICLE VII

TITLE III DOCUMENT SUBMISSIONS

Section 1: Repository of Documents

The (Health Department, Library, etc.), (Street Address)
(City), Indiana will be the repository for all documents submitted to the Committee pursuant to the provisions of SARA Title III.

Section 2: Availability of Documents to the Public

Title III documents will be available for examination by the public during the hours of 8:15 am and 4:45 pm, Monday through Friday, at (Street Address), (City), Indiana.

Section 3: Committee Records

All records of Committee meetings, including meeting agendas and minutes, will be available for inspection by the general public and interested parties at (Street Address)
(City), Indiana.

Section 4: Legal Notices

The Committee will publish annually a legal notice indicating where all Title III documents are maintained, including the Committee's emergency plan, MSDS, Tier forms, and written follow-up notices from facilities experiencing Title III spills.

**County Engineer's Agenda
for
March 8, 1993**

1. Change order for contract VC92-08-04 in the amount of \$30,252.00
2. Garage roof specifications:
Revision to the notice-to-bidders.

*add
P1/DW
March 6th
Council*

VANDERBURGH COUNTY PUBLIC WORKS DEPARTMENT

715A Locust Street
Evansville, Indiana 47708

L.R. #5 - Contractual
Service

ACCNT NO: 216-3930 PROJ.: Creek Sealing CONTRACT NO: 92-08-04

The following change(s) is(are) recommended. (Give loc., descr. and reason)

Strawberry Hills Drive. - Off Old State Road.

- Addition money required to replace pavement
and fill voids resulting from under cutting
of water pavement by runoff.

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
#4-Flowable Grout	62 ¹⁰	240	\$14,904			96%
#6-Concrete Patch.	38 ³⁷	400	\$5,348			106%
CHANGE DOES / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS		\$30,252			
NET INCREASED DECREASED ESTIMATED COST \$ <u>30,252</u>						

Signed: [Signature] Title: Asst. Co. Eng. Date: 1/3/5/93

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

Contractor: _____ By: _____ Date: _____

Investigated and the following recommendations made: Approve as shown

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

[Signature]
President

[Signature]
Vice-President

[Signature]
Member

ATTEST:



Vanderburgh County Engineering Department

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

InterOffice Memo

To: Richard J. "Rick" Borries, Don L. Hunter, Patrick Tuley

From: Gary Kercher

Date: March 8, 1993

Subject: Strawberry Hill Street Repair

The Vanderburgh County Engineering Department is currently administering a contract for crack sealing and pavement repair which was awarded to Huff Sealing Corporation in October of 1992. Late last year, additional money was requested, and approved, to increase the pavement patch, flowable grout and crack sealing line items. This was done to more effectively repair the Melody Hills area and include patching of Strawberry Hill Drive, a road in Strawberry Hill Subdivision. Due to the severity of the past winter and the unforeseen extent of the voids and pavement damage, the amount of patching required has nearly doubled. I feel that, at this time, Melody Hills Subdivision has been adequately repaired, however, because of the nature of the area, there will be an on going maintenance problem and there will be a need for additional work in the near future. Unfortunately, Strawberry Hill Drive will not last much longer and immediate action is required to eliminate the current problems of broken pavement and voids under the roadway.

For now, an additional \$30,000 would be necessary to mitigate the problem. This amount could be added to the 1992 contract as a change order. This will allow our department time to put together another contract for the lower portion of the road as well as other roads in need of similar repairs. Now that our Department has gone through a contract of this nature, we are able to be more effective in estimating the "hidden" problems associated with repairs of this nature, i.e., voids, pipe separations, subgrade failures, etc.

If this is acceptable, I request that the attached change order be signed in order for the work to proceed without delay.

Thank You.

cc: John Stoll

BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.

PLANNERS · ENGINEERS · SURVEYORS
SUITE 606 HULMAN BLDG. · EVANSVILLE, IN 47708
TEL. (812) 426-1737

March 4, 1993

*Agenda
3/8/93*

Vanderburgh County Engineer
Vanderburgh County Auditorium
A Locust Street
Evansville, IN 47708

Attention: Ms. Karen Hadfield

Re: USI Interchange R/W Acquisition
Parcel #1-USI; #31-Hoffman
Project #C-E180(1)
BLA Project No. #92-57-5

Dear Karen:

PARCEL #1-USI WAS A DONATION, AND #31-HOFFMAN HAS ALREADY BEEN PAID. PLEASE RECORD THE PARTIAL MORTGAGE RELEASE AND DEED ON HOFFMAN, AND FILE THE REST.

The following should be in this packet:

- | | |
|--|-----------------------------|
| 1) Warranty Deed with Land Plat | 6) Land Agents Certificate |
| 2) Appraisal, Reviewer Certificate,
Statement of... | 7) Minimal Title Search |
| 3) Offer Letter | 8) Partial Mortgage Release |
| 4) W-9 Form | 9) Title Search and Update |
| 5) Buyer's Report | 10) Title Search Only (USI) |

The following must be returned to my office so the INDOT requirements may be met and thereby allowing this project to be cleared for letting:

- A) A copy of the recorded warranty deed and land plat.
- B) A copy of the payment check, or the claim voucher.

Call me if you have any question and/or comments about this parcel packet.

Respectfully,

BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.

Richard Z. Bennitt

Richard Z. Bennitt
Project Engineer II

RZB/map

Enclosure

PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage, executed by Steven D. Hoffman and Joan E. Hoffman (Husband and Wife) in favor of Permanent Federal Savings Bank ("Mortgagee") dated the 8th day of March, 19 91, in the original sum of \$ 76,733.00, and recorded in Mortgage Drawer 7, Card 998, in the office of the Recorder of Vanderburgh County, Indiana, is hereby **PARTIALLY RELEASED** with respect to the following described portion of the real estate encumbered by the above-referenced mortgage:

See Exhibit "A" attached hereto and incorporated herein by reference.

Said Mortgage remains in full force and effect as to that portion of the real estate not released.

The portion of real estate described above, which is being released from the aforementioned mortgage, is being conveyed by Mortgagor USI Project: C-E 180(1) to Vanderburgh County, and shall be permanently dedicated for the extension of US 40 Bypass and for the construction and maintenance thereof. Mortgagee hereby agrees that no claims, levies, attachments, or other impairments shall be imposed against Vanderburgh County's title to the real estate described in the attached Exhibit "A".

IN WITNESS WHEREOF, Mortgagee has caused this Partial Release of Mortgage to be signed by its Vice-President and its seal attached hereto this 28th day of January, 19 93.

Permanent Federal Savings Bank
Mortgagee

By: *Richard A. Condi*
(Signature)

Richard A. Condi, Vice-President
(Printed Name and Title)

STATE OF INDIANA)
COUNTY OF Vanderburgh) ss:

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Richard A. Condi, the Vice-President of Permanent Federal, the Mortgagee hereinabove, who acknowledged the execution of the foregoing instrument on behalf of said Corporation for the uses and purposes therein set forth.

WITNESS My hand and Notarial Seal this 28th day of January, 19 93.

My Commission Expires:
10-31-94

My County of Residence Is:
Vanderburgh County, Indiana.

Amy S. Hammett
Signature of Notary Public

Amy S. Hammett
Printed Name of Notary Public

FRANCIS MILLER REALTY CO.

SALES - APPRAISALS - RESIDENTIAL - COMMERCIAL

1519 DeShields Drive Evansville, Indiana 47712 Phone 812-424-5397

2/19/93

USI Interchange
Project CE 180(1)
Vanderburgh County, Indiana

Parcel number 31

Steven D. Hoffman
Joan E. Hoffman
Permanent Federal Savings Bank

In reference to the above project I hereby acknowledge receipt of check #309730
in the amount of \$16,400.00 made payable to Steven D. Hoffman
Joan E. Hoffman
Permanent Federal Savings Bank
from the Vanderburgh County Construction Funds

Also check #309731 in the amount of \$100.00 made payable to Permanent Federal
Savings Bank, for release fees on the above parcel number 31.

Richard Linck - Permanent Federal

WARRANTY DEED

THIS INDENTURE WITNESSETH, That Steven D. Hoffman and Joan E. Hoffman
(married adults husband and wife)

(hereinafter "Grantor") CONVEYS AND WARRANTS to Vanderburgh County in the State of Indiana (hereinafter "Grantee") for the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Vanderburgh County, Indiana, together with all interests including any and all of the mineral rights and interests on, in, and under said real estate:

A part of Lot 7 in Willow Acres Subdivision Section "A", an Addition lying near the City of Evansville, as per plat thereof, recorded in Plat Book J, Page 258, in the Office of the Recorder of Vanderburgh County, Indiana, described as follows:

Beginning at the southwest corner of said lot, which corner is on the northern boundary of Middle Mt. Vernon Road; thence North 01 degree 13 minutes 13 seconds East 48.43 feet along the west line of said lot; thence South 87 degrees 13 minutes 39 seconds East 12.29 feet; thence North 76 degrees 17 minutes 16 seconds East 36.39 feet; thence North 83 degrees 24 minutes 46 seconds East 40.31 feet; thence North 76 degrees 17 minutes 16 seconds East 14.58 feet to the east line of said lot; thence South 01 degree 16 minutes 30 seconds West 9.38 feet along said east line to the southeast corner of said lot, which corner is marked by a 3/4 inch outside diameter pipe on the northern boundary of Middle Mt. Vernon Road; thence South 61 degrees 45 minutes 12 seconds West 116.55 feet along said boundary to the point of beginning and containing 2858 square feet, more or less. All bearings in this description are based on the bearing system of Project C-E 180(1).

The intent of the above description is to include all that part of Parcel 31 that lies within the proposed right-of-way lines depicted on the Right-of-Way Plans for Vanderburgh County Project No. C-E 180(1), recorded September 29, 1992 in Miscellaneous Record Drawer 3, Card 9028 in the office of the Vanderburgh County Recorder and containing 2858 square feet, more or less, together with any adjacent strips thereof that lie within said proposed right-of-way.

Also, an easement in and to the following described real estate, to wit: A part of Lot 7 in Willow Acres Subdivision Section "A", an Addition lying near the City of Evansville, as per plat thereof, recorded in Plat Book J, Page 258, in the Office of the Recorder of Vanderburgh County, Indiana, described as follows:

Commencing at the southwest corner of said lot, which corner is on the northern boundary of Middle Mt. Vernon Road; thence North 01 degree 13 minutes 13 seconds East 48.43 feet along the west line of said lot; thence South 87 degrees 13 minutes 39 seconds East 12.29 feet to the POINT OF BEGINNING of this description; thence North 13 degrees 42 minutes 44 seconds West 35.00 feet; thence North 89 degrees 52 minutes 11 seconds East 42.58 feet; thence South 02 degrees 24 minutes 08 seconds East 25.49 feet; thence South 76 degrees 17 minutes 16 seconds West 36.39 feet to the point of beginning and containing 1179 square feet, more or less, for the purpose of constructing a driveway for service to the owner's private property, which easement will revert to the owner upon completion of the above designated project.

The intent of the above description is to include all that part of Parcel 31A that lies within the proposed right-of-way lines depicted on the Right-of-Way Plans for Vanderburgh County Project No. C-E 180(1), recorded September 29, 1992 in the office of the Vanderburgh County Recorder and containing 1179 square feet, more or less, together with any adjacent strips thereof that lie within said proposed right-of-way.

This conveyance is made subject to the real estate taxes due and payable in 1992, and all subsequent taxes, which the Grantee herein assumes and agrees to pay.

This conveyance is also made subject to any and all existing easements, conditions, building, use, or other restrictions, rights-of-way, reservations and protective covenants of record affecting the hereinabove described real estate.

This conveyance is also made subject to all prior recorded conveyances and reservations, if any, of the minerals underlying the above-described real estate.

IN WITNESS WHEREOF, Grantor has executed this instrument, this 22nd day of December, 1992.

Steven D. Hoffman
"Grantor" (married adult husband)

STATE OF INDIANA

COUNTY OF Vanderburgh

) SS:

Joan E. Hoffman
"Grantor" (married adult wife)

Before me, a Notary Public in and for said County and State, personally appeared the within named Steven D. Hoffman and Joan E. Hoffman

(married adults husband and wife)

who acknowledged the execution of the foregoing instrument, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my Hand and Notarial Seal this 22nd day of December, 1992.

My Commission Expires:

July 25, 1993

Francis L. Miller
Notary Public

My County of Residence Is:

Vanderburgh County, Indiana

Francis L. Miller
Printed Name of Notary

THIS INSTRUMENT was prepared by Kahn, Dees, Donovan & Kahn, Jeffrey A. Wilhite, Attorney at Law, 305 Union Federal Building, Post Office Box 3646, Evansville, Indiana 47735-3646, at the specific request of the Grantee, based solely on information supplied by one or more of the parties to this conveyance, and without examination of survey, title or abstract. The preparer assumes no liability for any errors, inaccuracies, or omissions in this instrument resulting from the information provided, the parties hereto signifying their assent to this disclaimer by the execution and the acceptance of this instrument.

Address of Grantee and being also where tax duplicates are to be sent unless otherwise hereinafter indicated:

Auditor, Vanderburgh County
1 M L King Jr Boulevard, Room 208
Evansville, Indiana 47708

Return to the offices of:

Auditor, Vanderburgh County
1 M L King Jr Boulevard, Room 208
Evansville, Indiana 47708

PARCEL NO. 31
 PROJECT NO. C-E180(1)
 ROAD NO. U.S.I. Overpass
 COUNTY: Vanderburgh
 SECTION: 30
 TOWNSHIP: 6S
 RANGE: 11W

OWNER: Steven D. & Joan E. Hoffman

DEED RECORD: D.D.3 Card 162

5/22/92
 DRAWN BY: P. Reahard
 CHECKED BY: A. L. Paul
 6/4/92

DEED DATE: June 10, 1986

SCALE: 1"=50'

TOTAL AREA = 20923 S.F.(C)
 R/W EXSTING = 0 S.F.
 NET TOTAL AREA = 20923 S.F.(C)
 AREA of TAKING = 2858 S.F.(C)
 RESIDUE = 18065 S.F.(C)



