Bids:

Most used office Supplies (opening #12) (Reading #13) (Awarding 96)
Xerographic Paper - (awarding #12)
Calcium Chloride (awarding #12)
Liquid Asphalt AE-150 (awarding #12)
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Hogue Rd - #68-73-(88 Deig Bros. awarding)
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Chemicals & Equip. at Jail (Specs. 115) (Opening 150)
* Old Petersburg & Baseline #44 - (awarded 222) (Modification 223)
Gradall for Hwy (Specs. 223) 255 (open bids 320) (award 341)
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Detergent for Jail - #364-366 (letter on Pro-tex all 394) (Award 405)
Data Processing Computer System - #371-405-406 -
" 419-476-484-497-505-506 - (Awarded to Pulse 545 Systems)
Landscape Materials for Park - #420-445-449-467 (Stockers 555)
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* Old Petersburg/Baseline - 453
Three (3) Vans for Work Release - #476-534-537 (Award 549)
✓ Concrete Deck at Burdette Pool - #486-500-559-560
Calcium Chloride - #550-581-585-600
Burdette Skating Rink - #550-581-585
Xerographic Paper - #572-611-613-627-
Liquid Asphalt - #572-611-613-627
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Annual Report - County Jail - #94
Annual Report - APC - #97
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Annual Report - Human Relations Comm. #391
Annual Report - Health Dept. - #333-
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David M. Griffith & County - #44.
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Agreement with Valley Bus. Machines - #109
Contract with Szabo Foods - 120-
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Agreement (County & IDOH on bridge inspections) #554
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Bond (Performance for Deig Bros) - #121
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Bond Permit/License for Jerry David - 259
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Bond (Surety) for Bill Bethel - #465
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Tour of Park - Con & Visitors Bureau - #285
Fed funding discussed for tree replacement - #286
Proposed agreement for concessions - #296
Procedures for handling domestic animals - #339-374.
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Req to go before Council (transfers) #342
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Hirsch Rd. Bridge - #21-38 (Letter from M. Keating #55) 87-155-273-357-396-410-439-466-
Hogue Rd. Structure - #35-60-181-397
Maryland St. Bridge - #35-603-630-642
Weight Limit on Certain Bridges - #36
Problem with Staub on pipe removed in (Happe Rd) Union Twp. #36-60-
Mann Rd Structure - #57-180-225-235-
* First Ave Bridge #22-38-76-81-116-139-181-256-262-273-395
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Old Petersburg Rd Bridge - #105-357
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Baseline/Old Petersburg Rd - #397-410-431-439-575-
* First Ave. Bridge - #403-431-487-
Report on Bridges from "The Hartford" 410-413
Volkman Road - #439-575
Ohio St - Change Speed + Load Limit - #453-466-
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Comments on Coroner's Vehicle - #30
Comments on State Legs by Deanne Lloyd - #52
Comment on title for County owned van (Surveyor) #60
Comment from D. South on 2% Contribution - #62-
Comments from Barnes on State Legislation - #110
Comments from Jim Lewis on County Health Ins. Plan - #111
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Complaint on dog being killed at Burdette - #338
Comprehensive Dev. Plan from Area Plan - 356- 447-
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Comments from Mark Owen on R & B funds - #426
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Checks Received:

Indiana Ins. Co. $6,116.44 (Storm damage at Burdette) #14
Shell Oil $6,714.02 (Repair to Ruston Lane) #44
Nelfrick Ins. Co. $27,300.00 (Boiler at Auditorium - #44
Hartford $380.00 Cecil D. Sills) #64
Evans Cable T.V. ($6,816.63 - #92) ($6,707.40 - #290)
City of Evans (Covert Ave Cpt. $21,058.25) #134
Ind. Insurance $1,255.00 lightning loss at Hwy) #360
Inner City Enterprises, Inc. $100.00 Rent for Aud - #394
School Corp $1.00 (West Heights Rent) #401
Xerox Corp $10.83 (Credit due to County) #414
Nelfrick $2,116.00 lightning loss at Burdette) #421
City of Evansville $1,790.88 (Reimbursement - Covert Ave) #437
Nelfrick Ins. $321.00 (Premium Adjustment) #442
Evans Cable T.V. $7,016.18 (Quarter Payment) 442
Nelfrick $339.00 (Lightning loss to Sheriff) #455
St of Ind. $3,015.77 (Peerless Rd / L+N. R.R.) #488
Nelfrick Ins. $1,743.04 (Vehicle damage) #501
State SBA Grant $18,000.00 (Burdette) 504
Daved Miller $85.40 (Inner City Enterprises - 504
Underwriters $1,368.97 + $538.31 - Sheriff's boat #539
Richard & Judith Kitchen $25.62 - Alexander #540
$88.00 check received (for Alexander Ambulance #604
2 Checks from Hartford $4,203.05 + $434.90 Sheriff) #606
Check $7,363.53 from Evansville Cable T.V. #606

Change Orders + Extra Work Agreements:

Burkhardt Road Improvements (3 orders) + letter - #61
Fifth Ave Project (Key Const) - #88
Vogue Rd Structure #50 - $40.10 - #422-
Burkhardt (Increase $553.14) #523
Pool deck at Burdette) Addl $540.00) #615

Certificate of Insurance:

45- Wausau Ins. Co (Bucyrus-Erie)
94- Schultheis Ins. Co. (for merger of Seigel & J.N. Rudolph)
94- IV Tech - Commencement Ceremonies)
94- Deig Bros - for Kerisek Rd #93
94- Southern Ind Gas & Elect (dinner & dance)
109- Metropolitan Evans. Advertising Club (awards banquet)
109- Tri-State Assoc. of Grocers (dance)
122- Metropolitan Evans. Advertising Club (banquet)
122- Deig Brothers #50 - Hogue Road
122- Tri-State Assoc. of Grocers (dance)
122- Deig Brothers (San Sewer on Farmington Dr. & McDowell Rd)
122- Evans. Rescue Mission (Brunch Raising Banquet)
134- Sibs Marineland (Coverage of Sheriff's boat)
134- Theatre "A" for Peter Pan.
134- No-Rug Grotts for Monarchs Ball
134- Just Sales for warehouse sale.
147- Joseph C. Phillips - for Art Sale
153- Kappa Alpha PSI Fraternity for dance
183- Floyd I. Staub, General Contractor
183- Aiken Management for "Children of Lesser God" (195)
183- Christian Athletes Ministries) for program
183- Catholic Diocese for Commencement for Memorial & Mater Dei
195- George Ware (for dance)
209- U. S. Sheet Metal & Roofing Co. Inc. (various jobs)
209- IFELS (Social Gathering)
247- Demo. Central Committee (dance)
247- Evansville Chamber of Commerce
247- Shannon's School of Dance (recital)
265- Huber Realty (Derby Day Party)
278- Chamber of Commerce (Rent of Auditorium)
278- Jan's School of Dance Recital at Auditorium
278- Rev. Francis R. Shea (Voting booths at Mater Dei.
278- Administrative Management Society (Business Equip Show)
278- The Jaycees of Evansville (Activities May 19 - 22nd)
317- Stereo Liquidators - equip sale
347- Joe Lewis Gladney (Holmes vs. Witherspoon)
347- Evansville Black Expo (beauty pageant)
402- Minority Skilled Tradesman Assoc. (Fashion Show) 402-
415- Christian Broadcasting Network (teleconference) #415

Certificate of Insurance:

423- Sterlings Men Club (dance) 423
433- Stereo Liquidators Inc. (equipment sale) #433
457- Lincoln Clark Douglass Alumni Assoc. (dance) #457
473- Vee Corp Lumber Exchange
473- Welborn Memorial Hospital (Andy Williams Show)
473 " " " (Bicycle) Run Great Pumpkin Metric
473 Belinda Singleton (Wedding Reception)
482 Hoosierette Chap. of Sweet Adelines)
490- Coterie of Evansville (dance) #490
501- Bristol-Myers (company dance) #501
501- B.M.E. (Roger Whittaker Show) #501
501- Liberty Corporation (Jerry Lewis Telethon) 501
540- Heart Assoc (dinner)
540- Laverne Meier School of Dance (talent Show)
540- Gaither Music Co - (Bill Gaither Trio)
555- Musicians Club of Evansville (concert)
555- Tradesmens Club (dance)
564- Bristow Meyer/Mead Johnson (dance)
564- Evansville Square Dance Council (dance festival)
607- Democratic Central Committee Nov 5 & 8 - Gold Room.
607- Republican Central Committee Oct 4 Gold Room
607- Stereo Liquidators Nov - 9th Equipment Sale.
623 Propeller Club of U.S. (dance)
623- Tennis Hatfield (Arts & Crafts Show)
623- F. & F. Berns Inc. (Hagler & Duran loping bout)
623 Evansville Area Labor Management Committee (dinner)
623- Daniel Ritz (Christian concert)
623- Jaycees of Evansville (flea market)
623- Hoosierette Chapter of Sweet Adelines (concert)
634- Infra-fraternity from ISUE (Dinner Dance)
651- Keller Cresent Social Club (Christmas Dinner)
663- Evansville Alumnae Chapter of Delta Sigma Theta (fashion Show)
663- Evansville Cave Club, Inc. (flea market)
663- Atlas Van Lines (Christmas party)
663- Conren Inc. (Great Scat) Christmas Party
663- Curt Bullock Builders)
681- Midwest Stone Contractors (Christmas Party)
681- Welborn Clinic (Christmas Party)
681- Long John Silver's (Christmas) Party)

Certificate of Insurance:

688- General Foods (Christmas Party)

694- Hamilton's Golf Course

694- Wayne "Bookie" Buckenbergers - New Years Eve Dance.

Claims:

City of Evans ($1,292.50) Covert Ave. Ext. #23-
Dwight Taylor ($4,107.88) Back pay Settlement - #23
Torian Agency ($60.00) (David Wilson & Carl Cox Bonds - #24
Ashby-Rauscher Agency ($30.00 - Alvin Stucki Bond) #24
Helen Gaslin Agency ($53.00 - Alice McBride Bond) #24
Citizens Ins. Agency ($30.00 - H. Jane Nicholson Bond) #24
SW. Mental Health ($139,799.00 - County's Share of Budget) #24
David Jones ($4,175.20 - Legal fees) #24
Reimbursement from State to County on Covert Ave $21,058.25 - #39
Helfrich $19,250.00 (Law Enforcement Liability) #46
James Will Ins. $30.00 (Conrad Cooper's Bond) #46
Soil & Water Conservation $970.00 (County Share) #46
Statesman Ins. Co. $244.00 (Sheriff's Bond) #46
City of Evans - for Joint City/Co. Depts. #65
Stanley Levco $49.50 Prosecutor - Mileage) #65
Key Construction (5th Ave) (deferred #76) ($26,420.00 - #88)
David Jones $912.00 Legal fees - #79
C.U.T.S. ($17,000.00 - County Share) #79
Ind Assoc of Comm ($500.00 - membership dues) #79
Helen Gaslin Ins ($108.00 - blanket bond for Auditor) #79
Helen Gaslin Ins. ($60.00 - Recorder & Deputy Recorder) #79
Helen Gaslin Ins. ($778.00 - blanket bond for Treasurer) #79
Helen Ruebler ($172.00 - State election meeting) #94
Fred Nenneker ($33.50 - Refund on Permit) #94
Helfrich Ins. Company (County Insurances) #94
Ohio Valley Reporting ($130.20 - Sheriff DeGroote) ($490.00 - Bruce Meyer) #95
Deig Brothers $1,174.09 (Baseline Rd. Bridge) #105
Deig Bros. $4,847.93 (Baseline Rd #11) #105
Deig Bros. $551.62 (Hedden Rd 108) #105
Valley Bus. Machines $150.00 (2 Royal typewriters) #109
Carl Heldt $1,100.20 Vand vs. L+N. (deferred #111) - 122
David Jones $2,786.62 (Legal fees) #111
American Consultant Eng $7500.00 (Work on First Ave) #112
Judge Wm Miller $120.60 (Travel to Indianapolis) (deferred #112)
La Sasha Pitt $142.50 (Travel to Assess. Conf) #112
Evelyn Lannert $142.50 (Travel to Assess. Conf) #113
Jack Hallencamp $253.92 (State Tax Meeting) #113
City of Evansville (Joint City/County Departments) #113
David Miller $590.40 Legal Fees - 122

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Glen Koob #180.00 Ind. Assess Conference - 122
Nancy Sornatta #265.80 Ind. Assess. - 122
Robert L. Dorsey #318.92 Ind. Assess. Conf. 122
Joan M. Dorsey #60.00 Ind. Assess. Conf. 122
David L. Fox 126.00 - Ind. Assess. Conf. 122
N. Jane Nicholson #251.28 Ind. Assess. Conf. #133
Jerome Zeller #180.00 Ind. Assess Conf. #123
Marjorie Ginger #280.00 Ind. Assess. Conf. #123
Alvin Stucki #312.46 - Ind. Assess. Conf. #123
Shirley Stucki #60.00 - Ind. Assess. Conf. #123
Helen Gaskin Ins. Agency (Bond for J. Angermeier) #30.00 #123
Joseph Cannon #288.60 (Jail Suit Deposition) #135
Dennis Weichman #615.00 (Jail Suit Deposition) #135
Judge Robert Lensing #53.53 (Conf. in Indianapolis) #135-148-
Deborah Ransom #71.28 DAS Meeting in Indianapolis) 135
Schultheis Ins. Comp #75.00 (Bond for Sheriff) #135
Deig Bros. #58,255.90 (for Kirsch Rd. Bridge #93) - #149
Sebree, Craig & McKnight #8,378.83 (Lynch Rd. Ct.) #153
James Gard, Postmaster #40.00 - 1st class permit - #154
Robert Brenner #146.96 - 2 trips to Indianapolis on 1st Ave - #154
David L. Jones #1,073.79 - legal fees - #156
Dennis Weichman #255.00 Jail Suit Deposition) #173
Paul D. Harmon #25.00 Refund on county owned property) #173
Deig Brothers #1,129.20 (Rosenberger Ave. culvert project) #173
Robert Gael (2) for purchase of right-of-way for Kleity Rd @ 300.00) #175
Pat Shaulders (2) legal services (#150.00 + #600.00) #183
David Miller #857.80 for legal services - #183
Municipal Eng #1422.00 Bailer at Auditorium (deferred 195) (appr. 212)
City of Evansville Joint Dept's - #212
Sorian Agency #30.00 (Deputy Coroner Sandefur) #227
David Jones #3,687.99 (Legal fees) #227
Morley & Assoc. #1,609.13 + #536.38 - Burkhardt Rd) #241-
City of Evans #450.00 (appraisal of Harold McCoy property) #241-
Victor Funke #250.00 (appraisal of Ken Adler property) #242-
Municipal Eng. #34,669.00 (Bailer at Auditoriums #247-
Dennis Weichman #990.00 legal fees (Jail Suit) #247
Rosemary Wheeler Shortridge #5500.00 (R/W on Baseline Rd) #256
E. Brayton Smoat - #321.90 + #314.43 (Legal fees) #266-363
Deig Bros. #30,813.50 (Hogue Road Structure #50) #306

CLAIMS:

Deig Bros. #11,078.28 (Kirsch Rd) #306
Bob Moran #387.20 + #95.04 (VA. School) - 317
David Jones #3,113.00 - Legal Services) #317
Dennis Wiechman #60.00 Contr. Services - #317
City of Evansville (Joint Depts for March - #317
Sheryl Lawrence #179.89 (Assessor's Meeting) #317-335
James Angermeier - #317-335-
Monica Mindrup #104.65 (Assessors Meeting) #317
Lew Volpe #257,117.54 + #15,800.00 for County Ins - #318
David South #186.56 (Road School + Ind) #318
Alexander Ambulance Service #12,672.41 - #334-
Joint Depts - City of Evansville for April - #334
Superior Court Ann Gray (#85.40 - on hold) - #335
Soil + Water Conservation (#70.00) #348-
Kelfrick Ins Co. #30,114.00 (liability insurance for Hwy) #348-
Clerk of Circuit Court #185.40 Rental of Dwd) #348-
Schree, Craig & McKnight #7,255.04 (Lynch Road) #351
Morley + Assoc. #2,145.52 (Burkhardt Road) #351-
State of Ind #102.62 (Int. due to Deig Bros) #351
Ind. Dept of Hwy. #3,045.77 (R.R. Crossings) #352
Barnett Bros (Bidding #1 - #150,583.38) #357
State Warrants for Sales tax for Dwd - #362-374-
David L. Jones #2,803.41 for legal Services - #362
National City Bank #338,189.00 (Bldg rental) #363
Building Authority #494,950.50 Bldg. Rental) #363
David Miller #3,241.00 (legal Services) #378
Biagi & Assoc. #1,854.50 (on hold for bailer) #378-
Fred Tennekes #75.00 refund on permit - #378-
Edwin Smith - Referred - #387
David Jones #3,146.46 (Legal Services) #394-415
Kelfrick Ins. Co. #23.00 (Hartford Policies) #402
Evans. Printing Corp. #34.88 + #44.58 (Gradall + detergents) #402
Purchasing Dept. #50.00 - (Deferred 402) #415
Larry Barchet #3613.00 Schooling) #415
University of Evansville #795.00 Interns for Data Proc.) #415-424
Deig Bros. #49,088.64 (Kirsch Road #92 Bridge) #422
Deig Bros. #4,009.72 (Hogue Road #50 Bridge) #422
John Kargis #899.01 (Roy Syler Case) #423

OVER!

CLAIMS

Alexander Ambulance Service $13,995.64 - #423
Shirley Oglesby $175.50 (Sup. Assessors School - #423
K. Jane Nicholson $314.31 (Sup Assess School) - #423
Shirley Reeder $175.50 (Sup. Assessor's School) #424
Marlin McCormick $8.00 (Bldg permit refund) #424
Sorean Agency - @ $30.00 Bonds Allen Byers & Mary Westfall) #424
Tennyson Const. $97,246.01 Old Petersburg Rd #44 Bridge - #435
Citizens Realty $600.00 (Adler Property) #435
Tennyson - Deferred - #453
Barnett Bros. Billing #3 - $288,087.92 (First Ave) #457
Robert Dorsey $356.30 - (Assessor's Meeting) #457
Joan Dorsey $84.00 (" ") #457
David L. Foy $199.50 - (" ") #457
George Kock Sons Inc. $979.66 (Work done at Auditorium #473
" " " $915.76 Work at Auditorium #473
Glen Koob - Perry $178.50 (Assessor's Conference) #473
Harry Tornatta - Perry $321.56 (Assessor's Conf. #473
David Miller $1,266.09 (Legal Services) #473
James Tice Insurance (Bond $30.00 - Bill Bethel) #473
Marjorie Keeney $0.00 - Assessors School) #474
Tennyson Const $53,852.25 Old Petersburg Structure) #474
Mike Wilson $20.00 (License refund) #474
Municipal Eng. $10,896.00 (Boiler at Auditorium) #474
Robert Pegman Atty Gen Summer Conference $185.20 - #482
Deig Bros. $1832.81 Hogue Rd - 483
Kelfrich Ins. Agency $321.00 (Vehicle in Sup. Court) #490
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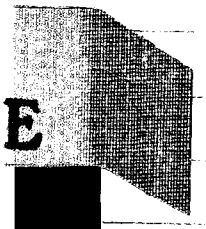

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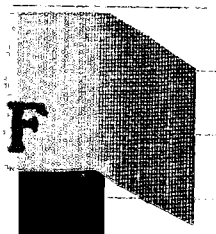

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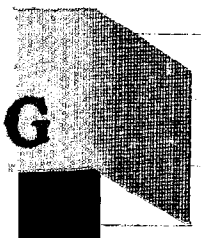

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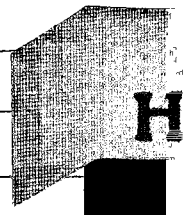

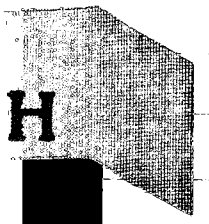

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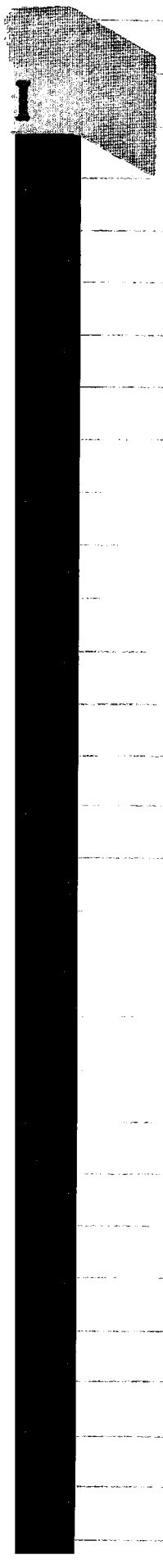

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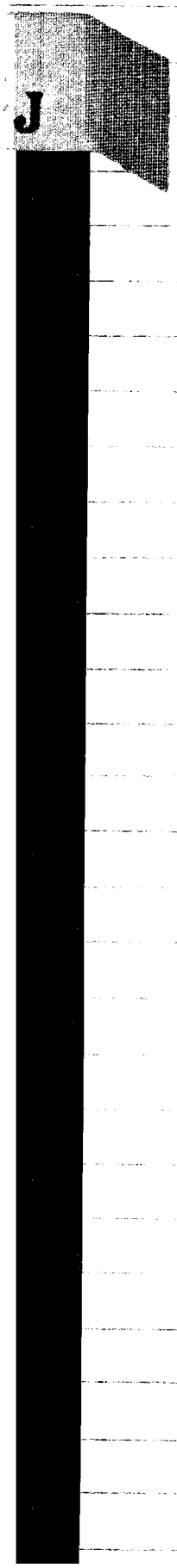
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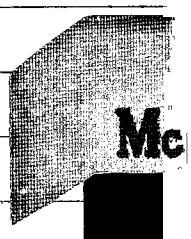
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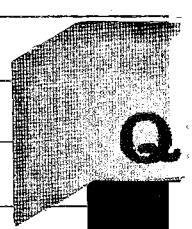

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VC-6-83 - Hubert G. Moore (Auto Body & Paint Shop - 462-525
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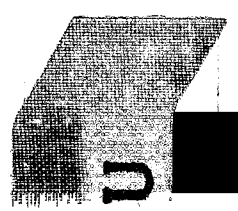

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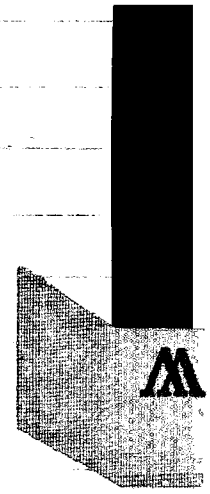

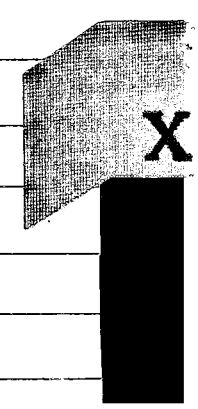
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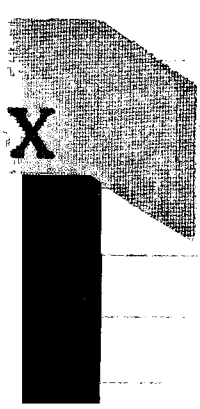

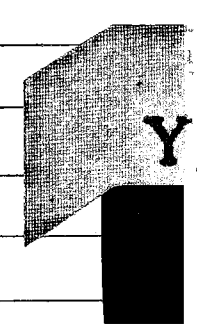
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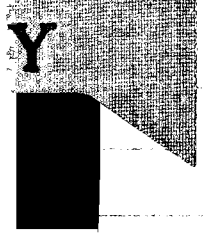
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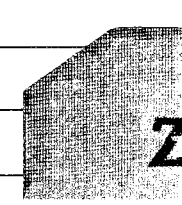

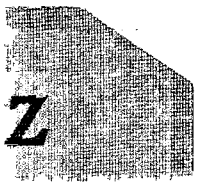

COUNTY COMMISSIONERS MEETING
JANUARY 4, 1983

The meeting of the County Commissioners was held on Tuesday, January 4, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

This being the first meeting of the month and the new year it was officially opened by Deputy Pete Swaim.

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

RE: REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS

Commissioner Willner moved that Commissioner Borries be President of the Board of County Commissioners for the year 1983. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries moved that Commissioner Willner be Vice President of the Board of County Commissioners for the year 1983. Commissioner Cox seconded the motion. So ordered.

At this time Commissioner Willner turned the meeting over to Commissioner Borries.

RE: PLAQUE FOR THE COMMISSIONERS HEARING ROOM

President Borries said after having been in the Council Chamber a number of times he noticed on the wall in there a plaque or two that has the names of the various council members and the dates they served in office and he believes it would be nice to have something of the same nature to hang in this Commissioners Hearing Room. He would be happy to cover the expense of having one made up, showing the members of the County Commissioners that served on the Board since this building has been erected.

RE: YEARLY REPORT FROM VETERANS SERVICE OFFICER:

Mr. Bob Moran, Veterans Service Officer was present and stated there has been a Veterans Service office here in the county since about 1945-1946 and he has never, in the years he has been the Officer, submitted a yearly report and he would like to do so at this time. The report was as follows:

YEARLY REPORT....1982 For Vanderburgh County

1. Personal Interviews.....5,420
2. Claims and Applications Filed.....2,710
3. Information and Counseling Service Only.....7,816
4. Veterans Meetings Attended..... 180
5. Power of Attorney Filed.....1,355
6. Out of Office Interviews..... 268
7. Miles Traveled.....5,440
8. Miscellaneous (Annual Income Questionaires)
(Tax Exemption Forms)..... 206

We average 20 veterans or their dependents daily. During our busiest time of year in November, we averaged 62 per day.
Total VA expenditures for fiscal year 1982 from VA for compensation, pension, schooling and insurance was over 19 million, paid to Vanderburgh County.
COMMENTS:
Our office does all VA Claims for the following organizations in Vanderburgh County:
VFW Post 1114 World's Largest
American Legion
DAV
AMVETS
Veterans Council Vanderburgh County
Vietnam Vets Center
I am officially recognized as Service Officer for VFW 1114, American Legion #8, AMVETS #84, Vets Council, Vietnam Vets Center.
Throughout the year, we have appeared as Council or Representative in the local courts, state and federal and in the Civil Court in Indianapolis. We have personally visited every hospital and nursing home in Vanderburgh County and surrounding areas. We work daily with the case workers in Welfare pertaining to Medicaid VA recipients in nursing homes.

SERVICE OFFICER AND ASSISTANT
Robert Moran and Carl Wallace.

2.

Commissioner Willner said he requested this report from Mr. Moran and why he did is because he learned that on some of their busiest days they have seen some 62 people and he for one did not realize that they were also doing some work for other counties and it seems some of the residents from those counties now look to Vanderburgh County as their leader and they come to Mr. Moran for their services and he wanted this known to everyone just how much of a load that Mr. Moran's office carries.

President Borries thanked Mr. Moran for appearing and for submitting the report.

RE: APPOINTMENT TO AREA PLAN COMMISSION

The following letter was submitted from Area Plan, dated November 19, 1982 and directed to the Board of Commissioners.

Mr. Willner:

Your appointment of Shirley Jean Cox from the County Commissioner to the Area Plan Commission expires December 31, 1982.

New appointments or reappointments need to be made prior to the first monthly meeting of the Board in order to facilitate actions on agenda matters and other necessary business.

If I can be of assistance, please contact me.

Sincerely,
Barbara L. Cunningham
Executive Secretary/Executive Director

****

Letter received and filed.

Commissioner Willner moved that Shirley Jean Cox be reappointed to serve as the Commissioners appointee on the Area Plan Commission, which will expire on December 31, 1983. President Borries seconded the motion. So ordered.

RE: APPOINTMENT TO EVANSVILLE-VANDERBURGH LIBRARY BOARD

President Borries said the Commissioners need to make an appointment to the Evansville-Vanderburgh County Public Library Board, which expired on December 31, 1982.

Commissioner Willner moved Edna Kuhlenschmidt be reappointed to the Library Board, who's term will expire December 31, 1986. Commissioner Cox seconded the motion. So ordered.

RE: APPOINTMENT TO PARKS AND RECREATION ADVISORY BOARD

President Borries said he believes the Commissioners appointed members of that board to serve through December 31, 1982. He had a discussion with the Mayor today concerning a change in the Evansville-City Park Board because he for one is concerned with the structure of the Board, since he has not seen an Ordinance.

Commissioner Willner said he would like for someone from either the City or the Parks Board to appear before this Board and explain their actions to us, because he also has several questions. For one thing, it goes against his grain for an appointed board to raise the taxes in the rural areas of Vanderburgh County, particularly in the Town of Darmstadt, where they will be paying triple taxes now....for their own parks and recreation, for the county parks and recreation and also for the city parks and recreation and he feels this goes well beyond the letter of the law and he does not believe it is right, therefore he wants some questions answered before he would appoint any members to the parks board. He also is disappointed to find they will be taking some farm land into taxation for parks.

President Borries said he asked the Mayor to please have someone from the city government to come to our meeting on Jan. 17th and explain there intent, therefore we will delay any appointments until certain matters are clarified.

RE: APPOINTMENT TO CONVENTION AND VISITOR BUREAU

President Borries said the Commissioners have two (2) appointments to make to the Convention and Visitor Bureau and with the other two (2) Commissioners permission he would also like to delay those appointments for one (1) week.

Commissioner's Willner and Cox agreed.

RE: MEETING WITH AREA LEGISLATORS ON JANUARY 8, 1983

President Borries said he has asked Mr. Jim Lewis to communicate with our State Legislators, who frequently return to town after the session has begun, which he believes starts tomorrow. He would like for the Commissioners, representatives of the County Council and representatives of the City to meet with the Legislators this Saturday morning, January 8th, in room 303, Civic Center at 10:00 a.m., for discussion and particularly any input that any local official might have regarding local finance and local issues, one of which is the Convention and Visitor's Bureau.

RE: EMPLOYEES FOR 1983

Submitted were the following 100-R Forms, which shows all county employees for 1983.

CLERK OF CIRCUIT AND SUPERIOR COURTS

Helen L. Kuebler
Jean Ritter
Linda Withrow
Florence Hess
Nancy Kleiman
Joyce Fields
Kate Powers
Sharon Daniels
Kris Johnson
Tina Cardin
Jean Schaefer
Bertha Greubel
Jeri Warner
Suzanne Demsey
Rose Smith
Dorothy Cole
Helen Middleton
Ann Wilson
Deborah Hunter
Susie Garrett
Virginia Seybold
Ella Mae Sheets
Betty Burton
Linda Oldham
Doris Schroeder
Susan Swope
Grace Wohlhueter
Doretta Fairchild
Dorothy Wolf
Martha Brinker
Norma Dickens
Darlene Maveety
Etta Mae Mueller
Sharon Yunker
Ruth Porter
Dortha Buente
Jacqueline Head
Beverly Abell
Lorraine Dean
Doris Cato
Janet Ward
Edna Martens
Anna Mae Wolf
Dorothy Nixon
Pamela Higgenbotham
Karen Jo Conley
Lee M. Crow
Beatrice Phillips
Judy Bumpus
Sharon Green
Deborah Mottley

AUDITOR AND AUDITOR MECHANIZED

Alice McBride
Peggy Powless
Gloria Evans
Lucille Musgrave
Dolores Gugin
Janet Mobley
Anne Virgin
Sylvia Williams
Jean Haskins
Janice Decker
Jean Wilkey
Cindy Mayo
Georgia Benson
Kathy Lowe
Vanessa Adams
Virginia Singer
Dorothy Wilson
Terry Woodward
Terri Pace
Lena Sherman
Tammy Angermeier
Lily LeBlanc
Betty Franklin
Bette Carrigan
Martha Calkin
Marian Ellsperman

TREASURER

Lewis F. Volpe
Gilbert C. Schiff
Evelyn J. Summers
Barbara S. Hedges
Rhonda A. McClarney
Beatrice M. Freeman
Faith O. Hart
Tara L. Stokes
Tommy A. Anthony
Mattie M. Dickerson
Mary E. Esparza
Mary E. Frank
Mary E. Hatfield
Georgiana A. Harris
Barbara R. Harrison
Martha J. Green
Carmen L. McAtee
Berverly A. Nance
Doris M. Whobrey

RECORDER

Estella Moss
Lucille Elliott
Alice Louise Williams
Sharon G. Oates
Brenda Mae Cheatem
Dorothy Ann Lindsey
Virginia Coleman
Georgetta Marie Wilcox
Aline Payne

CORONER

David Wilson, M.D.
Earl K. Cox
Mary Westfall
Allen Byers
William Sandefur

PROSECUTOR

Richard D'Amour
Stephen H. Owens
Allen Hamilton
Michael J. Langlois
Jerry A. Atkinson
J. Douglas Knight
James Rode
Robert Zoss, Sr.
William Welborn
Charlie P. Andrus
Charles Spaetti
John P. Brinson
Steven Bohleber
Joseph Michael Woods
Stanley Levco
Dana Shuler
Sandra Millard
William Riat
Susan D. Johnson
Joe Goodrid
Roberta Jourdan
Susan Barrett
Jeanne Gansman
Carol Hartman
Sheryl Weiss
Doloris Savage

CENTER ASSESSOR

Alvin Stucki
Shirley E. Stucki
Betty Bawel
Evelyn Meyer
Joyce Fields
Ramona Oran

GERMAN ASSESSOR

Gary Wagner
Margaret Effinger

SURVEYOR

Robert W. Brenner
David Guillaum
William Jeffers
Thomas Goodman
Dan Tuley
Charles Davis
Debra Clark
Wayne Pasco

PROSECUTOR IV-D PROGRAM

Mary Jo Kingon
Sylvia Reutter
Lesa Conkling
Nancy G. Hankins
Charlie P. Andrus

COUNTY ASSESSOR

James L. Angermeier
Monica E. Mindrup
Zreeta Hardin
Evelyn Lannert
Cheryl Lawrence
Sarah J. Ritter
Madge Bunker
LaTosha Pitt
Carolyn Garrison

ARMSTRONG ASSESSOR

William Hepler
Marian Hepler
Louise Luigs
Francis Martin

KNIGHT ASSESSOR

H. Jane Nicholson
Maxine F. Ginger
Jerome R. Zeller
Shirley Oglesby
Marjorie Keeney
Shirley Reeder
Joan Wills

PERRY ASSESSOR

Harry A. Tornatta
Glen E. Koob
Karen Gilles
Nancy L. Rhodes

PIGEON ASSESSOR

Robert T. Dorsey
Joan M. Dorsey
David L. Fox
Judith E. Stricker
Betty Jo. Radcliff
Mary Ann Eickhoff
Maraloyd Stansberry
June Hallenberger

ELECTION OFFICE

Susie Kirk
Fred Roeder
Casey Randolph
Edna Henry

VOTERS REGISTRATION

James McIntyre
Carolyn Sauer
Pamela Bailey
Travis Rayburn
Amelia Tornatta
Virginia Massey
Cathleen Gorman
Constance J. Laubscher

CO-OPERATIVE EXTENSION AGENCY

Jack D. Wade
Betty M. Bumb
Debra E. Etienne
Betty K. Kompst
Allen E. Boger
Jane E. Heramb
Glenna L. Hanks
James L. Jordan
Rosalie Mesker

AREA PLAN COMMISSION

Barbara Cunningham
Joseph Ballard
Chris Forney
Beverly Behme
Keith Martin
Brenda Hill
Kathie Gehlhausen
Virginia Wirthwein
Sandy Weinzapfel
Donna Holderfield
Janet Davis
Patricia Keating

DATA PROCESSING

Robert E. Fortune
Keith D. McIntosh
LaDonna S. Ralph
David B. Musgrave
Betty J. Denk
Donna S. Plane
Sarah J. Read
Steven D. Schuetz

VETERANS SERVICE

Robert J. Moran
Carl M. Wallace
Judith A. Becking

COUNTY COMMISSIONERS

Robert L. Willner
Richard J. Borries
Shirley Jean Cox
David Jones
David Miller
Margaret A. Meeks
Kathy Stonestreet
Michael T. Wathen
William V. Boring
Clayton Jenkins*
Sandra Radigan*
Suzann Krack*
Sara E. Barron

(* These employees are paid from the Commissioners budget but their payroll is made up at the County Highway Garage.)

SUPERINTENDENT OF COUNTY BUILDINGS

James N. Lewis, Sr.
Benny Gossar

CIRCUIT COURT

William H. Miller
Terri L. Golding
Linda F. Sumner
Maxine Buchanan
Barry L. Standley
Debra M. Meeks
John Harl, Jr.
Larry G. McDowell
Robert L. Saunders
Michael E. Mattingly
Charles J. Ellsperman
Lucille Smith
Connie S. Gard
Kenneth A. Henson
Harris R. Howerton
Joseph W. Adams
John R. Mueller
Roy Patrick Tuley
Robert M. Bonnell
Dennis J. Heathcott
Shirley A. Roll
Charles Smith Jr.
Jeryl Brandenberger
Scott A. Danks
Margaret E. Bitz
Louise DeVoy
David L. Farnbauch
Laura A. Schmitt
Sandra R. Washington
Michael K. Peeler
Betty Craig
Jeffrey W. Howerton
Paul K. Aarstad
Robert L. Hart, Jr.

DRUG AND ALCOHOL DEFERRAL

William M. Campbell
Carl A. Miller
Deborah A. Ransom
Deloris L. Koch
Sherri Page
Sheila Short

SUPERIOR COURT

Terry D. Dietsch
Randall T. Shepard
William D. Stephens
Thomas M. Swain
Robert W. Lensing
Maurice C. O'Conner
William J. Brune
Michael J. Hayden
O.H. Roberts, Jr.
Robert P. Carithers
Jane Dooley
Gayle Spalding
Sue G. Steele
Gerogia Williams
Karen Flittner
Deborah L. Ray
Mary M. Clark
Sarah L. Cook
Sally L. Denton
Lisa R. Sartore
Paul V. Partington
Frank E. Hpoper
Edward J. Davine
Alvis Cl Herrenbruck
James E. Cole
Frederick E. Althaus
Louis J. Carnaghi
Solomon Maurer
Bart O'Conner
Susan E. Metz
Ronald S. Barron
Gregory W. Combs
Joycelin G. Brinkmeyer
Theodore K. Gore
Joseph R. Lutz
Jill L. Hendricks
Daniel J. Wagner
Michael Kuykendall
Bernard E. Faraone
Patricia E. Sutton
Lisa P. Leavitt
Nina L. Horstketter
Mary J. Stucki
Jame L. Schmuck
Carrla A. Rasco
Denise A. Durst
Rebecca Roth
Leah R. Dersch
Toni A. Brinson
James E. Thompson
Rosemary Norbury
Stephen C. Haas
Herschel W. Turpin
Ronald J. Freson
Thomas Lockyear
David M. Shaw
Marylee Hahn
William W. Deems
Fred O. Vetter
Gloria J. Fark
Arletta L. Turpin
Mildred Morgan
Dorothy Lietz
Devonna K. Brown
Mary E. Moore
Deborah A. Goodrid
Karen A. Haas
Karen S. Markham
Sharon J. Boardman

AUDITORIUM

Conrad Cooper
Gail A. Pinkston
Jessie Byers
Bruce L. Cook
Walter J. Weston
Dwight Taylor
Ruby Norris
Carolyn S. Hayes
LaVonne McFarland
Elizabeth A. Sneed
Marjorie A. Starks
James T. Douglas
Floyd E. Kassel
Leslie Sanders

BURDETTE PARK

Mark T. Tuley
Donald Chambliss
Barbara Nunning
James Render
Gregory Smith
Larry Daughtery
Dan Hape
Stephen Griggs
Bruce Crider
Dennis Daniel
Charles Newton
Corey Brunck
Kim Betts
Paul Short
Linda Hanauer
William Murphy
Steven Craig
Wilma Wendholt
Joyce Moers
Eric Evans
Anita Southard
Maria Sanders
George Peaugh
Jeffery Mitchell

SURVEYOR

Dan G. Hartman
Gene Kautzman
Terry Johnson
Linda Freeman
Jon Austin
James R. Carrigan
James W. Coleman
Ron Miller
Bruce Woodward
Robert Smith
Jerry Ochsner
David Guillaum

CONVENTION AND VISITORS BUREAU

Janice L. Thuerbach
Peter D. Helfrich
Mary A. Schoettlin
Evelyn J. Phillips

LOCAL ROADS AND STREETS

William Dale Willis

COUNTY HIGHWAY

William Bethel
Jerry Linzy
Milton Hayden
Jack Peerman
Lee Stuckey
Lillian Young
Susan Kirk
David South
William Boring
Donald Gartner
Jacke Crawford
Thomas Waterman
Cecil Sills
Dennis Merideth
Fred Blair
James Triplett
Gary Page
Kirk Humphrey
Harold Stuckey
Darryl Chamberlain
Larry Phillips
Albert Gartner
Larry Babbs
Harold Steckler
Harry Woods
Russell Schroeder
Thomas Jameson
James Smith
Clayton Jenkins
Allen Brigham
Ronald Martin
James Howell
Raymond Cook
Sam Robinson
Roy Tuley
Alfred Lindsey
Tracy Jones
Kenneth Palmer
Andy Wade
Delbert Deig
Homer Ray
George Cummings
John Deown
Mark Montgomery
Sidney Brown
Donald Williams
Thomas Schmitz
Sandra K. Radigan
Suzann Krack

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

Kenneth D. Hood
Kenneth B. Widick
Robert Williamson
William L. Collins
Stephen K. Harl
Christopher Williams
Larry E. Ross
Edith G. Wood

CENTER TOWNSHIP TRUSTEE

Wilbur J. Schmitt
Barbara A. Besing
Donna J. Fritts

KNIGHT TOWNSHIP TRUSTEE

Ronald J. Saulman
Judy Bensman
Eilene A. Schneider
Norma J. Whicker
Gladys Hillenbrand
Timothy B. Alexander
William A. Baumeyer, Jr.
James L. Kiely

PIGEON TOWNSHIP TRUSTEE

Dorathea M. MacGregor
Odie F. Harlan
Rachel Altheide
Raymond J. Wilm
Callie M. Rogers
David Shaw
Billie Swain Goff
Bettye Duggins
Ruth E. Anslinger
Mary L. Hall
Mary E. Hart
Janice J. Jackson
Donna S. Jones
Mary L. Lancaster
Lula Cova Morris
Margaret H. Sallee
Nancy Walters
Jacqueline F. Adcock
Ethel M. Bryant
Imogene Evans
Marie C. Evans
Rebecca L. Hittner
Margaret L. Lambert

HILLCREST-WASHINGTON HOME

Mary F. Arvin
Jeanetta Bacon
Irene Baldwin
Versie Bergdorf
Thelma Byers
Mable Carroll
Norma Carroll
Charlotte Cole
Ollie Cullison
Sylvia Edwards
Dorothy Furgerson
Velma Gingrich
Marjorie Ham
Kenneth Harper
Annie Hawkins
Jo Ann Hill
Christine Howard
Carolyn Kirby
Dorothy Kramer
Rhonda Perry
Vivian Pfettscher
Denzil Reed
Dorothy Reed

HILLCREST-WASHINGTON HOME....CONTINUED

Diane Reherman
Mary Richardson
Bernice L. Roedel
Verlie Rupp
Orval G. Sanford
Bertie L. Slaton
Middie M. Suttle
Edna DeTalente
Gertrude Thomason
Lois VanWay
Elizabeth Williams
Nancy C. Woolsey
Edwin H. Zenthoefer

VANDERBURGH COUNTY DEPARTMENT OF PUBLIC WELFARE

Rubylee Lowe
Elbert Lynch
Marilyn McClain
D. Sue McCool
Betty L. McGlone
Bettye R. McLean
Beth A. Melton
Ruth A. Metz
Mindy J. Miller
Marie A. Nelson
Jean Newman
Cynthia L. Ohl
Robert C. O'Tain
Louisa F. Paris
Carol S. Parmenter
Wilhelmina M. Perkins
Carolyn A. Platts
Carolyn J. Prior
Patricia A. Rager
Thomas W. Reel
Mary A. Reitz
Janice F. Reutter
Nancy C. Rhoades
Elissa B. Rice
Gerri A. Rice
Daniel L. Riordan
C. Dawn Ritz
Teresa A. Rizen
Joan M. Roberts
Donald R. Roberts
Dale E. Robertson
Mildred C. Ross
Hilda M. Schatz
John M. Schroder
Donald A. Scheldt
Thomas Sergesketter
Beverly A. Sherman
Debra A. Simpson
Jeffrey W. Smith
Susan E. Smith
Debra M. Smock
Joyce M. Spayd
Theodore E. Specht
Patsy A. Sproatt
Anthony J. Starks
Frank L. Staton
P. Michael Stofleth
Phyllis E. Stokes
Elizabeth A. Sutton
Inez K. Thew
Dorothy J. Thomas
Shirley A. Tyree
Mary E. Welch
Mary E. Werner
Shirley M. Wesner
Peggy L. White
Thelma M. Williams
Kathi L. Willis
Faye A. Wilson
Timothy B. Wirtz
Willie M. Word
R. Dale Work
Robert E. Young
Frank M. Fish
Phillip Kiely
Mary L. Ahles
Gayle A. Angle
Maury Anthony
Coradella Baker
Gary C. Barnett
Tracy L. Barnhill
Ruth A. Baumgartner
N. Wayne Baumgartner
James E. Baxter
Jeannette Bay
Lee Ann Blume
Michael L. Boenigk
Glenda M.Bott
Mary J. Boyd
Nan E. Britton
Cynthia E. Brown
Norman C. Butler
Colleen C. Button
Mary N. Carroll
Susan B. Carson
Veronica J. Chittenden
Elizabeth Collins
Virginia Combs
Helen M. Cook
Virginia C. Cox
Mary L. Daniels
Lindy L. Deusner
Elizabeth M. Dick
Beverly A. Dicks
Phyllis A. Donahue
Sue S. Duvall
Ethel A. Elkins
Denise A. Elvestrom
R. Charlene Ethridge
Gerald Flick
Irene M. Frakes
John A. Fyffe

WELFARE....CONTINUED

Dionna L. Garrison
Jane H. Gerard
Jon K. Golding
Armitta C. Hahn
Fred C. Haton
Robert A. Hay
Michael R. Hazen
Phoebe E. Head
Phyllis A. Heise
Alan D. Hert
Clifford E. Higgason
J. Kathleen Hirsch
George R. Holmes
Shirley S. Hopple
Eugenia A. Horn
Pamela J. Howard
Anne Hudson
Leanne Hudson
Susan J. Hudson
Mary L. Hudspeth
Kathleen M. Hunt
Frances Hyatt
William M. Igleheart
Edna L. Jarvis
Walter M. Julian
Zola M. Kramer
Jo Ann K. Lang
Terry S. Lindsey
Catherine M. Lovelace

SHERIFF

Clarence Shepard
Donald R. Humston
James Moers
Michael Craddock
Mark Mabrey
Charlie Gibbs
Richard O'Risky, Jr.
Gary O'Risky
Clifford Trainer
Jimmie Tucker
S. Lee West
Soney Banks, Jr.
Marlin Beck
Gerold Castrup
Robert Etheridge
Terry Hayes
Gary Kassel
John Lancaster
William E. Roberts
Curtis Sturgeon
Stephen Sparks
Steven R. Schnell
Elrid K. Hocker
Stephen Griggs
Thomas Brandsasse
John Crosser
William Droll
Larry W. Barchet
Stanley Garrett
James Fravel
Robert Beckham
Peter Swaim
Kenneth Collins
Michael Daws
Ronald Hartmann
Timothy Lennartz

SHERIFF

John Reutter
Joseph Winfield, Jr.
Marvin G. Cooper, Sr.
Michael L. Mentzel
William C. Roland, Jr.
John R. Engelbrecht
Eric M. Herrmann
Sandra H. Shuler
Richard L. Bennett
Robert M. Carl
William Coleman
Michael K. Jones
Clarence Cotton, Jr.
John C. LaVanchy
Billy Denton
Michael Forshee
Stephen Bequette
Danny Hape
Kent Todisco
Randall E. Korff
James B. Truitt
David Ludwig
Robert L. Miller, Jr.
Stephen F. Moser
James Neighbors
Ronald Newman
Thomas Overfield
Kenneth Patterson
Roy Perkins
William Pierce, Sr.
Arella Ray
Thomas D. Wallis
Larry A. Weatherford, Sr.
Mary Jane Russell
Lois Scruggs
Margaret Smith

SHERIFF

Stephen G. Woodall
Phillip Strange
John B. Ellsworth
Michael Taylor
Robert Trible
Danny R. Armstrong
Thomas P. Rademacher
Paul E. Bice
Michael J. Duckworth
Michael A. Kingston
Bruce N. Crider
Larry W. Craddock
Thomas E. Wedding
Richard E. Reed
Thomas A. Vachet
Michael A. Higdon
Ova C. Stambush
Dennis E. Danile
Peter L. Evers
Lori Lei Kingon
Janet L. Thomason
Betty Hermann
JoAnn Reed
Mark Sloat
Dale A. Thene
Donald C. Schnabel
James W. Oldham
Ronald L. Martin
Bryon C. Klaser
Paula J. Buickel
Robert L. Vessels
Jacqueline L. Trail
Gilbert D. Humphrey II
David L. Wedding
Kent William Walker
Fennes B. Shoulders, Jr.

10.

Commissioner Willner moved the submitted employees, as submitted for 1983 be received, filed and approved. Commissioner Cox seconded the motion. So ordered.

The Auditor's office informed the Commissioners that not all the offices submitted the 100-R Form and those that did not will now have to be approved through pink slips.

RE: COUNTY TREASURER....FINANCIAL REPORT

County Treasurer, Lewis Volpe submitted the following financial report.

TO: COUNTY COMMISSIONERS
COUNTY COUNCIL

This report is in four (4) parts.

I. Collection of interest income for 1982 was:

COUNTY REVENUE	$1,436,413.41
REASSESSMENT	45,848.97
FEDERAL REVENUE	29,000.00
CUMULATIVE BRIDGE	28,334.08
TOTAL	$1,539,596.46

It should be noted that a surplus was receipted to County Revenue.

II. Investments made for 1983 are:

1) Certificate of Deposit, $5,000,000, dated 12-29-82, due 2-1-83. Estimated income, $39,075.00 Rate 8.15%.

2) Certificate of Deposit, $500,000, dated 12-29-82, due 7-6-83. Estimated income $22,500.00. Rate 8.65%.

3) Repo, $900,000, dated 1-4-83, due 1-17-83. Estimated income $2,400.00. Rate 7.5%.

4) Repo, $500,000, dated 1-4-83, due 1-24-83. Estimated income $2,050.00. Rate 7.5%.

Total estimated income $66,025.00

III. Total collection of Property Tax in 1982 was $56,607,460.39, and $54,575,477.00 of total collections were put at the disposal of local governments. This represented 102% of charges made on the tax bills. This distribution was made according to Public Law 43 of 1980 originated by Senator O'Day and ME.

However, $1,964,889.49 was collected even above 102% of charges, and placed in the EXCESS LEVY FUND. Also originated by the aforementioned LAW. This must be used to lower taxes in 1984.

IV. I again advise, both because of the lower interest rate, and the adverse effects of the recent STATE LEGISLATION, that the interest collected in 1983 be used on a "NEED" basis and applied to County Revenue at least until Council's $900,000.00 requirement is fulfilled. The County, as always but even more no now, - must maintain a flexible stance.

Yours truly,
Lewis F. Volpe
Vanderburgh County Treasurer

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Mr. Volpe said as shown in his report, he has already started his investments for 1983, that there are two (2) CD's and two (2) Repo's, one (1) for six (6) months, one (1) for one (1) month, one (1) for two (2) weeks and one (1) for three (3) weeks, showing the estimated income at $66,025.00. That is 6.9 million invested already.

Mr. Volpe said over $56,000,000.00 was collected in just property taxes last year and approximately $54,500,000.00 can be used for current expenses and this represents 102% of what was charged in the first place, so he collected well over 102%. He said this extra 2% added on to the property tax freeze was something that he and Senator O'Day put in the bill they introduced a couple of years ago, so if the freeze is actually 5.6%, then because of this law, the freeze is not 5.6% but rather 7.6%, if he can raise the other 2%....which he did, and he raised $1.9 million above the 2% even, so actually he raised well over 4%, that he raised close to $4 million more than was required last year. The other approximate $2 million will be put into the Excess Levy Fund which will be used together with the $5.3 million already in the Excess Levy Fund because of this law we introduced and this will be used to lower taxes beginning in 1984. Some of it will be used to make the refunds to Knight Township.
Mr. Volpe said for the future, again he would advise we do everything on a need basis because when he brought this up last year it was not known that Pigeon Township needed an additional $150,000.00, nor was it known we would need an additional $150,000.00 to finance the salary raises, so he would recommend the county stay flexible and that until the $900,000.00 requirement is placed in the County Revenue that we concentrate on putting it only in County Revenue and that we wait until the very last moment necessary this year before we make any further commitments, because anything could happen. We have had the Change of Venue which hit us real hard and we haven't paid all of that yet. We also had the State Legislation of a couple of weeks ago which he still does not know the extent of the damage it is doing to us, but it is going to effect the Schools, the City, all the Townships, Welfare and all of us across the board, because one of the things they are going to delay is the matching payments for Welfare and these come to almost one half (½) million dollars per month, so if they delay it one (1) month then we are out one half (½) million dollars, but if they delay it until November 30th then we are out $3 millin dollars.
He said the $6.5 million dollars in property tax replacement credit, that they were obligated by the former law to give us in February, March and April, they are now going to delay until after June 30th, so that is $6.5 million less that we will have to play with this spring. He also understands some Highway money is going to be withheld for awhile and also some reimbursements to the School Corporation is going to be withheld and also some lowered. He has not seen the law yet, only bits and pieces of it, but he believes we are going to have to be very flexible.

President Borries asked Mr. Volpe if he thinks these delays will effect what the Council has appropriated in regards to the $900,000.00 and he replied it will definitely mean he can make less money, that he is going to attempt to make the $900,000.00, which is only 60% of what he brought in, in 1982, but he believes with the State Legislation and the conservative estimate that he made that we'll be in good shape.

Mr. Volpe said he would at this time like to make two (2) recommendations to the Commissioners, one being that we look upon perhaps an insurance board for the entire governmental complex, for Health Insurance, because all of us together might be able to get a better rate. Secondly, he would recommend this might be a good time to explore the possibilities of hiring a collection agency. He, himself, is doing quite a bit along this line that this is the third or fourth year in a row that he collected better than 100% of the taxes assessed that year, but he feels if we could get a collection agency that we could do even better. He does not know what kind of a deal could be made with an agency, perhaps 10% of everything collected, he does not know, but he definitely feels like it should be explored.

Commissioner Willner asked Mr. Volpe what he would estimate those dollars to be that need to be collected and he replied it would be in the millions.

Commissioner Willner said of the amounts collected last year, how many did we have to go to court for and Mr. Volpe said we did not have to go for too many because he sent everyone courtesy letters first, at 20¢ each instead of sending registered letters at $1.50 each and by doing this a lot of them came in and paid before they were taken to court. He did have to go to court on several, but the courtesy letters brought in a lot.

President Borries said he really appreciates Mr. Volpe's detailed report and asked him if he could send the Commissioners a report on a monthly basis and Mr. Volpe replied that yes, he could, and that it might be necessary for another Resolution to be written, putting the $900,000.00 in instead of the $1.4 million.

Commissioner Cox said she should be more familiar with Mr. Volpe's and Mr. O'Day's bill, but she isn't, but she does see on this report that there are itemized collection of interest income into one (1) catagory....Reassessment. Is this the interest that generated from the $5 million that was lying in the Levy Fund, or where did it come from.

Mr. Volpe said the Reassessment Fund is a fund that was set up some ten (10) or twelve (12) years ago and it states that a certain amount of money must be put into a fund called "Reassessment Account".

Commissioner Cox said she understands that, so then her question would be, then can you or can you not invest this money that is in the Excess Levy.

Mr. Volpe said that is included in the total.

Commissioner Cox said then you have been investing that also and does the interest from those monies have to go back into the Levee Fund and Mr. Volpe replied no it doesn't. He said if he would have invested it as a fund then it would have to but the way he invested it the interest does not have to go back into that particular fund.

Commissioner Cox said is the only way you could get this passed is that the money be used to reduce the tax rate and Mr. Volpe said yes, but on Saturday, perhaps we could talk to Senator O'Day about any other ideas on our minds about that particular bill. Originally when we put this bill in it was only for Vanderburgh County and then after it got onto the floor other counties saw the value of it and so they adopted it state wide.

Commissioner Willner said he understands there is some $90,000.00 collected yearly from the traffic violations and fines from the courts and he would like to know if this is included in the estimated income.

Mrs. McBride said yes it is and it is required by law.

President Willner said we can have our Attorney to prepare an ordinance and have it ready next week but in order for Mr. Volpe to proceed we need to authorize him to put into the County General Fund until we reach the $900,000.00 figure.

Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

RE: BID OPENING ON MOST USED OFFICE SUPPLIES

Commissioner Willner moved the county attorney proceed with the opening of bids for most used office supplies. Commissioner Cox seconded the motion. So ordered.

RE: AWARDING OF BIDS ON XEROGRAPHIC PAPER, CALCIUM CHLORIDE AND LIQUID ASPHALT

City/County Purchasing Agent, Ben Evans, was present with the following recommendations on bids received last week.

Liquid Asphalt AE-150

Mr. Evans reported there was only one (1) bid received, that being from J.H. Rudolph, therefore he would recommend they be awarded the bid.

Commissioner Willner moved the bid be awarded to J.H. Rudolph. Commissioner Cox seconded the motion. So ordered.

Calcium Chloride

Mr. Evans said there was only one (1) bid received, that being from Orbie of Illiana, Inc., therefore he would recommend they be awarded the bid.

Commissioner Willner moved the bid be awarded to Orbie of Illiana, Inc. Commissioner Cox seconded the motion. So ordered.

Xerographic Paper

Mr. Evans said there were two (2) bids received on xerographic paper, those being from Nationwide Papers of Louisville, Ky and McMurtry-Martin Papers, Inc. of Evansville. He said Nationwide was the low bidder however, there was a stipulation in their bid that we order in forty (40) cartons, and we do not have the storage space for forty (40) carton lots, therefore, he would have to recommend we go with McMurtry-Martin.

Commissioner Willner moved the bid be awarded to McMurtry-Martin Papers, Inc. Commissioner Cox seconded the motion. So ordered.

RE: READING ALOUD OF BIDS ON MOST USED OFFICE SUPPLIES

County Attorney David Jones said there were two (2) bids received on the most used office supplies, those being as follows:

Atlas Office Supplies:

Total bid.....$10,130.87 (Bid is in order)

Smith and Butterfield Co. Inc.

Total bid.....$10,969.43 (Bid is in order)

Commissioner Willner moved the bids be taken under advisement for one (1) week, at which time Mr. Evans will come back with a recommendation.

Commissioner Cox seconded the motion. So ordered.

Commissioner Cox said last year we went on the line item by line item and took the low bid, so how did this work out for the Purchasing office.

Mr. Evans said not well at all, that it caused them to have three (3) different price lists, one (1) for the supplies we sell, one (1) for Smith and Butterfield and one (1) for Atlas Office Supplies. It created confusion for the departmentheads in that when they would prepare their requisitions they weren't aware, eventhough we published it, which unit belonged to which supplier. The officeholder would put items from both companies on one (1) requisition and we would have to contact that officeholder and have him resubmit separate requisitions, one (1) for each supplier.

Commissioner Cox asked Mr. Evans if he sent out lists to each officeholder and he replied yes, at the beginning of every year, after all contracts are let, all seventy two (72) departments in the City/County Governmental Complex received a binder telling them who the contracts were awarded to and for which items.

RE: CHRIS MIDDLETON...KLF COMMUNICATIONS, INC - TELEPHONE SEMINAR

Ms. Chris Middleton, representative of KLF Communications Inc. was present and stated KLF has installed and services approximately 1,500 telephone systems in Indiana and is the largest Interconnect Company in the State. The company is headquartered in Fort Wayne and operates offices in Indianapolis, Elkhart/South Bend and Evansville, Indiana. She named off a few of the customers they are presently serving and said since 1969 they have over 2,400 systems installed. She submitted to each of the Commissioners a booklet and asked that everyone go over it at their leisure time that it has a list of their KLF/ROLM users. Their latest contact is Mr. Frank Heiman, the City of Fort Wayne, which they are installing at the present time.
She is not here today to try to sell Vanderburgh County a phone system today, merely to let the Commissioners know what is available and to answer any questions anyone might have. She is mainly here today to inform the Commissioners of a Telephone Seminar, which will be conducted in their Indianapolis office, by the ROLM Corporation of California. The product ROLM is the cadillac of switching systems involving communications and actual data terminals being run over the same trunk lines, yet it is very cost efficient in terms of reducing the number of trunks and also it does make communication much more reliable. What this seminar will really involve is having Mr. Robert Fortune attend, from the Data Processing Department and we will have Data Processing experts there which will really update you on the latest products and technology, that they are going to mainly concentrate on the data aspects in this particular seminar, however, she would like for Mr. Gil Ruston and Mr. Jim Lewis to also attend the seminar.
She said meals will be provided at the seminar to be held Wednesday, January 12th, and there will be two (2) sessions, one (1) from 8:00 a.m. to 1:00 p.m. and one (1) from 1:00 p.m. to 5:00 p.m.
Ms. Middleton thanked the Commissioners for allowing her time today and asked if there were any questions from anyone concerning their services.

Commissioner Willner said he personally feels that we should really get on our phone system this year, that we started last year and cut out a lot but then with the increase from Bell Telephone we are right back where we started.

Ms. Middleton said she understands that Tele-Marketing has been implemented here in Vanderburgh County and she would say that their system does accomodate TMC. As a matter of fact it does utilize TMC's concept to it's most effective degree.

President Borries thanked Ms. Middleton for appearing today and said we would try to arrange for a group of local people to attend the seminar, if at all possible.

RE: POOR RELIEF....ARTIS MARSHALL....KNIGHT TOWNSHIP

Applicant...Artis Marshall...4711 Covert Avenue, Evansville, Indiana
Case Worker.....Judy Bensman....Knight Township Trustee's Office.

President Borries called aloud for Artis Marshall. Ms. Marshall was not present, nor was anyone in her behalf.

President Borries said to let the record show the case of Artis Marshall was referred back to the Knight Trustee's office since Ms. Marshall failed to appear today.

Mr. Ron Saulman, Knight Township Trustee was present and stated he would like to give the Commissioners a copy of their Guidelines, however, his Advisory Board had a meeting just this morning, that they are going to be updated and he will see the Commissioners get a copy of that also. He was cut so drastically in his Poor Relief Fund that the guidelines had to be revised. He asked that a copy of the minutes, when completed, be mailed to him.

RE: MARK TULEY....BURDETTE PARK

Weekly Absentee Reports: Mr. Tuley submitted the absentee reports for the days beginning December 3, 1982 thru December 31, 1982.....received and filed.

Roof on DeVoy Building: Mr. Tuley reported the roof on the DeVoy Building will be completed this week and Mr. Crooks will be going out there to make his final inspection.

Special New Year's Eve Rink Session: Mr. Tuley reported they had a special skating session on New Year's Eve and their net received was $403.00, that it was probably one of their best sessions.

Check From Indiana Insurance Company: Mr. Tuley submitted a check from Indiana Insurance Company - Consolidated Insurance Company, in the amount of $6,116.44, for lightning loss of 8/26/82.

Commissioner Willner moved the check be signed and put into the General Fund. Commissioner Cox seconded the motion. So ordered.

Mrs. McBride said since this is for insurance, whatever account it was paid from, it will go back into, in Burdette Park.

Park Advisory Board Appointment: President Borries said he would inform Mark that we expect to hear from some representative of the City, next week, regarding any appointments according to Ordinances that have apparently been approved through the City, in regards to extending park boundaries. When David Jones wrote our Burdette Park Advisory Board Ordinance, we did have a Sunset Provision in there, regarding 12/31/82. He would like to know the other Commissioners feelings on this, that are we going to keep the Board in existance for awhile longer.

Commissioner Cox said she wonders how close that Board is to accomplishing the objective in the original Ordinance.

Mr. Tuley said he would say they are within one (1) month of doing that. Some of the people do not want to be reappointed, but they have all agreed to stay on until that job is completed, however, Mr. Wolf has already resigned.

Commissioner Willner said he would like to keep it going until a decision is reached on whether we are going with the City Park, or not, that he does not know if it is written into the bill, that lets the City Park Department take in county taxes without taking in their Park Department.

Commissioner Cox said she believes they exempted Burdette Park.

President Borries said yes, they did. He said perhaps next week we can come to a determination of the length of terms, if we choose to go ahead and extend the terms.

RE: COUNTY ATTORNEY....DAVID JONES

Comments on Parks and Recreation Ordinance
Mr. Jones said concerning the questions of Mr. Willner he would recommend the question be raised, because his opinion is that the City could not take in an incorporated Town, such as Darmstadt, that it is violation of the Statute. Secondly, he believes an error has been made by taking in a piece of real estate under contract, and that is the Hamilton Golf Course. That property is also technically under the Parks and Recreation auspices of the County, but it's also leased out and he does not think that any statute can cause an impairment of that contract, and he believes that also needs to be determined.

Contract With Alexander Abmulance Service, Inc. Mr. Jones said we now have the written agreement before us between the County Commissioners and Alexander Ambulance Service, Inc., as prepared by County Attorney David Miller.

President Borries said he understands this Agreement before us today has been changed from the prior proposal particularly where it deals with fees that will be charged.

Commissioner Willner said he guess the basic is that the prices are different, because of the Attorney's opinion that we should not try to regulate the charges for all carriers in Vanderburgh County. The Basic Convalescent Run went from $85.00 down to $55.00, the Basic Life Support Run went from $110.00 down to $80.00 and the Advanced Life Support Run went from $180.00 down to $130.00. These rates were worked out with Alexander and Mr. Miller believes we can regulate the fees for the one we contract with but not for the other carriers in the area. He said the other major change was in the amount of dollars that will be furnished to Alexander, that we figured on $27,000.00 for the service plus a few dollars for the billing aspect, eventhough we still will be appropriating $50,000.00 we do not believe it will take that full amount, however, the Board's obligation is to reimburse the Provider for such operating losses shall be limited to a total reimbursement during the year of 1983, in the sum of Fifty Thousand Dollars ($50,000.00). Another change is that they will maintain sufficient equipment and qualified personnel to outfit and provide two (2) certified ALS units on a twenty-four (24) hours per day, seven (7) days per week basis. One unit will be at Alexander's East side facility and the other one stationed at Alexander's North side facility on Stringtown Road.

Commissioner Cox said this certainly won't help the West side residents, and Mr. Willner said that is correct, or it could in a small respect, being on the north side.

Mr. Jones said the fact that there is still a reference to an Ordinance which is not going to be passed, does not in any way jeopardize. You will notice on the first page of the Agreement that #3 says--"The Board has established by ordinance minimum fees to be charged by the Provider as set forth herein." He said this has no meaning and it can be stricken from the Agreement.

Commissioner Cox said she discussed several points with Mr. Miller and she really has not had a chance to review the new Agreement to see what was put in and what was taken out. One thing she would like to see is that the pages of the Agreement be numbered. She said the locations are now specifically defined, whereas they were not in the prior contract. Also, he has defined Emergency Medical Services, and what we mean by that, and what we are providing. She still does not understand "C" on page #3 which reads "Have in effect at all times a binding agreement with the Advanced Life Support Consortium of Vanderburgh County, Indiana". Also, should we have a copy of such an agreement.

Commissioner Willner said this means that Alexander will have in effect at all times a binding agreement with the Advanced Life Support Consortium of Vanderburgh County, which really means they will have an agreement with the hospitals to handle their cases and their communications if they are in doubt about what procedure to use in a certain case, they can talk to the doctor at one (1) of the hospitals, by radio.

Commissioner Cox said The Indiana State Police has been added as one (1) of the authorities, which she is happy to see.
One of her questions concern who's attorney will represent the county and who pays the legal costs, that in essence this Agreement before us says the county will be held harmless, but she would assume that would not prevent us from being named in a suit.

Mr. Jones said you cannot prevent anyone from suing you.

Commissioner Cox said on page #5, section #5, do we strike some of that out, concerning the Ordinance of the Board.

It was decided yes, they would strike the words "and in accordance with the Ordinance of the Board, to be passed by the Board forthwith, establishing charges for such services".
Commissioner Cox said she still does not understand why we include Basis Convalescent Runs, because she certainly hopes that Vanderburgh County isn't going to end up paying for those. She asked Mr. Jones if he would know why we need to set a rate for these runs, saying she understands that Mr. Miller is the Attorney that has done all the research and studying on this matter.

Mr. Jones said he does not know, but he would take a blind stab and say that might have been something that was left over when there was an ordinance regulating all fees being considered. He believes the only thing necessary is an ALS or a BLS and your mileage charged.

Commissioner Willner said he believes why Alexander wanted that in was he is going to send this Agreement into Blue Cross/Blue Shield and other insurance providers of the residents of Vanderburgh County to support his claim for a raise, that it could start out as a Basic Convalescent run and ends up as a Basic Life Support run.

Mr. Jones said that answers that question then.