HATCHED AREA IS THE APPROXIMATE TAKING

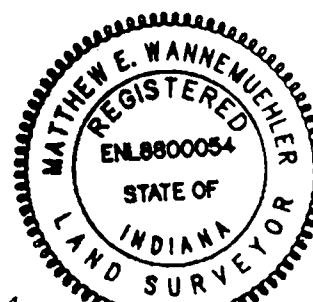
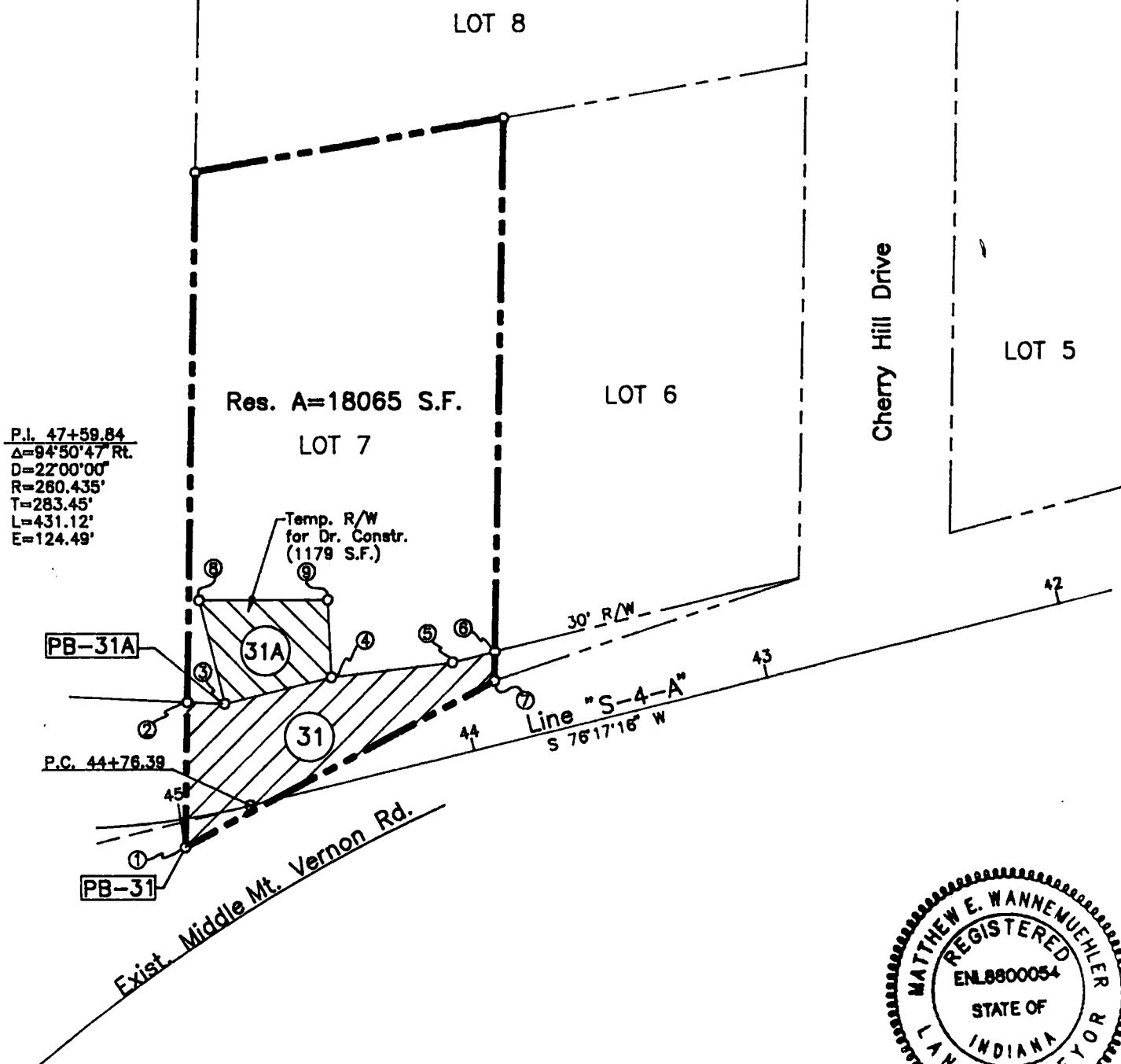
(C) Computed By Bernardin Lochmueller & Asc.
 (R) Record
 (M) Measured

Parcel 31		
Pt. No.	Bearing	Distance
1	N 01°13'13" E	48.43'(C)
2	S 87°13'39" E	12.29'(C)
3	N 76°17'16" E	36.39'(C)
4	N 83°24'46" E	40.31'(C)
5	N 76°17'16" E	14.58'(C)
6	S 01°16'30" W	9.38'(C)
7	S 61°45'12" W	116.55'(C)
1		

Parcel 31A		
Pt. No.	Bearing	Distance
3	N 13°42'44" W	35.00'(C)
8	N 89°52'11" E	42.58'(C)
9	S 02°24'08" E	25.49'(C)
4	S 76°17'16" W	36.39'(C)
3		



W I L L O W A C R E S S U B. S E C. "A"



Matthew E. Wannemueller
 10/13/92

VANDEBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
Friday, Feb. 26, 1993 thru Thursday, March 4, 1993

Friday, Feb. 26, 1993

All Crews worked Snow Routes.

Saturday, Feb. 27, 1993

Seven Crews worked on Snow Routes. Three trucks hauled salt to the yard and one crew hand salted and sanded intersections and hills.

Sunday, Feb. 28, 1993

Five trucks worked on removing snow in Old & New Melody Hills, Bergdolt Road, Streuh-Hendricks, Medowell Road, Meadowest Subdivision, Tall Timbers, Chapel Hills, Barton Road and Schroeder Road.

Monday, March 1, 1993

Seven trucks worked removing snow.

One crew repaired mailboxes.

One crew worked on new offices.

Tuesday, March 2, 1993

Seven trucks removed snow.

One crew worked on new offices.

One crew repaired mailboxes.

One crew rocked pot holes.

Wednesday, March 3, 1993

Seven trucks cleaned sub-divisions and cut bleeders where needed.

One Crew worked on new offices.

Thursday, March 4, 1993

Three crews and the grader rocked roads on Hornby, Fitzgerald, Young Rd and Huebner.

Two crews and the Mulcher worked trimming trees on #6 School Rd and Bergdolt.

One Crew worked at garage washing trucks and one crew worked on new offices.

The Patch crew worked throughout the county filling in chuck holes with UPM.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
Friday, Feb. 26, 1993 thru Thursday, March 4, 1993

Friday, Feb. 26, 1993

All crews worked removing snow from bridges throughout city and county.

Saturday, Feb. 27, 1993

All crews worked removing snow from bridges.

Monday, March 1, 1993

The Backhoe cleaned snow from Maryland St. Bridge, Franklin St. Bridge, Claremont Bridge, Broadway Bridge, and Boehne Camp Bridge.

One Crew cut bleeders at drains in Shady Hills and Evergree Acres subdivisions.

Tuesday, March 2, 1993

Backhoe worked on Schaeffer Road Bridge.

One crew cut bleeders and opened drains in subdivisions and rocked chuck hole on 5th Avenue Bridge.

Wednesday, March 3, 1993

Backhoe cleaned Stringtown, Kentucky Ave, Petersburg Road, Old State Road, and Dieffenbach Road Bridges.

One Crew worked on Ward & St. George, and Red Bank and Upper Mt. Vernon.

Thursday, March 4, 1993

The Backhoe and one crew replaced guardrail and posts at the intersection of St. Joe Avenue and Frontage Road, and reworked guardrail at Old 460 and Resurrection Drive and Riverside and Vann.

One crew added rock across culvert on Maple Lane and cleaned culverts on Burch Drive, Red Bank-Upper Mt. Vernon, and at 4900 Broadway.



Newport, Kentucky
P.O. Box 308
Newport, KY 41072
Phone (606) 441-7400

Carlsle Equipment Co., Inc.

Louisville, Kentucky
P.O. Box 17225
Louisville, KY 40217
(502) 361-7000

*OK
3/18/93*

March 1, 1993

Vanderburg Co. Highway Department
Attn: Mr. Dave Hudson
5105 N. St. Joseph Avenue
Evansville, IN 47712

Ref: Gradall G3WD
S/N 0139259

In accordance with your request the following is an estimate of repair to referenced unit's transmission and torque converter assembly.

Estimate includes labor and parts to remove, disassemble, clean and rebuild with bearings, seals, gaskets, clutch disc as required and reinstall back in unit. Providing the clutch shafts, clutch housings, and case are reusable.

Labor.....\$2,300.00
Parts..... 3,195.00

TOTAL.....\$5,495.00

If a high concentration of metal is found in the system, the cooler will have to be changed at an additional cost of cooler, if transmission shafts, hub or case is damaged and not reusable the maximum cost of rebuild would not exceed \$10,500.00.

Sincerely,

Keith Phelps
Keith Phelps

KP/nv

An Equal
Opportunity
Employer

Allen, Kentucky
P.O. Box 509
Allen, KY 41001
(606) 874-9251

Corbin, Kentucky
P.O. Box 1404
Corbin, KY 40701
(606) 523-0897

Dayton, Ohio
1530 Nicholas Rd.
Dayton, OH 45418
(513) 268-3438

Indianapolis, Indiana
P.O. Box 31166
Indianapolis, IN 46231
(317) 244-7801

Owensboro, Kentucky
P.O. Box 387
Owensboro, KY 42302
(502) 684-3225

TOTAL P.01



Southeastern

EQUIPMENT CO., INC.

**4951 W. 96th Street
INDIANAPOLIS, IN 46268**

**Phone: 317-872-4877
Fax: 317-879-9015**

**Vanderburgh County Highway Department
Evansville, Indiana**

*****PROPOSAL*****

Repair estimate for Gradall G3WD as requested by David Hudson.
This estimate is based on telephone conversations only, the final
repairs may be adjusted according to actual condition at time of repairs.

OPTION 1

Remove transmission and torque convertor and replace with exchange
components.

Repairs done at County facility.....	labor.....	\$ 1,029.00
	expenses	150.00
	parts	15,976.00
	TOTAL	\$17,155.00

OPTION 2

Remove trans/conv. take components to Southeastern shop for rebuild,
reinstall.

Rebuild done at SEC facility.....	labor for R/I	\$ 1,568.00
	expenses	200.00
	rebuild cost NOT TO EXCEED	18,375.00
	TOTAL	\$20,143.00

OPTION 3

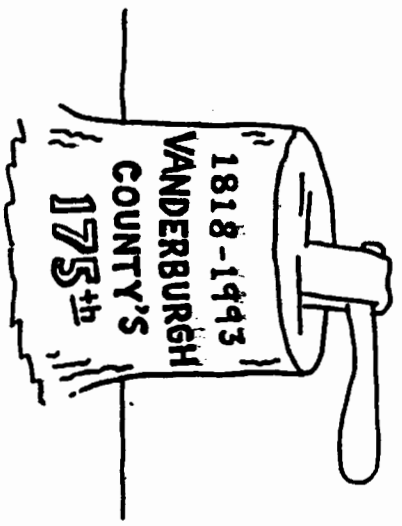
Southeastern Equipment will pickup entire unit and transport to Indianapolis for
repairs:

DEDUCT FROM OPTION 1 = \$542.00
DEDUCT FROM OPTION 2 = \$984.00

ALL ESTIMATES DO NOT INCLUDE FLUIDS OR FILTERS OR MISCELLANEOUS
SHOP CHARGES. THE ESTIMATED COMPLETION DATE FOR EITHER OPTION
WILL BE 21 WORKING DAYS FROM RECEIPT OF ORDER. THERE MAY BE ADD-
ITIONAL CHARGES FOR REPAIRS NEEDED BUT NOT KNOWN AT TIME OF EST-
MATE. THERE IS A CHANCE THAT YOUR TOTAL COST MAY BE LESS THAN
QUOTED PENDING COMPLETION OF REPAIRS.

David Cooper

CELEBRATE



Come join a group of
people
who are interested
in the history
of
Vanderburgh County

ALL YEAR

COME JOIN US!



Yes, I will join the Vanderburgh County Historical Society and become an annual supporter:

NAME _____ PHONE NO. _____
STREET _____
CITY _____ STATE _____ ZIP _____

Membership Levels:

- Individual Active \$10 _____
- Contributing \$20 _____
- Life \$1000 _____
- Sustaining \$50 _____
- Business/Institutional \$30 _____

Make check payable to: Vanderburgh County Historical Society
Mail to: Room # 105, The Old Courthouse
201 N.W. Fourth Street
Evansville, IN 47708

WHY SHOULD YOU BE A MEMBER?

- To attend quarterly meetings with interesting presentations
- To support the new Vanderburgh County Historical Museum in the Canal Room
- To join tours on local history such as the annual Oak Hill Cemetery Tour
- To support local historic research such as the recent documentation on the history of the Old Courthouse
- To help erect historic markers such as the new Evansville Shipyard marker
- To assist with the publishing of material on local history such as a historic researcher's guide
- To enjoy the fellowship of interesting fellow history buffs
- To know you are helping to make our history come alive for students and citizens of the community

THE VANDERBURGH COUNTY HISTORICAL MUSEUM

SPONSORED BY THE



IN COOPERATION WITH THE OLD COURTHOUSE PRESERVATION SOCIETY

WHERE:

"The Canal Room" #105

OLD VANDERBURGH COUNTY
COURTHOUSE
201 N.W. FOURTH STREET
EVANSVILLE, INDIANA 47708

WHEN:

Tuesdays and Thursdays,
1:00 to 4:00 p.m.

AND SOME SUNDAYS

WHAT:

exhibits and programs
focusing on the history of
Vanderburgh County, of
the Old Courthouse,
and of the townships
it served . . .



Groups by special arrangement
Call:

476-0269

NO ADMISSION FEE

VANDEBURGH COUNTY

COMMISSIONERS

RECORD BOOK A

1818-1819

Boards of Commissioners March 9th 1818

This day being appointed by law for the first meeting of the board of commissioners for Vanderburgh county James Anthony David Brumfield and George Locke appeared and produced certificates of their having been duly Elected as commissioners for the county aforesaid and having taken the several Oath prescribed by law in such cases made and provided and then

present

James Anthony

David Brumfield } Comf

George Locke }

Ordered that the Board do now adjourn till to morrow morning 9 o'clock A.M.

Tuesday Morning the board met according to Adjournment present as Yesterday

Ordered that the following boundaries be known and designated by the name of Armstrong Township. W^o Beginning at the north west corner of Vanderburgh County at the Range line dividing Ranges 11 & 12 thence south with said line to the Township line dividing Township 10 and 31d thence East with said line to the old branch road thence north with the meanders thereof to the

Line dividing Vanderburgh and Gibson Counties the
west with said line to the place of beginning =

Ordered that the remainder part of said
be known and designated by the name of Pigeon
Township =

Grand Jurors
Ordered that the said Township of Armstrong
allowea two Justices of the peace and the elec-
tors of said Township meet at the house of
Ladok McNew on the fourth monday of mar-
ch ~~3 Inst~~ and proceed to elect said Justices ac-
cordingly and Patrick Calvert be appointed In-
spector for said Election and he make Return
according to Law =

Grand Jurors
Ordered that Pigeon Township be allowea the
Justices of the peace and the electors of said
Township meet at the house of Hugh McGary
on the fourth monday of March ~~3 Inst~~ and
proceed to elect said Justices and Julius
Gibson be appointed inspector of the same
and make Return according to Law =

Grand Jurors
Whereas the Sufficient number of Commissioners
appointed by the Legislature of the State of Indiana
to fix the seat of Justice for the county of
Vanderburgh has failed to attend

3

Ordered that Thomas E. Caselberry Wilson
Bullett and Elias Barker be appointed to
fill the vacancies of Arthur Harrison John
Stehens and John Allen and the Sheriff of
said county of Vanderburgh or any person he
may appoint may notify ^{them} of their appointments
Immediately

Ordered that Hugh McGarys warehouse be and
is hereby established a public warehouse in —
Evansville and is to be governed by the laws of
this state regulating and establishing ware-
houses and James Martin John McGinn
and James B Robertson be appointed Inspe-
ctors at the same and they enter into an
agreement

Ordered that John Armstrong be appointed
Overseer of the poor in Armstrong Township.