Commissioner Cox said turning to page #7, is Alexander going to be doing its own billing now and President Borries said yes.

Mr. Jones said they will have it up to one hundred, twenty (120) days following the first billing and if the account has not been paid for the unpaid account shall be assigned to the County for collection.

Commissioner Willner said those funds collected shall be kept by Vanderburgh County.

Commissioner Cox said then we have dropped the thought of having a billing service collect these amounts for us.

Commissioner Willner said Alexander is losing revenue by running an ambulance service in Vanderburgh County. Also if we hired a billing service, they would be making a profit while Alexander is losing, so since Alexander is already set up for billing he believes they can do it for less money then we could hire a billing service for.

Commissioner Cox said she thought one of the questions was the ability of the Provider to collect.

Commissioner Willner said yes, as far as going to court was concerned.

Commissioner Cox said no, not as far as going to court was concerned, it was just to put pressure on people to pay their bill, simply because of the association between the Ambulance Service and the Funeral Home.

Commissioner Willner said Alexander always did try to collect their bill, up to the point of going to court, but they would not initiate court action because they were intwined with the Funeral Home and they did not want a bad reputation as far as the courts were concerned. This Agreement will allow Alexander to try to collect the bill up to the court point and then they assign it to us.

President Borries said he believes we had considered the fee for a separate billing service in the orginal total amount, that if there would be any fee set, assuming we would let bids on that, or assign a particular billing service to do that, that it was all included in the original $50,000.00 price. He does not believe that figure was correct, based on the fact that Alexander asked to revise his rates downward.

Commissioner Cox said then what we take to court and collect, then Alexander will not receive any of that money and President Borries said this is correct.
Commissioner Cox said we will review the loss profit sheet and pay accordingly and President Borries said this is correct.

Mrs. McBride asked who's job it will be to collect this money after it is turned over to the county.

Commissioner Willner said it will be up to the County Attorney's, but they will be done on an individual basis.

Commissioner Cox said the Agreement specifies what the verified statement from Alexander should disclose, which is "including expenses incurred as a result of Provider's private employment of said equipment and personnel". This was another concern since the Provider will be making private calls also. She said concerning the reports submitted to us from Alexander, the Agreement states "The County or its duly appointed representatives shall have fifteen (15) days to examine the accuracy of the report". Now she wants to know who will be examining this report and auditing the income and expenses. Alexander will not have to agree with us, she is just wondering who would be doing this, and eventhough she has had some accounting background, she would not know what would be legitimate charges.

President Borries said he would want our County Attorney to examine the report and also the County Auditor.

Commissioner Cox said she can check the figures but she thinks that we need some way to verify they are legitimate charges.

Mr. Jones said if the demand is made of them they must supply the original documents and at that time you are talking about getting into such things as forgery, etc.

Commissioner Cox said she also has a question about the binding of this contract, that what would happen if the Provider's loss is $50,000.00 the first quarter, then is he still bound to provide this service through the year of 1983, and if he says he cannot continue then what options do we have.

Commissioner Willner said on page #12, Section #13 it states "This agreement may be modified only by an agreement in writing executed by all of the parties hereto", so he would say it does leave the door open for further negotiations in case of a major disaster, but otherwise the Agreement is binding for 1983.

Commissioner Cox said one page #11, Section #10 states "in the event Provider fails to perform the covenants and conditions of this agreement, the Board shall have the right to give written notice of such default. If Provider does not cure the default within thirty (3) days after the written notice, the Board shall be entitled to cancel this agreement", so we would be right back where we started, with no penalties, etc. She believes that Mr. Alexander has indicated by his word that he will provide a year's service for a certain sum of money, hopefully, even if the loss goes over the $50,000.00, but the Agreement does not state that.

Commissioner Willner said that is also his understanding of the Agreement.

Mr. Jones said there is a cap amount that the county pays and you don't go over that amount and if their loss is more than the $50,000.00 then they swallow the difference. However, you cannot bind anyone by a contract to continue to perform. You can sue someone for not fulfilling their contract but you cannot exact penalties by contract, you do it by criminal statutes.

Commissioner Willner moved the Agreement to Provide Services be approved, subject to striking Section #3 on page #1 and subject to the Commissioners receiving a copy of the binding agreement with the Advanced Life Support Consortium as stated on page #3, Section C and subject to the striking of that portion of Section #5, page #5, as stated earlier in the discussion and subject to page numbers being put on the final Agreement. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: CUMULATIVE CAPITAL IMPROVMENT ORDINANCE

Commissioner Borries said we will need for our Attorney to get a copy of our Cumulative Capital Improvement Fund Ordinance and re-write it to include "Paramedic Advanced Life Support Service" as another use for monies in that particular fund.

Mr. Jones said can we make that "Emergency Medical Services"

Commissioner Cox said she feels we should definitely say Advanced Life Support.

Mr. Jones said we are calling it EMS, as defined by statute.

Commissioner Cox said she also asked Mr. Miller to define what we meant and she thought he had that in the agreement. She said Paramedic is Advanced Life Support, so if the

Cumulative Capital Improvement Ordinance is re-written to include Paramedic Services, this would be Advanced Life Support only, which is alright.

President Borries said if it is the will of the other two (2) Commissioners, we should continue to try to come up with, or at least to examine other solutions to this Paramedic issue....all Commissioners agreed.

Commissioner Willner said personally he believes the next one is going to be tougher and more dollars and eventhough this is out of the tax freeze, he does not know if there is enough dollars available to do it, but we must continue to work toward that goal and work toward getting it down to a reasonable figure.

President Borries said he too fears this may be the tip of the iceberg and therefore very interested in pursuing the issue from all angles. We must work and make a decision before August when we appear before County Council with our budget requests.

President Borries said one thing we can do is he would like to set up a meeting between the Consortium, with the hospitals, to look over other proposals. The other Commissioners agreed to this.

Discussion of Jail Class Action Suit Mr. Jones said he has had discussions with the new Sheriff and discussed the statis of the law suit of the jail with him. We also had an Executive Session as to the risks and liabilities involved in this suit. He has reviewed the contract that Vanderburgh County has with the United State Marshal Service, for housing federal prisoners in the county jail and that contract terminates in September of this coming year. The contracts also requires that notice be given in the event of any suspension or termination of the contract. What he is recommending is that we send a letter to the United State Marshal Service, both in Indianapolis and to their contracting officer in Virginia, and advise them that first of all the litigation exists and that you have been advised by defense counsel that there is a risk of this jail being found deficient in one (1) or more areas, as based upon the allegations of the suit and advising them that certain of their expert witnesses have made statements and depositions as to the deficiencies of the jail, and that in the event there should be some court order as a result of this, that it may be necessary to suspend housing federal prisoners on or after June 1, and if such an order is in fact in existance that the county will no longer house federal prisoners or non-Vanderburgh County prisoners and that the likelihood is that the orders being handed down in Indiana, against the Department of Corrections for Michigan City, Pendleton and the State Farm at Green Castle ordering a reduction of inmates and that if we lose the suit then we may get an order saying "reduce the population by X number of prisoners and certain catagories of prisoners cannot be kept in the jail any longer than X number of days" and if we abide by such an order we will begin by eliminating the federal prisoners and all non-Vanderburgh County prisoners, therefore the space would be available for Vanderburgh County inmates first. Rather than waiting until we have an order in hand he is recommending a letter be sent to the Federal Marshal now warning them of what could happen. We have had a good relationship with them and they pay us for housing federal prisoners but we don't want to catch them by surprise, that we should make them aware of this risk.
He has already prepared such a letter but did not put the changing of the President of the Board of County Commissioner as President Borries, which it now is, for 1983.

Commissioner Cox said how does this work out for the out-of-county and out-of-state warrants and the recipical agreements, that if we arrest someone that Warrick County is looking for, then do we take them to the county line and have them immediately picked up by officials there, rather than bringing them into our jail.

Mr. Jones said no, that would be one of ours until we dispose of the individual, if one of our officers made the arrest then it is ours.

Commissioner Cox said but the arrest was made on an out of county warrant.

Mr. Jones said but we made the arrest so we'd have to make the detention until they are transferred. What he is referring to, as an example, when those prisoners escaped from the Princeton jail they were brought down here and housed and we weren't involved in the arrest or anything else, we only received some county favor by housing them. We've been housing other counties prisoners and should we get such an order as he spoke of earlier, this courtesy to other counties will have to stop and terminate the Federal contract.

Commissioner Cox said the Federal Investigators make an annual inspection of our jail to make sure we do qualify to house federal prisoners, so if we terminate the contract it is only because of lack of space and not that we are admitting that our jail doesn't meet the federal requirements.

Mr. Jones said he is not proposing to admitting anything, he is only recommending we advise them of the risk of us getting an order to cut down the jail population and that expert witnesses produced by the other side has said our jail doesn't meet certain standards. If the Federal Marshal wants to discuss this with us and if there is any possibility they can assist us, they will certainly be invited to do so.

Commissioner Willner moved, subject to the changing of the President of the Board of Commissioners and the signing of it that the letter, as prepared by Mr. Jones be sent to the United States Marshal. Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER....AUDITORIUM

Discussion of the Boiler: Mr. Cooper said he would like to, at this time, ask the Commissioners to discard any previous bids and specifications on the boiler that we now have and authorize Mr. Biagi, of Biagi and Associates, to proceed with preparing new specifications for a new boiler, in accordance with his (Mr. Biagi's) study of the heating and cooling system.

President Borries said Mr. Cooper submitted a memo to the Commissioners last week and in it he stated the needs and the size of the boiler and the state of the hardware, and that needs to be examined very carefully and that specifications need to be written that would take into account the improvements on the current boiler system.

Mr. Cooper said that is his feelings, that he outlined eight (8) items he felt should be considered from the outset. What he would like is for Mr. Biagi to be instructed to go through those eight (8) recommendations and see which of those could be incorporated in a cost effective situation. It is unrealistic to think that all of them will prove to be cost effective but he believes we'll find over fifty percent (50%) of them will be, but it depends on what Mr. Biagi comes up with based on his figures and his study on the capacity, etc. and whatever he determines as to which devise will save us the most money in the long run, afterall, we are going to end up running that boiler one way or another, either by running the air conditioning system or by heating the building.
He would also recommend we get this underway immediately with any further delay, so that he can get the specs out, get the bids in and get moving on it.

Commissioner Cox said in reading from notes taken at a special meeting on November 28th it says "that by purchasing the larger steam boiler we will be able to operate the costly steam driven chiller for another year and thereby not interrupt service this summer. When the electrically powered air conditioning units are installed hopefully immediately following the installation of the new boiler they can be put on line for the 1984 cooling system". She told Mr. Cooper if he believed this, he was dreaming, that where would we get the $300,000.00 plus, to do this job.

Mr. Cooper said what he is saying is that as soon as we complete the initial work, that is to get the work started on the new boiler, that we immediately start looking for money to pay for the air conditioning system. He would also point out the matter of where do we want to put the dollars. At the rate that gas is increasing we can continue to put money up the smoke stack to run the air conditioning system during the summer or we can make some inital investments on electrical powered air conditioning and put it in some new equipment that will take us further down the road. He realizes that the county funds are tight but he feels we should at least examine where the money could come from to make these conversions, that lets not sit back on our good intentions, lets start working on it immediately.

Commissioner Willner said we've had a lot of dialogue concerning the boiler and cooling system at the Auditorium and this is another example of us sitting in these seats not knowing a lot about boilers, chillers, etc, at the commercial capacity. He has talked to many people about this and has received so many different answers that he is about to the point of not knowing which is the best way. However, we did hire Biagi an Associates to tell us the best way and he feels we must revert back and have them draw up the specification. He is sorry about all thats been done thus far and he apologizes to Mr.Crooks because we have put him in somewhat of a bind also, therefore

he will move we dis-allow all previous specs and bids and ask Biagi and Associates to draw up some new specifications for our approval and then re-advertise for bids. Commissioner Cox seconded the motion. So ordered.

President Borries said hopefully all the money that we have been out is for the advertising and as tight as money is we simply cannot make a mistake on this boiler. He instructed Mr. Cooper to please contact Mr. Biagi and inform him of the Commissioners decision and instruct him to proceed with writing new specifications and get them to us as soon as possible.

Schedule of Rental Fees: Mr. Cooper submitted the revised 1983 schedule of rental fees.

Commissioner Willner asked if these are the same fees as submitted earlier and Mr. Cooper said there is one (1) amendment, that being on page #2, under Non-Profit (Schools and Public Education Units Only), that 15+ performances stay at $500.00, as it was in 1982, therefore these new rates will not effect the School Corporation, the Parochial Schools, the University of Evansville or the Indiana State University of Evansville.

Commissioner Willner moved the rates be approved, as amended, for 1983. Commissioner Cox seconded the motion. So ordered.

Table Saw for Maintenance Department: Mr. Cooper said for the past fifteen (15) months they have been looking for a table saw for their maintenance department and today Mr. Benny Gossar, who is an employee of Mr. Lewis' came by the Audtiorium with a rusty one that he found out at Burdette Park that was going through the surplus auction, so he would request they be allowed to repair and keep it and he would let any other county unit use it also.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: CHUCK WHOBREY....TEAMSTERS REPRESENTATIVE,CONCERNING DWIGHT TAYLOR

Mr. Whobrey was present and stated he was informed to be present today concerning the Dwight Taylor case, to see if everyone agreed on the figures on the claim that he understood was to go through this meeting today.

Mr. Cooper said he knows that attorney Miller has completed his work on it and was going to initiate the paper work, subject to our approval.

President Borries said we will check with Mr. Miller and see if the paper work is completed and can go through a little later in the meeting.

RE: JESSE CROOKS...BUILDING COMMISSION

Fee Schedule: Mr. Crooks said the first part of December he submitted the proposed Fee Schedule Ordinance, which was advertised on December 9, 1982. This is identical to what the City adopted in December.

Commissioner Willner moved the Ordinance be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of December 27 thru December 31, 1982. Report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of December 27 thru December 31, 1982....report received and filed.

Mr. Bethel said last week they cleaned some ditches, worked on South Weinbach repairing the gates, did work on Wedeking, Broadway, Adler Road, Tupman Road, patched Middle Mt. Vernon Road, Burch Drive, Skyline Drive and Browning Road. The tree crew was on Old Henderson Road and also West Franklin. They graded Adler Road and Wallenmeyer Road.

Commissioner Cox said the report shows a washout repaired on Baseline Road...where was that at.

Mr. Bethel said he was on vacation last week therefore he does not know the exact location but it was at a location where someone called in a complaint.

RE: BOB BRENNER...SURVEYOR

Bridge and Guardrail Report: Mr. Guillaum submitted the weekly bridge and guardrail report of the bridge crew for the period of December 27 thru December 31, 1982. Report recieved and filed.

Discussion of Kleitz Road Project: Mr. Guillaum said he believes the Commissioners were going to try to give him a decision on the Kleitz Road project, that this is where they were going to put the two (2) beams on the one (1) side of the bridge and not have to purchase any right-of-way. This board reviewed the prints last week.

Commissioner Cox said she did not get around to calling those property owners but the bridge is going to have to stay there whether we build the run-around or not.

Commissioner Willner said he went out there and took another look at it and it is his feelings that we ought to take care of that traffic hazard once and for all, even if we have to buy the rest of the property. He believes the Commissioners ought to appoint a right-of-way buyer, a private individual, out of government, to go out and purchase the right-of-way and lets build the bridge correctly. If he lived on that road, he would feel his family would be in danger everytime they came to that corner and he thinks it would be worth the price to do it right.

Both Commissioner's Borries and Cox agreed with Mr. Willner.

Commissioner Willner said the Commissioners need to appoint a buyer next week and he asked if there were any suggestions from anyone on who they could get to do it.

Commissioner Cox said Mr. Bob Golf did some right-of-way buying for the Commissioners in the past.

The Commissioners all agreed for Mr. Guillaum to contact Mr. Golf and see if he would be interested and what his cost would be and report back to this board.

Discussion on the Hirsch Road Project:

Mr. Guillaum asked Mr. Jones if the time is up for a response from Southwest Engineering, Inc. on the Hirsch Road project and could we void the countract and proceed with another contractor. He said they met with the second lowest bidder today, that being Key Construction.

Mr. Jones said he received word from Southwest saying they did not understand the first letter and what our intent was in the matter, so he sent another letter of explanation and they will have seven (7) days to respond. They also informed us they are going to withhold filing a law suit until you guys (the Surveyor's office) give us the figures on what those materials are worth, so that is what's holding it up.

Mr. Guillaum said he and the Surveyor, Bob Brenner, had a long discussion on this today and this is not the way Mr. Brenner wants to pursue it, that he doesn't want to pay them for the materials, that he wants Key, or whoever finishes the job, to take the job on and they will assume the cost of the piling, the beams and the reseal and that way we won't be paying a third party. In other words, we want to have these materials billed directly to the contractor that we will be paying, that way, the only items we'll have to discuss with Southwest is the dirt quantities that he put in and he believes that has been determined from the cross sections.

Mr. Jones said he doesn't know if it can be done that way, because we have certain liabilities on Southwest's contract also, by virtue of having entered into it with them. There were materials especially ordered for out there and we need them and he believes we are bound to pay for those special ordered materials.

Mr. Guillaum said the Key representative told him they would have no problems getting the materials transferred from Southwest's bill to their (Key) company, because they have dealt with those companies in the past.

Mr. Jones said aren't you going to re-bid this and Mr. Guillaum said not if we don't have to. Mr. Jones said he does not know for sure but we may have to, but he would have to look that up in the statute, so he wouldn't want Mr. Guillaum to go out and get in some kind of a deal with Key Construction that we can't live up to.

Mr. Guillaum said then what is the next step because they have had a number of complaints about the road opening and when it will be.

Mr. Jones said he would recommend we try to get the road opened but hold off on the job until we get all this lined up.

Commissioner Cox asked if the county could pay for whats been done, buy the materials and then write new specifications saying the county would furnish those materials.

Mr. Jones said if Southwest will agree on taking $5,000.00 on the borrow and agree to sell us those special materials at a reasonable price and also sign a release to terminate the contract and agree, in writing not to sue us, then yes, that would be fine.

Mr. Guillaum said they would hold off doing anything until they hear from Mr. Jones.

Discussion of First Avenue and Uhlhorn: Commissioner Cox asked if there was any additional information concerning First Avenue and Uhlhorn Avenue and Mr. Guillaum replied that Mr. Dick Eifler, City Engineer and Mr. David Gerard, Director of Evansville Urban Transportation Study is present today and perhaps they can shed some more light on it.

Mr. Gerard said that Mr. Eifler is present to discuss the design but before that he would say that as long as one (1) year ago there was some discussion and suggestions made to close Uhlhorn Avenue. He believes the way the City Engineer's office is approaching this is there are engineering design standards in terms of such things as required sight distance for entering onto a major street and it takes into account not only the grade of the cross street but also the number of lanes on the major street, the type of vehicle you are concerned about pulling out and the posted speed. Certainly he does not think that anyone is proposing to design a road that would not provide for those safety items. He believes the question is whether or not that bridge will have an impact on this and he cannot answer that because he really does not know what is going to be done with the bridge. If you take up that truss bridge and shift it west it will very definitely impair the sight distance. Once the Commissioners decide what type of bridge is going in there he would like to be informed, and then an assessment can be made on the safety of it, but right now that determination cannot be made.

Commissioner Willner said regardless of what kind of bridge goes in there, it is going to be moved to the west, isn't it?

Mr. Eifler said they do not know, that the plans they prepared were based on the assumption, as originally proposed and approved tentatively by the county, was for an entirely new structure and with the modern design of bridges there was no problem with the sight distances and the walls on the levee were to be pulled back far enough it would not obstruct sight. Now that there is talk of shifting to either the east or west of the old bridge, another bridge beside it, or whatever, of course it is going to make a difference and there may have to be some changes made concerning Uhlhorn or it may even have to be closed down, depending upon the final circumstances. He noticed in the minutes of the Commissioners on December 27th. that Mr. Guillaum stated the grade on Uhlhorn was going to be between 4½% and 5%, but that is not the case, that it is only about 2% which is the normal approach grade on a street of that magnitude, really even 4% is not much of a grade unless there is ice on it.

President Borries said we have hired a consulting firm and that firm will submit their report to us at a public hearing on January 12th, at Central High School, at 7:00 p.m.

Commissioner Cox said she certainly would like the professional opinions of Mr. Eifler and Mr. Gerard on the four (4) proposals and would like for them to attend the Public Hearing.

Commissioner Willner moved the secretary be instructed to notify the Courier and Press of the Public Hearing to be held Wednesday, January 12th. Commissioner Cox seconded the motion. So ordered.

RE: DAVID GERARD.....EVANSVILLE URBAN TRANSPORTATION STUDY

Claim:

Mr. Gerard submitted the following claim on the Covert Avenue Extension right-of-way for title search for County portion of right-of-way as contracted with Evansville Titles Corporation on December 8, 1982. The claim was submitted by the City of Evansville, Department of Public Works and is in the amount of $1,292.50.

Mr. Gerard said next week he hopes to have a claim for the Commissioners to sign for approximately $20,000.00 that is due back to the county as part of the engineering design work on Covert Avenue. The check has been received by the City and they are in the process of preparing it for the county and also for Warrick county, as well.

Commissioner Willner moved the claim be allowed in the amount of $1,292.50. Commissioner Cox seconded the motion. So ordered.

This money will come from the Local Roads and Streets Fund.

RE: CLAIM FOR MR. DWIGHT TAYLOR

The following claim was submitted by Mr. Dwight Taylor, for a settlement in the amount of $4,107.88 for back pay.

President Borries said this is for 1982 income and it would be up to Mr. Taylor to report it on his 1982 tax return. He said the County Auditor informed us this money would be taken from the Commissioners budget, account 323...Awards and Judgements.

Commissioner Willner moved the claim be allowed.

Mrs. McBride said Mr. Taylor would have to pay his own Social Security on this also, and also PERF. Mr. Taylor has to pay his own Federal and State Taxes on it.

Mr. Whobrey said concerning the PERF, he does not know how that would work, should Mr. Taylor, in the future, retire from the County.

Mrs. McBride said the only way we could hold out PERF is for it to come from a salary account and this has to come from the Awards and Judgement account since our 1982 books are completely closed out.

Commissioner Cox seconded the motion. So ordered.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Telephone Seminar: Mr. Lewis said concerning the Telephone Seminar that Ms. Middleton invited us to, he will do some calling and find out who can attend and who can drive and report back next week on who wants to go and ask for travel expense for whoever drives.

Meeting of January 8th, With the Local Legislators: Mr. Lewis said concerning the meeting to be held on Saturday, January 8th. he would like to make a suggestion and that is that he talk to the Mayor, the County Council, City Council about the many different issues that can be discussed with our Legislators and initiate an agenda for the meeting, so that when it starts at 10:00 we aren't going in there without any sort of form whatsoever.

Commissioner Cox said that is a point very well taken and she would like to see the County Auditor, the Treasurer and also Mr. Cooper attend that meeting, if possible.

President Borries said the Commissioners would very much appreciate Mr. Lewis getting together with everyone he can and try to compose an agenda, that it would certainly help a great deal.

RE: PUBLIC OFFICIAL BONDS

The following Public Official Bonds were subitted for the record.

Indiana Insurance Company, as surety in the penal sum of $15,000.00 for the County Auditor, Alice McBride.

The Continental Insurance Company, as surety in the penal sum of $5,000.00 for the Deputy Coroner, Earl Cox.

United States Fidelity and Guaranty Company, a continuation certificate for Alvin E. Stucki, Center Assessor, from January 1, 1983 to December 31, 1983.

The bonds were all submitted to the County Auditor for proper processing and recording in the Recorders office.

RE: CLAIMS

A claim was submitted by the Torian Agency, Inc for public official bonds for David Wilson, MD. Coroner and Earl K. Cox, Deputy Coroner, in the amount of $30.00 each, for a total of $60.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Ashby-Rauscher Agency, Inc. for the Public Official Bond, Annual Renewal Premium, for Alvin Stucki, Center Assessor, in the amount of $30.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helen Gaslin Insurance Agency, Inc. for Public Official Bond for Alice McBride, County Auditor, in the amount of $53.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Citizens Realty and Insurance, Inc. for Public Official Bond for Helen Jane Nicholson, Knight Assessor in the amount of $30.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Southwestern Indiana Mental Health Center, Inc, for the first half payment (50%) of Vanderburgh County's share of operational expenses for the Southwestern Indiana Mental Health Center for 1983 in accordance with IC 1971 16-16-1, in the amount of $139,799.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by David L. Jones for contractual services rendered in connection with the following suits (attached itemized statement), in the amount of $4,175.20.

Commissioner Willner moved, subject to the money being approved by Council, that the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

President Borries said last week we had a question on an employment change that came before us from Circuit Court, as to whether they were new employees and we have received word from them that no, they are not, just summer interns off for break, therefore he would submit the following:

CIRCUIT COURT

Danny J. Lottes	2809 Jeanette Ave.	Special Intern	$3.35 Hour	Eff: 12-13-82
Jon K. Aarstad	626 South Norman	Special Intern	$3.35 Hour	Eff: 12-20-82
Todd Richardson	2068 E. Gum St.	Special Intern	$3.35 Hour	Eff: 12-20-82

RE: EMPLOYMENT CHANGES....RELEASES

CIRCUIT COURT

Danny J. Lottes	2809 Jeanette Ave.	Special Intern	$3.35 Hour	Eff: 12-30-82
Jon K. Aarstad	626 South Norman	Special Intern	$3.35 Hour	Eff: 12-30-82
Todd Richardson	2068 E. Gum St.	Special Intern	$3.35 Hour	Eff: 12-30-82
Deborah L. Ray	617-B East Powell	Prob.Dept. Clerk	$10,241 Yr.	Eff: 12-30-82

There being no further business the meeting recessed at 5:20 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard "Rick" Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 10, 1983

The meeting of the County Commissioners was held on Monday, January 10, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

Commissioner Willner was not present today due to the fact that at 3:00 p.m. he was to go to Indianapolis, Indiana to meet with the Mayor of Evansville, the Lieutenant Governor and members of the State Legislature.

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

RE: LEWIS F. VOLPE, COUNTY TREASURER...COMMENTS OF DEFERRED TAX PLAN

Mr. Volpe, County Treasurer submitted the following letter to the Commissioners

TO: Finance Directors
Counties enrolled in the
NACo Deferred Compensation Program

FROM: Jay Wilkinson, President
Plan Administrator (PEBSCO)

DATE: December 28, 1982

SUBJECT: 1st QUARTER INTEREST RATE FOR 1983

We are pleased to announce the interest rate of the fixed annuity for the first quarter of 1983, effective January 1, 1983.

The fixed annuity option now provides investors with a guaranteed interest rate of 12.40% (less .55% asset fee) for 1983. This rate applies to all "1982-83 money" - funds received by the underwriter after December 31, 1981.

This minimum has been exceeded for the first quarter of 1983. All deferrals invested since January 1, 1982, will earn 13.70% interest (less .55% asset fee) as of January 1, 1983.

All "pre-1982 money", funds received by the underwriter prior to January 1, 1982, are guaranteed to earn at least 11.05% interest (less .55% asset fee) during 1983.

The "pre-1982 money" interest rate for the first quarter of 1983 is 11.05% (less .55% asset fee).

If you have any questions regarding the interest rates offered through your Deferred Compensation Plan, contact the Plan Administrator, Customer Service through the new toll-free WATS number: 800-848-6104.

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Letter received and filed.

Mr. Volpe said in the summer of 1981 the County went to a Tax Deferral Plan whereby certain employees of the county would have, at their option, to have a certain amount of money put into an annuity and taxes and interest of this would be deferred until they retired. There were two (2) annuities set up in this plan, as was explained to us at that time, with one (1) of them being a fixed annuity, which would give a fixed rate of interest and the other was a variable annuity, which would vary according to the market. We were told at that time that there was a plan before the IRS which would specify that if the variable annuity ever got below the fixed annuity it would be automatically transferred into the fixed annuity program, therefore the people in the variable annuity would never make anything less than the fixed annuity. We have been going along like this for about one and one half years now, and then last Thursday he was in the payroll department of the County Auditor's office and he ran across the above letter and it only discussed the fixed annuity, as you can see. He became very curious as to why the letter did not discuss the variable annuity so he called the local office of the Minnesota Mutual Life Insurance, which is the agent, and they put put him in touch with a Mr. Bob Kelly, in Indianapolis, who is a representative of

PEBSCO, the company you signed the contract with. He asked Mr. Kelly was the variable annuity automatically transferred to the fixed annuity in the fall of 1982 when the interest rate went below it and he said no it wasn't, because when the plan was submitted to the IRS in the summer of 1981 that was correct, but Mr. Kelly said in the fall of 1981 the IRS turned it down. He asked Mr. Kelly why we were not informed of such action and was told.....he guessed they should have informed us, but they just didn't do it, so no disclosure was made, and when the interest rate went down a year later, in the fall of 1982, no disclosure was made and to this date no disclosure has been made, in fact, he had to pull it out of Mr. Kelly by phone conversation. He then asked Mr. Kelly what he could do about it and was told to go into the payroll department and sign a fiscal change report and then the money will be put into the fixed annuity. He told Mr. Kelly that is fine, but what about the money that he already put into the plan and was told that amount has to stay in the variable annuity until you make out another form. He told Mr. Kelly to send the form down here to him and was told it hasn't been printed yet. He would say that when two (2) parties sign a contract, involving financial matters, that when the product to be delivered by one party is substantially changed by federal regulations, he must make full disclosure. Secondly, because of the emphasis we have on consumerism these days and because he believes the SCC is involved in this, he believes that full disclosure is required by both the Federal and the State Governments. He does not see where a situation like this could be allowed to go on by either the Federal or the State. He said he is presenting this to the Commissioners because, for number one (1), there are several people in the county that are under this same situation, and he named a few that he personally knows about, and secondly, he believes we should get someone from the company down here very very soon and question him about what has happened and what they intend to do about it, because everyone in this situation has lost an opportunity to make money under an interest rate which he thought was prevailing, which, because of the secrecy, was not prevailing.

Commissioner Cox said her only comment is that this program was recommended by the National Association of Counties and the Indiana Association of Counties and she would concur, therefore she would move a letter be sent to the NACo Deferred Compensation Program asking for immediate representation from that firm to come to our county and explain the statis of this program to participating employees and that a carbon copy of this letter be sent to the National Association of Counties and also the Indiana Association of Counties. President Borries seconded the motion. So ordered.

Mr. Volpe asked if Attorney David Miller could come into his office tomorrow and help him draft a letter.

President Borries said Mr. Miller is here and he will make contact with him and have him to call Mr. Volpe so that this can be accomplished as soon as possible.

RE: REQUEST TO TRAVEL....DRUG AND ALCOHOL DEFERRAL SERVICE

Submitted was the following letter requesting travel, and dated January 6, 1983.

Dear Commissioners:

This letter is to request travel funds which would allow two staff members, taking one vehicle, to attend a working conference in Indianapolis on January 14, 1983. Gasoline reimbursement is all that is being requested.

I appreciate your consideration.

Sincerely,
William M. Campbell
Director

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Letter received and filed.

Commissioner Cox asked what kind of a work shop is this, because we have a problem wherein the County Council cut the travel expenses out of everyone's budget and allowed only some $5,000.00 in the Commissioners budget. There are certain meetings that the county elected officials must attend and we must pay for those, that some are called by the State Board of Accounts.

Mr. Campbell said they are part of a state coalition court programs and they have meetings every two (2) months. This particular meeting is in regards to Legislative action being taken regarding court programs. The other part of this meeting is that the Fairbanks Hospital, in Indianapolis, has opened a new hospital and our staff people have been invited to tour that hospital, so it seemed very reasonable for two (2) people to attend the conference and tour the facility.

Commissioner Cox asked Mr. Capmbell if they have any kind of printed materials or brochures, whereby this could perhaps be accomplished without sending someone up there.

Mr. Campbell said they do not attend many of these meetings because he frankly feels like they don't have a whole lot they can teach us, however, they do require of us and by our certification process to the State Department of Mental Health, we are required to maintain client information so that it is put on computer charts and run through the State Organization. They have modified that system of client information some three (3) or four (4) times in the past four (4) years and they are going to be discussing what we are going to be required to do in collecting client information at this conference in Indianapolis, so that is why he wanted members of his staff to attend, that we are going to have to participate. Even though these meetings are held every two (2) months, we have attended perhaps only two (2) or three (3) times per year, that only when there is something on the agenda that he feels we can benefit from will he attempt to send someone.

Commissioner Cox said we are talking about 22¢ per mile, which would make it about $70.00.

President Borries said he thinks the Council has mandated the Commissioners to scrutinize and since Mr. Campbell has indicated to us this is not a regular obligation and because the staff members will be picking up their own meal tabs, he would move the request be approved.
Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO TRAVEL...PIGEON TOWNSHIP ASSESSOR

The following letter of request to travel was submitted, dated January 7, 1983.

Vanderburgh County Commissioners,

I, Robert T. Dorsey, Pigeon Township Assessor, request permission for myself, Chief Deputy and Real Estate Deputy to attend the Annual Assessors Conference to be held in Indianapolis, Indiana, on the 1st, 2nd and 3rd of February, 1983.

Respectfully,
Robert T. Dorsey
Pigeon Township Assessor

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Letter received and filed.

President Borries said attached to Mr. Dorsey's letter is a Memorandum from the State Board of Tax Commissioners and this is one of the mandatory meetings. He said because of the tight money situation as far as travel expenses are concerned that perhaps it might be helpful for the Commissioners to meet and discuss some guidelines.

Commissioner Cox agreed with President Borries' suggestion, then moved the request be granted. President Borries seconded the motion. So ordered.

RE: REQUEST TO TRAVEL....PROSECUTOR

Ms.Sandra Millard was present from the Prosecutor's office and stated she appreciates the Commissioners letting her appear today without prior written notice, but the matter she is here to discuss is very urgent. She said the Council also removed the travel expense from their budget and they were instructed to appear before the Commissioners everytime they knew they would have to be traveling somewhere, but quite a few times they do not know they will have to travel until a couple of days before they have to be there and there is no way for them to appear before this body since you hold a meeting only on Mondays. Their attorneys are requested to attend depositions and hearings, etc, sometimes only on a two (2) day notice and these are things they must attend, on Change of Venue cases. This morning she attempted to turn in a mileage claim for a case for a Change of Venue and it was suggested she appear before the

Commissioners to find the proper procedure for submitting claims that she does not have prior notice on or prior Commissioner's approval on. She needs to know the proper procedure in doing this.

Commissioner Cox said she believes it was the intent of the Council, and correct me if I'm wrong, to limit the number of travel that was being done by the county, to workshops, seminar, meetings, etc. but she does not believe it was the intent of the Council to limit travel to those things that are job related, such as Change of Venue cases, etc.

Ms. Kathy Mann, President of the County Council was present and acknowledged with a nod of her head that the Council did not intend to cut job related travel.

Ms. Millard said in the past couple of years their budget has not allowed them to attend any outside meetings or seminars, but they must attend those things that are court related. She would like to make this as easy for herself and the Commissioners as possible, but she needs some instructions as to which is the best and proper procedure to follow.

President Borries said perhaps we need to approve the current claims from what we now have in our budget and then the Prosecutor should perhaps go on the Council Call in February with this same presentation and let the Council get a clarification on it.

Commissioner Cox said she would agree that the Prosecutor needs to go before County Council and ask them to re-appropriate funds for this portion of travel, that is to court related matters. On the other things such as seminars, workshops, etc. then you should appear before this Board of Commissioners on those matters. She asked how much the present claims for mileage total and Ms. Millard replied she has one (1) claim for $50.00 and later in January she will have an airlines ticket for about $130.00.

Ms. Mann said she believes the Council realizes the $5,000.00 set in the County Commissioners budget for travel would probably be exceeded, but she is wondering if there could be a separate account set up in the Commissioners budget to take care of court related matters, such as the Change of Venue cases. She asked the Commissioners if they were suggesting the Council go back and put the travel expenses in the individual budgets again.

Commissioner Cox said she is suggesting that $5,000.00 is simply not a realistic figure to set if we are going to include all these other things in it.

President Borries said on a lot of these court related matters we could find ourselves facing a lot of bills after the fact, that is after they have already traveled, because they must, that we could not risk a mistrial or any sort of a legal problem simply because they did not have the funds to travel.

Commissioner Cox said the Council is wanting the Commissioners to serve as a clearing house on this matter and she personally feels some of this is the duty of the Council, that all the responsibility should not be put on the shoulders of the Commissioners. It was her understanding the Commissioners would allow the travel for trips that the employees took, that she certainly did not realize until Ms. Millard came in today that they did not have money to fund their mileage on court related matters, and if Council wants this approved out of the Commissioners budget then they must realize there will have to be more money coming from somewhere.

President Borries said he believes we can look at things according to their optional nature, such as Mr. Campbell requested, but when we look at costs to meet current court obligations he is not so sure that Council shouldn't look at placing something back in the Prosecutor's budget so that he can fulfill those obligations.

Councilman Bill Taylor was present and stated about two (2) years ago when the Council started eliminating travel from the individual budgets, the Prosecutor's office was not included in it, but during the past budget session for 1983 funding, the council was in such a financial bind that they had to cut everything out from all budgets, concerning travel, but he understands that Mr. Lantz was instructed to come back before the Council and have travel funds reinstated in his budget, that he does not believe it was ever the intent of the Council to try to hold the Prosecutor's office up, for one thing, the law is very clear on some things in that office as it also is in the courts. He believes it would be proper to reinstate money in that office because it is a necessity and we all understand that.

Commissioner Cox said perhaps the Council could change the name of the account to "Mileage Allowance(Court Related Only)" She said judges are in a different position than what the Prosecutor is because they get a mileage allowance and it is paid out of other funds and they get a per diem, where the Prosecutor does not get any additional salary when he has to travel out of the county, other than his own, so he does have to have his expenses paid for.

Mr. Taylor said he thought the Prosecutor had a mileage account in his budget and Ms. Millard said no, they have absolutely nothing in there.

Mr. Taylor said this is the first time he was aware of that fact, however, he would think this should be called travel, because the state is sometimes reluctant to approve mileage, however, the Prosecutor is in a totally different catagory than other officials.

Commissioner Cox said true, but this should be understood that it for court related matters only.

Mr. Taylor said there is also the IV-D Program.

Ms. Millard said there is no problem with that program because that is State funded.

President Borries said he believes the best way to go about this is for Ms. Millard or Mr. Pigman to appear before the Council in February with a request for funds for court related matters, and that other travel requests continue to come before this body for approval.

Ms. Millard said she will work up a figure to submit to the Council in February.

RE: DR. DAVID WILSON....COMMENTS ON CORONER'S VEHICLE

Dr. Wilson said he understands the State Board of Accounts has stricken from his budget the amount of the lease money for his vehicle for the Coroner's office. This is a special ordered vehicle, ordered some three (3) years ago, that it is a four (4) wheel drive station wagon, with a six (6) foot bed. Last year alone we used the four (4) wheel drive twenty two (22) times and we hauled in excess of 250 coroner's cases in that particular vehicle. We have already paid, in the past three (3) years, some $7,920.00 in lease money on this vehicle and it could very easily last his office another seven (7) years. Now after all the investment we have made in this vehicle are we saying we do not want it any longer.
He would point out that he is very much aware that this problem is in the department of the county council, but he wanted the Commissioners to be aware of it.
He has a statement from the Lease Manager at Cooke Chevrolet about some facts and figures concerning the pay-off of this vehicle, which reads as follows:

Dear Mr. Wilson:

The 1980 Suburban that you are now presently leasing from Cooke Leasing Company may be purchased for $3,950.00.
(Now reading from the bottom line)
A 1983 Suburban comparably equipped would list for $14,598.00.

Dr. Wilson said we do need the $3,950.00 for this vehicle.

County Auditor Alice McBride said the State did cut this, however, this is their procedure, that they started with cutting all 400 accounts, but all Dr. Wilson has to do is go before the County Council and they can move this money around anyway they see fit.

Dr. Wilson said he understands this and he will be before the Council on February 2nd with his request.

Commissioner Cox asked how this lease is paid and Dr. Wilson said they usually pay it once a year, for a full year.

Dr. Wilson said in the letter from Cooke it also says the lease can be renewed for a twelve (12) month lease, at $220.00 per month, as it is now, at which time the vehicle can then be purchased for $3,000.00 even money. He also tells us if we do not want any of these options the vehicle can be turned in on January 24, 1983.

President Borries suggested Dr. Wilson talk with Ms. Mann and Mr. Taylor, who is in our meeting today and see what kind of feeling they have on this, that if the council will allow the money at the February meeting, surely Cooke will let us keep the vehicle past the January 24th deadline.

Dr. Wilson said he will do this and he will also contact Cooke Chevrolet.

Commissioner Cox asked if all the lease vehicles got cut out and Mrs. McBride replied all the 400 accounts got cut, that the state does not know what needs to be cut, therefore they use that procedure. She said she has not received the new budget from the state yet, that they could have put it back in there, that she called them and was told we should be getting that budget this week, however, if Dr. Wilson prefers she can call the State tomorrow and ask them if this was reinstated, or if they could put it back in there for him.

Commissioner Cox said she is not going to make any recommendations as a County Commissioner because it would be a conflict of interest, since her husband Earl, is the Deputy Coroner and he utilizes this Coroner's vehicle. She would say that she was more than enraged when she heard of this because whenever the county vehicle goes down for one reason or another Earl uses their private owned Suburban and she feels there is a limit as to how much that she, as a taxpayer, have to subsidize the county because at Thanksgiving rather then having a turkey in her freezer she had to clear out a space to have body parts from the plane crash and in her refrigerator there is blood and urine specimans, and in their garage and basement they house dirty, wet,messy clothing, because we have no morgue and when Earl told her they were going to lose the Coroner's vehicle, that was the straw that broke the camel's back.

Dr. Wilson said his wife has stated very firmly that their house will not be used for the morgue.

Commissioner Cox said also she hates to have all these things hauled around in their personal Suburban because it is carpeted and the Coroner's vehicle is the bare necissities, no carpeting whatsoever, and it can be washed out with a hose.

Dr. Wilson said he will appear before Council in February.

RE: JUDGE THOMAS SWAIN...REQUESTING USE OF MEETING ROOM FOR INDIANA APPELLATE COURT

Judge Thomas Swain submitted the following letter, dated January 4, 1983, directed to Judge Swain from the Court of Appeals.

Dear Judge Swain:

The First District of the Court of Appeals would like to schedule oral arguments in Evansville on Wednesday and Thursday, March 9th and 10, 1983. Our tentative plans call for scheduling auguments on Wednesday afternoon and both morning and afternoon sessions on Thursday. We will supply further information later.

We would greatly appreciate your making space arrangements for us. Pleast advise.

Very truly yours,
Wesley W. Ratliff, Jr. Judge
Court of Appeals of Indiana

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Letter received and filed.

Judge Swain said the only reason he can imagine as to why this was addressed to him, was that he used to take care of it when they came down before and evidently they did not know who else to write to, but in any event, they would like to use either the Commissioners Hearing Room or the City/County Council Chambers, for the days stated.

Commissioner Cox asked Judge Swain if these meetings are like Evansville and Mt. Vernon cases that have been sent to the Indiana Court of Appeals and they come down here to hear those cases.

Judge Swain said yes, that this saves a trip to Indianapolis.

President Borries asked if it is not possible to use anything in the court building and Judge Swain said they really do not have anything large enough or convenient for this, however, he would suppose they could manage, if they had to.

Commissioner Cox said since this is on a working day she would think the court rooms would be in use. She asked Judge Swain which room they would prefer to use and he replied the Commissioners Hearing Room, if possible. Commissioner Cox said the room should not be in use those days and she certainly would not object to them using it, therefore she would move the request be granted. President Borries seconded the motion. So ordered.

Commissioner Cox asked Judge Swain if he will inform them these requests should be sent to either of the County Attorneys in the future and then you won't have to be bothered with it again.....he said he would.

RE: INVESTMENT RESOLUTION CONCERNING COUNTY FUNDS

President Borries said we have the Investment Resolution before us today concerning county funds that Attorney Jones prepared, that this is primarily the same Resolution we last approved instructing Mr. Volpe to continue investing the funds as he has in the past, except he is now to place all interest monies earned from investment of County funds into the County General Fund until the sum of $900,000.00 has been realized and deposited into such fund in the year 1983, or as otherwise directed by the Board of Commissioners.

Commissioner Cox moved the Resolution be approved. President Borries seconded the motion. So ordered.

RE: COUNTY CLERK...REDISTRICTING OF THE TOWN OF DARMSTADT

Helen Kuebler, County Clerk stated that on December 13, 1982, the following letter was put through the County Commissioners meeting.

TO: COUNTY COMMISSIONERS
RE: REDISTRICTING OF THE TOWN OF DARMSTADT

I hereby respectively request the redistricting of the Town of Darmstadt for the 1983 Town Elections.

Since the town is in the two different Senate Districts of 49 and 50, we need two precincts for this election.

That portion of Armstrong, Center 8 and German 3 which lies within the corporate boundary of the Town of Darmstadt as of December 31, 1982, Pct. I.

That portion of Scott Township that lies within the corporate boundary of Darmstadt as of December 31, 9182, Pct. II.

Sincerely,
Helen L. Kuebler
Clerk of Circuit and Superior Courts

Letter received and filed

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Ms. Kuebler said she understands that no action was taken by this Board on December 13, 1982, therefore she is present today to ask for approval, because this has to be two (2) Precincts since there is two (2) Senate Districts represented in the Town of Darmstadt and the law will not allow us to cross the Senate lines. Since the Election Office opens February 2nd, they will start filing the candidates and this needs to be done by then.

Commissioner Cox said Darmstadt has had an election before, but this is the first time their election falls under the jurisdiction of the County Clerk.

Ms. Kuebler said this is true, however, they will have to finance their own election.

County Attorney Miller said he would suggest that Ms. Kuebler consider referring this to the County Surveyor to draw suggestive lines to bring to us at the next meeting, that he would think this should be advertised.

Ms. Kuebler said there are four (4) townships in Darmstadt, that we must have two (2) precincts, that she checked with the State Election Board and they can cross township lines for Town and City Elections, but you cannot cross Senate lines. She said if this is approved she would like for it to be retroactive to what it is now for the following county election or else they would have to go back and redo it again.

Mr. Miller said yes, that would be the proper way to do it.

President Borries moved the request be granted and referred to the County Surveyor for precincts to be drawn, taking into consideration the Town of Darmstadt limits and also the Senate Districts. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID MILLER

Complaint...George S. Belcher and Ella Belcher:

Mr. Miller said he was out of town last week and upon returning this morning he found on his desk a copy of a complaint filed January 4, 1983, entitled George S. Belcher and his wife Ella vs The Board of Zoning Appeals of Vanderburgh County, the Area Plan Commissioner and the Civil City of Evansville. The Board of County Commissioners are not named and in checking with our Auditor he understands the Board of Zoning Appeals of Vanderburgh County is budgeted through the Area Plan Commission, and not part of the Commissioners budget. He does not believed the Board of Zoning Appeals of Evansville and Vanderburgh County has separate legal counsel. The Area Plan Commission of Evansville and Vanderburgh County does, who happens to be in his law firm. He would think that the matter of defense of this action could be handled on behalf of the Area Plan Commission and the Board of Zoning Appeals at one and the same time, that after reviewing this he does not think it necessary to have the County Attorney's defend this, therefore he would recommend, to the extent necessary, that this be referred to the attorney for Area Plan and authorize him to represent the Board of Zoning Appeals.

Commissioner Cox so moved. President Borries seconded the motion. So ordered.

Dismissal Entry...Henry W. Hunt vs Ed Beiderwolf, et al Mr. Miller submitted the following letter from Mr. Jones, along with a copy of the Dismissal Entry, letter dated January 7, 1983, and directed to the Board of County Commissioners.

Enclosed please find copy of Dismissal Entry which indicates that this action has been dismissed with prejudice. The form of the dismissal in the above-captioned cause forever bars the plaintiff from ever bringing this action again. You will recall that Mr. Hunt brought suit against the City and County, including the Sheriff's Department and certain officers for alleged personal injuries and demanded $600,000.00 in damages for each of seven (7) counts including $600,000.00 as punitive damages for personal injuries in connection with his arrest and incarceration. This case was dismissed pursuant to a Motion For Summary Judgment and has been decided on the merits.

Yours very truly,
David L. Jones
County Attorney

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Letter received and filed.

Letter from James Angermeier Requesting Legal Opinion of County Attorney:

Mr. Miller said in his absence he also received the following letter from County Assessor, James Angermeier, dated January 4, 1983.

Dear David,

Recently an inquiry was made by an abutted property owner to said property as to the ownership of said property, to the lacking of a so-called tax code and to the failure to have an assessment and taxes being collected on ownership by a private individual. My question is simply this : that by examination of said property it is not publicly used or publicly dedicated. Therefore, it should be tax coded and assessed and taxes collected as well as all the other privately owned or deeded property in Vanderburgh County.

The abutted property owner feels that the neglected area could become comparable property for maintenance purposes and taxes could be collected from such. Therefore a complaint was made.

The property in question is color coded on the enclosed map.

I would appreciate a legal opinion rendered by the County Attorney as soon as possible and a reply sent to my office.

Very truly yours,
James L. Angermeier
County Assessor

Mr. Miller said with authorization from this Board of Commissioners he will contact Mr. Angermeier, by letter, giving him his legal opinion.

President Borries moved that Attorney Miller be authorized to answer Mr. Angermeier's request. Commissioner Cox seconded the motion. So ordered.

Emergency Medical Service: Mr. Miller said he understands that there may have been some mix-up in sending the Commissioners the right draft of the County Ambulance Contract. The contract that was agreed to by the three (3) Commissioners and by Mr. Alexander was to have been approved last week. There is no dispute about what the agreement is, he just wants to make sure the correct draft was signed, so is that back from Mr. Alexander yet.

Commissioner Cox said that Ms. Meeks told her it was not returned to us yet.

Mr. Miller asked if it was the draft that was sent to each of the Commissioner's homes, by mail and Mrs. Cox and Mr. Borries both replied no.

President Borries said he understands it was the draft that was personally delivered to the Commissioners office.

Mr. Lewis said the draft that came before the Commissioners at last week's meeting was to have some minor changes, strikings, etc. and since last week's meeting the Commissioners received, by mail, one (1) copy only, of the amended contract.

Mr. Miller said that is fine, he only wanted to make sure it was the correct draft and when it comes back to the Commissioners he wants to read it, to make certain it is.

RE: ORDINANCE AMENDING THE CUMULATIVE CAPITAL IMPROVEMENT FUND

President Borries said we have before us today the Ordinance amending the Cumulative Capital Improvement Fund Chapter 36 of the Code of Ordinances of Vanderburgh County, as prepared by Attorney David Jones. The Ordinance was re-written to include Emergency Medical Services and read as follows:

WHEREAS, the Board of County Commissioners (the "Board") of Vanderburgh County and the County Council (the "Council") of Vanderburgh County have found and determined it to be in the best interests of the citizens of those areas of Vanderburgh County lying outside the corporate limits of the City of Evansville to encourage the availability of the Emergency Medical Services as defined by Indiana Code 16-1-39-2 to provide Advance Life Support or paramedic service as such term is defined by the Advance Life Support or paramedic service as such term is defined by the Indiana State Emergency Medical Service Commission and the Advance Life Support Consortium established by the general hospitals of Vanderburgh County, Indiana; and

WHEREAS, the Board desires to enter into an agreement with a provider of the aforementioned services; and

WHEREAS, the Board and the Council desire to provide a means of funding of said agreement;

THEREFORE, Be It Ordained by the Board of Commissioners and the County Council of Vanderburgh County, Indiana, that: Chapter 36 section 36.01 of the Code of Ordinances of Vanderburgh County, Indiana is hereby amended by adding a new sub-section (L) to section 36.01 as follows:

(L) Paramedic or Advance Life Support Services as that term (ALS) is defined by the Indiana State Medical Service Commission and the Advance Life Support Consortium established by the general hospitals of Vanderburgh County, Indiana.

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Commissioner Cox moved the Ordinance be approved. President Borries seconded the motion. So ordered.

RE: ORDINANCE ESTABLISHING CHAPTER 112 OF TITLE XI OF THE CODE OF ORDINANCES

President Borries said the Ordinance before us today is in regards to the Weights and Measures Department that is also funded through Vanderburgh County.

Ms. Loretta Townsend was present and submitted the following letter that was sent to the City when this ordinance was put before City Council.

March 15, 1982

The Common Council of the City of Evansville,

I have reviewed the proposed ordinances as presented by the Inspector of Weights and Measures of the City of Evansville and see nothing that is contrary to the State Laws of Indiana.

If you have further questions, please feel free to contact this office.

Sincerely,
Robert W. Walker, Director
Division of Weights and Measures

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Ms. Townsend said the Ordinance submitted has been in effect since last spring and eventhough it has not generated a lot, it has generated some funds. She has written five (5) citations and another one (1) ended up in court, which was $100.00 plus court costs. It has resulted in five (5) reinspection fees of $25.00 each, but she does not feel these problems will continue that it was simply a case of getting it across to them that we mean what we said to them.

President Borries said Attorney Jones has also written a letter concerning this Ordinance, that it is dated December 16, 1982 and directed to the Board of County Commissioners, and reads as follows:

Enclosed please find draft of proposed ordinance establishing inspection fees in Vanderburgh County by the joint office of Weights and Measures. This proposed Ordinance is coterminous with the City ordinance and, in many respects, contains identical language. Copy of this draft is being forwarded to Mrs. Townsend in the Weights and Measures Office, as well as the City Attorney, David Bunner, for any comments, corrections, or modifications.

Yours very truly,
David L. Jones
County Attorney

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Commissioner Cox moved the Ordinance be approved. President Borries seconded the motion. So ordered.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crew for the period of January 3 thru 7, 1983. Report received and filed.

Bond, In Regards to Hirsch Road: Mr. Guillaum said his office received an inquiry from the Bonding Company in regards to Hirsch Road Structure #93 and Mr. Brenner instructed him to refer it to the County Attorney at this meeting. At this time he submitted the inquiry to Attorney Miller.

Hogue Road Project: Mr. Guillaum said in regards to Hogue Road, that the plans the Commissioner viewed earlier, we are continuing to work on it trying to put it all together. He believes the engineer does have a legal advertisement ready and has a bid date, but he isn't in today so he cannot give the Board that information.

Maryland Street Bridge: Mr. Guillaum said concerning the X bracing on the Maryland Street bridge, where the diagonal members popped off and need replacing, he and a member of the bridge crew went by there again and they feel like it is on dry land and they can get under there with a couple of come-alongs and rent a portable welder and take care of the repair work themselves. In the mean time they are going to try to put together some preliminary engineering plans for renovation and repairs to the bridge, that it does need additional repairs to it in the future.

Weight Restrictions on Certain Bridges: Mr. Guillaum submitted the following list of weight limits on certain bridges:

(A) When signs are erected giving notice thereof, no person shall operate any vehicle having a gross weight which exceeds that specified on any of the following bridges:

ROAD NAME	OVER STREAM NAME	GROSS WEIGHT LIMIT (TONS)	VERTICAL CLEARANCE	BRIDGE NUMBER
Bender Road	Big Creek	10		17
Bixler Road	Big Creek	8		7
County Line Road	Bluegrass Creek	5		81
County Line Road	Fork of Big Creek	10		167
Golden Rule Road	Duck Pond Ditch	10		132
Heckel Road	Bluegrass Creek	10	21'5"	76
Kansas Road	Bluegrass Creek	8		80
Kings Road	Logsdon Slough	10		133
Kratzville Road	Pigeon Creek	18	15'	67
Maasberg Road	Branch Big Creek	8		62
Mann Road	Big Creek	10		5
Maryland Street	Pigeon Creek	15	20'	2*
Mill Road	Little Creek	8		41
Millersburg Road	Bluegrass Creek	8		77
Montgomery Road	Big Creek	10		6
Neumann Road	Big Creek	10	18'	2
New Harmony Road	Barr Creek	10		13
Nurrenbern Road	Branch Bayou Creek	8		118
Ohio Street	Pigeon Creek	20		3*
Old Bnvl Highway	Stock Flat Ditch	10		94
Old Henderson Road	Ohio River Drain	5		127
Old Henderson Road	Ohio River Drain	12		138
Old Henderson Road	Ohio River Drain	10		139
Old Henderson Road	Ohio River Drain	12		182
Old Henderson Road	Ohio River Drain	10		183
Old Henderson Road	Ohio River Drain	10		184
Old Petersburg Road	Bluegrass Creek	10		44
Outer Darmstadt Road	Branch Pond Flat	6		35
Outer Darmstadt Road	Pond Flat	6		34
Red Bank Road	Bayou Creek	12		55
Seminary Road	Duck Pond	10		131
Slate Road	Fork of Big Creek	10		143
Trapp Road	Barr Creek	6		20

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Mr. Guillaum said that four (4) of the above have been changed since this was compiled and right now he cannot tell the Board which ones they are, but he will come back next week with those four (4) changes.

Bids Referred to the County Auditor: Mr. Guillaum said he has several old bids they accumulated in their office and he would like to submit them to the Auditor at this time.

Problems in Union Township: Attorney David Miller asked Mr. Guillaum if he has had continuing meetings with Mr. Staub, concerning the problem out in Union Township.

Mr. Guillaum said they did have another meeting this past week and we expressed to Mr. Staub that the situation, as we see it,is the cost we would have in the pipe that the county would supply, and the fact we wanted it put back into place and the rock put back in and the road opened up. Mr. Staub said there was no problems in doing this, however, he told us that he wanted to get with the Union Township Levee people because he felt that putting back in a pipe as large as what was originally in there was not necessary, but we feel like we want something comparable to what was in there.

Mr. Miller told Mr. Guillaum to stick to his guns on this matter.

Mr. Guillaum said Mr. Staub wants to provide us proof that we don't need that large of pipe, therefore, that is what we are waiting on right now.

Mr. Miller said it might not be necessary right not, but perhaps that size pipe was installed for some future contingency and as long as that is what was in there then that is what we should have put back.

Mr. Guillaum said he will give Mr. Staub a call and indicate to him that we would prefer he use the pipe we have.

Commissioner Cox said she did receive a call from one (1) of the members of the Union Township Ditch Association and they are concerned about them having to foot the bill for all of this.

Mr. Miller said no they aren't, that Mr. Staub is going to foot the bill for all of that.

Commissioner Cox said the Ditch Association was told by Mr. Staub that the Association would be charged the $700.00 for the pipe and for bringing his machinery back into that area to put it all back in.

Mr. Miller told Mr. Guillaum to tell Mr. Staub that "nobody pays for Mr. Staub's mistake except Mr. Staub and if he tries to charge anybody I will file the suit that I told him I would file in the letter sent to him". If you, Mr. Guillaum, want me to tell him, instead of you telling him.....I will, because that is not something that Mr. Staub has a right to put off on anybody else. They took it out....they should put it back, and it's just that simple.

Commissioner Cox said the problem is that she does not believe that Mr. Staub made that decision on his own to remove the pipe.

Mr. Miller said perhaps Mr. Staub did not know it was being removed, that someone in his company made the decision to remove it.

Commissioner Cox said she also believes there were some members of the Ditch Association that gave them the go-ahead.

Mr. Miller said..if Staub had that kind of authorization, then they can bring the Ditch Association in, because that is not fair.

Commissioner Cox said they went through this with Mr. Bernard, in Union Township, when they want some seminary lands drained and they ran into problems. If they would just come to us, because she knows of three (3) culverts out there that we have lowered since she became Commissioner, but now they don't say a word, they just go out there and disrupt an entire road, and this is no way to cooperate with government.

Mr. Guillaum said they can give Mr. Staub a call and relay the message, but don't you, Mr. Miller, think it would be better to put it in form of a letter, and perhaps also set some kind of a time reference in it.

Mr. Miller said he certainly believes we shouldn't let anything happen, in terms of a final resolution of the problem unless you know all of the terms of a final resolution, including how the Ditch Association is involved.

Mr. Guillaum said they were willing to let the Ditch Association, or Mr. Staub, prove to us that a smaller pipe would work, that what Mr. Staub was getting at is that concrete pipe has a little better flow through then corrugated pipe, which means you can go with a somewhat smaller pipe, but here we are talking about going from an eight (8) foot pipe down to a five (5) foot pipe.

Mr. Miller said the engineering of it is up to the Surveyor's office, but the county should get back the value that the county lost.

Commissioner Cox said going by what was relayed to her, they, in Union Township, thought when the pipe was taken out they would be able to re-use it.

Mr. Miller said the pipe was destroyed, that they wanted it out and thought they could lift it out, but they couldn't, so they tore it out.

Mr. Guillaum said they sent a crew to look at it and they took photographs, which he submitted to the Commissioners, and then they had STS Consultants, from and engineering company located on Green River Road, and their analysis of the pipe was that it was somewhere between good and excellent, that excellent would have meant a new pipe.

Commissioner Cox said do you feel the pipe they intend to buy from us is a bargain at $700.00., and also what is the size of this pipe we have.

Mr. Guillaum said the pipe size is 9' X 7' and it is a sensational buy for $700.00.

President Borries said Mrs. Cox was on vacation when the photographs were submitted for the Commissioners viewing, so perhaps Mr. Guillaum could show them to her at a later date.

Mr. Guillaum said he contacted a couple of pipe companies and was told a pipe of this size, new, would run between $2,200.00 and $2,700.00.

Commissioner Cox said then their option is to buy this pipe from us for $700.00 or go out and purchase a new one for some $2200.00, or buy it from someone else,if they feel they can buy it cheaper.

Plans for First Avenue: President Borries said that Commissioner Cox talked to Mr. Paul Cantwell concerning plans for First Avenue, that are to be submitted during our meeting of January 12th. and those plans will be available for pre-inspection before the meeting for Mr. Gerard and Mr. South, as requested by them. These plans will be available on January 12th, by 3:00 p.m. in the Commissioners office.

Hirsch Road Project: President Borries said the Commissioner's office has received several phone calls concerning the Hirsch Road matter, so perhaps we should make some reference to the media that there is litigation involved in this project and that is why there is a delay at this point.

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

Up-date on I-164...Southern Portion: Mr. Gerard said there has been some discussion concerning I-164, southern portion and the proposed retirement village out off of Newburgh Road and he would like to try to bring the Commissioners up to date at this time. This particular site plan (he gave each one a copy) was submitted to the Area Plan Commission when the property was up for rezoning, that it is a drawing of what the developers are invisioning for that area. In November of 1981, at a public information meeting held concerning this, there were comments from the residents and the merchants primarily of Newburgh, with regard to the need to continue Newburgh Road down to making a connection to Covert Avenue. At that meeting one of the members of the trust had indicated their interest in making land available for the I-164 Interchange. A letter was sent to the Indiana Department of Highways making that offer and this particular site plan was attached to that letter. That information was transferred on to the consultants for the State Highway Department and one of the requirements for the environmental process is that the statements and comments that was brought up at the public information meetings or at a public hearing must be addressed in the environmental impact statement, that is not every single comment that is made, but substantive comments where a considerable amount of concern is expressed. To address those, a connection was put in with Newburgh Road and Covert (he showed drawings), and explained it was right at the S curve and the preferred corridor is the furtherest on the right hand side of the page, which goes into Warrick County. You can see where it comes along side the church, to the west of it. He said there are some constraints on the east side of the church, that there is a cemetery there. In December 1982, the local Area Plan Commission received revised plans for the Braunstein Retirement Village and he pointed out on the plans where that village is to be located and where the retention line is. He said there are lots of alternatives as to what could happen, one (1) could be the total redesign of the proposed development. Another possibility would be that the Newburgh Road connection would be dropped down. Another option would be some type of a revision to the road design so that it would be compatable with the proposed design for the retirement village. Another option would be that the state go ahead and build that road as planned with or without changes in the retirement village plans. He said tomorrow there is to be a meeting with Mr. Gene Hallick,Director of the Indiana Department of Highways, representatives of the trust, Mr. George Gibson and himself and he believes that all parties at this time are pushing toward revision of the design so that we can have the retirement village go in, have the Newburgh Road connection, but there is some flexibility as to how that connection is made down Covert Avenue Extension, but hopefully that will happen at this time.

President Borries said on this amended plan, are these to be for multiple storing or will it be all one (1) story.

Mr. Gerard said he does not know for certain but he believes it will be limited to two (2) or three (3) stories.

President Borries asked Mr. Gerard if the penciled in line shown here is I-164 and he replied no, that is the Newburgh Road connection.

Mr. Miller said he thought the proposal was to connect Newburgh Road with Covert Avenue on the east side of Morningside.

Mr. Gerard said that connection was proposed as part of the Covert Avenue Extension but with the interchange in that particular location on the east side of Morningside would have to come out, that it would have to go on the west side of Morningside.

Mr. Miller asked why it was moved from the east to the west side of Morningside and Mr. Gerard said because there are restrictions on the east side, mainly the cemetery.

Mr. Gerard said he merely wanted to up-date the Commissioners and make himself available to answer any questions and he will continue to work on it and keep the Commissioners informed.

Claim: Mr. Gerard submitted the following claim, concerning Covert Avenue Extension Project M-E 220 (1).

President Borries said the claim is reimbursement to the county from the Indiana State Highway Commission and is as follows, in the amount of $21,058.25

Reimbursement received from ISHC	
Vanderburgh County Portion $91,488.00 X 94.1% X 90%	
X 75% =	$58,110.89
Partial Payment 8/7/81	27,698.41
Partial Payment 2/11/82	9,354.23
TOTAL	$37,052.64
Amount Due	$21,058.25

Commissioner Cox moved the claim be approved. President Borries seconded the motion. So ordered.

Revenue Estimates: Mr. Gerard said tomorrow he will also be talking to the state people on the revenue estimates, road and streets, motor vehicle highway and the federal urban funds and rural secondary funds available to the county. He has already got some information and he imagines several other people in the building have as well. He will be wanting to meet with the Commissioners to develope the funding request from the federal government, as we do every year, that is, the F-82 forms, that he believes they are due the middle of February. It appears on preliminary estimate that group II cities, those between 50,000 and 200,000 will receive approximately $3 million dollars in Urban funds, so for Evansville we are talking probably $1 million dollars. He said there is some hazard elimination money, to improve hazardous intersections. He would certainly welcome any ideas from the Commissioners on how that money can be spent to best benefit the county.

Commissioner Cox said she would like to see the EUTS report of accidents at the various intersections, but one she feels we should really take a look at is St. Joe Avenue and Schenk Road. There is also a request for rezoning for a sub-division out there which could impact on us greatly by trying to hold a project up or by buying right-of-way after something is already built. This is a T intersection and she feels it would qualify for these funds.

Mr. Gerard said we have environmental approval on both St. Joe and Schenk and also on St. Joe and Meier and he believes design approval has been granted for St. Joe and Meier. He asked Mr. David South if he has been able to find any design for Schenk.

Mr. South responded by saying St. Joe and Schenk has had the documentation Mr. Gerard says, but we have never set it up in Local Roads and Streets, in other words, we have no authority to spend any monies in that intersection. He thought both of them were set up, but in checking it out, there is no account set up for Schenk, therefore no monies have been appropriated for it. Should we now attempt to set it up and go before Council for an appropriation, that there is no problem with getting it because we have sufficient uncommitted funds. He said he discussed this with the Commissioners three (3) or four (4) weeks ago and asked if we were to go ahead and try to run them both together or jump in on St. Joe and Schenk and he thought his answer was to stay off of this one until St. Joe and Meier was done, but now we have this sub-division going in out there, so this may change the Commissioners mind on it. We need to get together on this and try to determine how much right-of-way the road may take and at least protect that much right-of-way. Also we need to discuss if this is going to be

a two (2) lane or a four (4) lane road on out there, and this needs to be all worked out in the next week or so because we have field work and office work to do, so we need to make some decisions. Area Plan is pushing for a deadline and they want some answers by the first Wednesday of next month.

Mr. Gerard said concerning St. Joe and Meier, as the Commissioners will recall we are trying to get that reclassified and he will check and see where that stands but he sees no problem with it that it is a reasonable request. Assuming that request is granted we can start construction on it the latter part of the year. He said concerning St. Joe and Schenk, we could probably do the engineering and the construction within the same year.

Commissioner Cox said she thought both of these intersections were at the identical level as far as progress is concerned but was informed that Schenk was not where she thought it to be, but her feelings are that we should try to get it up to the same level as Meier.

President Borries said particularily if there is going to be development in that area, we need to bring it up fast. Commissioner Willner will return to the city on Wednesday, so perhaps we could set up a meeting to discusss this when he returns.

Commissioner Cox said concerning the two (2) or four (4) laning of St. Joe, what do the original plans call for and Mr. Gerard said they call for a two (2) lane road.

President Borries said he would tend to think we would go with two (2) lane for St. Joe and Schenk.

Commissioner Cox said so would she, because she feels if St. Joe was going to be four (4) laned it should have been done before the development between Pennsylvania and Maryland Street went up, because if you are going to four (4) lane it into Diamond Avenue you are going to have another bottle neck and she sees where that could have been one of the west corridors around our city to hook up with Ohio Street and Southlane Drive.