Ordered that Jesse McCallister be appointed
Overseer of the poor in Pigeon Township

Ordered that a road be viewd from the west
boundary line of Vanderburgh County at or near
where John McGary and William Cate grew
Tobacco last season from thence the nearest
and best way through the settlements in the
forks of Big Break thence the nearest and best
way to intersect the road leading from

4
Evansville to Princeton ab. or near Julius Gibson
and that Matthias ~~Whetstone~~ Patrick Calvert,
James Patton are appointed to view the same,
make Report thereof according to law at our
next term to be held on the second Monday
in May next =

Ordered that L. A. A. McNew be appointed super-
tendants for the school sections in Armstrong in
Ship

Ordered that Lewis Tachibana be appointed
superintendants for the school sections in Pigeon
Township

Ordered that Julius Gibson be appointed sheriff
for the county of Vanderburgh and that he be
into bond with approved security according to the
laws of this state made and provided in such
case and the clerk do take his bond with
Richd. Carlile and Jesse M. Gary as securities

Ordered that court adjourn till to morrow
morning 8 o'clock

Jas. Anthony
David B. Beebe
George Seunkle

**MINUTES
COUNTY COMMISSION MEETING
MARCH 15, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:40 p.m.	1
Introductions & Pledge of Allegiance	1
Authorization to Open Proposals re County-Wide Bridge Inspection	1
Awarding of Contract/Services in Conjunction with ADA (American Disabilities Act)	1
Title I - Waggoner, Irwin, Scheele & Associates	
Title II - Rehab Center of Evansville	
County Recorder/Request to Advertise RFP for Automated Document Recording & Indexing Software Application	2
Agreement w/Lady Day, Inc.	3
(To be discussed in Executive Session on 3/22/93)	
Vanderburgh Auditorium	4
Sidewalks/Removal & Replacement	
Commendation/County Highway Department/Snow Removal	
County Government Week	
County Attorney/Alan M. Kissinger	4
Report on Proposals re County-Wide Bridge Inspection	
Resolutions re Eminent Domain/Barron & Haas	
Request for Authorization to Settle Lawsuits Filed Against the County	
Request for Opinion/County Assessor	
County Engineer/John Stoll	5
Supplemental Agreement #4/USI Interchange/Bernardin, Lochmuller & Associates	
Request to go on Council Call re Red Bank Rd. Railroad Crossing Improvement	
CSX Railroad/Closing of some 25 Crossings (R. Borries to draft letter to be sent to Cap Gardner and/or others re his discussions with CSX	
Travel Request/Valerie Harry/Storm Drainage Seminar Accidents/Boonville-New Harmony Rd./Green River Rd. Intersection (J. Stoll to check speeds, latest traffic count, etc., and report back to the Board; County will probably install Flashing Red Light or 4-Way Stop at this Intersection, depending on results of Mr. Stoll's findings.)	
County Highway/Bill Morpew	7
Weekly Work Report	
4-Wheel Drive Vehicle for County Highway Dept.	
Update/Gradalls	
Paver/Repairs; Possible Purchase of Trailer	
Tandem Axle Trucks (A. Kissinger will probably make recommendation some time this week that we accept delivery of the remaining two tandem axle trucks	
Consent Agenda	10
Tax Sale Seminar/Conflict of Interest Disclosure	
Rent Checks/Koester Contracting Co.	
Grant Request/Historic Structures Inventory (\$10,000)	
New Business	10
LEPC/Appointed Dennis Brinkmeyer to replace	

J. Wilhite; the latter is no longer County Attorney
Burdette Park/Commendation to County Highway re Snow
Removal and Loan of Trucks/Drivers for dredging
shallow end of the lake
Spring Vacation/D. Hunter (will not be present for
March 29th Commission Meeting)
Audit Reports/Commissioners/State Board of Accounts
(A. Kissinger to make recommendation re Operating
Fund for Vanderburgh Auditorium)

Meeting Recessed @ 7:15 p.m.	12
Rezoning Petitions	12
VC-5-93 (Approved on First Reading)	
VC-2-93 (Deferred to April)	
VC-4-93 (Deferred to April)	
Meeting Adjourned @ 7:22 p.m.	13

**MINUTES
COUNTY COMMISSION MEETING
MARCH 15, 1993**

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, March 15, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff and asked the group to stand for the Pledge of Allegiance. He recognized, in particular, a group of freshman students from Evansville Day School and their teacher, Mr. Richard Siegirl, and offered brief explanation of the responsibilities of the Board of Commissioners as the Executive/Legislative body of County Government.

President Borries then asked if there are any individuals/groups who wish to address the Commission but do not find their particular item of interest on tonight's agenda. There were none.

**RE: AUTHORIZATION TO OPEN PROPOSALS RE COUNTY-WIDE
BRIDGE INSPECTION**

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, Attorney Kissinger was authorized to open the proposals received re County-Wide Bridge Inspection and make report re said proposals later in the meeting. So ordered.

**RE: AWARDING OF CONTRACT/SERVICES IN CONJUNCTION WITH
ADA (AMERICAN DISABILITIES ACT)**

This matter had been deferred from March 1, 1993. Both Waggoner, Irwin, Scheele & Associates and the Evansville Rehabilitation Center had submitted proposals for consideration, which have been taken under advisement by the Commission. Following brief discussion during which Mr. Kent Irwin of Waggoner, Irwin, Scheele & Associates and Messrs. Ray Raisor and John Halverson of the Rehab Center offered further comments, along with those of the three Commissioners, in response to queries from the Commission, the two organizations indicated a willingness to coordinate their efforts, with one firm being awarded a contract for services re Title I of the Act and the other being awarded a contract for services re Title II of the Act. Commissioner Hunter expressed opposition to the division of services, saying he feels the Rehab Center could handle the entire contract, with Commissioners Tuley and Borries expressing feelings that we have two excellent proposals and suggesting the services be divided, offering the County the best of both packages -- with W.I.S. & Associates handling Title I, since Waggoner, Irwin, Scheele & Associates has already done a great deal of work for Vanderburgh County and is completely familiar with the Job Study, Job Classification, etc., and in light of their expertise in performing related personnel and ADA services for a number of other counties throughout the State. Commissioner Borries said he does not want the County employees to be writing and re-writing their own job descriptions. That is why we have people doing that. Employees can put down what they do, but in regard to this Oliver method and how this has been set up, we could have somebody that could write something tantamount to being President of the United States. Obviously, the employees have to have input and the Commission values that -- but they do not want the employees writing their

own job descriptions. The Commission wants to comply and be pro-active, but he would also not want to have any kind of implication that we are inviting complaints. We want to be sensitive to complaints to the letter of the law, but we don't want to be put into a situation here where we are simply inviting legal suits. Frankly, we have enough legal suits to last us for a long time. And that is a major problem that this Board faces and any County units face -- we don't need anymore legal action. We want to be very specific about the law, how we comply with that law and carry it out in a very positive, pro-active way. The Rehab Center probably has the better expertise in Title II services -- self-evaluation, transition, etc. In this regard, he requested that the Rehab Center put their fees for their services into some kind of ballpark figure, rather than expressing the fees in an hourly rate.

Mr. Raisor said the problem is all the buildings that would need to be surveyed, etc., - until they can do that, they would only be guessing. That is why the self-evaluation survey is so important. Once they see what needs to be done, they can then give the Board hard figures.

In response to comment from Commissioner Hunter that we're only going to be concerned with looking at the job descriptions in terms of whether they comply with ADA, Mr. Halverson said he thinks we can't just take a look at the job descriptions as they apply to ADA; we have to look at the job descriptions since they are several years old to make sure they are an accurate description of what that person is doing. That needs to be done in conjunction with determining what the essential aspects of the job are. He then urged to the Board to consider awarding the entire contract to the Rehab Center, despite the fact they do not have experience working with County governments. He said Title I is not directed toward County governments; it is directed towards employees, in general -- so the regulations will be the same.

Auditor Sam Humphrey said that, as a member of the Personnel Committee for the County, it has been long observed ever since we've had a Job Study that these jobs in the County are dynamic and they depend a great deal on legislative requirements as they come down to us. And these are typically brought up and altered frequently. Our job descriptions should be current and pretty much on target.

There being no further comments, the Chair entertained a motion. Commissioner Tuley said he is sure both companies would like to have both parts but, again, he is inclined to divide the contract and moved to award contract for Title I services to Waggoner, Irwin, Scheele & Associates and Title II services to the Rehab Center, with a second from Commissioner Hunter, who requested a roll call vote.

President Borries asked for a roll call vote: Commissioner Hunter, no; Commissioner Tuley, yes; and Commissioner Borries, yes. Motion carried and so ordered.

**RE: COUNTY RECORDER/REQUEST TO ADVERTISE RFP FOR AUTOMATED
DOCUMENT RECORDING & INDEXING SOFTWARE APPLICATION**

County Recorder Betty Hermann and Roger Elliott of SCT were present with regard to advertising for the subject RFP. Mrs. Hermann said she believes they are the only office in the building that does not have some kind of computerization. They have funding of their own in the Recorder's office for the software -- they are not even going to the General Fund for the software. They might possibly have to go to the General Fund for their hardware. This matter was discussed and approved at the March 9, 1993 Data Processing Board meeting, and she was subsequently placed on tonight's Commission agenda.

Commissioner Tuley said he is glad to see this, having gone through one of those offices that needed it (County Treasurer's office).

In response to query from Commissioner Borries as to what types of things will be going on this computer, Mr. Elliott said the principle purpose of this application will be a document indexing application, expediting search for documents for both the public and office staff.

Continuing, Mrs. Hermann said she talked with Commissioner Borries the other day and County Government Day is coming up. Her office has the first deed and mortgage recorded and the Evansville Museum and everyone is wanting to share these.

Commissioner Borries asked if Mrs. Hermann can move those out of her office for just a day? Sandy Toton called him today with an idea. We may want to put together a day where Mrs. Hermann can display part of these documents at the Auditorium.

Mrs. Hermann said this could be done, but someone from her office would have to be with the documents at all times for security purposes. These books are very interesting and she thinks they will have a lot of people coming into the office to look at same.

Auditor Humphrey asked if the requested equipment will be interfaced with his office.

Mr. Elliott said Mr. Humphrey's office will be able to access information on the system.

Mr. Humphrey asked if there will be a reader in his office.

Mrs. Hermann said there will be if he purchases one.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the request to advertise for RFPs was approved. So ordered. (Advertising dates 3/19 and 3/26, with opening date scheduled at 5:30 p.m. on April 12, 1993.)

Mr. Elliott advised the Board that one of the subsidiaries of SCT does, in fact, intend to bid on this application. Therefore, this has been written in such a manner that it can be self-scored by the Recorder's office. He will be advising only from the hardware aspects so there is no conflict of any kind.

Commissioner Borries asked if this software will be generic enough that it will fit other hardware?

Mr. Elliott responded affirmatively, saying it has been written generic enough that literally anything could come in.

RE: AGREEMENT WITH LADY DAY, INC.

Commissioner Borries said Les Shively is not here this evening. He is now the Attorney for Lady Day, Inc. and they have indicated they wish to prepare further for some discussion we've had some concern that this Board has voiced concerning the one sidedness or the unfairness of the renewal contract. It is his understanding that they have requested to be a part of an Executive Session.

Attorney Kissinger said that is correct, basically to discuss terms of the contract. Under those circumstances, he thinks it does constitute a legal matter and the outcome of this could well result in litigation. He thinks it totally appropriate for an Executive Session, as such.

Commissioner Borries said he will ask Joanne Matthews to schedule that Executive Session for 4:30 p.m. on Monday, March 22nd, if that is agreeable with the Commissioners for purposes of discussing Pending Litigation and Personnel Matters. Obviously, no decision will be made at that meeting. There is a County Road Hearing at 5:00 p.m.

RE: VANDEBURGH AUDITORIUM

Sidewalks/Removal & Replacement: The Chair recognized Sandy Toton of the Auditorium. She expressed regret that Mr. Andy Davidson could not attend this evening. Their request was initially denied by Council because the bids were not in compliance with the prevailing wage requirement. There was one union contractor and two non-union contractors. They are now requesting permission to go back to Council. The bids before the Commissioners were done under the prevailing wage requirements. They do have a situation at the Auditorium to where they must move on the replacement of these sidewalks. They've had one fall; they've had another fall; and we surely do not want a third fall. She believes Andy provided the Commissioners with a drawing of the area in question. They do not have funds available to do this work. There are now three bids, all bid at the prevailing wage. (Copies of related documentation attached hereto to the minutes.)

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, authorization was given to go on Council Call for funding for sidewalk replacement. So ordered.

Commendation/County Highway: Commissioner Tuley expressed appreciation to Ms. Toton for the letter sent to the County Highway with regard to their assistance in snow removal.

County Government Week: Commissioner Borries said the Auditorium will host a part of the County Government Week and he will have more to say on this when he gets all of his material together.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Report on Proposals re County-Wide Bridge Inspection: Attorney Kissinger reported that all of the proposals have been opened. There is no bottom line price, as such, but the recap sheet will reflect the following names:

Morley & Associates
Three "I" Engineering
Fink, Roberts & Petrie, Inc.
Warren T. Hobson (Warrick Engineering)
First Group Engineering
United Consulting Engineers
R. W. Armstrong & Co.

Commissioner Borries entertained motion to refer the proposals to County Engineer John Stoll for review.

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

Resolutions re Eminent Domain: Attorney Kissinger said he has Resolutions concerning two of the last parcels in the eminent domain project for the USI Overpass. These are specific proposals which are necessary as a condition precedent to filing suit or proceeding with the acquisition of these properties. He would request

the Commissioners sign same.

Commissioner Borries said he appreciates Attorney Kissinger's prompt attention to this. We are mindful of the May 11th date. He is mindful for another reason, unfortunately. But he is very concerned also with regard to calls from Bernardin, Lochmueller in relation to our friends at SIGECO and the Water Department and making sure we get utilities moved out of certain spots in that particular area so we can move forward on that in a timely fashion. We have been in contact with both groups and we are asking for their cooperation. That is another Attorney Kissinger is filing these at this point. Mr. Borries said it is his understanding that we can't settle in all instances. As long as we have moved in these proceedings we can at least get these premises vacated, etc., and move forward on this letting.

Attorney Kissinger said we can get access and then the lawsuit can proceed.

Commissioner Borries said we don't want to lose the summer construction season and end up in mass chaos as the fall semester starts at the University. Again, we are mindful of that. He has been in contact with both SIGECO and the Water Department to make sure they have everything coordinated and relocated. If either of the other Commissioners wish to do the same, he is sure they will be glad to hear from them.

Request for Authorizations to Settle Lawsuits Filed Against the County: Attorney Kissinger said he has been in touch with the insurance adjustor who represents us out of Indianapolis (Mr. Brush) and also with Dennis Feldhaus with a request for authorization to make offers to settle some of the lawsuits that have been filed against the County. He thinks that would be most appropriate for the Executive Session and he can come back and report on that briefly next week.

Request for Opinion/County Assessor: This has been complied with and he believes that opinion is presently in the County Assessor's possession. His move is the next step.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Resolutions/Eminent Domain were executed. So ordered.

RE: COUNTY ENGINEER - JOHN STOLL

Supplement Agreement #4/USI Interchange: Mr. Stoll presented the subject agreement with Bernardin, Lochmueller for approval, saying the State (INDOT) changed the kinds of signs they wanted to mark S.R. 62; They are now going with overhead signs rather than ground mounted signs and this will require additional work on the part of Bernardin, Lochmueller. The previous not-to-exceed total was \$369,080.00 and this Supplemental agreement increases the contract by \$6,363.00 or a not-to-exceed value of \$375,443.00.

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

Request To Go On Council Call: Mr. Stoll requested permission to go on Council Call to obtain appropriation for a railroad crossing improvement on Red Bank Rd. The amount is \$10,000. The crossing improvement is going to cost roughly \$90,000 and this is to cover the local share of the cost. This is being scheduled by EUTS and this one has finally come up for letting. Once we get the money in place and Attorney Kissinger approves the agreement as to legal requirements, then we can get this project under way.

Commissioner Borries said that while no action is required this evening, he wants to

be sure Mr. Stoll and the Commission is aware that CSX is trying to comply with a lot of State and Federal standards to close or reduce the number of railroad crossings by 25% in all parts of the State of Indiana in order to comply with more safety standards. One of those closings is apparently a private closing located just north of Old State Rd. and U. S. Highway 41 known as Entrance 3 into the Vanderburgh County 4-H Center. He was made aware of this last week and has been on the phone to the CSX folks. It is a private crossing. The gentleman he talked with (Lindsey Lackey from CSX in Indianapolis) has been most cooperative. There has been a file that has been developed through the 4-H Center, so apparently they have been aware that there were some things that could take place. They have some concerns with this. He understands the railroad crossing is going to remain open for at least one more year, but that will perhaps give them time to look at some alternatives. At some point in time John Stoll may become involved in this, as he does everything as County Engineer -- so he wanted him to be aware of this.

Commissioner Tuley asked if there is any way he can respond to to a Board member out there; he had a call from him about the same problem -- Cap Gardner. If a letter could be drafted....

Commissioner Borries said he will be glad to draft a letter and tell him what he has done to this point. They should be aware that there has been some correspondence directly between CSX. One of the options would be that the County could declare whatever that access is as a public road. The down side of that is that there is no signalization at that particular crossing and for signalization we're talking \$120,000 to \$150,000. They've also mentioned that if that did become the case, we might have to find three other locations in the County to consider closing -- because they are really serious about this. They are serious about it simply because the Federal government is serious about it. He guesses there have been far too many accidents at train crossings -- so they are looking to reduce the number of train crossings by 25%. But they were very cooperative on the telephone and he wanted to make Mr. Stoll and the Commissioners aware of this.

Upon motion made by Commissioner Hunter and seconded by Commissioner Borries, Mr. Stoll was authorized to go on Council Call. So ordered.

Travel Request/Valerie Harry: Mr. Stoll said Valerie Harry will be attending a Storm Drainage Conference at Purdue on March 24th with regard to a new computer program that is coming out.