Mr. South said that Mr. Gerard also needs information on the F-82 forms and he would think he needs this information by the end of the month. A few months ago he gave the Commissioners two (2) flow charts, one (1) of them based on last years TIP and one (1) based on the assumption that Lynch Road Extension tied into the interstate, etc - etc - etc..and what would happen if that takes top priority to the rest of the jobs, that it is this kind of stuff we need to be reviewing to get some information to Mr. Gerard.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Mr. South said he needs some input from the Commissioners in the way of priorities and the assignment of priorities that his office is trying to handle, mainly, drive-way permits and how much involved we really should be. He needs to know some priorities to know where he is going to be able to squeeze some work in, and speaking of squeezing work in, this work on St. Joe and Schenk, in order to get what work we are going to have to get done for the APC meeting in February, it is going to entail some time over and above our normal work week because we are presently running well over 100% of what we can turn out every week. He will try to keep it at a minimum but he does not know where it is going to take us.

Commissioner Cox asked Mr. South what he is involved in right now that makes him say he does not believe he can take on this extra job without putting in some over-time hours.

Mr. South said basically we have a full time job for at least one (1) man just handling drive-ways and utilites right now.

Commissioner Cox asked how many permits do they do per day or per week and Mr. South said he believes they processed close to 200 drive-ways in the last six (6) months of 1982, that there is more construction going on out there than one thinks. As far as the utility permits are concerned, that is a monstrous thing and he is not sure they need to be doing all they are doing about them, that this is something else he needs some direction from the Commissioners on.

Mr. South said we come in at 8:00 and it seems like if you get an hour's work done before quitting time, it's because you've been real lucky and not received many phone calls and had people coming into the office needing help. He said the field work on Dale's part is drive-way and utilites.

Commissioner Cox asked if we are charging for those yet and Mr. South replied no.

Commissioner Cox said she did not think this extra job would be much of a problem because at one time we had Lynch Road and St. Joe projects going, plus drive-way permits and other duties.

Mr. South said when they were finishing up with Lynch and St. Joe there were no drive-way permits being filed, but now the Building Commission and the Area Plan Commission are telling people they must get drive-way permits and it mushroomed over-night.

President Borries asked Mr. South if he goes out, as well as Dale and he replied no, that basically he is in the office or he has been recently.

President Borries said but you would be available to do some of that, would you not?

Mr. South said yes, some of it.

Commissioner Cox said she also has a twenty-four hour a day job and she gets no extra pay when she goes out and looks at a bridge and she receives no mileage. Perhaps we are going to have to get a system going whereby you will say that Wednesday is the only day you will take drive-way permits and if they don't get it to you that Wednesday, they wait until the next Wednesday. She cannot see that every little project we ask for from you is going to mean over-time.

Mr. South said you aren't looking at a little project when you are talking about coming along later and doing designs. Dale will probably be doing most of the drafting and he, himself, will be doing the design.

Commissioner Cox said one of the main reasons for getting Mr. South an Assistant was in the long run to save the county money by doing some of the design work and some of the preliminary work in-house rather than to contract it out. We certainly don't want you to be over loaded but she did not think this would be that much of a strain on the office to get us this information on the Schenk Road project.

Mr. South said he would also point out that in the history of this county, until he arrived, the Road Inspector always worked with the Engineer and did this leg work that Dale is doing now.

Commissioner Cox said then what are the Road Inspector's doing.

Mr. South said we have only one (1), that being Lee Stucki, at the County Highway Garage.

President Borries said he believes that Mr. South can certainly work with Lee Stucki and if there are any particular items that Mr. Stucki could help out with he is sure he would do it, but he was not aware of any changes in Mr. Stucki's responsibilities. He said the Commissiones appreciate the work load that Mr. South has and will try to cooperate but we are severely limited to money and we cannot add any new personnel, so we do need to work toward organizing some kind of routine.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Telephone Seminar in Indianapolis: Mr. Lewis said he was instructed last week to check with interested parties concerning the telephone seminar to be held in Indianapolis. The School Corpoaration was interested but the man who could go has other commitments and cannot attend. The Building Authority was intending to go, but some other meetings came up preventing them from attending. The City does not have anyone wanting to go, so right now it looks like he and Mr. Bob Fortune will be the only two (2) attending. Mr. Fortune is going to use his own car and we are going to split the gas bill and we will pay for our own food, so it will be no expense for the county, however they are both requesting official approval.

Commissioner Cox said she feels they should certainly be entitled to mileage.

Mr. Lewis said he does not know how beneficial this trip will be to the county that they could return with a report it is a rip-off therefore they would rather do this at no expense to the county.

Commissioner Cox moved the request to travel be approved. President Borries seconded the motion. So ordered.

Discussion of County's Health Insurance: Mr. Lewis said concerning his work on the County's Health Insurance that he has given a three (3) year actuary account to the young lady, Ms. Parker, who is trying to gather all the material and get people interested in bidding on it. He seen her this morning and she now is requesting a monthly case pay-out breakdown for the past three (3) or four (4) years, but rather to ask Mr. Stumpf to gather this information, he feels it would be much better for the Commissioners to get a letter out to the Blue Cross office in Indianapolis asking them for this information.

Commissioner Cox moved the request for this letter to go to Blue Cross in Indianapolis asking for this information be approved. President Borries seconded the motion. So ordered.

Mr. Lewis said he received a call from an Insurance Company today requesting to be heard by the County Commissioners, in reference to self-insurance. He believes it is the same company currently representing the city and they will be in contact with us to set up a date and time.

Memo to All County Offices: Mr. Lewis submitted the following memo and asked permission to send it out to selected offices.

FROM: Vanderburgh County Commissioners
SUBJECT: Long Distance phone calls made from County offices to any location outside the State of Indiana.

A. The Board of County Commissioners have signed an agreement with Telemarketing Communications, Inc. to provide cheaper rates to the County for Long Distance Calls made by selected county departments. For the present this will cover only those calls made to parts outside the State of Indiana. It is anticipated that eventually this system will be expanded to cover long distance calls made within the state.

B. Selected Department Heads will be issued a security number which will be used in making all long distance calls to locations outside Indiana after January 10, 1983.

C. Rules and Regulations for new Long Distance System.

1. Department Heads will be responsible for issueing number and controlling the personnel in their department who will utilize the number.

2. All long distance calls made using this system will be made from phone's located in the department's office area and during that departments hours of operation. (i.e. Regular county offices from 8:00 a.m. to 5 p.m., Sheriff's Department, twenty-four hours per day, etc.

3. Those departments that receive a security card are obligated to use the new system only for calls outside Indiana. Long distance calls outside Indiana appearing on any future Indiana Bell billings, as being made after January 20, 1982, must be explained to the County Commissioners at their public meetings.

4. Jim Lewis, our Executive Liaison Officer, is responsible for the administration of this program. Whenever you have a problem or need to inquire about this new long distance phone service, he can be contacted at 426-5241.

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Mr. Lewis said we do already have a few numbers and there is no reason not to get started on using this service and he feels the officehead should make the decision as to whom they give the numbers to in their office. This will not be every county office, that he is going to start out with the Sheriff, the Prosecutor, Welfare and the Courts because they are the ones that will be doing the calling outside the state and then if other offices find they do a reasonable calling outside the state then we can add them in. He said he will hand carry the above memo to the four (4) offices he stated and will give them the numbers at the time they read the memo and then if there are any questions he will be there to answer them.

Commissioner Cox moved that the memo be signed and distributed as stated by Mr. Lewis. President Borries seconded the motion. So ordered.

Question from Bill Taylor Concerning the Health Insurance: Mr. Bill Taylor, Councilman, said he has a question on the report they are requesting from Blue Cross because you could be getting into confidential records here and he does not believe they will give out that information.
Mr. Lewis said this is not a request, by name, only a breakdown on money expenditures and in talking to several different companies he understands this is customary to get such a breakdown. He said he would be willing to give Mr. Taylor the lady's name and perhaps he can discuss it with her, but in checking with three (3) or four (4) large insurance companies he was told they won't give bids out without this information.

President Borries said he understands that Mr. Taylor is an insurance man and also an employee and representative of the county and we would certainly share these concerns because we would not want to try to pry into confidential records. What Ms. Parker wants is called "Month by Month Paid Claims" for the years 1980, 1981, 1982 and 1983. She is doing this work at no cost to the county.

Commissioner Cox said this information may very well not be available, but she assumed it would not show a person's name, that it would be just the total amount of the claims for those particular years requested, however, she would think that Mr. Taylor's concern is one well taken because we do need to protect our county employees.

President Borries said the lady's name we are dealing with is Brenda Parker, a consultant from Health Claims Specialists, Inc. and as was stated earlier, she is receiving no fee and expects no fee from Vanderburgh County, at this time.

Mr. Lewis said he would suggest that we call Mr. David Stumpf into the office and have Mr. Taylor, or anyone else interested in this insurance to come in and ask questions of this professional insurance man, because he, himself is no insurance man whatsoever, that he was only asked by the Commissioners to do a job and he is doing the best he can, that he gathered what information he could for her, as he was instructed to do by the Board of Commissioners.

President Borries said we certainly have a big job to do concerning the insurance, and we will contact Mr. Stumpf, but he would appreciate Mr. Lewis' involvement from a coordination standpoint.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: The weekly absentee report was submitted by Mr. Bethel for the employees at the county garage for the period of January 3 thru 7, 1983....received and filed.

Weekly Work Report: The weekly work report was submitted by Mr. Bethel for the employees at the county garage for the period of January 3 thru 7, 1983...received and filed.

Mr. Bethel said in the past week they used the grade-all on Nesbitt Station Road, Schroeder Road and they pretty well finished up today on Wedeking Avenue where they have been widening it. They patched on Old Petersburg Road, Big Schaffer Road, Duesner and Middle Mt. Vernon Road. The tree crew has been out on Old Henderson Road, West Franklin and Seven Hills. He said he will get the humps out of Broadway tomorrow.

RE: EXCAVATION ORDINANCE

The following letter was recieved from Attorney David Jones, with the attached Excavation Ordinance for the Commissioners tentative approval. The letter was dated December 16, 1982 and directed to the Board of County Commissioners.

RE: Excavation Ordinance

Enclosed please find third revised draft of the proposed excavation ordinance reflecting changes discussed at the initial hearing on this ordinance.

It would be my recommendation that copies of this ordinance be distributed to utilities and other interested parties who attended the prior hearing. Rather than adopting the ordinance at this time, it would be my recommendation that you signify tentative approval of the ordinance and forward it to the Public Service Commission of Indiana with a request that they review the ordinance and signify their approval of same with respect to provisions relating to public utilities. If the Public Service Commission approves this ordinance, it may be returned to Vanderburgh County for public hearing and final passage.

Very truly yours,
David L. Jones
County Attorney

Commissioner Cox moved tentative approval be given to the Excavation Ordinance and that it be forwarded to the Public Service Commission of Indiana and to the utilities. President Borries seconded the motion. So ordered.

RE: LETTER AND CHECK FROM SHELL OIL COMPANY

The following letter was received from Shell Oil Company with the enclosed check for $6,714.02. Letter was dated December 20, 1982 and directed to the Board of County Commissioners.

Enclosed as per your invoice dated December 1, 1982, is a check for $6,714.02 as payment for repairs to Ruston Lane. We sincerely appreciate your cooperation, and look forward to working with the Commissioners in the future.

Very truly yours,
W.C. Shahan
Manager Mining Engineering

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Letter received and filed.

Commissioner Cox moved the check be signed and turned over to the County Auditor to be put into the County Highway fund. President Borries seconded the motion. So ordered.

RE: LETTER AND CHECK FROM HELFRICH INSURANCE COMPANY

The following letter was received from Helfrich Insurance Agency with the enclosed check for $27,300.00. Letter was dated January 7, 1983 and directed to the Board of County Commissioners.

The enclosed draft for $27,300.00 covers the Boiler loss of June 17, 1982 per the agreed settlement.

Please advise our office when you are ready to install the new equipment. The new equipment, regardless of type or size, requires an inspection by representatives of the insuring company.

Thank you for your cooperation.

Very truly yours,
John D. Hodge

Letter received and filed. ********

Commissioner Cox moved the check be signed and referred to the County Auditor to be placed into the County General Fund. President Borries seconded the motion. So ordered.

RE: AGREEMENT FROM DAVID M. GRIFFITH AND ASSOCIATES

President Borries said the Agreement with David M. Griffith, which we enter into every year needs to be approved for 1983. The following letter accompanied the Agreement, dated January 3, 1983.

Our firm (in conjunction with the Association of Indiana Counties,Inc.) prepared a cost allocation plan in 1982 to assist your county in recovering the administrative costs of federally-sponsored programs. This plan enabled you to be reimbursed for administrative costs in such programs as Food Stamps, AFDC, Child Support, etc.

This program will continue to yield additional reimbursements for every year that a plan is filed. However, to insure a continuing flow of recoveries, you must update the plan in 1983 with 1982 financial results. Otherwise, you will not be eligible to claim these costs in the future.

In cooperation with the Association of Indiana Counties, we are prepared to assist each of you in updating your plan this next year.

The following is our fee schedule for 1983 (based upon the latest population figures available for your county).

County Population	1983 Fees
Under 25,000	$3,900.00
25,000 to 49,999	$6,000.00
50,000 to 99,999	$7,600.00
200,000 to 499,999	$11,600.00
Over 500,000	$15,200.00

Payment of our fees may be made from indirect cost reimbursements received in 1983. Of course, payment is still contingent upon counties recovering costs in excess of our fees and the terms of our contract for services are the same as last year.

We would appreciate your prompt return of our enclosed contract for continuing services. Please indicate the earliest date that we might begin work on your plan. We very much appreciate working with you again this year.

Robert J. Hart
Vice President

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Letter received and filed.

Mrs. McBride said in 1982 we received $102,682.90 from them and she believed their charge to us was about $11,000.00 or $11,300.00.

Commissioner Cox moved the Agreement be approved. President Borries seconded the motion. So ordered.

RE: LETTER FROM TEAMSTERS UNION REPRESENTATIVE CHARLES A. WHOBREY

The following letter was recieved from Charles Whobrey, dated January 4, 1983 and directed to the Board of County Commissioners.

This is to inform you that Raymond E. Cook has been duly selected to serve as alternate steward for the union members of the Vanderburgh County Highway Department.

The responsibilities of a steward are to ascertain, with reference to the Union, those who are members and those who are due to become members. It is the further responsibility of a steward to discuss any grievances that may arise between the employer and the employees.

A steward does not have authority to call a work stoppage, slowdown or any other cessation of work in violation of the existing contract.

Raymond E. Cook as alternate steward, does not hold super-seniority.

Very truly yours,
Charles A. Whobrey
Business Representative

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Letter received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the Wausau Insurance Company on Bucyrus-Erie Company.....recieved and filed.

RE: LETER AND STATEMENT OF VALUES FROM HELFRICH INSURANCE AGENCY

President Borreis read aloud the following letter from Helfrich Insurance Agency, dated December 22, 1982 and directed to the Board of County Commissioners.

Gentlemen,
In order to update the property insurance coverage, a new Statement-of-Values must be completed and signed every year.

Enclosed is the Statement-of-Values for the County property effective January 1, 1983. These values were developed by using the prior year's figures and updating them using inflation and depreciation factors supplied by Indiana Insurance Company's engineering department. Further adjustments were made based on a review of all values and an inventory of personal property by Conrad Cooper, Mark Tuley, Denzil Reed and James Lewis.

These figures appear to be as accurate as possible at this time.

Please have the three pages signed and returned to our office as soon as possible. We are available at any time if you have any questions.

Very truly yours,
John D. Hodge

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Letter received and filed.

Commissioner Cox moved the Statement-of-Values be signed and returned to Helfrich. President Borries seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Helfrich Insurance Agency for the annual billing for the Law Enforcement Professional Liability Insurance from 1-1-83 to 1-1-84, in the amount of $19,250.00, from the Great Southwest Fire Insurance Company and is the same as 1982.

Commissioner Cox moved the claim be approved. President Borries seconded the motion. So ordered.

A claim was submitted by James Will Insurance Agency, Inc. for the public officials bond for Conrad Cooper, Manager of Vanderburgh Auditorium, in the amount of $30.00.

Commissioner Cox moved the claim be approved. President Borries seconded the motion. So ordered.

A claim was submitted by the Soil and Water Conservation District for the first half of the 1983 budget, in the amount of $970.00.

Commissioner Cox moved the claim be allowed. President Borries seconded the motion. So ordered.

A claim was submitted by Statesman Insurance Company for a $15,000.00 bond for Sheriff Clarence Shepard, in the amount of $244.00.

The Commissioners questioned why the high cost of $244.00 and referred the claim to Mr. Lewis to check out and report back next week.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

AUDITOR....REASSESSMENT

Joanne A. Matthews	2000 Vann Ave.	Part-time	$30.00 Day	Eff: 1-10-83

COUNTY COMMISSIONERS (SOIL AND WATER CONSERVATION)

Arnold Heilman	R.R.3 Millersburg Rd.	Tech P/T	$5.76 Hour	Eff: 1-10-83

VANDERBURGH COUNTY RECORDER

Sheree Fairrow	747 E. Gum St.	Deputy	$10,260.00 Yr.	Eff: 1-3-83

PROSECUTOR...IV-D

Sheryl Weiss	3120 Edgewood Dr.	Secretary	$10,154.00 Yr.	Eff: 1-17-83
Nancy Bowers	6433 Newburgh Rd.	Secy P/T	$ 6,500.00 Yr.	Eff: 1-11-83

PROSECUTOR

Charlie Andrus	670 Audubon	Dep. Pros.	$22,100.00 Yr.	Eff: 1-17-83

APPOINTMENTS....CONTINUED

CIRCUIT COURT

Connie S. Gard	1301 John Street	Prob.Dept. Clk.	$10,741.00 Yr.	Eff: 1-1-83
Shirley Ann Roll	1709 S. Vann Ave.	Law Librarian	$10,260.00 Yr.	Eff: 1-1-83

SHERIFF

Clarence Shepard	7320 Woodford Ct.	Sheriff	$23,791.00 Yr.	Eff: 1-1-83
Donald R. Humston	2300 Turpin Lane	Chief Deputy	$22,723.00 Yr.	Eff: 1-1-83
Mark Mabrey	1922 E. Blackford	Lieutenant	$20,806.00 Yr.	Eff: 1-1-83
James L. Fravel	2133 Ravenswood Dr.	Corporal	$17,994.00 Yr.	Eff: 1-1-83

VANDERBURGH SUPERIOR COURT

Maurice O'Connor		Judge	$14,545.00 Yr.	Eff: 1-3-83
Deborah L. Ray	617 E. Powell	Court Reporter	$16,217.00 Yr.	Eff: 1-3-83
Louis Carnaghi	10 Taylor Ave.	Bailiff	$11,775.00 Yr.	Eff: 1-3-83
Denise Durst	2405 E. Walnut St.	Riding Bailiff	$12,991.00 Yr.	Eff: 1-3-83

RE: EMPLOYMENT CHANGES.....RELEASES

CUMULATIVE BRIDGE

Dan Tuley	1524 S. St. James	Laborer	$13,192.00 Yr.	Eff: 1-10-83

COOPERATIVE EXTENSION SERVICE

Robert Kimbrough Jr.	429 Adams	P/T	$30.00 Day	Eff: 12-31-82

SHERIFF

James DeGroote	2905 E. Mulberry	Sheriff	$23,291.00 Yr.	Eff:12-31-82
Mark Mabrey	1922 E. Blackford	Chief Deputy	$22,223.00 Yr.	Eff:12-31-82
Donald Humston	2300 Turpin Lane	Corporal	$17,494.00 Yr.	Eff:12-31-82
James Fravel	2133 Ravenswood	Lieutenant	$20,306.00 Yr.	Eff:12-31-82

CIRCUIT COURT

Michael Peeler	1251 Crossgate Dr.	Public Def. Inv.	$4.50 Hour	Eff: 1-1-83

VANDERBURGH SUPERIOR COURT

Leann Pinkston		Riding Bailiff	$12,991.00 Yr.	Eff:12-31-82
Alan Kissinger		Judge	$14,545.00 Yr.	Eff:12-31-82
Christy Reiter		Court Reporter	$16,217.00 Yr.	Eff:12-31-82
James Barron		Bailiff	$11,775.00 Yr.	Eff:12-31-82
Charles Kratz		Prob. Officer	$16,678.00 Yr.	Eff:12-31-82

PROSECUTOR IV-D

Charlie Andrus	670 Audubon	Deputy Pros.	$16,500.00 Yr.	Eff: 1-14-83

PROSECUTOR

J.Michael Woods	R.R.6 Box 339	Deputy Pros.	$16,500.00 Yr.	Eff: 1-17-83
Charlie Andrus	670 Audubon	Deputy Pros.	$ 5,600.00 Yr.	Eff: 1-17-83
Sheryl Weiss	3120 Edgewood Dr.		$ 9,740.00 Yr.	Eff: 1-17-83

COUNTY RECORDER

Sheree Fairrow	747 E. Gum Street	Mortg. Deputy	$10,260.00 Yr.	Eff: 1-14-83
Dorothy Lindsey	1625 Delmar (L/A)	Mortg. Deputy	$10,260.00 Yr.	Eff: 1-3-83

There being no further business the meeting recessed at 5:30 p.m.

48.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Richard L. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 17, 1983

The meeting of the County Commissioners was held on Monday, January 17, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: DISCUSSION OF NEW PARK BOARD ORDINANCE

President Borries said that Mr. Jack Corn, Ms. Carolyn McClintock and Ms. Sue Hartig are present tonight to explain the new park board ordinance, effective January 1, 1983.

Mr. Corn said under the ordinance that was passed on June 18th, filed in July and published on August 2 and 9,1982 and effective January 1, 1983, the Board of Park Commissioners is expanded from four (4) members to five (5) members, with two (2) members being appointed by the County Commissioners and three (3) members by the Mayor. The Mayor has already made his appointments and at this time he would ask the Commissioners to make theirs. He said at this time he will give this Board the reasons why they felt the park district should be extended and was. The first reason was that in May of 1983 we will be opening a new park in the county, which will be rather large and will require a considerable amount of maintenance costs. We already have two (2) facilities in the county, the two (2) boat launching docks at Angel Mounds and Dog Town and there was the feeling the park should be funded by the whole county and not just the city and one of those reasons are that they just recently spent a little over 1½ million dollars to upgrade the city parks and they are now in reasonably good shape. He guesses there are some questions as to why Burdette was excluded. At the point and time they passed the ordinance the Commissioners had just recently assumed control of Burdette and was working on solving some of the problems and money difficulties out there, that they felt like perhaps the Commissioners would like to continue until such point and time when a decision was made to either turn it over to the city, perhaps contract it to a private individual or continue to run it yourselves. He stated the reason for their action and he would again ask that the Commissioners consider appointments to the board, so that we can continue on with our business.

Commissioner Cox asked if there are any qualifications or any residence limitations to the appointments the Commissioners should make and Mr. Corn said only that they must both live outside the city limits, but inside Vanderburgh County and one (1) must be Republican and one (1) must be Democrat.

Commissioner Cox asked if there are any salaries paid to these appointees and Mr. Corn replied no.

Commissioner Willner asked if there was some reason why the Board of Commissioners were not made aware of what was going on in the park department for a step of this magnitude being taken. He knows it was published in the paper but there was very little said publicly about it and the Commissioners, to this day, were never officially notified by the City nor the Parks Department that this was in process or that we would be required to make these appointments.

Mr. Fred Stocker said he would like to ask Mr. Corn why they left out Burdette Park, that he stated it was because of the confusion. He would like to read a portion of the Statute of what they were to go by, that it states "in a second class city the board may adopt a resolution to extend the boundaries of a district to the county boundaries". It does not say he can pick and choose or do things as he sees fit, therefore he would like to know why they did not stick to the letter of the law.

Ms. Hartig, City Attorney, responded by saying the Statute says "may" and not "shall".

Mr. Stocker said also, what does this do to the Town of Darmstadt, that the Constitution of Indiana says that people may govern themselves as they see fit and that is what the Town of Darmstadt chose to do and now we have an appointed board that is going to override that Constitution.

Mr. Bill Harty, 4112 Court Street, was present and stated he is Vice Chairman of the West Side Improvement Association and he would like to know how much will the tax assessment be on every $100.00 in the county and Ms. Hartig said that tax is not set by the park board.

Mr. Harty said when they were talking merger last year he appeared here representing the West Side Improvement Association and again he would like to talk about some issues because undoubtedly this will bring the merger about. He would take issue of the statement that the parks are in good shape...there are still stumps in Garvin Park from the June 8, 1982 storm. He also visited the other parks and he would say they too are in bad shape. The two (2) boat ramps that the city operate in the county are leased. He said in the past, they on the west side, have all been for anything that is good for the parks but looking back we can see one thing, any park in the west side, has been left to deteriorate. The Howell Booster Club now takes care of Howell Park and the Zoological Society now takes care of Mesker Park. He would say if this merger takes place then the next thing he sees is on down the line the west side will be left without a park once again.

Ms. Shirley James, President of the West Side Improvement Association was present and stated she took a survey of their board to find out if she was the only uninformed individual on it and she found that not one (1) single individual on their board was informed of this situation and was completely unaware of the extent to which it had been carried. Her own personal opinion is that she is for the merger of some units of government if it cuts costs because she is for cutting costs, but she does not think this is an appropriate method to influence people, that it leaves a very irritating feeling to people. She said it would have helped had the news media given it a little more emphasis, she believes. She asked if anyone has considered what effect this 18¢ would have on the farmer, that they have in West Side Improvement's boundaries, some seven hundred, fifty eight (758) farmer/owners. She asked today at the ASC office what is property going for now days in the farm area, and she was told between $1200.00 and $1500.00 per acre, so if you take a person owning three hundred (300) acres and even if he is taxed 18¢ per assessed valuation, it is going to put him up there in a pretty hefty tax situation. The farmers are very hard hit right now and she thinks if this goes through, the farmers should certainly have special consideration, because she doesn't believe they can stand much more. Also, farmers do not use the park system, however, they use Burdette because the facilities are not expensive but they do not use the park system.

Ms. Kathy Mann, President of Vanderburgh County Council was present and stated she is speaking as a concerned citizen tonight, and not representing the county council with her views. She would say that she too is for merging, when it is feasible, but she believes this should have been discussed between all bodies at an earlier stage of planning. She said her own children grew up going to a free city pool and had they had to paid for that they would not have gone very often and she was grateful for that for her children, however, she has been in favor of a users fee rather than taxing all of the citizens for services they do not use.

Commissioner Willner asked if Hamilton Golf Course was deleted also or does that become part of the city also.

Mr. Corn said no it does not, that the county owns it and leases it to Hamilton.

County Attorney David Miller said just for the benefit of those present who oppose this idea he would say the city authorities followed very closely the statutory guidelines that are set out by the Legislature. There is not one (1) earthly thing that this Board of Commissioners can do about what has come to pass. There is in the statute a provision that provides for remonstrances to be filed and a public referendum to be held on the question following the passage of the Ordinance, such as the one in question here tonight. It has not come to his attention that a sufficient number of remonstrances have been gathered nor that any remonstrances have been filed. The Board of County Commissioners have very very little discretion in complying with the Ordinance, as passed by the City Park Board, inasmuch as the Statute has been followed, unless the question can be raised concerning the ability of the city to exclude a particular park or a particular part of the un-incorporated area. He happens to agree with counsel for the park board that the city does have the power to selectively include and exclude certain areas of the un-incorporated parts of the county, but the Commissioners, if they agree or disagree, do not have the power to determine whether or not the park board has acted properly or wisely in this area.

President Borries said it has been the purpose tonight to allow anyone interested and effected to speak and they do appreciate the city officials taking the time tonight to explain this. The Commissioners will take the appointments under advisement and act accordingly.

RE: RON SAULMAN...KNIGHT TOWNSHIP TRUSTEE...LOAN REQUEST

Mr. Saulman said he is present tonight to request a $100,000.00 loan for the Knight Township Trustee's office. He said his budget for Poor Relief is $38,007.00 and in his Direct Relief all he has is $3,663.00, that his budget has been cut $68,947.00. He said in checking back in 1982 he sees where they spent $52,297.65, which is an average of $4,358.14 per month. He presently has $16,600.00 in Federal Revenue Sharing, which is an average of $1,383.33 per month. Since he opened the door the first of the year he has received some 344 applications for help. Project CAPE is out of money, so that means the Trustee's office is going to have to pick up the remainder. He said in checking with the Catholic Charities he finds out they are just about out of money also.
Presently he has a bill for $17,000.00 on his desk, for school books and the School Corporation is wanting their money.
He said he has had a conversation with Mr. Frank Eads of the state tax board and he advised him to appear before the Commissioners with the request. He has had to give many denials because he does not have the money and he is sure that this Board will have several of these people here appealing his denials.
He said he has already received a call from Legal Services and he is going to be sued, not because he turned them down, but he couldn't give them all they wanted. He said as of February 1st he is cutting his non-food items in half, that Pigeon has already done this and it looks like he is going to have to also.

Commissioner Cox said when Mr. Saulman says "they" cut almost $69,000.00 from his budget, who does he mean.

Mr. Saulman said the state cut him, that the original budget was $106,954.00 and the state cut everything out of the B-1 and B-2 account. When he receives his Federal Revenue Sharing check that will be $16,600.00 and he will transfer that into his Poor Relief.

County Auditor Alice McBride said the law says that Mr. Saulman must inform her that he has no money.....she then informs the Commissioners, and the Commissioners must see that he gets it through either a loan or a bond issue.

Attorney Miller said it seems we are in the same position with Knight as we were with Pigeon last year, it just came earlier for Knight. He asked if Mr. Saulman is running in the red and he replied no, but as of the last of January or the first of February, he will be.
Mr. Miller said the statute is mandatory and there seems to be no logical reason why the state would not take into account the reality of the situation in Knight Township and allow an appropriation of some kind because they know that Mr. Saulman is going to have to come before the Commissioners and that the statute will have to be followed by the Commissioners, that this thing is like a merry-go-around and it continues to get worse every year that we sit here.

Mr. Saulman said this was all new to him and he honestly did not realize what the state did to him at the time it was done, but he certainly knows now.

Mrs. McBride said she talked to the state and told them the county did not have this money and she was told then we have only one (1) alternative....go to a bond issue. She believes that Pigeon is going to have problems before the year is over and they too will probably be before the Commissioners requesting a loan.

Commissioner Cox said what happened to Mr. Jones' advise that this could be added on to those people's taxes in the township that is effected.

President Borries said philosophically he has some real problems with bonding for Poor Relief, that to him it's like having to borrow for your next meal. He said Knight Township would probably be better able to pay for this type of thing then perhaps Pigeon Township, but he has some real problems with doing this. He asked Mr. Saulman if he could come up with a tight budget, submit it to the Commissioners and they would try to do something or make some recommendation to the County Council.

Mrs. McBride said she understands there is a law that could be passed in this Legislature that would allow us to borrow the money instead of going to a bond issue, that it would be some cheaper.

Commissioner Willner asked Mr. Saulman if he is aware of the fact that he cannot deny anyone simply because the money is not there, that as long as they qualify, you must give it to them, that the absence of finances makes no difference whatsoever and Mr. Saulman said yes, he is aware of that law.

Preisdent Borries instructed Mr. Saulman to work on a budget and submit it to the Commissioners and it will be worked on.

Mr. Jim Lewis said the $100,000.00 figure discussed, is that all for Poor Relief, that he is interested as a resident of Knight Township and Mr. Saulman said it will be used for Poor Relief only and no fire protection.

RE: DIANNE FLOYD...CHAMBER OF COMMERCE...CONCERNING STATE LEGISLATION

Ms. Dianne Floyd, representative of the Chamber of Commerce was present and stated that Mr. Rob Matthews, Governmental Affairs person for the Chamber of Commerce is in Indianapolis most of the week and he asked her to please appear today, in his behalf, and update the Commissioners on the Local Option Legislation for Vanderburgh County, that is being introduced, that this Board of Commissioners endorsed late last year. She said the Legislation was introduced in error because it did not include the Evansville-Vanderburgh School Corporation in the distribution of revenue generated from any local option sales or income tax, but this has now been revised. Also, you may have noted there are some personality conflicts occurring between our area Legislators on this matter and Rob is attempting to resolve those and he would appreciate any help the Commissioners could give by contacting the Legislators and incouraging them concerning the importance of this legislation. According to the Rules of the House of Representatives...the last day for introduction of Legislation is 2:00 p.m. on the fifteeth (15) day of the session, which will be Monday, January 24th. Mr. Matthews feels if we are going to get the legislation into the hopper we need to have all of our Legislators sign on before Monday at 2:00 p.m. She said Rob has been in contact with Representative Pat Keily, who is the new Chairman of the House Ways and Means Committee and Pat has indicated that there is a possibility that a state wide local option legislation would be introduced on the floor of the House and Pat feels there may be enough bi-partisan support for that, but if he cannot get that bi-partisan support he would consider the possibility of introducing local option legislation for select urban areas such as Vanderburgh County where a financial crisis is being faced. Rob would like for the Commissioners to contact Pat Keily as well as all the local Legislators. Mr. Matthews would also like to invite the Commissioners, anytime they are in Indianapolis on a Wednesday evening, to stop by the Columbia Club, rooms 706 and 707, that the Legislators are there every Wednesday evening.

Commissioner Willner asked Ms. Floyd, on the new Legislation, is there a change on whether this would stay in Vanderburgh County or go to the state on property tax relief.

Ms. Floyd said she is not aware of any changes, that the only change Rob indicated to her was in regards to including the School Corporation in the disbursements of revenue.

President Borries thanked Ms. Floyd for appearing tonight.

RE: REZONING PETITION VC-9-82...THIRD READING

Petitioner: Southwestern Indiana Southern Baptist Association, Inc. P.O. Box 4157 Station A, Evansville, Indiana
Owner of Record: Same as above

Premises affected are situated on the est side of Oak Hill Road, a distance of 1129.38 feet North of the corner formed by the intersection of Whetstone Road and Oak Hill Road. The common address is 6850 Oak Hill Road and is presently zoned Agricultural and the requested change is to Residential Office (R-O). Present existing land use is recreational,vacant and the proposed land use is for office space.

Mr. Allan Pollock, Director of Missions for Southwestern Indiana Southern Baptist Association, Inc. was present to speak on the rezoning request.

President Borries said the EUTS report has been submitted and states that Oak Hill Road is a two-lane facility which carries 4,634 vehicles per day near the subject property. The proposed use is not estimated to produce any significant traffic volume, and visibility at the sight is adequate. A driveway width of 24' to accommodate two-way traffic is recommended.

Mr. Pollock said they have approximately twenty three (23) acres out there and they are requesting that a 1.02 acre tract be rezoned. Currently the land they own is being used for recreation, that they have two (2) ball diamonds and a shelter house.

President Borries asked Mr. Pollock if they can comply with the EUTS report concerning the driveway and he replied yes, that they are willing to do whatever is necessary.

Commissioner Cox asked Mr. Pollock what type of building did they plan to construct and he replied it will be 40' X 80' and it will look like a house and the exterior will blend in with the neighboring homes, that it will have an asphalt shingle roof. Mr. Pollock submitted to the Commissioners a site plan, showing the floor plan of the building and also the elevations. He said the office will be in use approximately eight (8) hours per day and there will be an occasional night meeting, board meetings, etc. He said their conference room in the building is about 25 X 40 feet and he understands it will accomodate about sixty (60) people.

Commissioner Cox asked if this will be a church associated building and Mr. Pollock said yes, that they have some thirty eight (38) Southern Baptist churches in their Association and about twenty five (25) in in this area that they work very closely with, and it is their contributions that support our Association.

President Borries called for any remonstrators.

Mr. Richard Steedman of 6519 Whetstone Road was present and stated the proposed rezoning abuts his property, to the rear. He said the area we are talking about is on Oak Hill Road between Lynch Road and Indiana 57 and is a completely residential neighborhood, other than for agricultural purposes, that there is absolutely no commercial development of any kind in this entire area. He and some of his neighbors have been very concerned about the precedent being set here if the R-O zoning should be granted.
It has not been explained to him way a Special Use Permit would not be more applicable to this since it is a religious association, because that would not have the impact that a permanent rezoning would have. He also understood Mr. Pollock to say at times there could be as many as sixty (60) people attending a meeting there, but he also understands there are only sixteen (16) parking places there, so it appears that would not be adequate.
At this time Mr. Steedman submitted a petition stating "The undersigned property owners and residents of Vanderburgh County, Indiana, object to the proposal to allow R-O zoning and ask the County Commissioners to deny the above referenced petition". The petition had sixteen (16) signatures on it.
Another thing that concerns him is the sewer facility, that city sewers are not available in this area--that they all have field bed systems and they have the basic water problems as it is now and he sees where this could add to those problems, and he does not believe it has been fully addressed by the petitioner.

Mr. Pollock said first of all there is an area north of Voight Road, on the right hand side of the map, that is zoned R-O.
Concerning the Special Use Permit, he would say they did discuss that with the Area Plan Commission office and we were advised the best way to go would be the R-O zoning.
He would also respond to the sewer problem, that he knows there are some problems with the field beds. There is a drain that runs across their property and it does have drainage in it from time to time, from the property that is located next to ours, however, they are also aware that there is a possibility of a sewer that is near Voight Road and they have talked to the developer of the sewer, Don Barnett, and there is a possibility they might be running that sewer to their property. They do not know what it is going to cost but if some of the neighbors who are having problems with their field beds would like to attach to city sewer, they would be happy to share the cost. We do want to be a good neighbor and will do everything possible to make this work.

Commissioner Cox said concerning the sanitary sewer, would you have to cross someone else's property in order to get it onto your property and Mr. Pollock said the line is some 1400' away and in talking to Mr. Barnett about this he was told there would be no problems with running it on down Oak Hill Road. Mr. Barnett told him the line is on the other side of Voight Road and it would have to run across three (3) or four (4) other properties before he could get it to him.

President Borries said concerning the parking slots, do you foresee enough of them that you will have adequate parking for everyone at one of yours night meetings, that he understands there will be only sixteen (16) parking places.

Mr. Pollock said they had Don Mills to draw up their plans for them and according to the size of the building and the amount of people it will hold, he recommended sixteen (16) parking slots and told us that would be adequate, however, we do have another area behind the building that we could use for parking should they need it, that he foresees no problems.

President Borries said again he is wondering why this could not fit into a Special Use Permit type of thing instead of rezoning it R-O.

Beverly Behme said a church could be on a Special Use, but this is for a district office building.

Mr. Steedman said since this is a charitable type organization he understands a Special Use Permit would be all required.

Commissioner Cox said she can understand the concern by the neighbors out there, that if she lived out there she would be objecting also because with an R-O zoning there are many things that could end up out there and once you grant a rezoning for a piece of property it stays, henceforth. She read aloud a list of the many things that could be put on that piece of property, should an R-O zoning be granted. She said she would have no reservations about a Special Use, but she does have reservations about rezoning it.

Mr. Pollock said they have no problem with a Special Use either, it was just his understanding the rezoning would be best.

President Borries said with all the concerns stated here tonight, he would recommend this be continued for thirty (30) days, that Mr. Pollock work with Area Plan and then a decision can be reached at our February meeting.

Mr. Pollack said that would be fine with him.

VC-9-82 was continued until February 21, 1983.

RE: SPECIAL USE PERMIT 32-82-APC

Applicant: Henry and Sue Dyehouse

President Borries said the Area Plan staff field report said this special use #18 request is for a one operator beauty salon in a single family residence. Circular drive is shared with adjoining property owner and will provide adequate parking and access. The present zoning is Agricultural.

Ms. Dyehouse was present and stated she is requesting a one (1) chair beauty shop in her basement and she will be the only operator.

President Borries asked if there were any remonstrators present....there were none.

Commissioner Willner moved that Special Use Permit 32-82-APC be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 2-83-APC

Applicant: Jackie Flowers

President Borries said the Area Plan staff field report states a special use for a church was approved 12-15-80, subject to drainage board approval. The church is now requesting to place a day care center for children in the walk-out lower level. State approval for remodeling existing church to accomodate up to 45 children has been given.
The location of this is 333 S. Boehne Camp Road and the present zoning is Agricultural.
There was no one present to speak for or against this special use request.
Beverly Behme asked that this request be continued for thirty (30) days....request granted.

RE: JIM RICE - ADI CONSULTING ENGINEERS - CONCERNING ROAD AND BRIDGE FUNDS AVAILABLE

Mr. Rice said he has a piece of information in hand, not so much in line with availibility, but more with the use of funds. He said he will be quite brief and limit his remarks. Specifically, he would like to reference work they have done in a neighboring county, that being Warrick County. Over a course of about two (2) years there has been

a concept, what he feels has been put in practice, which he would like to present to this Board of Commissioners, in view of the fact you probably are faced daily with questions concerning lack of jobs, lack of funds and lack of good roads. What he would briefly like to mention, for the Commissioners consideration, concerns the use of in-place coal recycling asphalt pavement. Warrick County has used it's own county forces in a fairly extensive program, that they were able to obtain the stress road funds and they are currently underway on an approximate 2½ to 3 million dollar road program, and the critical part of this road program is the in-place coal recycling of asphalt pavement. He feels that a county could save as much as 60-70% as this could be used on simple maintenance as well as new projects. Eventhough this may sound complicated, it really is very simple. Warrick County owns it's own recycling machine and some of their county employees have been routinely involved in the recycling process. This very briefly is what he wanted to mention to the Board of Commissioners tonight and he would like to leave information concerning his firm with this Board and he would reference anyone to Mr. Virgil Gerhardt, Administrator in Warrick County, if there is any interest.

President Borries thanked Mr. Rice for appearing tonight and asked him if he was referring to a cold mix process and he replied yes, there is no heat involved. President Borries said the Commissioners will study the information left by Mr. Rice.

RE: OPENING OF BIDS ON HIRSCH ROAD BRIDGE

Commissioner Willner moved that county attorney proceed with the opening of bids on Hirsch Road. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID MILLER

Letter From Michael C. Keating - Hirsch Road

The following letter was submitted for the record, received from Michael Keating, Attorney for Southwest Engineering and directed to the Board of Commissioners. Letter is dated January 13, 1983 and reads as follows:

RE: Hirsch Road Project/Southwest Engineering, Inc.

Dear Messrs. Willner, Borries and Ms. Cox:

In response to your letter of January 4, 1983, Southwest Engineering would offer to resolve the dispute which has arisen as follows:

Recision of the contract, and the turning of the project back over to the County in exchange for payment to them of $17,800.00 for work done to date, as well as payment for steel and materials purchased per the invoices and claims which have been filed. Obviously, upon reimbursement for those pruchases, the County would be entitled to the materials which they have received. In so agreeing, Southwest Engineering, Inc. is foregoing some of the actual expenses incurred to date, and is making no claim for labor which has already gone into assembling and preparing the materials which they have in storage. They are also relinquishing their right to file suit and claim any additional damages they have incurred.

As an alternative, the problem which arose over the Hirsch Road Project has been the quality of the borrow provided by the County. According to Southwest Ingineering's experience and expert tests which they had performed, they could not guarantee the condition of that road for the one-year period which is required by the contract with the County. They might be willing to complete the project per the original contract, using the dirt provided by the County, in the event that the County would be willing to waive the one-year warranty requirement and would agree in writing to indemnify them against any claims filed or suits brought against them as a result of the road condition.

Yours truly,
Michael C. Keating

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Letter received and filed.

Mr. Miller said he has discussed the matter of the Hirsch Road project problem and Southwest Engineering's position with representatives of the Surveyor's office and he has made it clear that we believe, based upon the information that we have, that South-

west's contract has been terminated by proper notice and Southwest Engineering is not entitled to any particular kind of remuneration, in addition to what they have already been paid, however, we will be willing to discuss with Southwest's representative any proposal for a resolution of the dispute that we now have. Essentially, Southwest is asking for $17,800.00 as a settlement price for moving off of the project and we believe the county's position is that Southwest Engineering is not owed anything at this point, but he will discuss this matter with Southwest's representative and bring it back to the Commissioners before any disposition is made.

Comment on Deferred Compensation Program

Mr. Miller said he received a letter on January 14th with respect to a retirement program that is provided by the National Association of Counties and the county employees were allowed, on a volunteer bases, to enroll in a deferred compensation program. Several employees in the county have complained because they elected to enter their funds in to this program into a particular kind of investment and some of them say they were assurred the income on that investment would not fall below certain guaranteed minimum interest rates, but yet late in 1981 or early in 1982 it did fall below those rates and they, the employees in the program, were not informed of this. He has spent some time looking into the situation, per letter received from Mr. Borries and Mrs. Cox and it is his opinion that there may be a meritorious complaint on the part of those who permitted their funds to be invested in what was called the money market fund of the Deferred Compensation Plan, one (1) of several which was available, however, it is also his conclusion that those claims would be private in nature, that they would not be something the county should authorize being pursued, at county expense, and while he believes that if those people were told the kinds of things they said they were told and if they can prove it, then he believes they have a good claim, but that is not something the county should become involved in, that it is a private claim and it could be made on behalf of all of them, just the same as on only one (1) and could be done as a class action or the cost shared, that there would be many ways this could be handled, but he would recommend the Commissioners do not get into it.

Commissioner Willner said this is one of the pitfalls, that before that plan was implemented in the county, it had the approval of the Commissioners and when you let a payroll deduction be done for someone other than for the county then you get into the possibility of endorsing that item and when troubles appear then they come to us and say "why did you endorse this"? He agrees with Mr. Miller, but he feels in the future the Commissioners must be very very careful of the plans that we let county government participate in.

Commissioner Cox said at the last meeting she and Mr. Borries moved, seconded and passed that a letter be sent to PEBSCO, requesting someone come to us and explain this to our employees and a copy of that letter was to be sent to the National Association of Counties and the Indiana Association of Counties, so are you saying this should not be done.

Mr. Miller said he does not believe there is anything wrong with doing that, however, he was not aware of that request, that the letter he received on the 14th. simply told him to contact Mr. Volpe, Mrs. McBride and and a couple of other persons involved in the plan. He will send a letter to the organization, that he does have the address and all the particulars and he would be happy to do that.

The Commissioners all agreed to Mr. Miller writing the letter asking for representation from the office come to Vanderburgh County and explain things.

Law Suit: Dale Peterson vs Vanderburgh County et al

Mr. Miller said the following letter was received from the law offices of Clark, Statham, McCray, Thomas & Krohn, dated January 13, 1983 and directed to him.

This is to advise you as County Attorney that the above lawsuit against the Commissioners of Vanderburgh County has been settled, as to Vanderburgh County on a loan receipt agreement. The plaintiffs in each case will continue to pursue the case against the co-defendant. The case will be dismissed as to Vanderburgh County.

If you have any questions, please contact me.

Yours truly,
Stephen Hensleigh Thomas

Letter received and filed.

Comment on Mann Road Project: Mr. Miller said he received a letter this past Friday from Ann Thomas, who represents a number of people out in the northern part of the county around Mann Road and Big Creek. That law suit is simply dragging on and on, that it involves drainage problems that appeared out there after one Kenny Adler allegedly changed the routing of a ditch, through a field, and the county was included in the law suit on the basis of the plaintiffs belief that the county has a continual obligation to solve all the drainage problems around the county for any reason, whatsoever. He said there is a proposal contained in this letter that involves the placement of a ditch along the north side of Mann Road, between the present ditch and Big Creek and it set forth the position of the plaintiff's that there is an easement present, a seventeen (17) foot easement, in which the county could place such a ditch and that it may well solve the problems. He would like, with the permission of the Commissioners, to refer this letter to the County Surveyor's office, so that they can take a look at the proposal and get back to us and tell us if this is a reasonable proposal in terms of execution and if the county can do this at a minimum cost, it sees to him that it is a way for the county to walk away from the law suit and make the people out there happy and not spend a lot of money also.

Commissioner Willner moved the letter be referred to the Surveyor's office for further study and recommendation. Commissioner Cox seconded the motion. So ordered.

Two (2) Minor Changes in Contract with Alexander Ambulance Service, Inc.

Mr. Miller said he has been in contact with Mr. Tom Alexander, who had some requests for minor adjustments to the agreement to provide ALS and EMS services in the county. The changes were to change the charges for the mast trousers, which is one (1) of seventy one (71) particular charges, to a flat fee of $25.00 and also in paragraph nine (9), to more clearly acknowledge that the equipment that is being maintained to service residents can be used as back up by Alexander to make their private runs, in any part of its service area. These were two (2) items that had been agreed to and the changes were requested in order to more clearly assure Mr. Alexander that this was the agreement.
At this time he would submit the original and three (3) copies of that contract to the Commissioners for their signatures, so that it can be forwarded to Tom Alexander for his approval. It was effective January 1st and the services are being performed already. Commissioner Willner moved the Agreement be signed. Commissioner Cox seconded the motion. So ordered.
Letter from Burdette Park Concerning Fishing Regulations:

Mr. Miller said he received the following letter from Mark Tuley, Burdette Park Manager, dated January 11, 1983.

Dear David,

As per our conversation today, I am forwarding you a copy of the 1982 Indiana Fishing Regulations. David, it is the recommendation of our local conservation officer that we adopt the state standards. By doing this we will be able to protect our lake for years to come. I talked to Commissioner Borries and he instructed me to send you this and have you draw up the ordinance. David, we might want to add a few things to this; such as, no boats, no minnows, no limb lining and no night fishing. By adopting these as part of our ordinance it will help keep our insurance cost down and allow the sheriff to help enforce this ordinance.

Sincerely,
Mark T. Tuley
Burdette Park Manager

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Letter received and filed.

Mr. Miller said he is not fully advised on this matter but he understands there is a lake at Burdette that has been stocked and will be available for fishing very soon, if it isn't already. He would recommend the Board take this matter under advisement, with final decision coming later. Mr. Tuley also submitted a brochure with his letter and he would also submit that to the Commissioners for their viewing, that discussion should occur when Mr. Tuley is present, and also perhaps a representative of the Conserviation Department should be present.

Commissioner Willner asked if it is possible to do this any other way, other than an Ordinance.

Mr. Miller said he thinks the Conservation people have all the authority they need, however he has not talked to them, so he is not sure.

Commissioner Willner said one of the things that bothers him is the night fishing, because we already have some vandelism out there and he feels like this might add to that problem.

Mr. Miller said you, the county, own the park and you decide what time to close it at night and you do not have to have an ordinance to do that, so he believes this can be done without an ordinance, that he believes what the Conservation Officer wants is some additional authority to impose a fine.

Commissioner Cox said the one thing we are confronted with here is that the state has dredged and re-stocked that lake at Burdette and she knows at one time a person sixteen (16) and over had to have a fishing license to fish out there.

President Borries said they will inform Mr. Tuley of the decision here tonight and have him contact the Conservation Officer and perhaps have him attend our next meeting to discuss the matter.

RE: CONRAD COOPER...AUDITORIUM

Preliminary Bid Specifications for Boiler at the Auditorium: At this time Mr. Cooper submitted the preliminary bid specifications for the boiler at the Auditorium to the County Attorney. These were received from Biagi and Associates and they have assured us they will have the final copies to us by Wednesday of this week and then the Commissioners can take action on them at next Monday's meeting.

Letter Requesting Transfer of Items from Burdette Park to the Auditorium: President Willner said the following request was received from Mr. Cooper.

Dear Commissioners,

Please allow the transfer of the following items from surplus at Burdette Park to the Vanderburgh County Auditorium and Convention Center.

Four (4) battery powered six (6) volt emergency lights
One (1) small stainless steel kitchen sink
one (1) steel typewriter table

These items could be placed on the auction of surplus county property, however, they can be put to good use at the Vanderburgh Auditorium and Convention Center with little or no repair for refurbishing.

Sincerely,
Conrad Cooper

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Commissioner Willner moved the request be granted.

Commissioner Cox asked if these came in as surplus items from Burdette and Commissioner Willner said some of them, yes.

Commissioner Cox said she has not seen any of them.

President Borries seconded the motion. So ordered.

Letter From Southern Indiana Gas and Electric Company: Mr. Cooper submitted the following letter, dated January 14, 1983.

Dear Customer:

You are invited to attend a meeting of our industrial and large commercial customers to be held at 10:00 a.m., February 4, 1983, in the lower level conference room of the Hulman Building, located at Fourth and Sycamore Street in Evansville. Our Chief Executive Officer, Mr. Norman P. Wagner, will address the group on a number of subjects such as gas and electric rates, including the cost of Construction Work in Progress (CWIP) in the utility rate base, the schedule for new electric generation, and so forth. At the conclusion of his talk, Mr. Wagner will entertain questions from the group.

If you plan to attend the meeting. please take a minute to complete and mail the enclosed attendance card.

We are looking forward to seeing you at the February 4th meeting.

Very truly yours,
L.E. Mastin
Director of Marketing and
Area Development

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Letter received and filed.

Mr. Cooper said he always makes it a point to try to attend this meeting, that is held every year and it might be a good idea for some of the other officials to attend.

Comment Concerning the Use of Telemarketing at the Auditorium: Mr. Cooper said the gentleman from Telemarketing contacted him and discussed the new long distance phone service the county now has with him and he understands for $50.00 he can be added to the system.

Mr. Lewis said we don't have to pay anything additional, that all the county departments can be included.

Mr. Cooper said he was told it would cost $50.00 because the Auditorium is not on the Centrex System.

Mr. Lewis said he will contact them because they gave the city a really good deal and he can't see why the Auditorium cannot be included free.

Commissioner Cox asked Mr. Cooper what his telephone bills run a month, approximately, that is for long distance, out of state calls.

Mr. Cooper said he could not give a definite figure but he knows their phone bill altogether runs about $400.00 per month. He said a lot of this, and he has not figured out a way to stop it yet, is unauthorized calls from the box office. He talked to the Telephone Company about getting phones without dials on them for the box office and was told it would run about $150.00 to make the switch over.

Commissioner Cox said she thought that only one (1) person ran the box office and Mr. Cooper said no, whoever sells the tickets are the ones in there.
Commissioner Cox asked if they pay a fee to rent the box office and Mr. Cooper said no, it goes with the Auditorium.

Mr. Lewis suggested perhaps a little lock could be placed on the dial.

Commissioner Cox said the bill would show the time and date the call was made, so you could pin it down and Mr. Cooper said by the time we get the bills most of these people are long gone, and when you confront others with the question, they say they know nothing about it.

Commissioner Cox said when you stay in places such as the Executive Inn, you get your long distance billing immediately, so couldn't we work out something with the phone company along this line and Commissioner Willner said those go through a switchboard at the hotel/motels.

Mr. Cooper said there is equipment available that will allow us to activate a line from our office, that is, long distance calling would come through the office before it is completed. Carl Wolf Sound is checking on some figures for him but he hasn't heard anything yet.

President Borries said Mr. Lewis will check with Telemarketing and they will get back to Mr. Cooper.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crew for the period of January 10 thru 14, 1983. Report received and filed.

Bids on Hirsch Road Bridge #93: Mr. Miller said he has examined the two (2) bids recieved for the completion of Hirsch Road Bridge #93 and find them both to be in order. Bids are as follows:

Key Construction Company, Inc.	$138,352.45
Deig Brothers Construction Co.	$132,517.50

Mr. Guillaum said they want to make sure they are following the correct procedure but they would really like to look these bids over and make a recommendation to award it before tonight's meeting is over, because time is really getting short.

Commissioner Willner asked what the original bid price on this project was and Mr. Guillaum said approximately $138,500.00, so both of these bids are under that.

Mr. Guillaum said they did make it a point to instruct both Deig and Key of what we have and they both thoroughly examined the site and know exactly what they are getting into and what we expect of them. He said in discussing this with Mr. Jones he understands the Commissioners should probably declare this an emergency project and then if the bids are in order, to proceed with the awarding of the contract.

Commissioner Willner asked if the Commissioners have officially declared Southwest Engineer's contract to be in default.

Mr. Miller said there should be affirmative action from the Commissioners terminating the contract, at which time you would have authority, if you found an emergency to exist, to contract for a public work project without advertising for bids, if bids are issued, upon invitation, from at least two (2) persons known to deal in the public work required to be done.

Commissioner Cox asked if these bids include all materials and Mr. Guillaum said yes, absolutely. She said according to the letter from Michael Keating it seems as though Southwest has already bought a portion of these materials and have them on hand, that they are wanting $17,800.00 to settle the matter.

President Borries said he would like to wait a week before awarding this contract, that there are still some un-answered questions and Mr. Guillaum said in light of what we are dealing with he believes too, that this should wait at least another week and he will come back with a recommendation for a contractor next week.

Commissioner Cox asked if the bids call for a one-year guarantee and Mr. Guillaum said it is in the specifications....one-year warranty requirement.

President Borries said after checking with the County Attorney he would now entertain a motion to declare Southwest's contract in default.

Commissioner Willner moved that Southwest Engineering, Inc. contract, concerning Hirsch Road Bridge #93 is found to be in default and that it be null and void. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Commissioner Willner moved the Hirsch Road Bridge #93 project be declared an emergency project. Commissioner Cox seconded the motion. So ordered.

Comment on Title for County Owned Van: Mr. Guillaum said he needs to remind the Board of an old matter that was never resolved, in that United Auto Rental sold us a van approximately 1½-2 years ago and we never received the title on it. The matter was turned over to Mr. Jones, but they haven't heard anything, so he is wondering if Mr. Jones has anything on it and should it be pursued further.

Mr. Miller said he knows nothing on it but that he will check with Mr. Jones.

Hogue Road Project: Mr. Guillaum said they advertised for bids for the repair and widening of the structure at Hogue Road #50 at Carpenter Creek, on January 14 and 21, 1983, and these are to be opened on January 24, 1983, which is next Monday.

Happe Road Project: Mr. Guillaum said concerning the Happe Road project, the pipe has been installed and we met with Staub and the people from the Association. We added two (2) more end sections on out there, which make it 40' now. The people from the Association first took issue of the fact they should be billed for the $700.00 pipe

and we informed them that we did not authorize anyone to take the pipe out in the first place but the Association wanted him to remind the Commissioners that they had cleaned under some of the bridge structures out there that amounted to quite a bit of money and they wanted the Commissioners to remember that. We bent over backwards to try to accomodate the problem they had there.

Commissioner Cox said she would ask Mr. Guillaum again, what was the size of the pipe we have at the garage, that we are going to charge the $700.00 for, that the minutes of last week quote you as saying it is 9' X 7'.

Mr. Guillaum said yes, the 9' foot is the span demension and he drew a little sketch showing Mrs. Cox how one is measured, that the pipe installed out there now is 7' in diameter.

Kleitz Road Project: Mr. Guillaum said the Mr. Bob Golf has all the paper work on the purchasing of right-of-way for Kleitz Road project and understands he is pursuing his attempt to purchase this property for the county.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Eichoff-Koressel Contract: Mr. South submitted copies to each of the Commissioners and one for Mr. Jones, of the contract for Eichoff-Koressel. He would suggest this be re-viewed this week, that he knows there are a couple of changes, that the page numbers do not coincide because they had to put two (2) documents together. Most of this is on the word processor in the Attorney's office so we can make any changes next week and get it ready to send to United, if the Commissioners so wish. He said this is patterned after the standard agreement that the state suggested for guidelines with those areas we felt weren't well covered from past experiences.

Annual Report for Local Roads and Streets: Mr. South said that since this is a rather lengthy document, he only produced one (1) of them, but he would like to submit to President Borries at this time, the annual report for Local Roads and Streets, which has a summary of all the projects and how much money is left over and how much is committed and where the money went this year. If either of the other Commissioners want a copy, please tell him and he will make one for them.

Legal Notice of Intent on Urban Federal Aid Route: Mr. South said this week in the mail he received the legal notice of intent on Urban Federal Air Route which was published by the State Highway Commission, on Burkhardt Road, basically stating that no hearing is required, that we requested and the time for requesting is past - etc, etc. and we are in the final stages so this project is winding down.

Letter From Morley and Associates Concerning Three (3) Change Orders: Mr. South said a few weeks ago the Commissioners approved three (3) change orders on the Burkhardt Road Improvements, with Morley and Associates, which were sent to Indianapolis, but evidently they weren't satisfied with the forms used, therefore he is presenting the following, in letter form,to be signed by the Commissioners and sent to the Division of Local Assistance.

RE: Supplemental Agreement for Change Order Items-Burkhardt Road Improvements.
Our Project #81-468-1

Dear Board Members,

Three change orders were submitted to the Indiana Department of Highway for the Burkhardt Road Improvements. In order for the Federal Highway Administration to concur with these change orders, a letter of supplemental agreement executed by the County Commissioners must be received.

Change Order #1 is an increase in soils work necessary to meet the requirements of IDOH soils section. This increased amount totals $66.25.

Change Order #2 is for additional engineering work required to prepare survey descriptions and plats for temporary and permanent right-of-way necessary to complete the project. The total amount of this work is $1,680.00. Attached is the manhour justification for this change order.

Change order #3 is the reconciliation of the estimated environmental services to the actual services performed. This is a reduction of $2,299.39 because a full environmental impact statement was not required.

The total net effect of these change orders is to reduce the maximum amount payable by $553.14.

If you approve of these changes, please sign below and forward a copy of this letter to the Division of Local Assistance. Please return one copy to us for our records.

Yours truly,
Ronald A. McGillem
Vice President

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Mr. South recommended the letter be signed, that it is identical to the change orders approved earlier by this Board.

Commissioner Willner moved the letter be signed. Commissioner Cox seconded the motion. So ordered.

Comment on Two Percent (2%) Contribution: Mr. South said the only other question he has is today a Pledge Card was floating around his office and he was asked if this pledge was voluntary or a requirement and he could not answer the question, so he is asking the Commissioners.

President Borries said he is not prepared to say what it was about but he would assume it is voluntary.

Commissioner Willner asked if this was a United Way Pledge Card and Mr. South said no, he believes it is what is commonly referred to as "The 2% Club", which is a political contribution.

Meier Road and Schenk Road Projects: President Borries said last week the board discussed the Meier Road and Schenk Road intersections and he is wondering if there is a time whereby the Commissioners can meet with Mr. South and talk about them, or at least Schenk Road.

Mr. South said the questions are, number one (1), the overall review of the Local Road and Streets and number two (2), where are we going to take it next year so that the TIP program can be prepared. The bottom line is do we move it up and go to council and ask for funding in the Local Roads and Streets to start it.

Commissioner Willner said he spoke with David Gerard today and he understands there is some 90/10 money that might be available now for intersection improvements and we discussed the Meier and Schenk Road projects and Mr. Gerard thought those might be the best intersections to update, since the plans are ready for them.

Commissioner Cox said the rush on this is the decision that is pending before the Area Plan Commission for a sub-division development at Schenk Road and St. Joe Avenue and APC is faced with the problem of what to tell the developer on how much area we are going to need so they will know how far to set back so that homes aren't built now and then come next year and us get sacked with having to buy all of this. Mr. Biggerstaff very verbally criticized us for not being able to give him the information of how much right-of-way is necessary. We are working in a time frame and APC needs to know.

Commissioner Willner said he would agree with Mr. Biggerstaff that you cannot change the rules in the middle of the game, that here is a man with a piece of ground that he wants to sub-divide and he has played the game according to all the rules and now all of a sudden we want to change the rules and say, maybe, because we're going to upgrade this intersection that we don't want this zoning to go through, and he feels this is putting the old blackmail game on the person that owns that property. That is the same thing that APC went through on the nursing home that might be in the way of I-64. That is not an excuse to stop the project because it might be a year before we know exactly and again we might never do it.

Commissioner Cox said suppose you build a big beautiful home out there, would you then want the county to come along in a year or two and completely destroy it.....no you wouldn't, and you would have a right to know this project is on the books to be done. With the liability the county has and with Meier and Schenk both being as dangerous as they are, we cannot afford to sit on them and not do something out there.

Commissioner Willner said we cannot ask the property owner to wait for two (2) years.

Commissioner Cox said we aren't asking him to do that, that we delayed it for thirty (30) days.

Commissioner Willner said and what will be done in those thirty (30) days.

Mr. South said assuming he doesn't get any negative reactions, and so far he doesn't have, we are going to be able to guesstimate how much right-of-way will be required and then it's going to be up to the Commissioners to decide whether we want to ask for some waivers and purchase some right-of-way in advance of the project, or perhaps he should say "obtain" instead of "purchase" R/W, because how you do it is still up in the air. He would also like to comment about everyone playing by the rules except us bad guys, he thinks is a bunch of bull because that person told us back in October when he applied for the permit that he had no intentions of developing and we challenged him when he requested two (2) drive-ways in there, so we have been delayed three (3) months and have had nothing but incooperation this whole mess.

Commissioner Willner said he believes that Mr. South is wrong, that he doesn't have any plans to develop the property, that it is for sale.

Mr. South said he is sub-dividing and that is development of property in the most general terms.

Commissioner Cox said the reason it was postponed for the one (1) month was not because of the right-of-way problem that it was because they wanted a drive-way down at the foot and also up at the crest and APC did not oppose to the one at the crest, only the one at the foot because they felt it was highly dangerous and we asked them to go back and re-design, so it came back in January with a frontage road right next to St. Joe Avenue, which would be directly in the right-of-way that we would need to improve the Schenk Road intersection. She said in thirty (30) days we won't know about federal funding but we should be able to say approximately how much R/W we will need and the elevation.

President Borries said he will talk to Mr. Gerard tomorrow and the Commissioners all agreed to meet at 3:00 p.m. Thursday, January 20th, if this was alright with Mr. Gerard. Mr. South agreed to that time and date also.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of January 10 thru January 14, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of January 10 thru 14, 1983...report received and filed.

Mr. Bethel said they had their gradeall on Wedeking Avenue, Darmstadt Road, Middle Mt. Vernon Road, Mesker Park, Green River Road and Weinbach Avenue. They patched on Roth Road, Old Petersburg Road, Baseline Road, Bataan Lane, Marleen Drive, Woods Road, Hepler Road, Martin Station Road, Scott Road, Scott Road and Schroeder Road. They had tree crews on Old Henderson, West Franklin, Five Dollar Road and Kleitz Road. They also cut the humps on Broadway.

Request for Leave of Absence: Mr. Bethel submitted the following letter, dated January 17, 1983 and directed to the Board of Commissioners.

Mr. Donald W. Williams is requesting a leave of absence for approximately thirty (30) days due to illness. He is asking that the Highway Department pay the county portion of his insurance.

Sincerely,
William Bethel
Superintendent

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Mr. Bethel said that Mr. Williams has suffered a stroke, that he is getting better, but not able to return to work yet.

Commissioner Cox said he would have to get a doctor's statement and subject to that statement being submitted she would move the request be granted. Commissioner Willner seconded the motion. So ordered.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Meeting of Emergency Medical Service: Mr. Lewis said there is to be a meeting on emergency medical services at 1:30 p.m. on Thursday, January 20th.

Request for Four (4) Days Leave: Mr. Lewis said he would like to request a four (4) day leave, without pay, next Tuesday, Wednesday, Thursday and Friday, that he must travel to Washington D.C. for business that does not involve the county or the state or his job.

Commissioner Cox asked him doesn't he have vacation time and he replied yes, but he would rather not take it then, because this is one of those cases where he will ask those people in Washington to pay him his four (4) day's pay, that this involves a forty (40) million dollar suit.
Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM COUNTY AUDITOR - CONCERNING TRANSFER OF OFFICE MACHINE

The following letter was received, dated January 14, 1983 and directed to the Board of County Commissioners.

At this time I am requesting to accept the following calculator offered to me by Mr. Conrad Cooper, Manager of the Vanderburgh Auditorium, because he informs me he no longer needs it and my office is in dire need of it.

Burroughs...Style J-704-J Serial Number 327443F.

Thank you for your consideration in this matter.

Sincerely,
Alice McBride
Auditor, Vanderburgh County

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: CHECK FROM THE HARTFORD INSURANCE COMPANY

Received was a check from The Hartford, for a County Highway employee, in the amount of $380.00. Highway employee is Cecil D. Sills, 708 South 11th. Street, Evansville, Indiana.

Commissioner Willner moved the check be signed and put into the Highway fund. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO TRAVEL....COUNTY CLERK

The following request to travel was received, dated January 10, 1983 and directed to the Board of County Commissioners.

Re: State Election Board Meeting

Please find attached a copy of the letter from the State Election Board announcing a called meeting for all Clerks of the State of Indiana to be held in Indianapolis on January 25 and 26, 1983.
I respectfully request you permission and approval for my attendance at said meeting.

Helen L. Kuebler, Clerk
Vanderburgh Circuit and Superior Courts

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO TRAVEL - PERRY TOWNSHIP ASSESSOR

Received was the following request to travel, dated January 11, 1983 and directed to the Board of County Commissioners.

I respectfully request your permission for myself and Chief Deputy, Glen Koob, to attend the State Board of Tax Commissioners, annual Assessor's Conference. The conference will be held in Indianapolis, Indiana on February 1,2 and 3, 1983.

As per attached letter, the State Board of Tax Commissioners will certify per diem and mileage.

Sincerely,
Harry A. Tornatta
Perry Township Assessor

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

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

Submitted was the monthly report of the Clerk of the Circuit Court for the month of December, 1982.....report received and filed.

RE: LETTER OF RESIGNATION FROM LOUIS CARNAGHI

Received was the following letter of resignation from Mr. Louis Carnaghi.

To whom it may concern:

This is to advise that due to my acceptance of the position of Bailiff in Superior Court Division I, under Judge Maurice O'Connor I will have to resign my position on the Board of Zoning Appeals, effective immediately.

Louis Carnaghi

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President Borries said this will necessitate us making an appointment on that board, therefore we will take the matter under advisement.