Motion made by Commissioner Hunter and seconded by Commissioner Tuley to approve the travel request. So ordered.

Commissioner Borries entertained questions of Mr. Stoll.

Accidents/Intersection of Boonville-New Harmony & Green River Rd.: Commissioner Hunter said that when Green River Rd. and the new Boonville-New Harmony spur that hooks into I-164 was opened, that is a very, very dark, intersection and there have been a number of accidents there and he doesn't think there have been any fatalities at this point. But the Township Fire Department approached him early in his tenure and asked him if there was any chance of putting a flashing red light there at the minimum. That corner is so dark that you have a tendency to run it. He thought we had some plans drawn up and that last year we actually had some money put aside for a flasher light there. But, for whatever reason, it didn't happen. This afternoon he heard there'd been an accident there. Fortunately it was not a serious accident and he stopped and talked to the deputies for a second. He asked that if we'd had a red flasher light did they think it would have helped at all. Their response was that they really do think it would have helped. He's wondering if we need to do another

traffic count to see if it is justified.

Mr. Stoll said he believes one was done late last year when he was still at EUTS.

Mr. Hunter asked if the results of that traffic count could be discussed at the next meeting. If he remembers correctly, according to the Comprehensive Plan some commercial development was slated at that intersection -- a commercial node by the year 2000 or whatever it was -- so the traffic will pick up there.

Mr. Stoll said he will check the number of accidents at the intersection as well as the most recent traffic counts.

Commissioner Borries said he is sure Commissioner Hunter is moving in good faith on this, but he does have some concerns about the cost. Probably equally effective as the flashing light -- we need to check on the speeds in that area. The intersection itself is brand new. It used to "T" and it was previously a terrible intersection. The intersection is very wide. He doesn't know if there are any cite limitations -- but he would want to check the speeds there.

Commissioner Hunter said last summer the County came in and did a super job on the clearing of weeds at that intersection. The problem is that going west at night, the intersection is so dark and you see the red light in the distance and float on through this intersection-- particularly if you are not from here.

Mr. Stoll asked if Mr. Hunter wants a 4-way stop or...

Mr. Hunter said he wants a red flasher for Boonville-New Harmony.

Mr. Borries said he is not too sure that we wouldn't want to look at a 4-way stop there.

It was the consensus of the Board that Mr. Stoll should check the speeds, traffic count in the area, etc., and report back to the Board.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: Mr. Morphey distributed copies of his Weekly Work Report.....report received and filed.

4-Wheel Drive Vehicle: Commissioner Borries said we're not asking for every vehicle to be a 4-wheel drive vehicle, but there are certain times when certainly the County Highway might need such a vehicle. If there are any questions, he would be glad to accompany Mr. Morphey to Council meeting to address the need. There may be something over at the Engineer's office and maybe we could trade vehicles. Whatever it is, he thinks there needs to be at least one 4-wheel drive vehicle at the County Highway.

Mr. Morphey said he agrees. If we get into the situation we got into the night they started killing the asphalt up in Tall Timbers, we would have had no way to go down and get those men had they been hurt. As a matter of fact, one of their pick-ups tried to get down there and got hung up about half way down and had to be pushed out. Fortunately, he was driving his own 4-wheel drive truck and he went on down. But a 4-wheel drive vehicle is a viable need.

Update/Gradalls: In response to query from President Borries concerning the Gradalls, Mr. Morphey said they have one Gradall working now on Korff Rd. He expects to spend about six to eight weeks out there trying to straighten the road up, being it was

widened without benefit of preliminary work being done first. Preliminary work should have been done first and it never happened. He is now trying to ditch in and get the water to running. Once he can do that, then he can build the shoulders the way they should be and get the proper drainage and make the road a good, safe road. They have started working on the second Gradall; they need it badly. He expects to have that back together within the next couple of weeks.

Paver: They are preparing for the paving season and have the paver torn down. They disassembled the paver because they were experiencing problems at the end of the last season. He's looking at about a \$6,000 overhaul on the paver. He is going to work up a list of equipment needed, along with the cost and present that at the next meeting for information purposes. He'd like to show the Commissioners the cost of buying a new roller, a new paver, and doing major overhaul to just those two pieces of equipment every two or three years -- he can buy a trailer and save the County \$10,000 per year. Currently these things are being driven from job to job and as many miles as we have in Vanderburgh County, you're totally destroying a piece of equipment. The rollers are hydrostatic steering and you're destroying the hydraulic system. Additionally, there are steel drums. Running a steel drum on asphalt will eventually wear out the steel and we'll be looking at new drums, among other things. You figure \$100,000 for a paver; another \$20,000 for a screed; \$80,000 for a new roller -- we're spending \$200,000 when we can solve the whole thing with a \$7,500 trailer. It's not dollars and cents -- it's common sense, he thinks. He will try -- and he can - make this department cost effective. He may not be able to save money today; but in the next few years he believes he can cut their costs substantially and actually achieve more work.

Commissioner Borries said the Public Road Hearing will be held next week and we'll have additional information. He has some concerns, based on roads he's driven, that with the hard winter and a lot of salt on the roads that we're going to get our share of requests re roads this year.

Tandem Axle Trucks: Attorney Kissinger asked if Mr. Morphey is familiar with the situation on the trucks we still haven't taken delivery on from Miller Truck Equipment yet.

Mr. Morphey said he is not totally familiar with it.

Attorney Kissinger said it is his understanding that the GVWR, which was a problem as far as someone who came in and addressed the Commissioners -- the first problem was late delivery; secondly, we didn't get what the bid specs required. His understanding is that the County Highway does have a 46,000 rated vehicle -- but he has the axles, the suspension, everything except the tires and if he had certain tires it would bring it up to the 46,000 lbs. But the bid specs actually specified the tires that are being placed on the vehicle.

Mr. Morphey responded affirmatively. He said the bid specs asked for 46,000 lb. suspension; the front axle, the suspension underneath the front end, the two rear axles and the suspension underneath the rear end. As a unit -- a complete truck -- as it is, if it had the larger tires on it, it would be a 46,000 lbs. GVWR vehicle. The reason the truck was ordered like this through the specs - and we did get what was specked out. It was the way the specs were worded. What Dave Hudson had asked for was a heavy duty suspension, because he was going to mount the plows on the front end and we're going to be using it for snow removal. We're going to have the extra weight. We'll have the salt spreaders in the back and the plows on the front -- and he wanted the extra suspension so we wouldn't wear the suspension. That is what he asked for. He also asked for the 1020 tires on there, which is a standard truck tire for normal every day road use. He believes it is simply a matter of the way

the specs were worded. The vehicle they have has the 12,000 lb. front axle; it has the 17,000 lb. rear axles; has the 12,000 to 17,000 lb. suspension -- therefore, this makes it 46,000 lbs. In the specs it also asked for 2 1020 tires and they do have 1020 tires on there. So we actually got what we asked for.

Attorney Kissinger asked if he understands correctly that part of the delay in delivery is caused by extra equipment that has been requested for these vehicles that was not specified.

Mr. Morphew said that is what Fred Howard was telling him. They had added some minor items. As a matter of fact, he never went into detail to tell him what he had ordered. He understands there was a small ladder; a couple of added rungs on the bed of the truck so they could actually climb on top the truck to work; some additional lights -- he can't go into detail at this time.

Attorney Kissinger said he didn't want him to. He just wanted to get some point of clarification; because he thinks sometime within the next week he will make a recommendation to the Commissioners that we lift the no delivery order on those trucks and go ahead and take delivery on them. He wanted to get this information before the Commissioners so they would know what he is talking about if he makes a recommendation.

Mr. Morphew said, "One more thought. If when this truck comes from the factory and they did want a 46,000 lb. straight across the board GVWR, it would have to have larger tires on it. It would have to have. This truck was ordered with the smaller tires. It is in the specs that way."

Attorney Kissinger said, "So to that extent, they have met the bid specifications."

Mr. Morphew responded affirmatively.

Commissioner Borries said his only concern with regard to Alan's comment -- and he doesn't have any problem accepting them -- with the exception that he is a bit frustrated because we said 120 days and here we are almost into April and we're still lacking two trucks and we've had two snows. He guesses his word of caution to Mr. Morphew would be this, if there are things they want on these trucks, we need to know that up front and bid them that way -- rather than tinkering around and doing these things. For one thing, he doesn't think it is legal.

Attorney Kissinger remarked, "I think Mr. Howard understands that now."

Mr. Borries said, "I hope. I just don't think it's legal to do it that way. We need to put down what we want and that is what we need to take delivery of. I also would ask that if you could develop a check list, if you will (State Highway probably has these). Again, I guess that is the thing that upsets me the most. You ordered these things last year -- and we've gone through two snows and still don't have the trucks."

Commissioner Tuley asked, "Do you think any of these changes have been the cause of the delay?"

Attorney Kissinger commented, "Not totally, but to a degree."

Mr. Morphew stated, "When you purchase equipment, you purchase a piece of equipment designed to meet your needs. These trucks should have been specked out one hundred percent with the way they wanted them -- that way it gives everyone an opportunity to bid on them."

Mr. Borries commented, "That's the thing."

Mr. Morpew said the same thing happened to the County Highway Department three years ago. The trucks were ordered early in the year and it was September before they actually got them. It was this same scenario. The trucks are Fords and he doesn't know where they came from -- but it was the same process. If you order a piece of equipment custom built for your needs, it is going to take a little more lapse in time. But it doesn't have to stretch into half a year.

RE: CONSENT AGENDA

Tax Sale Seminar: Commissioner Tuley queried Auditor Humphrey re the Tax Sale Seminar being held in Indianapolis tomorrow and whether he has anyone attending.

Auditor Humphrey said he has two employees attending and that request was approved last week.

Mr. Tuley said that Seminar is being put on by the company he works for -- and he just wanted to make sure we don't have a conflict here.

Attorney Kissinger said if Mr. Tuley wants to avoid any appearance of a conflict, he can file the acknowledgement of Conflict of Interest. He has the forms and this is no problem.

Commissioner Borries said they are not buying anything -- just attending the Seminar.

Rent Checks/Koester: Mr. Tuley asked if Ms. Ferrell can indicate the month the rent being paid is for when she quietuses these checks in.

Ms. Farrell said this is for March. "We get it the first of the month; I deposit it within the first day or two. It is to us before the 10th of the month -- that is the agreement I made with their bookkeeper -- that we would always have it by the 10th of the month. So the month it shows up on the agenda is the month the rent is for."

Grant Request/Historic Structures Inventory: Mr. Borries confirmed with Ms. Farrell that the \$10,000 Grant Request on Council Call is for the historic structures inventory.

There being no further questions concerning the Consent Agenda, upon motion made by Commissioner Hunter and seconded by Commissioner Tuley the Consent Agenda was approved. So ordered.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

LEPC: Attorney Kissinger noted that former County Attorney Jeff Wilhite is appointed to the Local Emergency Planning Commission. Since he is no longer County Attorney and he was to fulfill our quota of County employees, it would probably be most appropriate to replace Mr. Wilhite at this time. It is his recommendation that the Commissioners consider appointing Attorney Dennis Brinkmeyer to replace Mr. Wilhite -- but, again, for no reason other than that Mr. Wilhite is no longer County Attorney.

Motion to this effect made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

Burdette Park: Mark Tuley, Manager at Burdette Park, was recognized. He said he wanted to let the Commissioners know that Burdette Park -- certainly under all the snow and everything that has happened the last week or so -- would like to thank Bill Morphew and the County Highway crew. They had some buildings they could not get to unless the County Highway got the roads cleaned for them.

Also, last week they dredged shallow end of the lake. Bill Morphew furnished them trucks and drivers to go with the small dragline and probably saved the County about \$3,000. Again, they certainly appreciate their assistance.

Spring Vacation/Commissioner Hunter: Commissioner Hunter said he has been informed by a member of his family that if he wants the bliss in his marriage to continue, that he will take this unmentioned member of his family out of town over spring break. What he is saying is that he will not be in attendance on Monday, March 29th. Commissioner Borries may want to cancel the meeting -- he doesn't know if he is going to be in town or not.

Commissioner Borries said he is going to be in town. That is his Mother's 86th birthday and his daughter is getting married July 17th -- therefore, he can't go anywhere. With the wedding, there went this spring break and every break he may have for the rest of his life. He then confirmed that Commissioner Tuley will be in town on March 29th.

Addendum/Teamsters Contract: Mr. Humphrey said he doesn't know how this got on his desk -- but he has the Addendum to the Teamsters Contract. It should be reviewed and signed. This covers the 5% increase retroactive to January 1st.

Attorney Kissinger noted that this was approved by the Commissioners last week -- but it does need to be signed.

Audit Report/State Board of Accounts: Auditor Humphrey said the Audit Report for the County Commissioners from the State Board of Accounts was received in his office on March 12, 1993, addresses the Auditorium Operating Fund. The third paragraph says, "I.C. 36-2-9-2 states the County Auditor is the Fiscal Officer of the County. I.C. 36-2-10-9 states, 'The County Treasurer shall receive money to which the County is entitled and shall disburse it on warrants issued and attested to by the County Auditor. Therefore, the Operating Fund of the Vanderburgh County Auditorium and Convention Center should be returned to the custody of the County Treasurer and the County Auditor.'" Mr. Humphrey said he has given the Commissioners a copy of this and he just wanted to bring it to their attention. The Audit was filed by the State Examiner, Don Euratte, on March 10, 1993.

Attorney Kissinger said he hopes to have a recommendation for the Commissioners and the Auditor on that.

Mr. Borries said that was going to be his next question. He knows Sam's on going concern and he knows sometimes the way the State Board of Accounts will write things -- so he is somehow trying to get an interpretation into this. Does this complicate or resolve the issue? What does this do?

Attorney Kissinger said it complicates the issue.

Auditor Humphrey said at this point we have issued the Auditorium a check for something like \$12,000 plus to pay for bills they have paid. But the request for the \$56,000 for operating funds is still on the burner. We have not paid it and he needs some kind of resolution.

Attorney Kissinger said he understands this. The problem is -- his recommendation at the present time is that the Commissioners continue to operate the way they have been at least temporarily. If we can't get specific approval from the SBA for this procedure at least through the term of this contract, then he assumes he will have to make some other recommendation.

Auditor Humphrey said he just wanted to bring this item to the Commissioners' attention, because it is now official.

President Borries declared the general business portion of the Commission Meeting recessed at 7:15 p.m.

* * * * *

REZONING PETITIONS

President Borries immediately reconvened the meeting for purposes of hearing Rezoning Petitions.

VC-5-93/American Star Property, Inc. (First Reading): Common known address is 224 N. Burkhardt Rd. Requested zoning is from Agricultural to C-4 for commercial development.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, VC-5-93 was approved on First Reading for forwarding to the Area Plan Commission. So ordered.

(The meeting was temporarily interrupted as Ms. Farrell returned to the meeting room and informed the Commissioners that Mr. Mark Abell still does not have a baby. His wife has been sent home and told to return on Thursday.)

President Borries continued, saying the following Rezoning Petitions have been continued to April. Barbara Cunningham and Bev Behme of the APC are both here this evening. He will read the following into the record, dated March 12, 1993:

VC-2-93/Petitioners, John & Tammy Schroeder/3800 Mesker Park Drive to C-4.

Gentlemen:

With regard to the above-referenced matter, please be advised that the Use and Development Commitment will be amended to further restrict the use of the property. The Schroeders, or their successors, will not conduct retail sales from this property, and we will address the concerns raised with regard to Diamond Avenue. Pursuant to Section 153.158 of the Vanderburgh County Zoning Code, the County Commissioners may not consider the petition until the Area Plan Commission has considered the Use and Development Commitment in its final form. Therefore, it is premature

to hear this petition at the County Commissioners' next meeting on Monday, March 15, 1993. The petition, with the amended Use and Development Commitment, will be reheard at the next Area Plan Commission meeting on April 7, 1993 and presented before the County Commissioners at their meeting on April 19, 1993.

If you have any questions, please call.

Sincerely,

KAHN, DEES, DONOVAN & KAHN

D. Forrest Brumbaugh

Commissioner Borries said the request is duly noted. However, he would also say that it is this Board's prerogative to decide to either hear or not hear the request. Mrs. Cunningham brought that fact to his attention today. The Board does need to acknowledge receipt of this letter. And, the Board can either decide to hear the Petition or refer it back to the Area Plan Commission.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, this Petition is deferred to April 19, 1993. So ordered.

VC-4-93/Petitioner, Robert G. Woodward: Permission was granted previously to defer this Petition.

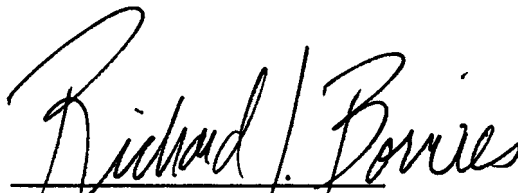
There being no further business to come before the Board, President Borries declared the meeting adjourned at 7:22 p.m.

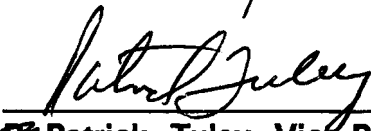
PRESENT:

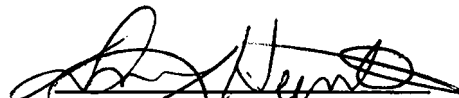
Richard J. Borries, President
R. Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Mark Tuley, Manager/Burdette Park
Betty Hermann/County Recorder
Roger Elliott/SCT
Sandy Toton/Vanderburgh Auditorium
Kent Irwin/Waggoner, Irwin, Scheele & Assoc.
Ray Raisor/Rehab Center
John Halverson/Rehab Center
Bill Morphew/County Highway
B J. Farrell/Commission Office
Barbara Cunningham/APC
Richard Siegirl & Group of Students
(Evansville Day School)
Bev Behme/APC
Others (Unidentified)
News Media

**COMMISSION MEETING
March 15, 1993**

14


Richard J. Borries, President


~~Mr.~~ Patrick, Tuley, Vice President


Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

March 15, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wishing to address the commission
 - B. Opening of Request for Proposals
re: bi-annual bridge inspection
 - C. ADA Proposal/Award of Services(deferred from 3/1/93)
 - 1) Irwin Waggoner Scheele and Assoc
 - 2) Rehab of Evansville
 - D. Betty Hermann/County Recorder
Roger Elliott/Data Processing
 - 1) Computer Services for County Recorder
 - E. Les Shively/Attorney
re: Lady Day Contract
 - F. Andy Davidson/Auditorium
re: Contract work/Council Call

(1)

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
John Stoll ----- County Engineer
*See attached engineer requests (see page 3)
Bill Morphew ----- County Highway

6. CONSENT ITEMS

A. Travel/Education Requests

Health (4)	Area Plan (1)
Treasurer (2)	Auditor (2)

B. Progress Report/Vanderburgh Auditorium

C. Check from Koester (#037814)/Quietus # 7017.....200.00
re: for rent on Green River Road

D. Claims for payment:

1) Given & Spindler.....4,110.15
re: Management fee for March 1993

E. Council Call:

1)	County Commissioners/130-3994 - Grants.....	10,000.00
2)	County Commissioners/130-3610 - Legal Services.....	2,908.71
3)	Sup. of Co. Bldgs/131-3550 - Repairs Bldgs/Grounds..	40,000.00
4)	Burdette Park/1450-1180 - Other Employees.....	85,000.00
	-2120 - Day Camp.....	5,000.00
	-1900 - FICA	6,505.00
	-3990 - Misc.....	5,000.00
	-4110 - Land and Land INP.....	20,000.00
	-3440 - Adv.....	25,000.00

F. Approval/Acceptance for Commissioners Minutes - 2/22/93

G. Acceptance of County Treasurer's Report for Month of January 1993

H. Employment Changes: (see pages 4-6)

COUNTY ENGINEER'S

CONSENT AGENDA

MARCH 15, 1993

ITEMS

1. CLAIMS:

COLUMBIA/DELAWARE BRIDGE #1C 203-4353
United Consulting (Inv #4) \$13,308.55

STRINGTOWN RD BRIDGE #72 203-4368
RW Armstrong (Inv #17821) \$ 1,078.00

CONTRACTUAL SERVICES 203-3930
Charles W. Ruston (Inv. #27) \$ 360.00
Charles W. Ruston (Inv. #28) \$ 360.00

GREEN RIVER ROAD NORTH 216-4910
United Consulting (Inv #33) \$ 7,000.00
United Consulting (Inv. #9) \$ 2,779.50
United Consulting (Inv. #11) \$11,544.07

EMPLOYMENT CHANGES
3/15/93

Legal Aid Society/Apppointment

Mary M. Cox/extra help.....5.00/HR 3/08/93

Legal Aid Society/Release

Mary M. Cox/extra help.....5.00/HR 3/12/93

Burdette Park/Appointment

Connie Nalley/campground.....5.00/HR 3/10/93

Burdette Park/Release

Connie Nalley/campground.....4.35/HR 3/10/93

David Garrett/Grnd Crew Carpenter.....11.04/HR 3/08/93

Health/Appointment

Cynthia Glave/Clinic Nurse.....14,950.00/YR 3/09/93
*six month increase

Health/Release

Cynthia Glave/Clinic Nurse.....14,263.00/YR 3/09/93

Health/WIC Program/Release

Laura Edwards/PT Nurse..... 12.40/HR 3/10/93

County Clerk/Appointment

Susan Harmon/Circuit Co. Clerk....19,751.00/YR 3/08/93

Denise Davis/Counter Clerk.....14,889.00/YR 3/08/93

Paulette N. Aders/Mail Clerk.....14,263.00/YR 3/08/93

County Clerk/Release

Susan Jarmon/Circuit Clerk.....	17,984.00/YR	3/05/93
Debra Mosby/Counter Clerk.....	17,984.00/YR	3/05/93
Denise Davis/Mail Clerk.....	14,263.00/YR	3/05/93
Stephanie Harvey/Deputy Clerk.....	will be receiving workman's comp	
*3/8/93		

County Recorder/Appointment

Debbie Stucki/First Dep.....	20,523.00/YR	3/08/93
*Approved by County Council 3/3/93		

County Recorder/Release

Debbie Stucki/Bookkeeper.....	18,834.00/YR	3/07/93
Karen Tidd/Temp Placement.....	574.45	2/16/93

Sheriff/Appointment

Guy Hunter/Proc Server.....	7,707.00	3/08/93
Andrea Patterson/P/T Clerk Typist..	7,137.00	3/03/93

Sheriff-Jail/Appointment

Kathy Sue Mann/Nurse.....	26,148.00/YR	1/01/93
David Stefanich/C.A.....	other	2/01/93

Sheriff-Jail Release

Kathy Sue Mann/Nurse.....	26,033.00/YR	12/31/92
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Prosecutor/Appointment

Robyn Mastison/Sr.Paralegal Secy..	20,599.00/YR	3/08/93
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Prosecutor/Release

Laura L Miller/Sr.Paralegal Secy..	20,599.00/YR	3/08/93
Robyn Mastison/Paralegal Secy....	19,571.00/YR	3/08/93

Knight Township/Appointment

Alfred J. Inkenhaus/Deputy.....	5.00/HR	3/08/93
Wayne Kirk/Deputy.....	5.00/HR	3/09/93

Prosecutor IV-D/Appointment

Laura L Miller/ParaLegal Sec.....19,571.00/YR 3/08/93

Burdette Park/Appointment

Jennifer Bender/Ground Crew.....5.00/HR 2/28/93

Circuit Court/Appointment

Michael K. Greenlee/Pt Time Correc..5.00/HR 3/04/93

Richard L. Edwards/Pt Time Correc...5.00/HR 3/05/93

Shiela Silvia/Pt Time Bailiff.....6.00/HR 2/21/93

Melvin Macgregor/Pt Time Bailiff....5.00/HR 2/21/93

Chad Groves/Pt Time Bailiff.....5.00/HR 2/21/93

Circuit Court/Release

Sheila Silvia/Pt Time Bailiff.....6.00/HR 2/20/93

Melvin Macgregor/Pt Time Bailiff....5.00/HR 2/20/93

Chad Groves/Pt Time Bailiff.....5.00/HR 2/20/93

Superior Court/Appointment

Kendra Grammer/Bailiff.....18,664.00/YR 3/22/93

Amy Helfert/Bailiff.....19,571.00/YR 3/08/93

Deborah Mosby/Clerical Asst....21,523.00/YR 3/08/93

Jamie L. Fulks/Sm Claim Secy...17,800.00/YR 3/22/93

Superior Court/Release

Alvis C. Herrenbruck/Bailiff...22,573.00/YR 3/19/93

James T. Barron, Sr./Bailiff...21,523.00/YR 3/05/93

Amy L. Helfert/Clerical Asst...19,571.00/YR 3/05/93

Kendra Grammer/Sm Claims Secy..18,664.00/YR 3/19/93

9. NEW BUSINESS

- 10. MEETING ADJOURNED**

Mar 15	Mon	County Commissioners/Exec Session	5:00 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Mar 16	Tues	County Insurance Committee	9:00 AM	RM 303
Mar 18	Thurs	County Employee Steering Committee	9:00 AM	RM 303
Mar 22	Mon	County Commissioners:		
		Public Hearing regarding County Roads	5:00 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Mar 29	Mon	County Commissioners	5:30 PM	RM 307
Mar 31	Wed	County Council	3:30 PM	RM 301
		*Personnel/Finance		

First Reading:

Continued until April:

VC-4-93 Petitioner: Robert G. Woodward

NOTICE OF MEETING
BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY, INDIANA
Executive Session
Monday - March 22, 1993
4:30 p.m.

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will meet in Executive Session at 4:30 p.m. on Monday, March 22, 1993 in Room 307, Civic Center Complex, Evansville, Indiana.

PURPOSE OF SAID MEETING is to discuss Pending Litigation and Personnel Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

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

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY APPROVING
EMINENT DOMAIN PROCEEDING

WHEREAS, the County of Vanderburgh, State of Indiana, ("Vanderburgh County") is now engaged in the acquisition of real estate to make improvements to a certain public highway in Vanderburgh County, Indiana, under Project No. C-E 180(1), said improvement being to a portion of a road known as Middle Mt. Vernon Road, a part of the county highway system of Vanderburgh County; and

WHEREAS, Vanderburgh County has and hereby finds that David Haas and Pollyana Haas are the owners of certain real estate located in Vanderburgh County, Indiana, in which are included the rights and interests in real estate described as Parcel 24 of Project No. C-E 180(1) that is hereby sought to be acquired; and

WHEREAS, Vanderburgh County has and hereby finds that to improve Middle Mt. Vernon Road, it is necessary and proper that the Plaintiff take and appropriate the real estate described as Parcel 24 of Project C-E 180(1) (hereinafter the "Acquisition"); and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition is not for speculative purposes; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. C-E 180(1) will serve a present need of the public; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. C-E 180(1) will serve a public purpose which will primarily be for the benefit of the public within Indiana; and

WHEREAS, Vanderburgh County has and hereby finds that Vanderburgh County has made a good-faith offer to purchase the real estate described as Parcel 24 of Project No. C-E 180(1); and

WHEREAS, Vanderburgh County has and hereby finds that David Haas and Pollyana Haas have refused Vanderburgh County's offer to purchase the real estate described as Parcel 24 of Project No. C-E 180(1); and

NOW, THEREFORE, IT IS:

RESOLVED, that pursuant to Indiana Statute, the Board of Commissioners of Vanderburgh County (the "Commissioners"), as the executive of Vanderburgh

County, based upon the reasons cited hereinabove, hereby authorize the County Attorney to file a Complaint pursuant to Indiana Code § 32-11-1-1, et seq., for condemnation of the real estate interests described as Parcel 24 of Project No. C-E 180(1).

EXECUTED this 15th day of MARCH, 1993.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

By: Richard Borries
Richard Borries, President

By: Pat Tuley
Pat Tuley, Vice-President

By: Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey
Auditor

APPROVED AS TO FORM:

Alan M. Kissinger
County Attorney

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY APPROVING
EMINENT DOMAIN PROCEEDING

WHEREAS, the County of Vanderburgh, State of Indiana, ("Vanderburgh County") is now engaged in the acquisition of real estate to make improvements to a certain public highway in Vanderburgh County, Indiana, under Project No. C-E 180(1), said improvement being to a portion of a road known as Middle Mt. Vernon Road, a part of the county highway system of Vanderburgh County; and

WHEREAS, Vanderburgh County has and hereby finds that Robert J. Barron and Patricia L. Barron are the owners of certain real estate located in Vanderburgh County, Indiana, in which are included the rights and interests in real estate described as Parcel 16 of Project No. C-E 180(1) that is hereby sought to be acquired; and

WHEREAS, Vanderburgh County has and hereby finds that to improve Middle Mt. Vernon Road, it is necessary and proper that the Plaintiff take and appropriate the real estate described as Parcel 16 of Project C-E 180(1) (hereinafter the "Acquisition"); and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition is not for speculative purposes; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. C-E 180(1) will serve a present need of the public; and

WHEREAS, Vanderburgh County has and hereby finds that the Acquisition and Project No. C-E 180(1) will serve a public purpose which will primarily be for the benefit of the public within Indiana; and

WHEREAS, Vanderburgh County has and hereby finds that Vanderburgh County has made a good-faith offer to purchase the real estate described as Parcel 16 of Project No. C-E 180(1); and

WHEREAS, Vanderburgh County has and hereby finds that Robert J. Barron and Patricia L. Barron have refused Vanderburgh County's offer to purchase the real estate described as Parcel 16 of Project No. C-E 180(1); and

NOW, THEREFORE, IT IS:

RESOLVED, that pursuant to Indiana Statute, the Board of Commissioners of Vanderburgh County (the

"Commissioners"), as the executive of Vanderburgh County, based upon the reasons cited hereinabove, hereby authorize the County Attorney to file a Complaint pursuant to Indiana Code 32-11-1-1, et seq., for condemnation of the real estate interests described as Parcel 16 of Project No. C-E 180(1).

EXECUTED this 15th day of MARCH, 1993.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

By: Richard J. Borries
Richard Borries, President

By: Pat Tuley
Pat Tuley, Vice-President

By: Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey
Auditor

APPROVED AS TO FORM:

Alan M. Nissinger
Alan M. Nissinger
County Attorney

NUMBER	DATE	DESCRIPTION	AMOUNT	PAYMENTS TO DATE	THIS CHECK
	2/28/93	PAYMENT	200.00	.00	200.00

KOESTER CONTRACTING CORP.
14649 HIGHWAY 41 NORTH
EVANSVILLE, INDIANA 47711

GROSS AMOUNT	NET AMOUNT
200.00	200.00



TWO HUNDRED DOLLARS AND 00 CENTS
To The
Order
of

BOARD OF COMMISSIONERS
305 ADMINISTRATION BLDG
CIVIC CENTER COMPLEX
EVANSVILLE, IN 47708

OLD NATIONAL BANK
EVANSVILLE, IN

037814 71-1 863

CHECK DATE 3/02/93 CHECK NUMBER 037814

PAY THIS AMOUNT
*****200.00

[Signature]
AUTHORIZED SIGNATURE

NOT VALID WITHOUT TWO SIGNATURES OVER \$15000

⑆037814⑆ ⑆086300012⑆ ⑆410-00074 ⑆

PRESCRIBED BY STATE BOARD OF ACCOUNTS REVISED COUNTY FORMS NO. 20 - 1947
NO. 21 - 1947

March 10, 1993 QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA
EVANSVILLE, INDIANA NO. 7017

FUND CO REV \$200.00

I HEREBY CERTIFY THAT: KOESTER CONTRACTING

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN,
IN THE SUM OF \$200.00 DOLLARS

ON ACCOUNT OF RENT

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA



**CHAUFFEURS, TEAMSTERS and HELPERS
LOCAL UNION 215**

Affiliated With The

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

P.O. BOX 1040 • 825 WALNUT STREET • EVANSVILLE, IN 47706

OFFICE PHONE (812) 424-6471
FAX NUMBER (812) 424-6476



Charles A. Whobrey
President and Business Manager

Lewis R. Smith
Secretary-Treasurer

FACSIMILE TRANSMITTAL COVER SHEET

TO: Vanderburgh County Commissioners DATE: 3/5/93

FAX NO. 426-5344

RE: Addendum to Agreement

No. of Pages, including cover page, 3

REMARKS:

The attached Addendum represents our calculation of the 5% increase which was agreed. If your figures differ, please contact us as soon as possible.