RE: MONIES ENCUMBERED FOR 1983

President Borries said we have received from the County Auditor a list of 1982 monies encumbered into 1983, that it shows the grand total of encumbrances in the amount of $1,557,098.90. He said this was discussed this afternoon in a finance meeting with the Auditor and the county council. Report received and filed.

RE: CLAIMS

The following claims were submitted by the City of Evansville for the joint departments.

Reimburse for 50% of Civil Defense for November,1982, in the amount of $1,681.15

Reimburse for 50% of Purchasing Department for November, 1982, in the amount of $2,658.36

Reimburse for 42% of Weights and Measures for November, 1982, in the amount of $788.40

Reimburse for 40% of Building Inspection for November, 1982, in the amount of $5,933.00

Reimburse for 14% of Traffic Engineer for November, 1982, in the amount of $3,335.33

Commissioner Willner moved the claims for the joint departments be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the Prosecutor for Stanley M. Levco, in the amount of $49.50, with the following note attached.

The County Commissioners agreed at their meeting to pay this mileage bill for Mr. Stan Levco. I should have left it at that time.

Thanks
Sandy

President Borries said this is the claim that Sandy brought to our attention at last week's meeting, that it concerns the State vs Wallace trial.

Commissioner Cox said we decided at the meeting today that this could be paid from the Prosecutor's budget, from his Change of Venue Account, therefore she would move it be aproved and paid from 108-135.
Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

SOIL AND WATER CONSERVATION

Arnold Heilman	R.R. 3 Millersburg Rd	Tech.II P/T	$5.76 Hour	Eff: 1-10-83

PROSECUTOR

Angela Mitchell	605 E. Gum	Juv. Secretary	$9,280.00 Yr.	Eff: 1-17-83

SUPERIOR COURT (Correction on Prior Pink Slip

Denise A. Durst	2405 E. Walnut St.	Riding Bailiff	$12,991.00 Yr.	Eff: 1-10-83

SURVEYOR 106 AND CUMULATIVE BRIDGE 203

Tammy File (106)	862 S. Kentucky Ave.	Secretary	$10,798.00 Yr.	Eff: 1-17-83
Dan Tuley (203)	1524 St. James Blvd.	Laborer	$13,692.00 Yr.	Eff: 1-17-83

AUDITOR

Peggy Powless	821 N. Alvord Blvd	First Deputy	$15,204.00 Yr.	Eff: 1-17-83
Roy Patrick Tuley	816 Douglas Drive	Chief Deputy	$16,893.00 Yr.	Eff: 1-17-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Fred Blair	3512 E. Riverside Dr.	Temp. Mechanic	$6.82 Hour	Eff: 1-12-83

CLERK OF CIRCUIT COURT

Paula Gallo	10221 Up.Mt.Vernon Rd.	M&T Dep. Clerk	$394.61 Pay	Eff: 1-17-83

PROSECUTOR

Stephen H. Owens	606 S.E. Riverside	Deputy Pros.	$18,000.00 Yr.	Eff: 1-17-83
Michael Langlois	1151 Diamond Place	Deputy Pros.	$18,000.00 Yr.	Eff: 1-17-83
Richard D'Amour	1211 Devonshire Place	Deputy Pros.	$12,000.00 Yr.	Eff: 1-17-83

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF CIRCUIT COURT

Dorothy Nixon	6022 Ashbrooke	M&T Dep. Clerk	$394.61 Pay	Eff: 1-17-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Donald Williams	1116 E. Walnut St.	Mechanic	$6.82 Hour	Eff: 1-7-83
Fred Blair	3512 E. Riverside Dr.	Truck Driver	$6.55 Hour	Eff: 1-10-83

AUDITOR

Peggy Powless	821 N. Alvord Blvd.	Chief Deputy	$18,893.00 Yr.	Eff: 1-14-83

SURVEYOR

Debbie Clark	Saw Mill Court Mt. Vernon	Secretary	$10,798.00 Yr.	Eff: 1-14-83

Commissioner Cox said the Surveyor released one (1) and appointed two (2).

Commissioner Willner said that is alright, because there is no freeze on now, just so he is filling a vacancy and not creating a new position.

PROSECUTOR

Stephen H. Owens	606 S.E Riverside	Deputy Pros.	$16,500.00 Yr.	Eff: 1-17-83
Michael Langlois	1151 Diamond Place	Deputy Pros.	$16,771.00 Yr.	Eff: 1-17-83
Richard D'Amour	1211 Devonshire Place	Deputy Pros.	$10,500.00 Yr.	Eff: 1-17-83

There being no further business the meeting recessed at 10:15 p.m.

RE: MEETING OF THE BOARD OF FINANCE

President of the Board of Finance, Shirley Jean Cox opened the meeting, stating the board is meeting to elect a President and that Alice McBride, County Auditor, serves as secretary, by virtue of her office.

Mr. Willner moved that Mrs. Cox be elected President. Mr. Borries seconded the motion. So ordered.

Mrs. Cox said the only order of business today is that a notice be sent by registered mail, return receipt requested, to each bank and trust company within Vanderburgh County, Indiana, inviting proposals for the deposit of public funds, pursuant to the law. Said proposals are to be received on or before the 15th day of February, 1983, the date fixed for the next meeting of the Board of Finance.

Mr. Willner moved the notices be sent. Mr. Borries seconded the motion. So ordered.

There being no further business the meeting adjourned at 10:25 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller
SECREATRY:	Janice Decker		

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 24, 1983

The meeting of the County Commissioners was held on Monday, January 24, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: OPENING OF BIDS FOR REPAIR AND WIDENING OF HOGUE ROAD BRIDGE #50

Commissioner Cox moved the County Attorney proceed with the opening of the bids on the structure on Hogue Road. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM BEN WILKINSON - CONCERNING SIDEWALKS IN PLAZA SCHOOL AREA

President Borries read aloud the following letter, dated January 19, 1983 and directed to the Board of County Commissioners.

Gentlemen:

This letter is a formal request for additional sidewalks in the Plaza Park School district namely on the northside of outer Lincoln extending East from the 7300 block.

The exact area of this request is for sidewalks in a 3 block stretch along the northside of Lincoln Avenue extending from Audubon Drive east to Oriole Drive, Oriole Drive east to Martins Lane and Martins Lane east to East Meade Drive. Each of these 3 blocks have existing curbing along Lincoln Avenue and each is approximately 200' in length. Although this entire 3 block area is private residential property, none of it fronts along Lincoln Avenue.

Our reasons for this request are twofold. One being our concern for the safety of school children commuting as pedestrians to and from Plaza Park School daily via the intersection of Lincoln Avenue and Martins Lane. We are very aware of the increase in vehicle traffic on Lincoln Avenue that is commuting from Warrick County. Sidewalks would enable us to eliminate the existing crosswalk on Lincoln at Martins Lane and route the children along Lincoln to the crosswalk West of Audubon Drive where adult protection is provided. There are 90 school students who reside in this area that are affected. Secondly, considering the rapid growth in population of the overall area, and considering future growth of this area, we feel sidewalks are a must.

Sincerely,
Officer Ben Wilkinson
School Safety Unit
Evansville Police Dept.

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Letter received and filed.

President Borries asked if it was the wishes of the other two (2) Commissioners to have the Surveyor's office check this out and make sure it is in the county and then proceed from that point.

Commissioner Willner asked if there was a question on whether or not it is in the county and President Borries said he does not think so, he just feels it should be clarified before the Commissioners proceed with it.

Commissioner Willner asked the County Attorney if the County has the Barrett Law or if that applies to only the city, pertaining to the sidewalks and Mr. Jones said he would have to check, but his gut reaction is it applies only to the city.

President Borries referred the letter to the Surveyor's office for a check and report next week.

RE: RON SAULMAN - KNIGHT TOWNSHIP TRUSTEE - BUDGET FOR 1983

Mr. Ron Saulman, Knight Township Trustee was present and submitted the following budget for 1983, which the Commissionrs requested during last week's meeting.

Subject: Projected Budget for 1983

Township Poor Relief Fund

Welfare Administration	
100 - Personal Services	$34,344.00
200 - Supplies	6,260.00
Direct Assistance	
100 - Medical Hospital and Burial	$27,300.00
200 - Other Direct Relief	95,400.00
TOTAL TOWNSHIP POOR RELIEF FUND	$163,304.00
APPROVED BUDGET	$ 38,007.00
	$125,297.00

Note: The $16,600.00 for Poor Relief from Federal Revenue Sharing is included in the $38,007.00.

Respectfully submitted,
Ronald J. Saulman
Knight Township Trustee

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Mr. Saulman said that he worked on the above budget for about four (4) days and it is as realistic as it can be, taking into account the high utility costs, shelter costs and the large amount of people now out of work. He said the state approved $38,007.00 for him and there is simply no way he can operate his office on that amount of money and the $16,600.00 of Revenue Sharing is also included in the $38,007.00 figure.

Commissioner Cox said what was the original budget requested back at budget time and Mr. Saulman replied for Poor Relief it was $106,954.00. He said everything was cut out of his B-1 and B-2, however when he met with Frank Eads this week, he did put $5,000.00 each in his B-1 and B-2, just to get started with and also he put $2,042.00 in his A-1, but in his A-2 which includes the record books, advertising, travel expense for his investigator and utilities, that the way it is cut down, his investigator would not be able to do her job whatsoever.

Commissioner Cox said in other words, based on the original budget submitted in the amount of $106,954.00, you now see the necessity of increasing the budget projection some $57,000.00 and Mr. Saulman said this is correct, considering the amount of people coming into his office and the amount of people out of work at the present time. He knows something is going to have to be done and he is asking guidance from the Commissioners today, that he will do whatever has to be done, by going to the County Council, or whatever....just tell him what procedure to follow.

Commissioner Willner said the $200,000.00 that Pigeon Township owes the county, was that figured in the income revenue for this year and Mrs. McBride said yes. He said then it will be mandatory for us to do a bond issue for Pigeon Township, as he sees it.

Mrs. McBride said after Pigeon gives us our money back, they probably won't have enough to run them the remainder of 1983.

Commissioner Willner said since we have to do one for Pigeon Township this year, we might as well do one for Knight too, because we are talking about some $325,000.00 and there is no way we have that amount of money.

President Borries said he believes what we will have to do is place this on the Council call for March, however, he believes we must receive a letter from Mr. Saulman telling us that he is out of money.

Commissioner Willner said do you have to go before Council, if you are going to do a bond issue. Speaking to Attorney Jones he said that Pigeon Township owes the County $200,000.00, which is figured into our 1983 budget, so we are going to have to have a bond issue for that one, for 1984.

Mr. Jones said this would have to be added to their (Pigeon's) taxrate, so did they do that?

Mrs. McBride said they did, but the state cut it out, and they (Pigeon) appealed.

Commissioner Cox said rather then going for a bond issue last year for Pigeon, we loaned them the money with the understanding that it would be paid back, but it will be paid out of Pigeon's generated funds with no excess added on, so how would they pay a bond issue.

Mrs. McBride said a bond issue is different, that it would be outside the freeze.

Mr. Jones said we discussed this last year and he understood we were going to challenge this and try to break the circle of us being forced into the most expensive way of dealing with this, that since the bond issue is outside the freeze that is what the state wanted us to do, but the statute says otherwise, that it says they are to be paid off by simply raising the levy at the next succeeding assessment, to pay it off. At the point in which the state denied this, then we were to appeal it and when the appeals were exhausted we were to file suit against the state and get this thing cleared up in court. He would ask when the state denied this, did we launch the appropriate appeal, and if we didn't, we've been shut out again.

Mrs. McBride said she was told to add this to the tax rate, and the tax rate has not yet been advertised, but when she talked to the State, they told her she cannot do that.

Mr. Jones said he appreciates the fact the state is going to tell you that you cannot do it, but that is where we disagree and we were to challenge it, but to sit back and let them do that, then we will have to pay the consequences.

Mr. Jones said when you attempted to add that to the tax rate and the state denied that, then did you file an appeal and Mrs. McBride said no, she didn't, but Pigeon appealed it, and was denied the appeal.

Mr. Jones said now is when we file suit.

Commissioner Willner said this won't help Mr. Saulman, that he cannot wait for a lengthy court case.

Commissioner Cox said we do have some funds in such things as our Cumulative Bridge Account, which are going to be committed in the future, but for this coming year they aren't really committed and we talked about loaning to Pigeon out of that fund, which would help the taxpayers in Pigeon Township, rather than going to a bond issue. Could we not do the same thing for Knight Township, because she had the understanding, and felt sure we would win if we followed through, and then come 1984 this would be added onto Knight Township's tax rolls and we would get the money back.

Mr. Jones said every single one of these things that have been done and ended up in a law suit, they won, and the state lost, and that is why you have a list of about fifteen (15) exceptions to the freeze and everyone of them resulted from a county not agreeing.

Commissioner Cox said she really believes we could win this case.

President Borries said if Pigeon is taken care of through 1983 perhaps we could look at other means to help Knight.

Commissioner Willner said that Pigeon is not taken care of through 1983, that they owe us $200,000.00 from their 1983 budget and they are going to be back before us again.

Commissioner Cox said it would have been taken care of had it been added to the 1983 tax rate.

Commissioner Willner said you can't add it on because of the freeze, that you must get a vehicle outside of the freeze, and as far as borrowing money from the Bridge Fund, he personally does not believe that is legal.

Commissioner Cox said she merely used that fund as an example to show where we do have an excess, because it was borrowed from the County General Fund.

Mrs. McBride said it will be paid back to the General Fund, because she will subtract it before she gives them their settlement, but they will be right back before you again.

President Borries said is there sufficient funds for this to be placed on the Council call and Mrs. McBride said you have to place it on the Council call and when they allow it you will have to make up your mind if you want to go with a bond issue, or whatever.

President Borries said he understands where Mr. Saulman is coming from, but he personally really has problems with a bond issue.

Commissioner Willner said he does too, but this is the only relief he sees for it.

Commissioner Cox asked Mr. Saulman if he has met with any other Trustee's and he replied no, but he thinks it would be a good idea for all the Trustee's to meet jointly with the Commissioners and talk about these problems.

Commissioner Willner said he sees where we have two actions, either a bond issue now or a court case, and perhaps a judge might say that the state is imposing an undue hardship on the township and rule in favor of us.

Mr. Jones said his recommendation would be to let's do it, go ahead and put the thing on the council call and lets get this resolved once and for all, otherwise the county is going to be stuck in this cycle over and over. He believes this is the one time you can put that levy on, anytime, because it is an emergency, and he knows this is contrary to everything the Auditor and Treasurer thinks about, that you only do this twice a year but the way the statute is worded it appears to him you can do it at anytime an emergency arises and this is an emergency.

Mrs. McBride said when she talked to the state, they informed her that after they (the state) sets the rates, which they have already done, then she cannot put an additional rate on it, that it has to be what they say it is.

Mr. Jones said if that is so, then the state would not have lost the three (3) or four (4) law suits they lost, when this came up in those court cases.

Commissioner Cox said you would not have changed that rate the state set, that this would be an excess over that rate.

Mr. Jones said that is correct. If the bond is outside the levy, then this would be the same thing.

Mrs. McBride said she does not agree, that if the state says the rate is 9.356 and she adds 2¢ on it, then it's 9.55....she has changed that rate.

Mr. Jones said yes, you would have changed the rate. He has a research file on this, so let him review that and study up on the statute and he will report back no later then next Monday.

Commissioner Cox asked Mr. Saulman how long he believes the $38,000.00 he now has will last him and he replied maybe until the middle of February.

Commissioner Willner said he would like to have Mr. Saulman and Mrs. MacGregor at our next meeting to discuss this further.

President Borries said we can wait until next week to make a motion for this to be put on the Council call for March.

RE: MARK TULEY....BURDETTE PARK

Financial Statement: Mr. Tuley submitted the following financial statement.

1982 Financial Statement:

Total Expenditures = $580,794.22

Total Income:	Skating Rink	$47,081.86
	Rentals	39,504.91
	Pool	49,058.00
	Misc.	17,401.30
	TOTAL	$153,046.07

Total Expenditures		$580,794.22
Total Income		-153,046.07
TOTAL DEFICIT		$427,748.15
1981 Deficit		$471,421.52
1982 Deficit		427,748.15
	LESS	$ 43,673.37

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Report received and filed.

Mr. Tuley said 1982 was not as good as he had hoped for, however, it was better than 1981, but taking everything into consideration, he is pretty pleased with it, eventhough he feels we still have a long way to go. He feels this will be brought down to perhaps the middle $300,000.00 this year ending.

Commissioner Willner said the $427,748.15 would have been greatly reduced had the council not asked us to go ahead and spend that money on the Boesche Building, the pool, etc.

Mr. Tuley said in July we purchased some grounds equipment and also we purchased our computer, plus several other things. At that point it was roughly $120,000.00 they allowed us to spend, so that would have reduced it quite a bit more. We also encumbered quite a bit into 1983. He said the total amount of their budget for 1982 was $683,445.37 and in 1983 they are starting out with only $594,977.84 and that is counting their encumbrances also, so as everyone can see it is going to be tight. He may have to go before the council for some minor things or transfers, but he believes he can live with this budget for 1983.

President Borries said he would commend Mr. Tuley for his watchful eye on the budget and he believes it will be needed even more so this coming year. He asked Mr. Tuley if the Advisory Board has given any indication as to when they will be producing a report.

Mr. Tuley said the Board would like to meet in private with the commissioners before they publicly give their report, if this is possible. He said their next meeting is this coming Wednesday at 4:30 p.m. and then a report will be forthcoming shortly after that.

Fishing at Burdette Park Lake: Mr. Tuley submitted the following letter.

Conservation Officer
Philip G. Bruner
1750 S. Taft Avenue
Evansville, Indiana 47714

Reference: Fishing in Burdette Lake

All State Laws apply to the lake in regards to fishing; they are as follows:

1. Indiana Fishing license required of persons between the 17th birthday to the 65th birthday.

2. Fishing with no more than three (3) poles per person. Each line shall have affixed thereto not more than two (2) single hooks or two (2) artificial bates or harnesses for use with live bait.

3. It shall be unlawful to snag fish.

4. Sport Fishing Bag Limits.

KIND OF FISH	SEASON	DAILY LIMIT	MINIMUM SIZE
Catfish	All Year	10	10 Inches
Redear	All Year	25	none
Bluegill	All Year	none	none
Crappie	All Year	25	none
Largemouth Bass	All Year	(six single or in aggregate)	Only State Properties

KIND OF FISH	SEASON	DAILY LIMIT	MINIMUM SIZE
Smallmouth Bass	All Year	(six single or in)	none
Spotted Bass	All Year	(aggregate)	none
Rock Bass	All Year	25	none

The restriction as to size limit on largemouth bass, no minnows allowed, hours, etc. will have to be set by county ordinance.

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Letter received and filed.

Mr. Tuley said the Conservation Officer could not be present today, therefore he sent the above letter. He said he would also like to recommend to the Commissioners that we allow no night fishing, because he feels this would cause some problems that we don't need out there.

President Borries asked Mr. Tuley to work with Mr. Bruner and the county attorney to get an ordinance drafted.

Commissioner Willner said he would like to recommend some changes be made, that he would like no more than one (1) pole per person, and one (1) hook per pole, no night fishing, with the hours set between 7:00 a.m. to 7:00 p.m. and no minnows and no boats.

Mr. Tuley said he will see the attorney gets it and that an ordinance is drafted.

Commissioner Cox said once this Ordinance is adopted the regulations must be posted at the park and Mr. Tuley said he will see that they are.

Friday Night Special at Roller Rink: Mr. Tuley said they had another Special at the rink this past Friday night, called the "Golden Oldies", where the kids dressed in the 1950's garb and it seemed to go over real well, it was a lot of fun and we made a lot of money. Our gross on that one night was $586.00, which to our knowledge, is the best single session we have ever had out there. The net profit on that was $457.00.

Commissioner Cox asked if people are using the coupons from the Indiana Bell Telephone Book and Mr. Tuley said.....definitely yes, that the first night they were allowed to use them he believes they accepted fifty nine (59) of them. It is working out really well.

RE: COUNTY ATTORNEY.....DAVID JONES

Bids on Hogue Road Bridge #50: Mr. Jones said there were four (4) bids received on the repair and widening of Hogue Road Bridge #50 and were as follows:

DEIG BROTHERS LUMBER & CONSTRUCTION CO. INC.	$35,716.50	(Bid in order)
LICHTENBERGER CONSTRUCTION INC.	$46,909.34	(Bid in order)
KEY CONSTRUCTION CO. INC.	$41,528.00	(Bid in order)
TRICON, INC.	$39,989.50	(Bid in order)

Commissioner Willner moved the bids be referred to the County Surveyor's office for study and a recommendation next week.

Barrett Law Statute: Mr. Jones said in checking he finds there is a Barrett Law Statute that partially covers the county and it does cover sidewalks. There appears to be two (2) ways to go, whereby the board can order a resolution ordering that the adjoining property owners construct the sidwalk and it must be done within thirty (30) days and if it is not within that time period, the Commissioners can let contracts, have it done and assess the property owners. It is a pretty detailed statute and there is a procedure that he believes it is 40% of the property owners can kill the action by filing remonstrances, however, there are some limitations, for instance it has to be in a residential area, cannot abut any farmland and it has a limitation on the number of houses in that area. It says it may not be made on any tract of land that consists of ten (10) or more acres and contains only one (1) building that is used for residential purposes or on real estate that is used solely for agricultural purposes.

He said the Board must adopt a preliminary resolution for the improvement and the Board must at the same time adopt and place on file, cross sections, general plans and specifications for the work. Cross sections, plans and specs must conform to the paving standards adopted by the Board, unless the engineering practice justifies the contrary design. The Board may require the owners of abutting property to construct or repair their own sidewalks or curbs. Notice of the order must be given to the abutting property owners either in person or by mail. Property owners have thirty (30) days from the date of the notice to construct the sidewalks, curbs or make the repairs as required by the notice.

Commissioner Willner moved they ask the Surveyor to go out and look at the area discussed in the letter from Officer Wilkinson, decide if this is city or county and report back next week.

Law Suit: Complete Lumber vs Vanderburgh County: Mr. Jones said there is one (1) piece of litigation, that because of a conflict that has occurred, concerning a case filed by Complete Lumber Company against the County, has created a conflict of interest in his law firm in that one of the former partners of one of our new partners had originally filed the suit and one of the attorneys in his office had worked on the case when it was first filed before they joined our law firm, therefore, it is his recommendation that this case be referred to outside counseling, that both he and David Miller and the members of their law firm would be disqualified. In addition, Southern Railway is involved in this suit and they have also been disqualified from representing Southern, so we are totaling getting out of this case in all respects. He would say that concerning this case, there is the possibility the county could recover about $30,000.00 in damages in this case and it is depending upon the Surveyor's office completing surveys. It is his understanding there was a mis-legal description in there and an agreement was struck earlier on, when Paul Wendel was county attorney, that in the event that Complete Lumber lost the suit they would repay the county $30,000.00 in damages.

Commissioner Willner moved the Commissioners obtain Mr. Curt John to represent the County in this suit, as long as the hourly fee is the same or below the fees charged by our county attorney. Commissioner Cox seconded the motion. So ordered.

Jail Class Action Suit: Mr. Jones said in regards to the class action suit against the jail he has made preliminary contact with Professor Dennis Wiechman, at the University of Evansville and he has also prepared an agreement for submission to the Commissioners and this is in conjunction with a prior request made by him with respect to obtaining an expert witness for purposes of trial. He has reviewed Professor Wiechman's qualifications and he believes he is one of the best persons available in the State of Indiana, that he is immanently qualified, that he has done a number of services for both the Police Department and the Sheriff's Department and he has incredible credentials in the criminal justice field and is familiar with the jail. He has had discussions with Mr. Wiechman about the nature of the case, which there has been no cost to the county for his services and he personally is very convinced Mr. Wiechman would be very vital in this case. There is a possibility he may want to also obtain one (1) other expert witness and he believes that would be about all we would need to go to trial. That person may be Professor Culbertson, who is one of the leading specialist in jail administration. He has written to Professor Culbertson about this case and he has done studies on Indiana jails, comparative studies, of which the effort would be to show by comparison to similar jails that our jail is better or exceeds most jails of comparable size and population. The experts that the plaintiffs have used in this case, have attempted, in his opinion, to make comparisons, based upon all jails, and he doesn't believe that is accurate. In addition, the administrative part of this is being attempted to be brought in by an amended complaint, by virtue of alleging overcrowding and because of the overcrowding that the amount of the staff in the jail was not sufficient to administer the jail properly and this is one of Professor Wiechman's areas of expertise. His services would be billed on an hourly rate at $30.00 per hour, which is comparable to the experts that they have brought in and he believes they have five (5), possibly six (6) experts. He has a proposed agreement between the Commissioners and Professor Wiechman, which he submits at this time. He sent it, prior to this, to Professor Wiechman and he has already signed it. Another thing he would add about this case is that there is an important hearing coming up this Friday at 1:30 in Judge Brooks' court, in Federal Court and he has asked President Borries to attend this hearing. Also in respect to the letter we sent the Marshal Service, we have received some responses, that he received a call from the head of the Marshal Service in Indianapolis and also received a call from Washington, D.C. from one of the heads of the Bureau of Prisons and they are flying in to attend this hearing also and may very well testify at the hearing.

Commissioner Willner moved the agreement be approved. Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER....AUDITORIUM

Specifications on Boiler at Auditorium: Mr. Cooper said he has received the final draft of specifications for bids for the boiler replacement at the Auditorium. Mr. Jones has received this information and upon his approval of the legal aspect and with two (2) minor changes being made, one (1) being the need for a fuel oil pump and two (2), possibly the addition of a larger make of water pump and a tentative deadline for completion of the work, he would ask for approval from the Commissioners. He said Mr. Biagi and Mr. McKinney, the two (2) engineers that work on this are present today to answer any technical questions anyone might have.

Commissioner Willner said he feels the Commissioners hired an engineer with impeccable credentials and if he recommends these specfications, then he will go along with them.

Mr. Jones said he would call attention only to the fact that any out-of-state bidders must have an in-state bond.

Commissioner Willner said are we still talking about a 150 horse power, which uses fuel oil or natural gas and Mr. Cooper said no, we are talking about a 200 horse power.

Commissioner Willner moved the specifications be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner moved the notice to bidders be advertised on January 27 and February 3, with bid opening to be February 7, 1983. Commissioner Cox seconded the motion. So ordered.

The Auditor's office will be responsible for the advertising.

Letter From Fire Inspector, Douglas Wilcox: Mr. Cooper said he received the following letter from Doug Wilcox, dated January 24, 1983 and he will submit it to the Commissioners at this time, for the record.

Dear Mr. Cooper:

According to Regulation #7, Chapter 33, Section 3301 (d):
"The occupant load of an area having fixed seats shall be determined by the number of fixed seats installed. Aisles serving the fixed seats and not used for any other purpose shall not be assumed as adding to the occupant load."
Therefore, whatever the seating arrangement at any given time, the occupant load shall not exceed the number of fixed seats.
If there are any questions, feel free to contact me.

Sincerely,
Douglas Wilcox
Chief Inspector
EVANSVILLE FIRE DEPARTMENT

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Letter received and filed.

Mr. Cooper said all this letter does is clarify the seating capacity in the Auditorium and he thought perhaps the Commissioners would like it on file incase any questions ever came up concerning the matter.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of January 17 thru 21, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report for the employees at the county garage for the period of January 17 thru 21, 1983...received and filed.

Mr. Bethel said they had the grader out on Fisher Road, Red Bank Road, Old 460, New 460, Outer Darmstadt Road and Nesbitt Station Road. He had patch crews on Big Schaffer, Baseline Road, Barton Road, Volkman Road, Scott Road and Pruitt Road. They had tree crews on Denzer Road, Five Dollar Road, Felstead Road, Kleitz Road and Schenk Road.

Commissioner Willner said he received a complaint on County Line Road, in Daylight, and he asked Mr. Bethel to look at it, that what happened is a farmer built a dam on his own property and has caused some water problems out there. Mr. Bethel will come in with a sketch, but he believes it will be a pretty big item to raise the road and riprap it so that it will hold. He wanted the other two (2) Commissioners to be aware of this.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: David Guillaum submitted the weekly bridge and guard-rail report of the crews in the Surveyor's office. He said they have been primarily concentrating on Red Bank Road, as shown on the weekly report and this job is almost complete.

Bid Awarded on Hirsch Road Bridge #93: Mr. Guillaum said they have reviewed the bids received last week on the Hirsch Road project. The bid from Deig Brothers was the low bid and they found it to be in order, therefore, would recommend Deig be awarded the bid in the amount of $132,517.50. He submitted the bid to the Commissioners for their signatures.

Commissioner Willner asked if Deig Brothers said they could start immediately on this project and Mr. Guillaum replied they are already doing the ground work on it, as far as getting the materials lined up for it, etc.

Commissioner Willner said it is strange, but he recieved more calls concerning this bridge then he did on the First Avenue Bridge.

Mr. Guillaum said the weather will most certainly be a factor in this project, especially in regards to the dirt, but as far as the bridge itself they indicated they see no problems whatsoever that everything is in order.

Commissioner Willner moved the bid be awarded to Deig Brothers for Hirsch Road Bridge #93, in the amount of $132,517.50. Commissioner Cox seconded the motion. So ordered.

The Auditor's office will send Deig a signed copy of the contract approved today.

Claim: Mr. Guillaum said he has a claim for Key Construction, concerning the Fifth Avenue, however, after reviewing it, he sees there is a signature he needs to obtain therefore he will hold this up for a week.

Commissioner Willner said since we split the Fifth Avenue project up, was there any additional cost on the county and Mr. Guillaum replied we had additional concrete put in above and beyond the planned quantities and we did have an additional mobilization. Commissioner Willner asked Mr. Guillaum to please get him a breakdown of these costs.

Comments Regarding First Avenue: Mr. Guillaum said in regards to First Avenue, that Mr. Brenner is making plans to go to Indianapolis next Monday to try to get the elevation straightened out, as far as the bridge is concerned, that we have several different possibilities and he wants to meet with the Department of Natural Resourse and try to get something permanently resolved.

Rosenberger Project: Commissioner Cox said concerning the Rosenberger project, that the pavement out there is terrible and Mr. Guillaum responded be saying they were aware of it, that it does need some patching and he has talked to the County Highway Department about getting that done.

RE: PETITION OF JUDGEMENT GRANTED TO THE McCOY'S

President Borries said Mr. Gerard, from E.U.T.S is present to discuss a petition of judgement granted to the McCoys, in regards to right-of-way purchase needed. Director of the Area Plan Commission, Ms. Barbara Cunningham is also present. President Borries read aloud the following note given to him by Ms. Cunningham.

"I am attaching a petition of the judgement granted April 1, 1982, by Circuit Court, in the case of W. Harold McCoy and A. Ellen McCoy vs Area Plan Commission of Evansville and Vanderburgh County. This is a reminder that right-of-way purchase should be initiated."

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Ms.Cunningham said she has nothing to say other than this is just a reminder to the Commissioners of the action taken in Circuit Court.

Commissioner Willner said he is familiar with the case, but we, the Commissioners, do not appoint a right-of-way buyer, that we are using the city's buyer. He asked Mr. Gerard if we have received a bill on that yet.

Mr. David Gerard said we are using Federal funds to purchase the right-of-way on the Covert Avenue Extension and there is quite a bit of documentation in terms of the legal searches, and things of that nature. We are doing the abstracts now and the county was billed for that portion. We have to have appraisers, review appraisers and negotiators that have all been approved by the Indiana Department of Highways and the Federal Highway Administration. He does not believe that all the documentation for all the parcels, and this is primarily as a result of some errors in the information submitted to us by our consultant on the amount of right-of-way that needs to be purchased, that the question is with the old railroad tracks that run through there, and Mr. McCoy's situation is that the property does in fact belong to him, that he owns up to the quarter section line. On other properties west of there, our consultants have indicated that really belongs to the city or county, and it appears that may be wrong, so we are trying to document that right now, so he does not believe that every documentation for each and every parcel is going to be available in time to meet the April 1st deadline, so he has requested from the Indiana Department of Highways that we provide the documentation on the McCoy property and also requested advanced authorization, or advanced acquisition. In other words we would go in and purchase that property with federal money now and then complete the documentation on the other properties at the latter part of the year, because the McCoy property is the one we are really in a hurry to get. A gentleman from the Indiana Department of Highways said it is not a hardship situation and he would recommend the county go ahead and purchase that with local funds. However, when he explained to the gentleman the situation, in terms of future subdivision developments out there, he understood it would be of benefit not only to the county but also to the Federal Highway's advantage to acquire the property at this time, and he indicated to us that he would do everything under his power to assure us that as long as we followed the proper procedure, that we would be reimbursed at a later date. He would say the Commissioners are taking a gamble by going out and buying this with local funds and he is estimating, based upon some information from our appraisers, that it will be somewhere between $3,000.00 and $5,000.00 that we are talking about, so he will leave that decision up to the Commissioners, however, he would recommend we go ahead and do it, that it would be to everyone's advantage.

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

RE: SEMI-ANNUAL SERVICE CONTRACT WITH A-F FIRE & SAFETY EQUIPMENT

President Borries said we have before us a semi-annual service contract with A-F Fire and Safety Equipment, concerning the County Jail. This is in the amount of $60.00 and has to do with the hood and duct system located in the jail.

Commissioner Cox said we pay rent on that so it seems to her the Building Authority would be responsible for this bill.

The Commissioners were not familiar with this service therefore they referred the contract to the County Auditor to check out and report back on it next week.

Mrs. McBride said she is not familiar with such a contract either, therefore she will check it out.

RE: BUILDING COMMISSIONER'S REPORTS

The Building Commission reports for permits issued for the month of December, 1982 and also the 1982 Annual Report was submitted by the office of the Building Commissioner. Reports received and filed.

RE: LETTER FROM STATE OF INDIANA CONCERNING THE DEFERRED COMPENSATION PROGRAM

President Borries said for the past couple of weeks there have been several who expressed concern over the Deferred Compensation Plan, available to the county employees. The Commissioners received on January 11th, the following letter from the State of Indiana concerning this matter.

Dear County Official:

In 1981, the State of Indiana began a deferred compensation program for its employees. Deferred Compensation allows a public employee to set aside a portion of his gross compensation toward a retirement investment prior to computation of any federal, state or local taxes. The program has been extremely popular among state employees, with nearly half of those attending the group meetings choosing to enroll.

The state program is available to any political subdivision. The plan administrator, Indiana Deferred Compensation Plan, Inc. and the investment alternatives were selected by bid process. The investment options under the plan have guaranteed rates that are several points higher than those currently offered commercially.