Mailed copy to follow: yes xxx no

FROM: Lewis R. Smith
mc

If there are problems with transmission, please call (812) 424-6471.

RECEIVED

A D D E N D U M

THIS AGREEMENT is made and entered into by and between the BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY ("Employer" hereinafter) and CHAUFFEURS, TEAMSTERS AND HELPERS LOCAL UNION NO. 215, affiliated with the International Brotherhood of Teamsters ("Union" hereinafter) as an addendum to the Agreement between the Union and the Employer, which went into effect on the 1st day of January, 1990, and is to remain in effect until December 31, 1992, and which is referred to hereinafter as the "Master Agreement." This Agreement shall remain in full force and effect so long as the Master Agreement remains in full force and effect. In consideration of the mutual promises made herein, the parties are agreed as follows:

The parties agree to be bound by the terms set forth in the Sections below and said terms are to be complied with as fully as those set forth in the Master Agreement.

The parties agree to extend the above Master Agreement for a period of one year, to expire on December 31, 1993.

The parties further agree to the following wage rates, retro-active to January 1, 1993:

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

<u>CLASSIFICATION</u>	<u>Effective 1/1/93</u>
Night Watchman.....	\$ 10.94
Janitor.....	10.94
Laborer.....	10.94
Lead Mechanic.....	12.10
Mechanic.....	11.45
Heavy Equipment Operator.....	11.45
Lead Man.....	11.26
Grease Man.....	11.26
Truck Driver.....	11.25
Tool Crib Attendant.....	10.94
Gasoline Man.....	11.25
Utility Mechanic.....	11.45
Heavy Equipment Grease Man.....	11.45
Bookkeeper/Payroll Clerk.....	19,750.50 per year
Secretary.....	17,963.40 per year

BRIDGE CREW

<u>CLASSIFICATION</u>	<u>Effective 1/1/93</u>
Operators	\$ 11.73
Laborers	11.01

BURDETTE PARK

<u>CLASSIFICATION</u>	<u>Effective</u> <u>1/1/93</u>
Laborer and Truck Driver.....	\$ 11.03
Rink Guard.....	11.03
Park Cashier.....	11.03
Maintenance and Mechanic.....	11.03
Bookkeeper/Day Camp Administrator.....	12.16
Maintenance Carpenter.....	12.16
Maintenance Mechanic.....	12.16
Ironworker/Carpenter.....	11.59
Receptionist.....	17,812.20 per year

VANDEBURGH AUDITORIUM AND CONVENTION CENTER

<u>CLASSIFICATION</u>	<u>Effective</u> <u>1/1/93</u>
Laborer.....	\$ 11.01
Leadman.....	11.33
Mechanic and Maintenance.....	12.16
Parking Lot Attendant.....	11.01
*Extra/Part-time.....	8.51

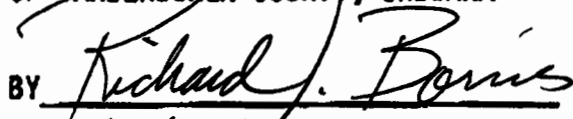
COUNTY MAINTENANCE DEPARTMENT

<u>CLASSIFICATION</u>	<u>Effective</u> <u>1/1/93</u>
Maintenance Person.....	\$ 11.21

The remainder of the Master Agreements for each Department listed above shall remain unchanged and shall remain in full force and effect through December 31, 1993.

BOARD OF COUNTY COMMISSIONERS
OF VANDERBURGH COUNTY, INDIANA

BY



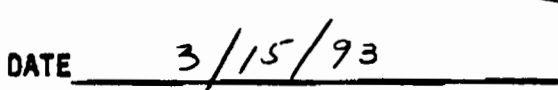
BY



BY



DATE

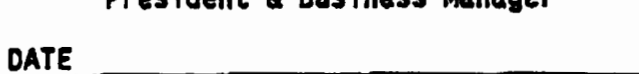


CHAUFFEURS, TEAMSTERS AND HELPERS LOCAL
UNION NO. 215, EVANSVILLE, INDIANA,
AFFILIATED WITH THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

BY



DATE



COUNTY OF VANDERBURGH, INDIANA
CONTRACT FOR PROFESSIONAL SERVICES
WITH

WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC.
118 SOUTH FRANKLIN
MUNCIE, INDIANA 47305

STATE OF INDIANA

COUNTY OF VANDERBURGH

SECTION 1. PARTIES TO THE CONTRACT

This contractual agreement is made and entered into by and between the COUNTY OF VANDERBURGH, INDIANA, hereinafter referred to as the "County" and WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC., hereinafter referred to as the "Firm."

SECTION 2. PERIOD OF PERFORMANCE

Consulting services specified in "Exhibit A" shall commence upon execution of this Contract and continue unless terminated in written form by either party with no less than (60) days notice.

SECTION 3. CONTRACTOR PERFORMANCE

The Firm shall provide specific consulting services as specified in "Exhibit A" attached hereto.

SECTION 4. FEES

Consulting fees for this contract will be billed as specified by billing schedule specified in "Exhibit A," plus travel expenses.

SECTION 5. SPECIAL FEES

Consulting fees for the provision of services not specified in "Exhibit A" including, but not limited to, special projects, research, meeting attendance, expert witness research, testimony, related Court reports or proceedings shall be billed at hourly rates. Special fees shall be established at the time that such additional services are requested by the County.

SECTION 6. TRAVEL EXPENSES

Travel Expenses incurred by the Firm in connection with this Contract shall be itemized and accompanied by receipts. Payments will follow standard and accepted practices and policies of the Indiana State Board of Accounts and the County Auditor's Office.

Travel expense reimbursement will be billed using the following rates:

Mileage: \$0.28 per mile
Per Diem: \$24.00 per day
Lodging: Per receipts
Air Fare: Per receipts.

SECTION 7. AMENDMENTS AND CHANGES

Any alteration, addition or deletions to the terms of this Contract shall be by amendment hereto in writing and executed by both parties hereto.

SECTION 8. DISPUTES

This Contract shall be construed in accordance with, and governed by the laws of the State of Indiana and suit, if any, must be brought in the State of Indiana. Venue shall be held in the County of Vanderburgh.

SECTION 9. ORAL AND WRITTEN AGREEMENTS

9a. All oral and written agreements, relating to the subject matter of this Contract, the County and the Firm have been reduced to writing and are contained herein.

9b. "Exhibit A" is attached, made part of this Contract and constitutes promised performance by the Firm in accordance with Sections 3 and 4 of this Contract.

FOR THE FIRM:

R. Kent Irwin

DATE:

3/15/93

TYPED/PRINTED NAME:

R. Kent Irwin

TITLE:

President

FEDERAL IDENTIFICATION #:

35-1675340

FOR THE COUNTY:

Richard J. Barnes

DATE:

Ann Douglas

DATE:

3-15-93

ATTEST

EXHIBIT "A"

**VANDERBURGH COUNTY, INDIANA
SCOPE OF CONSULTING SERVICES/FEEs**

Waggoner, Irwin, Scheele & Associates Inc. shall provide the County the following professional personnel consulting services:

I. CONDUCT FAIR LABOR STANDARDS ACT & CONFIDENTIALITY ANALYSIS:

Consultants will conduct an independent analysis of each job description under the authority of the County Commission with regard to Fair Labor Standards Act (FLSA) and confidentiality status. A written report will be submitted to County Attorney detailing findings.

Fees:..... (\$2,760.00)

II. CONDUCT (ADA) ASSESSMENT:

Using applicable provisions of the Americans with Disabilities Act (ADA), consultants will conduct an assessment of County personnel policies and practices. This assessment will involve a comprehensive review of hiring procedures, applications, physical agility tests, record keeping systems, job qualification standards, and selection procedures for new hires. A written report including recommended forms and procedures will be prepared and submitted.

Fees/Billing Schedule: Upon completion of the following steps, the Firm would expect payment of specified fees within two weeks after submission of Statement of Charges:

Step 1: Gather Personnel Documents, Interview County Officials..... (\$2,860.00)

Consultants will gather copies of existing personnel policies, applications, and related personnel documents. Interviews will be held with selected County officials to elicit personnel practices information and determine how employment policies and practices are conducted.

Step 2: Prepare and Submit (ADA) Assessment Report (\$5,280.00)

Consultants will draft an (ADA) assessment report detailing findings and recommendations to address the employment provisions of (ADA), and various other state and federal employment regulations.

Step 3. Specify "Essential Job Functions:"
.....(\$11,240.00)

Using applicable provisions of the Americans with Disabilities Act (ADA), identify and provide the County with "essential functions and job requirements" listings for (261) classified County jobs. Each Office/Department will be provided an "essential functions" document for each job. This document will be designed for use in job posting and advertising for hiring, and evaluation of "reasonable accommodation" decisions posed by (ADA).

Step 4: Prepare New Job Descriptions...(\$40.00 hour)

Using completed job questionnaires, consultants will prepare new job descriptions for those positions under the authority of the County Commission where a job descriptions does not currently exist. (ADA) "essential functions" will likewise be identified. (County Highway)

III. (OPTION) DEVELOP PERSONNEL POLICIES HANDBOOK:

Consultants will assist County officials with the preparation of a new personnel policies handbook.

Step 1: Prepare County Personnel Policies Workplan.....(\$1,920.00)

Consultants will meet with selected County officials constituting a Personnel Policy Advisory Committee to develop content material to be included in new Personnel Policies. A workplan will be prepared.

Step 2: Prepare and Submit "Draft" Personnel Policies.....(\$5,640.00)

Consultants will prepare and submit "draft" personnel policies handbook for review.

Step 3: Prepare Final Personnel Policies Handbook.....(\$3,440.00)

Consultants will make appropriate revisions and prepare Final Personnel Policies Handbook. Note: A bound employee handbook may be produced at a per copy publishing costs.

Step 6: Supervisor Training.....(\$1,880.00)

Consultants will provide supervisor training in the use of personnel policies handbook.

IV. CONSULTATION/PAY SURVEYS:

Provide labor contract consultation and external market pay surveys as requested.

Fees:.....(Hourly)

V. ASSUMPTIONS

Provision of the above consulting services are based on the following operational assumptions.

1. The County will provide copies of existing personnel policies and related documents.
(e.g. personnel manual, evaluation forms, merit system rules and regulations)
2. The County will provide temporary work space for Firm staff with access to local telephone service during field operations.
3. That each County Office/Department will designate a contact person to serve as a liaison with project operations and training participation.
4. That the County is committed to maintaining a new personnel system through time.



The Rehabilitation Center
3701 Bellemeade Avenue
Evansville, IN 47714
(812) 479-1411
Fax (812) 474-2351
TDD Relay (812) 425-2841

**ADA SOLUTIONS
THE REHABILITATION CENTER
EVANSVILLE, INDIANA**

**CONTRACT FOR PROFESSIONAL
SERVICES**

**SUBMITTED TO THE
VANDERBURGH COUNTY COMMISSIONERS
EVANSVILLE, INDIANA**

MARCH 1, 1993



The Rehabilitation Center
3701 Bellemeade Avenue
Evansville, IN 47714
(812) 479-1411
Fax (812) 474-2351
TDD Relay (812) 425-2841

TITLE I - EQUAL EMPLOYMENT OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES

As Vanderburgh County is classified as a state or local government under the ADA, all regulations of Title II must be met. As an employer of more than 15 employees, the regulations of Title I also apply. Title I specifies the employment practices required to assure non-discrimination. The effective date for the employment regulations was January 26, 1992.

The major effects of these regulations on the employment practices of Vanderburgh County include job descriptions, personnel policies and practices, such as interviewing skills and staff sensitivity training.

The ADA Solutions team of The Rehabilitation Center can provide the required consultation and services to assure Vanderburgh County's compliance with the employment requirements of the ADA. It is the philosophy of ADA Solutions to create systems not only for our client organizations, but also for the disability community. It is our long-term goal that qualified persons with disabilities be productively employed in the community.

The following is a list of services to be provided to assure ADA Compliance by Vanderburgh County:

JOB DESCRIPTIONS

Option 1

Option 1 provides for most of the necessary actions to be accomplished by the ADA Solutions team. This will provide quick compliance with minimal disruption to the Vanderburgh County staff.

- Review of existing job descriptions
- Interview County Department Heads and Supervisors
- Preparation of Questionnaire used to determine essential job functions for each county job
- Train staff in use of questionnaire
- Determination of essential job functions
- Revise existing job descriptions to include:

- general description of job
- scope of activities
- essential job functions
- Preparation of new (non-existing) job descriptions.
- Training of appropriate staff on procedures to keep job descriptions current and drafting new job descriptions to assure future compliance

Fee.....\$10,500.00

Option 2

Option 2 provides for the County staff to take on more of the responsibilities for ADA compliance of job descriptions. This work will be completed under the direction and supervision of ADA Solutions.

ADA SOLUTIONS TEAM

- Train County staff on preparation of job descriptions
- Prepare questionnaire for use by County staff
- Review completed questionnaire
- Review completed job descriptions
- Follow-up with staff to address problem areas

VANDERBURGH COUNTY STAFF

- Attend training
- Complete questionnaires
- Prepare job descriptions
- Revise job descriptions as necessary
- Determine essential job functions
- Complete all clerical functions
- Complete activities within required time frames

Fee.....\$7,500.00

EMPLOYEE HANDBOOK/PERSONNEL POLICIES

The ADA Solutions team will review and revise the existing personnel policies to assure compliance with the ADA and other applicable regulations. The County staff will be trained in the implementation of the policies. Included will be policies in areas such as:

- Recruitment
- Applications
- Physicals
- Hiring
- Promotion
- Firing
- Employee records
- All other personnel policies
- Complaint procedures

The activities to be performed by the ADA Solutions team include:

- Review existing policies
- Meet with Department Heads to determine problem areas
- Revise existing policies
- Draft new policies as required
- Provide draft of policy manual
- Meet with County staff to review new policy manual
- Revise policy manual as necessary
- Train County staff on contents of policy manual
- Provide County with finished copy of policy manual
- Develop new Employee Handbook (optional)

Fee.....\$10,500.00
Fee (includes Handbook).....\$11,500.00

TITLE II - STATE AND LOCAL GOVERNMENTS

Title II of the ADA prohibits discrimination against persons with disabilities in all services, programs, and activities provided or made available by state or local governments. Unless otherwise specified, these requirements went into effect on January 26, 1992.

Title II of the ADA extends the nondiscrimination requirements of Section 504 of the Rehabilitation Act of 1973 to the activities of all state and local governments, regardless of whether they receive federal financial assistance.

SELF-EVALUATION

All state and local governments must do a self-evaluation of their current services, programs, and activities, and review all their policies and practices, and the effects thereof, that do not or may not meet the requirements of the ADA.

ADA Solutions Services: Implementation of self-evaluation procedures to include public notice, community input, designation of responsible employee, and internal grievance procedures.

Fee.....\$35.00 hour

TRANSITION PLAN (If Required)

A transition plan addresses the structural changes that must be made to state and local government facilities. Unlike the self-evaluation requirement, which applies to all state and local governments, the transition plan requirement applies only if structural changes are needed to achieve program access, and if the state or local government has 50 or more employees. All structural changes that need to be made to provide program access must be made by January 26, 1995, but in any event as expeditiously as possible.

ADA Solutions Services: Implementation of transition plan procedures to include community input committee and drafting of transition plan.

Fee.....\$25.00 hour

PROGRAM ACCESSIBILITY

ADA Solutions Services: All Vanderburgh County programs will have been surveyed under Self-Evaluation (see page 3) to ascertain whether or not they are accessible to persons with disabilities. Each survey will have considered structural accessibility, communications, and signage under the Americans with Disabilities Act Accessibility Guidelines (ADAAG), as well as eligibility requirements, staff training, integration, community resources, and alternate formats. ADA Solutions will develop internal policies and procedures to assure ADA compliance.

Fee.....\$35.00 hour

ADMINISTRATIVE COMPLAINT PROCESS

ADA Solutions Services: Implementation of procedures outlining complainants' rights and designated agencies' responsibilities in the administrative complaint process to include complaint format, investigative process, informal resolution, Letter of Findings, voluntary compliance agreement, filing of lawsuits, and voluntary alternate dispute resolution.

Fee.....\$750.00

TRAINING

Staff training is essential to assure ongoing compliance with the regulations and the spirit of the ADA. Training sessions will be conducted with County staff on topics including:

- Applicants with disabilities
- Determining reasonable accommodations
- Dealing with applicant and employee complaints \
- Disability awareness

Fee.....\$100.00 hour

FOR THE REHABILITATION CENTER:
Richard J. Bonnes

DATE: _____

TYPED/PRINTED NAME: RAYMOND P. RAISOR

TITLE: PRESIDENT

FEDERAL IDENTIFICATION#: 35-1087526

FOR THE COUNTY:
Richard J. Bonnes

DATE: 3/5/92

ATTEST _____ DATE: _____

Lynne C. Kramer, Vice President of The Rehabilitation Center, has 25 years experience in rehabilitation of persons with disabilities. She has a Bachelors Degree from the University of Kentucky and a Masters Degree in Audiology from New York University. Previous employment includes The Helen Keller Center for Deaf-Blind in New York. She is the author of the book, The Audiological Evaluation and Aural Rehabilitation of the Deaf-Blind Adult.

Since returning to the Evansville area in 1978, Ms. Kramer has been involved in new program development for The Rehabilitation Center. Specializing in community integration and services for persons with disabilities that increase independence and employment options, Ms. Kramer has participated in the rapid expansion of the programs of The Rehabilitation Center. Since the passage of the ADA, she has participated in several ADA trainings. Of note is the Phase I Training offered by the ADA Training and Implementation Network, a project of the U.S. Equal Employment Opportunity Commission and the Department of Justice, September 14 - 20, 1992, St Louis, Missouri. Ms. Kramer has also presented several seminars on the ADA to businesses and the disability community.

John C. Halverson is an expert in the field of Human Resources Management. He has a Bachelors Degree in Business Administration and Economics from Augustana College and earned a MBA (Personnel and Industrial Relations) from Arizona State University. He has over 20 years of Human Resources experience in manufacturing, consumer goods, health care, and financial services. He has strong experience in both union and non-union environments. He is an adjunct professor at both the University of Southern Indiana and the University of Evansville and acts as an independent consultant with ADA Solutions of The Rehabilitation Center. He serves on the Boards of several community organizations including acting as Treasurer of the Boys and Girls Club of Evansville, past president of the Harrison Soccer Club, and the Board of St. Benedict Church.

Halverson & Associates was formed in June, 1992. The firm provides a wide range of Human Resources consulting to firms in the Evansville area. Halverson & Associates has been involved in the development or updating of the personnel policies for such companies as Lensing Wholesale, South Western Communications, Knapp Given Veazey & Shoulders, Citizens Realty and Insurance, and Card Management Corporation. As Director of Compensation and Benefits for Kraft Foods and as Vice President of Human Resources at American General Finance, Halverson has developed hundreds of job descriptions. With the adoption of the Americans with Disability Act, he has assisted his client companies come into compliance and has been a seminar speaker on complying with the provisions of ADA.

Gary W. Palmer is the Accessibility and Disability Awareness Specialist at The Rehabilitation Center. He is currently involved in ADA Solutions and other Rehabilitation Center programs focusing on the vocational needs of persons with disabilities. Mr. Palmer has an Education Degree from the University of Southern Indiana and has previously been employed in the area of business ownership and management for persons with disabilities.

Mr. Palmer serves as a member of the Evansville Museum of Arts and Sciences Board of Trustees and is the ADA Consultant to the Board. He is also a member of the Section 504 of the Rehabilitation Act of 1973 Self-Evaluation Committee for the City of Evansville, Department of Metropolitan Development. Mr. Palmer has received extensive training in the ADA, including approximately 60 hours comprehensive ADA training provided by the ADA Training and Implementation Network, a joint project of the Equal Employment Opportunity Commission and the U.S. Department of Justice.

SUPPLEMENTAL AGREEMENT NO. 4

This Supplemental Agreement is made and entered into March 15, 1993, by and between Vanderburgh County, acting by and through the Board of County Commissioners, hereinafter referred to as the "LOCAL PUBLIC AGENCY", and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the "LOCAL PUBLIC AGENCY" and the "CONSULTANT" did on July 3, 1989 enter into an Agreement providing for the "CONSULTANT" to provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

U.S.I. Interchange, Project No.: C-E 180(1)

Design and furnish contract plans for the construction of an interchange at S.R. 62 and the entrance to the University of Southern Indiana connecting to Eickhoff Road to the north in Vanderburgh County, Indiana.

WHEREAS, upon final review of the plans, the Indiana Department of Transportation required modification of the plans to require the use of two overhead cantilever signs to be placed near the ends of the bridge rather than the ground mounted panel signs, and

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

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

1. Appendix "A": SERVICES BY CONSULTANT - Section G, Utility Agreement

Coordination shall be included to read as follows:

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

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

1. The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 375,443.00, unless a modification of the Agreement is approved in writing by the LOCAL PUBLIC AGENCY.

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

j. Utility Agreement Coordination	\$3,143.00
k. Cantilever Sign Design	3,220.00

3. Except as herein modified, changed and supplemented, all terms of the original Agreement dated July 3, 1989, shall continue in full force and effect.

The previous "not to exceed" total was \$369,080.00. This Supplemental increases this value by \$6,363.00, to a new "not to exceed" value of \$375,443.00.

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

CONSULTANT

Bernardin, Lochmueller &
Associates, Inc.

BY Keith Lochmueller
Keith Lochmueller, President

Attest:

Thomas G. Bernardin
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Vanderburgh County
Board of Commissioners

BY Richard J. Borries
Richard J. Borries, President

BY Patrick Tuley
Patrick Tuley, Vice President

BY Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey, County Auditor

Approved as to Legality and Form:

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

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 9th
day of March, 1993 and each acknowledged and stated that he is the party
authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans
Notary Public

Cynthia L. Evans
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

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

Don Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 15th day
of March, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:

JOANNE A MATTHEWS
NOTARY PUBLIC STATE OF INDIANA
VANDERBURGH
My County of Residence:
MY COMMISSION EXP. JUNE 12, 1996

Joanne A. Matthews
Notary Public

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)

COUNTY OF Vanderburgh)

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

BERNARDIN, LOCHMUELLER & ASSOC., INC.

Keith Lochmueller

Keith Lochmueller
(Print or type name)

Subscribed and sworn to before me this 9th day of March, 1993.

Cynthia L. Goss
Notary Public

My Commission Expires:

September 22, 1995

Project No.: 89-24-1A
SUPPLEMENTAL #4

UTILITY AGREEMENT FEE JUSTIFICATION

rev. 02/22/93

PROJECT NO.: C-E180(1)
ROUTE: USI INT@SR62
COUNTY: VANDERBURGH

DESCRIPTION	MANHOURS BY JUSTIFICATION					TOTAL
	Principal	Senior Engineer	Engineer II	Engineer Technician	Clerical	MAN-HRS
Coordinate with Utilities		1	17		8	26
Review Relocation Plans & Estimate			14			
Prepare Agreements			8		4	12
Prepare Special Provisions			4			
Print sets of plans			2	6		8
TOTAL MANHOURS	0	1	45	6	12	46
HOURLY RATES 1993	\$32.69	\$24.63	\$19.09	\$13.03	\$8.70	
MANHOURLY COSTS	\$0.00	\$25.00	\$859.00	\$78.00	\$104.00	
DIRECT NON-SALARY COSTS						
Mileage: 10 ml. x 4 @ \$.24/ml.		\$9.60				
Reproduction		\$150.00				
Per Diem						
TOTAL DIRECT NON-SALARY COSTS		\$160.00				
DIRECT SALARY						\$1,066.00
OVERHEAD						143.34% 1,528.00
SUBTOTAL						\$2,594.00
PROFIT 15 15.00%						\$389.00
DIRECT NON-SALARY						160.00
GRAND TOTAL						\$3,143.00

ASSUMPTIONS;

- 1. Coordinate @ 6 utilities
- 2. Three reimbursable agreements
- 3. Three non-reimbursable agreements
- 4. Six special provisions

Project No.: 89-24-1
SUPPLEMENTAL AGREEMENT # 4

CANTILEVER SIGN DESIGN FEE JUSTIFICATION

rev. 02/22/93

PROJECT NO.: C-E180()
ROUTE: USI INTERCHANGE PROJECT
COUNTY: VANDERBURGH

DESCRIPTION	MANHOURS BY JUSTIFICATION					TOTAL
	Principal	Senior Engineer	Engineer II	Engineer Technician	Clerical	MAN-HRS
Cantilever Sign Design			22	16		38
Cost Estimates			4			4
Prepare Special Provisions			4		2	6
Project Management		8				8
						0
TOTAL MANHOURS	0	8	30	16	2	56
HOURLY RATES 1993	\$32.69	\$24.63	\$23.75	\$13.03	\$8.70	
MANHOUR COSTS	\$0.00	\$197.00	\$713.00	\$208.00	\$17.00	

DIRECT NON-SALARY COSTS		DIRECT SALARY		\$1,135.00
Mileage: 121 mi. x 2 @ \$.24/mi.		OVERHEAD	146.72%	1,665.00
Reproduction				
Per Diem		SUBTOTAL		\$2,800.00
TOTAL DIRECT NON-SALARY COSTS	\$0.00	PROFIT	15.00%	\$420.00
		DIRECT NON-SALARY		0.00
		GRAND TOTAL		\$3,220.00

The
**GOLD
ROOM**
S
Vanderburgh
AUDITORIUM

March 10, 1993

To: County Commissioners
From: Sandra Toton *ST*
Ref: Progress Report - February 1993

The following has been performed during the month of February.

1. Installed six(6) new diaphragm kit in the Auditorium main speaker cluster.
2. New stage amp installed. Placed in locked box with external control.
3. Ordered locked cabinet for sound equipment in the Auditorium sound booth.
4. Applied for a Food & Beverage tax permit with State of Indiana.
5. Gold Room floor was stripped and re-waxed.
6. New FAX machine installed.

Total head count for February 1993 - 13,724

cc: Andy Davidson

715 LOCUST STREET EVANSVILLE, INDIANA 47708 PHONE: (812) 426-2270 FAX: (812) 426-2270

Professionally Managed by: GIVEN & SPINDLER MANAGEMENT COMPANY, INC.

ARC

CONSTRUCTION CO., INC.

*App'l. going to
Council call*

1745 S. KENTUCKY AVENUE
P. O. BOX 2080
EVANSVILLE, INDIANA 47728-0880
TELEPHONE (812) 426-0481
FAX (812) 421-9115

3/15/93

December 10, 1992

Ms. Sandy Toton
Vanderburgh Auditorium
715 Locust Street
Evansville, IN 47708

RE: SIDEWALK REPLACEMENT

Dear Ms. Toton;

Thank you for the opportunity to submit a quote on the concrete entrance replacement. Our price is for thirteen sections of exposed aggregate walk and one section of regular walk at the front entrance of the auditorium approximately 1135 square feet.

TOTAL PRICE.....\$5,200.00

Should you have any questions concerning our quote, please do not hesitate to contact me.

Respectfully Submitted,
ARC CONSTRUCTION CO., INC.


Jerry Brandenberger, Project Manager

JB:plr



Concrete Pavers, Inc.

Eastside Industrial Park
2650 N. Cullen Avenue
Evansville, Indiana 47715
Phone (812) 473-3543
Fax (812) 473-6048

Andy Davidson
Commercial Property Manager
Given & Spindler Management Co.
101 Court Street Suite 201
EVANSVILLE, In. 47708

RE: Sidewalk Repairs
Vanderburgh Co. Auditorium

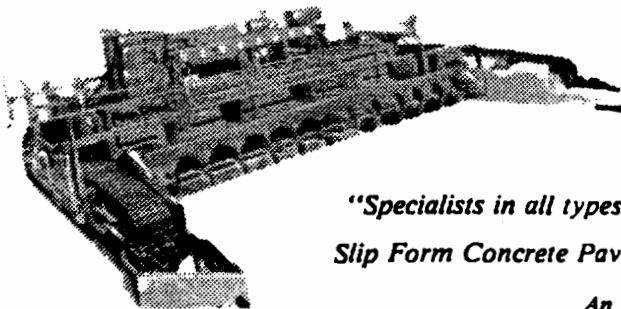
Dear Mr. Davidson:

We propose to provide labor, material, and equipment to remove and replace approx. 1,071 SF of 4" exposed aggregate sidewalk and approx. 92 SF of reg. 4" sidewalk (as per attached sheet).

For the sum of.....\$5,300.00

Respectfully Submitted,
Concrete Pavers, Inc.

Ray Nix
Project Manager



"Specialists in all types of Commercial and Industrial concrete work"
Slip Form Concrete Paving • Flat Work • Slip Form Curbs and Gutters
An Equal Opportunity Employer

Popham Company, Inc.

P.O. BOX 5401
EVANSVILLE, INDIANA 47716
TELEPHONE • (812) 479-5850

12-10-92

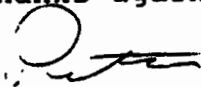
Given & Spindler, Inc.
c/o Andy Davidson
P.O. Box 5012
Evansville, IN 47716

Re: Vanderburgh Auditorium - Concrete Removal And Replacement

Dear Mr. Davidson,

Please find enclosed our quote for the above-mentioned project. Thanks for your consideration. We are professional in all aspects of our work, as well as bonded and insured. If you have any questions, please phone.

Thanks again,



E. O. "Pete" Popham, Jr.
President, Popham Construction Company, Inc.

Popham Company, Inc. A COMPLETE RESIDENTIAL AND COMMERCIAL MAINTENANCE SERVICE
BASEMENT WATERPROOFING • FOUNDATION REPAIR • RESIDENTIAL AND COMMERCIAL REMODELING

POPHAM CONST.CO. (Given & Spindler Est.)
Job Location: Vanderburgh Auditorium
Estimate Date: 12-10-92
Phone Number: 464-2111
Job Number: C1049
GIVSAD10.DOC

Concrete Removal and Replacement:

Job #1:

- 01) Remove 16 sections of exposed concrete on front and north (appx. 1189 sq.ft.).
- 02) Remove one section of regular concrete in front walkway (70 sq.ft.).
- 03) Haul-off all broken concrete.
- 04) Prepare areas to be re-poured in the following way:
 - A. Remove any "spongy" fill. Replace excavated areas with #53 stone compacted.
 - B. To keep new sections of concrete from sinking, we will drill surrounding sections and install 5/8" rebar every 16" at a length of 16".
- 05) Pour sixteen sections of concrete. Spray-on retarder to expose aggregate in mix. Cover for 48 hours of curing. When cured for 30 days, we will apply clear sealant.
- 06) Pour one section of regular concrete 10' x 7', rod as above.

Note:

- 01) All concrete pours to have reinforcement wire impregnated in pours.
- 02) All concrete will be a minimum of 6" thick.
- 03) Clean-up will be daily.
- 04) Proper barricading will be in place for safety.

Total: \$5,879.25

All Prices Are Subject To Change After 30 Days From Estimate Date.

Signatures Of Property Owners Authorizing The Above Mentioned Work:

_____ Date: _____

_____ Date: _____

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
Friday, March 5, 1993 thru Thursday, March 11, 1993

Friday, March 5, 1993

Two Crews salted and sanded bridges East and West of Hwy 41.

Rock Crew rocked Hornby, Young, Fitzgerald and Huebner.

Patch Crew worked on New Harmony and Peerless Road.

One crew worked repairing mailboxes.

One crew cleaned drains in sub-divisions.

Garage - one crew washed trucks, and one crew worked on new offices.

Monday, March 8, 1993

Gradall and one crew ditched on Korff Road.

Three crews hauled dirt from Burdette Park.

Two Patch crews worked on Baumgart and Burch Drive.

One crew worked repairing mailboxes.

Garage - one crew worked on new offices and one crew built barricades.

Tuesday, March 9, 1993

Two crews and Gradall ditched on Korff Road.

Three crews hauled dirt from Burdette Park.

Two Patch crews worked on Maple Lane, Inglefield Road and Hillsdale.

Garage - one crew washed trucks, one crew worked on new offices, one crew repaired paver and one crew hauled lumber, built barricades and repaired signs on flood gates.

Wednesday, March 10, 1993

Three crews worked at 1230 Cedarwood Dr. (Tall Timbers) digging out and repairing sinkhole.

• Three crews hauled dirt from Burdette.

Two Patch crews worked on 5th Avenue Bridge and at 1230 Cedarwood Dr.

One crew repaired mailboxes.

Garage - one crew washed trucks, one crew built barricades and one crew worked on new offices. Grader worked on County Line East.

Thursday, March 11, 1993

Three crews ditched Korff Road.

Three crews hauled dirt from Burdette Park.

Patch crews worked on Korressel and New Harmony.

Grader worked on Hillside Drive, Hilltop Road and Outer Darmstadt Road.

Trees crew picked up limbs on Browning Road, Boonville-New Harmony, Mesker Park Drive, Mill Road and Folz Road.

One Crew ran barricades for high water.

Garage - one crew worked on new offices, one crew worked on paver, one crew washed trucks, and one crew built barricades.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
Friday, March 5, 1993 thru Thursday, March 11, 1993

Friday, March 5, 1993

Crew #1 - Rocked sink holes on Lexington, Burch Drive, Browning Road at Oak Meadow and 5th Avenue Bridge.

Crew #2 - Located and cleaned drain on Skyline Drive, cleaned out culverts on St. Joe Avenue (5816 and South), cleaned and reamed drains from culvert on St. Joe Avenue just north of tracks, removed rock.

Monday, March 8, 1993

Crew #1 & #2 - cut out and patched with durcrete on 5th Avenue Bridge.

Backhoe - Dug out 3" rock on top of culvert on Burch Drive.

Tuesday, March 9, 1993

Crew #1 - Cut and patch with duracrete on 5th Avenue Bridge and St. George Bridge.

Crew #2 - Cut and patch with duracrete on 5th Avenue Bridge and straighten guard rail at 7455 Mesker Park.

Wednesday, March 10, 1993

Crew #1 - jack hammer south approach of 5th Avenue Bridge and replaced guard rails on Baseline and Old Petersburg.

Crew #2 - jack hammer south approach of 5th Avenue Bridge, saw road in Tall Timbers at 1230 Cedarwood, and cleaned seepholes on West Bridges.

Thursday, March 11, 1993

Crew #1 and Backhoe - worked replacing guardrail at Baseline and Old Petersburg.

Crew #2 - clean off Stringtown and Green River Road Bridges, clean in front of 2505 Mill Road with hand shovel to get water flowing, clean out culvert at 2111 Schutte Road.

REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners

DATE: 3/11/93

ACCOUNT	LINE ITEM	AMOUNT
130-3994	Grants	10,000.00

EXPLANATION OF NEED FOR REQUEST

This is money for grant funding through the Division of
Historic Preservation and Archaeology of the Department
of Natural Resources.

*This is a three year project with 10,000.00 dollars to
be funded each year. Total cost of project is \$ 30,000.00

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROP
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VANDERBURG COUNTY

REC'D

MAR 11 1993

VCC-2

Don Thompson
DEPARTMENT HEAD:

Richard J. [Signature]

REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners **DATE:** 3/11/93

ACCOUNT	LINE ITEM	AMOUNT
130-3610	Legal Services	2908.71

EXPLANATION OF NEED FOR REQUEST

To pay legal services for continuing legal cases
that are being handled by Ziemer Stayman Weitzel & Shoulders

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROP
VANDERBURGH COUNTY				
REC'D				
MAR 11 1993				

VCC-2 *PA* *A* *Sam Thompson*
AUDITOR
DEPARTMENT HEAD: *Richard J. Bennis*
Bj

REQUEST FOR APPROPRIATION

DEPARTMENT: Superintendent of County Buildings

DATE:

3/5/93

ACCOUNT	LINE ITEM	AMOUNT
131-3550	Repairs to Buildings/Grounds	40.000.00

EXPLANATION OF NEED FOR REQUEST

Money is needed to put a new roof on the County Garage

VANDERBURGH COUNTY

REC'D

MAR 5 1993

Sam Stangley
AUDITOR

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPRO
131-3550	1,000.00			
encumbered	2,750.76			
Total	3,750.76	2.844.00	906.76	40.906 56

VCC-2

DEPARTMENT HEAD:

[Signature]

REQUEST FOR APPROPRIATION

DEPARTMENT BURDETTE PARK

DATE **MARCH 11, 1993**

ACCOUNT	LINE ITEM	AMOUNT
1450-1180 OTHER EMPLOYEES		\$ 85,000.00
1450-2120 DAY CAMP		5,000.00
1450-1900 FICA		6,505.00
1450-3990 MISCELLANEOUS		5,000.00
1450-4110 LAND & LAND IMP.		20,000.00
1450-3440 ADVERTISING		25,000.00

EXPLANATION OF NEED FOR REQUEST

BALANCE OF ACCOUNTS

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER	APPRO
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Mark T. Tully (as)

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
_____	_____	<u>3-8-93</u>	<u>1440-3790</u>	<u>\$4,110. 15</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
			TOTAL	<u>\$4,110.15</u>

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

R. W. ARMSTRONG
2801 S. PENNSYLVANIA ST.
INDIANAPOLIS, IN
46225-2399

\$ 1,078.00

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 203-4348

PURCHASE ORDER NO. -

INVOICE NO. 17821

PURPOSE SPRING TOWN B. R. #72

Allowed 19

In the sum of \$
Richard J. Barnes
Peter J. Duley
B. J. Duley

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

.....
March 15, 1993
.....
Richard J. Barnes

TOTAL 720.00

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

UNITED CONSULTING ENGINEERS
125 N. POST ROAD
INDIANAPOLIS, IN
46219-1995

\$ 13,308.55

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 203-4353

PURCHASE ORDER NO. -

INVOICE NO. 4

PURPOSE Col/De Br #1C

Allowed 19

Richard J. Barnes
Patrol Judge
A. J. Hunter

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.

March 15, 1993
John Hall

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

UNITED CONSULTING ENGINEERS
1025 N. POST ROAD
INDIANAPOLIS, IN
46219-1995

\$ 7,000.00

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 216-4910

PURCHASE ORDER NO. _____

INVOICE NO. #33

PURPOSE N. GREEN RIVER RD.

Allowed 19

Richard J. Bonis
in the sum of \$
Patricia J. Jones
A. H. Jones

Commissioners County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon ^{contract.}
statutory authority.

That it is apparently ^{correct.}
incorrect.

..... Auditor

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

.....
March 15, 1993
John H. H. H.

CLAIM No. WARRANT No

IN FAVOR OF
NAME AND ADDRESS

UNITED CONSULTING ENGINEERS
1625 N. Post Rd.
INDIANAPOLIS, IN
46219-1995

\$ 3,779.50

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 216-4910

PURCHASE ORDER NO. -

INVOICE NO. A9

PURPOSE N. Green River Rd.

Allowed 19

By the sum of \$
Richard J. Bonies
John D. Duley
C. H. Hume

Commissioners County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract.
statutory authority.

That it is apparently correct.
incorrect.

.....
Auditor

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

March 15, 1993

John D. Duley

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

UNITED CONSULTING ENGINEERS
1425 N. POST ROAD
INDIANAPOLIS, IN
46219-1995

\$ 11,544.07

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 216-4910

PURCHASE ORDER NO. -

INVOICE NO. #11

PURPOSE N. GREEN RIVER

Attest 19

Richard J. Barnes
Mayor
Patricia J. [Signature]
[Signature]

Commissioners County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon ^{contract.}
statutory authority.

That it is apparently ^{correct.}
incorrect.

..... Auditor

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

.....
March 15, 1893.
.....
[Signature]
.....

CLAIM No. _____ WARRANT No. _____

IN FAVOR OF

AIC

\$210.00

ON ACCOUNT OF APPROPRIATION

NO. _____

For 130 - 3/30

FEE 3/15/93

Allowed _____, 19 _____

In the sum of \$

Richard J. Bonnis
Patricia J. Kelley
Alan H. Hume

Board of County Commissioners

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

DISTRIBUTION

APPROPRIATION NO.	AMOUNT

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 _____

3/15

1993

As

Richard J. Bonnis

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
DAVID S. GARRETT	15824 OLD STATE RD.	GRND. CREW CARPENTER	11 04	3-8-93
RB	AB			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Turkey (S.E.) DATE 3-12-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Legal Aid Society of Evansville, Inc.

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Mary M. Cox	4403 Wethersfield Drive	extra help	5 00 per hour	03-08-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Mary M. Cox	4403 Wethersfield Drive	extra help	5 00 per hour	03-12-93
RB	AB			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY LA Hartig DATE 3-2-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	CONNIE NALLEY	5301 NURRENBURN RD.	CAMPGROUND	5 00	3-10-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	CONNIE NALLEY <i>RB</i>	5301 NURRENBURN RD.	CAMPGROUND	4 35	3-10-93
		<i>RT</i>			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark F. Juley (S.E.) DATE 3-12-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

Health 213.0

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1460	Cynthia Glave	57747 Crossfield Dr. Evansville, IN 47715	Clinic Clerk	7.1599 / HR 14,950.00	✓ 3/9/93
		6 month step increase			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
146	Cynthia Glave	1407 E. Sycamore St. Evansville, IN 47714	Clinic Clerk	6.8359 / HR 14,263.00	✓ 3/9/93
	<i>RB</i>	<i>RT</i>		<i>RT</i>	

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Sam Elder DATE 3-9-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 213.4 Health Department/WIC Program

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Laura Edwards	1115 Spring Creek Drive Evansville, IN 47710	PT Nurse	12 4081	3/10/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY CLERK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10-1170	Susan Jarmon	124 Fairway Dr.	Circuit Co. Cl	19751 00 9.4592/HR	3-8-93
10-1140	Denise Davis	1126 W. Illinois	Counter Clerk	14889 00 7.1307/HR	3-8-93
10-1460	Paulette N. Aders	1171 W. Mill Rd.	Mail Clerk	14263 00 6.8309/HR	3-8-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10-1170	Susan Jarmon	124 Fairway Dr.	Circuit Clerk	17984 00 8.6130/HR	3-5-93
10-1140	Debra Mosby		Counter Clerk	17984 00	3-5-93
10-1460	Denise Davis		Mail Clerk	6.8309/HR 14288 00	3-5-93
10 1530	STEPHANIE HARVEY LOA	1117 DIAMOND PLACE	DEPUTY CLERK	WILL BE RECEIVING WORKMANS COMP	3 8 93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE 3-9-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY RECORDER 1040

sd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1040-1130	Debbie Stucki	1301 Laubscher Rd. Evansville, In47710	First Deputy Bookkeeper	20,523.00 9.8290/HK	03/08/93 ✓
	APPROVED BY COUNTY COUNCIL 03/03/93				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1040-1130	Debbie Stucki	1301 Laubscher Rd. Evansville, In47710	Bookkeeper	18,834.00 9.0201/HK	03/07/93 ✓
	NOTE: OK TO PAY BEFORE STATE APP - PER STATE LT. 3/11/93 ✓				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty J. Hermann DATE March 4, 1993

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department County Recorder

sd

APPOINTMENTS MADE RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1040-1970	Karen Tidd	29 S. Kenmore	Temp. Placement Misc. Clerk	\$570.45	2-16-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty J. Hermann DATE 3-9-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
011300214	Guy Hunter		Proc. Server	3 6910 7707 00	3-8-93 ✓
011300205	Andrea Patterson		P/T Clerk Typ.	6 8362 7137 00	3-3-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER COMMISSIONER'S RECORD SIGNED BY Ray Hamner DATE 3/12/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
111300402	Kathy Sue Mann		Nurse	12 5230 26148 00	1-1-93 ✓
511750	David Stefancih		I.A. Other		2-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
111300402	Kathy Sue Mann		Nurse	12 4679 26033 00	12-31-92 ✓

RECORDER COMMISSIONER'S RECORD SIGNED BY Ray Hamner DATE 3/12/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 108 Prosecutor

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0801270	Robyn Mastison	3701 Cass Ave.	Sr. ParaLegal Secretary	20,599.00 9.8654	3-8-93 ✓
	RB	PH			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0801270	Laura L. Miller	1709 Broadmore	Sr. ParaLegal Secretary	20,599.00 9.8654 / HR	3-8-93 ✓
0801280	Robyn Mastison	3701 Cass Ave.	ParaLegal Sec.	19,571.00 9.3730 / HR	3-8-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 3-10-93
Stanley M. Levco, Prosecutor

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11301990 113-199	Alfred J. Inkenhaus	1411 Burdette	Deputy	5.00 hr	3/8/93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	RB	PH			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Shirley Reader DATE 3/9/93
Chris Deputy
Knight Turp

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11301990 113-199	Wayne Kirk	5020 Sweetser Ave	Deputy	5.00 per hr	3/9/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley Reader DATE 3/8/93
Chief Deputy
Knight Township assessor

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 108.1 Prosecutor IV-D Support

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
101200	Laura L Miller	1709 Broadmore	ParaLegal Sec.	19,571.00	3-8-93
				9.3130/Hr	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Lerco DATE

VANDEBURGH COUNTY EMPLOYMENT CHANGES

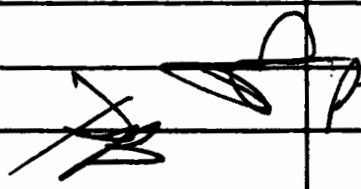
Department BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	JENNIFER BENDER	108 LOUISIANA	GRND. CREW	5 00	2-28-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
					

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tuley (J.E.)

DATE

3-12-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

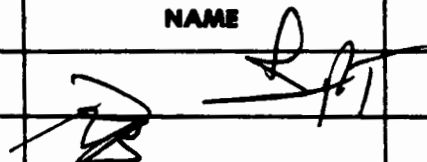
Department VANDEBURGH COUNTY CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
36.1-1990	MICHAEL K. GREENLEE		PART- TIME CORRECTION OFFICER	\$5.00 HR	3-4-93 ✓
36.1-1990	RICHARD L. EDWARDS		PART-TIME CORRECTION OFFICER	\$5.00 HR	3-5-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
					

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

MAR. 9, 93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

VANDEBURGH COUNTY CIRCUIT COURT

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1970 1360	SHEILA SILVIA		PART-TIME BAILIFF	6.00	HR	2-21-93 ✓
136-1970 1360	MELVIN MACGREGOR		PART-TIME BAILIFF	5.00	HR	2-21-93 ✓
136-1970 1360	CHAD GROVES		PART-TIME BAILIFF	5.00	HR	2-21-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1970	SHEILA SILVIA		PART-TIME BAILIFF	6.00	HR	2-20-93 ✓
136-1970	MELVIN MACGREGOR	PT	PART-TIME BAILIFF	5.00	HR	2-20-93 ✓
136-1970	CHAD GROVES		PART-TIME BAILIFF	5.00	HR	2-20-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

MAY 2. 9, 93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

VANDEBURGH SUPERIOR COURT

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
13701340	Kendra K. Grammer		Bailiff	18,664	00	3/22/93
13701380	Amy L. Helfert		Bailiff	19,571	00	3/8/93
13701770	Deborah J. Mosby		Clerical Assitant	10,307.91 21,523	00	3/8/93 ✓
13701880	Jamie L. Fulks		Small Claims Secretary	17,800	00	3/22/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
13701340	Alvis C. Herrenbruck	PT	Bailiff	22,573	00	3/19/93
13701380	James T. Barron, Sr.		Bailiff	21,523	00	3/5/93
13701770	Amy L. Helfert		Clerical Assistant	19,571	00	3/5/93
13701880	Kendra K. Grammer		Small Claims Secretary	18,664	00	3/19/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE

3-4-93