The enabling legislation requires that this program incur no cost to the employer. I would note that deferred compensation is a means of granting a very substantial and meaningful benefit to the employees which does not come from or affect your tax rate or budget. Indiana Deferred Compensation Plan, Inc. will handle the employee education process, submit the paperwork and reconcile and direct the funds into the account chosen by the employee.

I have been very pleased with Indiana Deferred Compensation Plan, Inc.'s efficiency and professionalism in handling the state's program. They will be contacting you soon to explain the plan in detail. I urge you to consider the adoption of this valuable fringe benefit for your employees.

Sincerely,
Julian L. Ridlen
Treasurer of State

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Letter received and filed.

President Borries submitted the letter to Mrs. McBride to see if anything further needs to be done with it.

Mrs. McBride said there are several people already on a deferred compensation program, but that she will check on this one.

RE: AGREEMENT WITH SOUTHERN RAILWAY SYSTEM FOR GRADE CROSSINGS

President Borries they received a letter from the Southern Railway System, addressed to the Board of Commissioners telling us they have prepared the attached agreement in duplicate, between the Southern Railway Company and the Board of County Commissioners of Vanderburgh County, providing for the existance of a gravel public grade crossing, across the right-of-way or track of the Southern Railway at mile post 145.14, in Vanderburgh County, Indiana. They do not locate an agreement in their files providing for this grade crossing and they want us to have both copies executed and returned to them for like action on behalf of the Southern Railway, after which a fully executed counterpart will be returned to us for our records. The letter came from O.G. Mills, Superintendent.
He said there is a map attached and it looks like it is near Pruitt Road and perhaps it goes over I-64.

Commissioner Cox moved this be referred to the county engineer because no one knew the exact location they were talking about, that it could be another county.
President Borries said perhaps the County Attorney should also be informed of this since they also want a Resolution to sign.

Commissioner Willner seconded the motion for clarification from the County Engineer. So ordered.

RE: TELEPHONE REQUEST...DEPARTMENT OF PUBLIC WELFARE

President Willner said there is a phone request from the Welfare Department, that they would like to activate #5091 through call director located on the receptionist's desk. The estimated cost of installation is $116.50 and Mr. Ruston has already reviewed it and says there are no additional outlets needed.

Mr. William Igleheart, representing the Welfare Department was present and stated the ADC Division has a problem in that they are located on the third floor and when they need to get in touch with the receptionist on the first floor, should her line be busy they must leave the third floor office and go down to the first floor and have individuals to come up to the office. The call director is there, it just needs to be hooked up, that you can call out on it, but not in. This can be activated for the

price of the phone and they have the money in their budget. They request the service through the Commissioners, but they do pay their own bills.

Commissioner Cox asked why this was disconnected in the first place and Mr. Igleheart said actually it was never hooked up, that only a portion of the system was connected and since the phone is already there, they would like to activate this other line.

President Borries asked Mr. Igleheart if he is telling the Commissioners the Welfare Department would pay the $116.50 to have this installed and Mr. Igleheart said he was not aware of the fact there would be an installation charge, that when he checked with the Telephone Company he understood there would be none, however, they do have the funds available if this is correct.

Mrs. Meeks said she spoke with Mrs. Powell and that is where she got the $116.50 figure that she wrote on the request form.

Commissioner Cox said she can understand the need for this call director therefore she would move the request be approved, subject to the Welfare Department paying all charges and monthly increases. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by David Jones, County Attorney, for legal services, in the amount of $912.00, (Itemized statement attached to claim) for the month of December.

Commissioner Willner moved the claim be approved and given to Mrs. Meeks to see that it is put on the Council call for March. Commissioner Cox seconded the motion.

A claim was submitted by the Evansville Urban Transportation Study for the county's share of the cost of EUTS for 1983, in the amount of $17,000.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Indiana Association of County Commissioners for the Board of County Commissioners of Vanderburgh County, Indiana for annual membership dues for as per PL 209, Act 1977, in the amount of $500.00

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helen Gaslin Insurance Agency for the public employees blanket bond for the Auditor's office, in the amount of $108.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helen Gaslin Insurance Agency for bonds for County Recorder, Estella Moss and Deputy Recorder, Lucille Elliott, in the amount of $30.00 each for a total of $60.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helen Gaslin Insurance Agency for the public employees blanket bond for the Treasurers office, in the amount of $778.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CUMULATIVE BRIDGE

Bradford Bensman	2501 S. Rotherwood	Laborer	$13,692.00 Yr.	Eff: 1-24-83

SHERIFF

Oliver W. Hayek	5515 Twickingham Dr.	Pro. Server	$4,164.00 Yr.	Eff: 1-17-83

APPOINTMENTS CONTINUED

PERRY TOWNSHIP ASSESSOR

Orvel Woehler	2705 Selzer Rd	Deputy	$30.00 Day	Eff: 1-7-83

CIRCUIT COURT

Richard L. Young	2404 Lincoln Ave	Public Def.	$17,393.00 Yr.	Eff: 1-14-83
Terry A. White	225 Indian Trail	Public Def.	$17,393.00 Yr.	Eff: 1-14-83
Michael K. Peeler	1251 Crossgate Dr.	Bail Bond Int.	$11,767.00 Yr.	Eff: 1-14-83

RE: EMPLOYMENT CHANGES.....RELEASES

CUMULATIVE BRIDGE

Bruce Woodward	Hillview Drive	Laborer	$13,692.00 Yr.	Eff: 1-24-83

CIRCUIT COURT

Roy Patrick Tuley	816 Douglas Drive	Bail Bond Int.	$11,767.00 Yr.	Eff: 1-14-83
Sandra Washington	449 S.E. 11th. St.	Special Intern	$3.35 Hour	Eff: 1-4-83

There being no further business the meeting recessed at 4:25 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 31, 1983

The meeting of the County Commissioners was held on Monday, January 31, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: DISCUSSION OF FIRST AVENUE BRIDGE

President Borries said he would briefly like to update the commissioners and any interested parties in the audience, concerning the First Avenue Bridge project. He has attended a series of meetings and conferences that he has had with City officials and Levee officials this past week. This is a very complicated and quite complex situation, not only in regards to the county's portion of the First Avenue project, but the construction of the levee and resulting improvements along First Avenue, from Pennsylvania Street to the bridge itself. We are faced with a number of improvements and changes that are in the process, right now, and are being organized. There are to be major trunk lines to be taken off the bridge itself, gas mains must be taken off, sanitary sewer lines off the bridge and we have contacted the levee officials to make sure that approaches to the bridge itself would conform and agree to all of their plans. We have contacted the city officials regarding the widening itself and not only the widening, but the removal and relocating of railroad lines along Dresden Avenue and Morgan Avenue, that there are approximately three (3) railroad lines that will be effected, so the project has major proportions. Mr. Bob Brenner, County Surveyor and Mr. Jim Morley, representative of the Levee Authority, are to meet tomorrow with the Department of Natural Resources, in Indianapolis, to discuss the existing design of a bridge over First Avenue and if that design is approved, according to the specifications, it will significantly aid the project, insofar as the bridge is concerned. In regards to proposed run-arounds we are still in constant communications with the Levee Authority and city officials, because at this time we cannot clearly proceed until we understand the complexity of that part of the project. There will be considerable disruption of traffic along the corridor when the sewer lines are installed and it is not going to be an easily traveled route, and in no case do we want to disrupt this whole project because it is a very needed project for the north side of Evansville. It is our hope and commitment at this time to work with all the effected agencies to make the whole process as smooth as possible. We will know considerably more tomorrow after the meeting in Indianapolis.
He asked if there were any further comments from either of the other Commissioners. There were none.

RE: OFFICER BEN WILKINSON....SIDEWALKS IN PLAZA PARK SCHOOL AREA

President Borries said last week a letter was received, and made a matter of the minutes, from Officer Ben Wilkinson, concerning sidewalks in the Plaza Park School area. This week we received further letters concerning the matter and also a report from the Surveyor's office, as requested last week. He read aloud the following letter from the Plaza Park Parent/Teacher Association, dated January 21, 1983 and directed to the Board of County Commissioners.

Dear Mr. Borries,

The PTA Board of Plaza Park School would like to bring to your attention its concern over the increased traffic on Outer Lincoln and Newburgh Road. More specifically our concern is for the safety of the children who walk to school and need to cross Outer Lincoln. Just recently a car failed to yield to our student safety patrol nearly hitting a child. As a result we now have a "police traffic mom" which is helpful. However, for many young children who cross at the intersection of Martins Lane and Outer Lincoln the danger still exists.

Officer Ben Wilkinson was informed of the situation and in turn informed traffic engineer Dave Savage. An Urban Transportation Study was done. It was suggested that sidewalks be placed on the north side of Lincoln from Audubon to Meade. This will funnel the children on the north side up to the main crossing in front of the school which now has the "traffic mom".

82.

We strongly encourage you to implement this suggestion of sidewalks.

In addition, there is a critical need to slow traffic on Outer Lincoln be-for it reaches the crossing points. A four-way-stop at Martins Lane and Outer Lincoln could do this effectively.

Thank you for your consideration of this matter.

Very truly yours,
PTA BOARD PLAZA PARK SCHOOL
Bonnie Brill,
Chairman Health and Safety

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Letter received and filed.

Also received was the following letter from the Surveyor's Office.

TO Vanderburgh County Commissioners
FROM Vanderburgh County Surveyor
RE Request for sidewalks in Plaza Park School district.

On January 25, 1983, this office received a copy of a request to the County Commissioners from the Evansville City Police regarding additional sidewalks on the northside of Lincoln Avenue from Audubon Drive east to Meade Drive.

Upon completing a research of records and field conditions we are submitting the following findings.

1) The three block area along the north side of Lincoln is within the jurisdiction of the Vanderburgh County Commission.

2) The two blocks between Audubon and Martin are part of the Yorktown section of Carrollton Courts, lots 12,13,24 and 25.

3) The one block area between Martin and Meade is a part of east Meade estates, lots 1 and 22.

4) There are existing sidewalks from the west side of Audubon to the west with the existing sidewalks constructed immediately behind the north curbing of Lincoln and being five feet in width.

5) The right of way for Lincoln Avenue is 30 ft from the centerline to the north right of way line.

6) The existing pavement for Lincoln Avenue is 20 ft from the centerline to the face of the north curb, and the curbing is ½ ft, in width. There is a line of metal street light poles along the northside of Lincoln about 6 ft north of the curbing.

7) A new strip of sidewalk could be installed as requested directly behind the curbing and matching the existing sidewalks without moving any street light poles and being totally within the rights of way of all roadways involved.

8) There are two fire hydrants, one telephone pole, on telephone pedestal, and one power pole with anchors which all fall in the path of a sidewalk construct-ed five feet in width directly behind the curbing.

9) There are six private driveways along the path of the requested sidewalk.

10) The total distance which the requested sidewalk would cover with pavement is approximately 725 feet.

11) If the pavement existing in the private drives is utilized (not replaced) the total distance covered by the new walk will be approximately 630 feet.

12) The square feet of coverage by a sidewalk five feet wide will be 3625 sq. ft., in the greater amount of 3150 sq. ft., in the lesser amount; and require 68 cu. yd. concrete or 58.5 cu. yd. respectively.

13) The County legal department, the County Engineering Department and EUTS should be consulted for any further input, over views or feasibility studies regarding this project.

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Letter received and filed.

Commissioner Borries asked if it is the feelings of the other Commissioners that we now refer this to the County Attorney, that there was some discussion last week on whether this falls under the Barrett Law, or not.

Commissioner Willner said should it not first be submitted to EUTS.

President Borries said according to Ms. Brill's letter, EUTS had already studied it and gave a report recommending that sidewalks be placed on the north side of Lincoln from Audubon to Meade.

Officer Ben Wilkinson was present and stated from the Police Department's standpoint they are certainly concerned about this area and the problems they are having out there because they are providing a crossing guard out there and there are approximately ninety (90) school children being effected and with the increase of commuter traffic coming from Warrick County we are in hopes of eliminating the cross walk across Lincoln at Martins Lane and we could route the children up to the main cross walk, where they have adult protection. This matter has also been addressed to the Board of Public Safety as a matter of formality and Mr. Seigel, President of that Board has advised us they wholeheartedly endorse this request, realizing the County Commissioners have the jurisdiction on it.

President Borries said at this point we will refer this to the county attorney to see what steps must be taken toward the Barrett Law and what is the legal path that must be taken.

RE: POOR RELIEF...MR. HOLLIS...PIGEON TOWNSHIP TRUSTEE

Applicant: Paul Hollis....614 Main Street, Evansville, Indiana
Caseworker: Ruth Anslinger, representing the Pigeon Trustee's office.

Ms. Anslinger said that Mr. Hollis came into the trustee's office, requesting his rent, at the Civic Plaza Hotel, be paid, on the 13th. of January and at that time his rent was not due. She informed him she would have to discuss the matter with her supervisor. When Mr. Hollis came back to the office she told him they could not pay his rent for him, however, they would pay his travel expense back to Otwell, Indiana, which is his home, and where his parents live.

Mr. Hollis was present and stated he is presently living at the Civic Center Hotel and has resided there since January 3rd of this year. He has lived there at other times throughout the years also. He is not presently employed.

President Borries asked Mr. Hollis if he has ever previously applied for help from the trustee and he replied yes, in 1978.

President Borries asked Mr. Hollis where he lived during the period of 1978 to January 1983 and he replied he has been a resident of Vanderburgh County since 1971, living at 61 Adams Avenue, Civic Plaza Hotel, 1020 North Garvin Street and 1631 East Franklin Street. He said he has not worked full time since 1979.

President Borries asked Mr. Hollis how he managed to pay rent at the various places he has lived since 1978 and he replied his Mom helped him all she could, but she is up in years and no longer able to help him financially.

Commissioner Cox asked Mr. Hollis if he has any income whatsoever and he replied no, that he has filed a claim for disability with the Social Security office, that he is disabled.

Commissioner Cox asked Mr. Hollis if he is a veteran and he replied no, that he has not been in the military service.

Mr. Charles Jackson, representative of the Legal Services stated his office has accepted Mr. Hollis as a client and they have conducted some research on the information he submitted to them. They find that the statutory basis for Section 2-F of the Pigeon Township Trustee's standards and guidelines contemplates only the availibility of assistance of relatives living in the township as a basis of denial of

assistance and only then if relief has been provided in the same catagory more than once. In 1978 Mr. Hollis received utility assistance but he has never received any shelter assistance. Mr. Hollis' parents live in Otwell, Indiana, in a two (2) bedroom apartment and they have two (2) daughters also living at home with them, so they do not have room for Mr. Hollis and their income is very marginal, therefore the assistance they have been able to provide to Mr. Hollis, they can no longer do. Mr. Jackson said they also find a problem with the kind of assistance offered to Mr. Hollis, that being transportation out of the township, that they find that to be in contravention of Indiana Code Section 12-2-1-15 and 12-2-1-22, which provide only for assistance out of the township, who are not a resident in the township. They also find a problem with the constitutionality of requiring someone to leave the township as a condition for receiving assistance.

Ms. Anslinger said they have helped Mr. Hollis since 1973 and they have paid rent quite often for him. He informs us they are trying to get his social security through and if this happens, she believes he should be with his parents who can take care of his money for him, that he is not capable of doing that for himself.

Commissioner Willner said he will agree with Mr. Jackson that the statutes are very clear, that they cannot require Mr. Hollis to return to his home in Otwell. The trustee's office is not long range, that it is set up for a short range help to get a person over the hump, so what are the long range plans for Mr. Hollis, other than social security benefits, should that be approved.

Mr. Jackson said that Mr. Hollis has been making efforts to try to find work, that he has registered regularly with the unemployment office in seeking whatever work available to him, that he does seek to be self-supporting. In the event he receives township assistance, Mr. Hollis is willing to work back at whatever program the trustee has available for him.

Commissioner Willner said he is in the dark in regards to Mr. Hollis' disability, is he under a doctor's care.

Mr. Hollis said he is not, that he does not have the money to go to a doctor.

Mr. Jackson said his application for Social Security is based on psychological disability, which he has been examined for and has been hospitalized for a psychological disorder a number of times. It is not totally debilitating, but it does prevent him from maintaining gainful employment. He will continue to make efforts to maintain employment, but to date, his experience has not been very good.

Ms. Anslinger said that Mr. Hollis was hospitalized in 1981 and at that time he was to follow through a program with Mental Health. He did attend a couple of times but he felt he no longer needed to go, therefore he quit. Also, Mr. Hollis' social security was denied to him in 1981, in June.

Mr. Jackson said that is true and it is under appeal at the present time.

President Borries asked Mr. Hollis if he would be willing to renew his contact with Southwest Mental Health Association and the Stepping Stone Agency, on a regular basis.

Mr. Hollis said he has been in touch with Stepping Stone and he has not had a drop to drink in over a year.

President Willner said what we need is a confirmation from these agencies telling us that you have re-enrolled in their programs.

Mr. Hollis said if you think that would help me, yes I will, that I want to try and help myself.

President Borries said he would like for Mr. Hollis to meet with Ms. Anslinger and work out a one (1) month arrangement, pending letters from Southwest Mental Health and Stepping Stone, confirming Mr. Hollis is active in those programs.

Mr. Hollis said what am I going to do in the meantime and Commissioner Cox said the Trustee will take care of you in the meantime and this will also help you to obtain and maintain employment.

RE: RON SAULMAN & DORATHEA MACGREGOR, CONCERNING BUDGETARY PROBLEMS IN POOR RELIEF

President Borries said that Mr. Saulman has been before this board for the past couple of weeks in regards to his critical need concerning his Poor Relief Fund, in Knight Township. We have also asked Mrs. MacGregor to attend today with the hopes something can be worked out. He said they would assume that the situation, at this point, has not changed.

Mr. Saulman said he would assure the Commissioners the situation has not gotten any better.

Commissioner Willner said he met with the Trustee's before this meeting and he believes a short range solution has been reached, that Mrs. MacGregor has agreed to pay the county $100,000.00 that she owes us and we in turn will loan that to Mr. Saulman. There is a new law that could possibly go into effect in April, so if we could somehow put a bond issue off right now, possibly we will get help later in the year. This way Knight and Pigeon would both owe the county $100,000.00 each. At this time he would move the $100,000.00 repaid to the county general fund, be loaned to Knight Trustee.

Commissioner Cox said this is not a permanent solution and Commissioner Willner said certainly not but it will hold us until we find out what comes out of the Legislation.

President Borries said he spoke with Mr. Jones, who put in a call to Mr. Gordon McIntyre, of the State Board of Tax Commissioners but has still not received a call back from him. Mr. Jones is hopeful that pending legislation might ease the situation but he has not been able to find any kind of statute that will allow any kind of imposition of an excess levy at this time.

Commissioner Cox said when Mrs. MacGregor borrowed the money last year, did she not have to be in the red before she could request it, or has the law changed concerning that question.

Mrs. MacGregor said this is true, that she appears before this Board with a request, and was told to come back when her funds were depleted.

County Auditor Alice McBride said Mr. Saulman is out of money now, in fact, he is $6000.00 in the red, in his cash money, so he is eligible to make this request at this time.

Commissioner Cox asked Mrs. MacGregor when she would be running out of money in her Poor Relief Fund this year and she replied hopefully not until the end of the year. She said if it were not for the $200,000.00 she owes, she would be able to make it all the rest of the year. She has this debt and she realizes it and has to pay it, but she is hoping if she does have to come back that it won't be for big monies. She said her case load is down almost 500 cases in January, compared to December.

President Borries said the Legislation that Mr. Willner spoke of is at this time moving into the House Ways and Means Committee, at the Indiana Legislature. He is not sure if it has been written, but it certainly is being discussed, because this is becoming a state wide problem. Representative Hayes indicates to us that this is going to be a part of a local option package that the Legislation is working on.

Commissioner Cox seconded the motion made by Commissioner Willner. So ordered.

Commissioner Willner moved the matter be advertised for the March Council Call. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY.....DAVID MILLER

Discussion of Barrett Law: Mr. Miller said concerning the question on the sidewalks near Plaza Park School and how the Barrett Law pertains to it. There is a Barrett Law that applies, which is IC 36-9-18-1, and there are certain portions of that statute that does not apply to the county, and they are set out in Section one (1). The most interesting part of that Barrett Law is in Section 19, which is 36-9-18-19, Sub-section (b), which states "Whenever an improvement is constructed within a platted subdivision the works board may assess all or part of the lots in that subdivision or any other platted subdivision connected to it by the improvement". That is to say, if you find that there is a benefit being experienced by the entire subdivision, you don't have to lay the entire cost off on the owner of the lot that happens to be on the street. He said there are two (2) subdivisions involved in this particular area around Plaza Park School, so the Commissioners may want to look into that matter.

Mr. Miller said you will, of course, have to follow all the steps provided in this Barrett Law, in order to make the assessment, but it is not an involved matter and can be done with no additional cost to the county.

Agreement To Provide Services...Between the County and Alexander: Mr. Miller said he has been provided with executed copies of the advanced life support agreement between the county and Alexander Ambulance Service, Inc, along with a letter dated January 20, 1983, which is from the attorney for Alexander, Mr. Mark S. Mattingly. The letter was as follows:

RE: Emergency Service Agreement between Alexander Ambulance Service, Inc. and Vanderburgh County.

Dear David:

Enclosed herewith are three (3) executed copies of the Agreement to Provide Services.

In that this contract involves a governmental unit and is subject to public scrutiny, Tom Alexander, Rick Haag and myself were concerned with the vagueness of the accounting provisions set forth in paragraph 8 of the Ageeement. Rick and I are both CPA'S and, quite frankly, we were unable to interpret the accounting provisions. That is why we attempted to clarify the accounting procedures in our revision of your original agreement. The executed agreements reflect your original paragraph 8 and because of the vagueness in the accounting procedures, Tom Alexander was somewhat hesitant to execute the agreement; however, he has executed the agreements based on my conversation with you last Saturday night at "Super Susie" in which you indicated that you purposely left the accounting provisions vague so that Alexander Ambulance Service, Inc. could employ the accounting procedures they desired so long as they were in conformity with generally accepted accounting principals and applied on a consistent basis. Tom Alexander informs me that he had a separate conversation with you in which you indicated the same to him.

In summary, Tom Alexander has executed this agreement with the understanding that paragraph 8 is to be interpreted to mean that Alexander Ambulance Service, Inc. can employ the accounting procedures it chooses so long as said procedures are in conformity with generally accepted accounting principals and are applied on a consistent basis throughout the term of the agreement.

David, I tried to reach you by telephone regarding this letter and I apologize for not discussing it with you prior to sending it; however, Tom Alexander indicated to me that your client considers time to be of the essence in this matter and wants the agreement executed today.

Thanks for your cooperation in this matter.

Sincerely,
Mark S. Mattingly
FINE, HATFIELD, SPARRENBERGER AND FINE

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Letter received and filed.

Mr. Miller said they are concerned about making sure they get all of the dollars they are entitled to, under this contract, and that some accounting method not be developed to deny him part of the benefits he is expecting, under the contract. He told them that it was our (the county's) feeling that the $50,000.00 the county has committed, based upon our estimates of total losses, that the full $50,000.00 is spent, in our view, and all we want is an honest, straightforward method of accounting and as long as it was the generally accepted accounting method and it was applied consistantly from period to period, that we didn't care what kind of accounting method they picked. With this assurance, they went ahead and signed the Agreement and sent it back to us for our records.

At this time Mr. Miller submitted the three (3) Agreements and the letter to the Commissioners for the records.

Southwest Engineering, Inc....Concerning Hirsch Road Bridge project: Mr. Miller said he received a letter in today's mail from the attorney for Southwest Engineering, Inc. indicating that Southwest Engineering, as of Friday, was filing an action against the county in order to resolve the Hirsch ditch matter. He does not know if the county has been served with process yet, but he has not, as county attorney. Southwest rejected the offer of $17,000.00.

Commissioner Willner moved that the county attorney be authorized to defend the county in this suit of Southwest Engineering against the county. Commissioner Cox seconded the motion. So ordered.

President Borries said the Commissioners received, on January 26, 1983, the following letter, from Southwest Engineering, Inc, dated January 25, 1983 and directed to the Board of County Commissioners.

RE: Hirsch Road Bridge No. 93
Vanderburgh County, Indiana

Gentlemen:

This letter is to inform you that on February 1, 1983, all construction signs, barricades and flashers belonging to Southwest Engineering, Inc. will be removed from the Hirsch Road Bridge Project.

If this does not allow you adequate time to replace them with other signs, please notify our office.

Sincerely,
Martin R. Nussmeyer
Vice President
SOUTHWEST ENGINEERING, INC.

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Letter received and filed.

Commissioner Cox asked if Deig is on location yet and Mr. David Guillaum replied not yet, that he spoke with them and they should be moving their equipment in there the latter part of this week, so we could be a week without any signage, however, the only place he would see where one would be necessary would be on Green River Road at Hirsch Road. The temporary guardrails are still up out there.

Mr. Bill Bethel, Superintendent at the County Garage, said he will see to it that barricades are put up at all three (3) places, for safety sake and to keep the county clear.

RE: BILL BETHEL.....COUNTY HIGHWAY

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report for the employees at the county garage for the period of January 24 thru January 28, 1983. Report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report for the employees at the county garage for the period of January 24 thru January 28, 1983....received and filed.

Mr. Bethel said they had the grade-all on Staub Lane, Old 460, Pollack Avenue, County Line Road, Mesker Park Drive and they graded the following: All of Union Township roads, River Road, Schmuck Road, River Road, Wallenmeyer Road, Armstrong, Adler Road and County Line Road. They had tree crews on Denzer Road, Schenk Road, Short Mill and Braum Road. They had patch crews on Big Schaffer, Baseline and Boonville/New Harmony Road.

Last week Commissioner Willner asked him to check on a wash-out in the road on Boonville/New Harmony and County Line Road, and he not only checked on it but he has it all repaired, and at this time he will submit photographs taken of it.

RE: BOB BRENNER.....SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crew for the period of January 24 thru 28, 1983. Report received and filed.

Awarding of Bid on Hogue Road Structure #50: Mr. Guillaum said after reviewing the bids the Surveyor's office recommends the bid on Hogue Road be awarded to Deig Bros. in the amount of $35,716.50.

Commissioner Willner moved that Deig Brothers be awarded the bid on Hogue Road, in the amount of $35,716.50. Commissioner Cox seconded the motion. So ordered.

All bids were submitted to the County Auditor, for filing.

Claim: Mr. Guillaum submitted a blue claim for Key Construction for work performed for Fifth Avenue bridge deck repair as per attached invoice, in the amount of $26,420.00.

Mr. Guillaum said attached to the blue claim is a change order on this project, in the amount of $4,060.00, for additional mobilization and labor necessary also additional concrete necessary.

Commissioner Cox asked if the $26,420.00 included the change order and Mr. Guillaum replied yes, that the original bid was for approximately $22,000.00.
Commissioner Cox moved the claim and change order be approved. Commissioner Willner seconded the motion. So ordered.

Performance Bond for Deig Brothers: President Borries said also before us today we have a Performance Bond for Deig Brother, in relation to the Hirsch Road Bridge #93 contract.

The Bond was referred to the County Auditor for proper filing.

RE: REDISTRICTING OF DARMSTADT FOR THE 1983 ELECTION

President Borries said the matter of the redistricting of Darmstadt for the 1983 election was referred to the County Surveyor's office for some final computation and he believes Mr. Bill Jeffers is present today to give his report.

Mr. Jeffers said if the Commissioners will recall, sometime last summer he brought before this board some redistricting of county precincts and at that time Commissioner Cox pointed out we may have a problem in Darmstadt because the law, at that time, said we could not go across township boundaries. The law said the boundary would be made up entirely of counties, state, township or incorporated municipalities first, and then geographic features, such as roads, railway, streams, etc. second. At that time the law (IC-3-1-8) prohibited us from crossing Armstrong, Center and German townships with precinct boundaries. Since that time, there is a law before the Indiana Senate, which is House Bill 1060 and it has passed the House and is expected to pass the Senate very shortly, which excludes towns from this requirement. However, there is Public Law #5 from 1981, that when the state redistricted all the Senate Districts and Darmstadt is effected by this because they have a small portion of Darmstadt in Senate District #49 and a large portion of Darmstadt in Senate District #50. We have recieved a request from the State Election Board, through Ms. Helen Kuebler, Vanderburgh County Clerk, asking us to redistrict the Town of Darmstadt for the 1983 town election, and he is sure the Commissioners received this same letter of request from Ms. Kuebler. She is asking that portion of Armstrong, Center 8 and German 3 which lies within the corporate boundary of the town of Darmstadt as of December 31, 1982, Pct.I and that portion of Scott township that lies within the corporate boundary of Darmstadt as of December 31, 1982, Pct. II.
He said this morning he made a call to the State Election Board, who's Director is now Laurie Christy, and one of her employees named Ms. Bard is handling this and she explained the whole thing to him and she cut out a lot of work for us that we thought we were going to have to do, merely because we only want two (2) precincts, and all it has to conform with is the boundaries of Darmstadt and the boundaries designated by Senate Districts #49 and #50, therefore, we are able to take all that portion in Armstrong, Center and German, which falls in that district and make that Precinct #I and the rest of it that is in Scott, we can make that Precinct #II. He knows the Board of Commissioners are in a big hurry for this and what maps he is now submitting are not nice and neat, but he would like to present the Board with what they intend to do and if the Commissioners choose to approve it today, then you will meet the deadline of January 31st. and they will then produce a clearer copy to submit to the state. He pointed out on the map just exactly where the boundaries are and where the precincts will be located and showed the Board what legal descriptions he used.

Commissioner Willner moved the redistricting of Darmstadt be approved, as submitted. Commissioner Cox seconded the motion. So ordered.

President Borries asked Mr. Jim McIntyre if after these maps are drawn up will that clarify things, in relation to what work has to be done in Voters Registration and he replied yes, and after that election, it will revert back to the old precincts, or that is how he understands it.

Commissioner Cox said as she reads the new pending legislation, it will put the jurisdiction for handling town elections back within the jurisdiction of the Town Board, and we will no longer be involved in that, in any way. They have had two (2) elections out there that Voters Registration had nothing whatsoever to do with and you are a county registration board and if this is under their (Darmstadt's) jurisdiction, you will not have anything to do with it in the future. Another thing, she understands Darmstadt has less than 3,000 population, and if this is true, they do not have to have a primary election, that it can be handled by a town meeting, to get their nominees on a ballot.

Commissioner Willner said he believes the population is more like 5,000.

President Borries thanked Mr. Jeffers for all the work he put in on this and for his presentation to this Board.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Eichoff Road Contract: Mr. South said about two (2) weeks ago he submitted to the Board the Eichoff Road contract for study by the Commissioners and he asked that any changes anyone wanted made, to let him know the next week. He said that he and David Jones have both worked on this thing off and on quite a bit recently and the only thing they find in error are the page numbers, that when they put the two (2) documents together the pages did not match up.

President Borries said he received the one (1) copy that Mr. South submitted and he does not know if the other two (2) commissioners have had a chance to study it, but he would ask if this is the kind of contract that would be used on other projects in the future.

Mr. South said it is a model, that in general it is the overall contract that we propose to use with consultants in the future. In general, the only change will be in the appendices, or any change the state might require. This is, with the exception of the appendices, on the word processor in Mr. Jones' office and three (3) out of the five (5) of the appendices is on the word processor in his own office, so we are prepared to make rapid changes if they are required.

President Borries said Appendix D indicates places where you can put in the fees in fixed amounts and Mr. South said that is correct.

President Borries said he will pass this along to the other Commissioners for their viewing at this time.

Agreement with Southern Railway System for Grade Crossings: Mr. South said last week the Board referred to him, to review, an agreement received from the Southern Railway System, providing for the existance of a gravel public grade crossing across the right of way or track of the Southern Railway at mile post 145.14, in Vanderburgh County. He said this is on the north County Line Road and it isn't even our road, that this should be sent to Gibson County. He said there is also a set of another five (5) or six (6) agreements in there that came in a few months ago and they just sort of buried them, but basically, in reading the documents, he believes the railroad is trying to sucker us into taking over a lot of their responsibilities and his recommendation is not to send that back to the railroad. A few months ago he called the railroad and asked them how many counties actually turned this kind of stuff back into them and he was told "a few" do.

President Borries said then your recommendation would be for us not to sign it and to send the appropriate portion on to Gibson County and Mr. South replied yes.

Commissioner Cox said she feels we should send a letter to the railroad informing them that we do not wish to enter into such an agreement, because sometimes we get two (2) or three (3) follow-ups on these things, and this way a letter sent to the railroad would be on file with us and with them.

Mr. South said normally he would recommend this be referred to the county attorney but it would have to be an outside attorney because neither of our county attorneys can work on it, with it being railroad matters. However, he would think it good to have a legal opinion on it, to make sure he is reading the same language in it that an attorney would interpret it to say, because it appears to him that we would be taking over a lot of responsibility in the long run.

Commissioner Willner said he did look into this a little bit, since they mentioned Pruitt Road, which is close to his house. This is the same railroad we had the problems with on the underpasses on Bender Road and Boonville/New Harmony Road, that hasn't been used for approximately twenty (20) years. Originally, the documents that were signed some fifty (50) or sixty (60) years ago, was that the railroads were built over the top of our roads and if he understands it, now the railroad wants us to sign some documents saying on those same roads, that now our road is going over their railroad tracks. This is a good move for the railroad if they can get us to sign it, but he personally is not prepared to sign any of those documents now or in the future.

Mr. South said he can file it with a copy of today's minutes and dead file them, or if the Commissioners want some response written to the railroad, he will leave it up to the pleasure of the Board.

Commissioner Cox moved a letter be written to the railroad concerning this matter, saying basically we do not wish to enter into an agreement of this nature. Commissioner Willner seconded the motion. So ordered.

Right-of-Way on St. Joseph Avenue and Schenk Road: Mr. South said this matter of Schenk Road is due to come up at the Area Plan Commission meeting this Wednesday night. We have put together some preliminary information, on what he thinks is a good guess on what the improvements would look like at this intersection and at this point he is prepared to recommend that we should retain a sixty (60) foot right-of-way on the west side of the center line. The subdivision ordinance requires forty (40) foot so the additional twenty (20) foot is what we need to negotiate, or figure out how we are going to obtain it. If we use federal funding, and this is the route we are going down now, there are certain things that must be done, and an appraisal is one of the things, assuming the ground isn't going to be donated to us. He would recommend, if we go this route, that an appraisal be made before the subdivision is final, because we would be appraising a twenty (20) foot strip off of a woodland and not off of a four (4) lot subdivision. We could go to Area Plan Wednesday night with this recommendation, if the Commissioners agree.

Commissioner Willner said then the gentleman could take off the extra twenty (20) feet and go ahead and do his sub....right?

Mr. South said yes, that he believes some agreement could be made to allow him to go ahead and do it, but he would have to move his frontage road back another twenty (20) feet, because it it proposed to set right behind the forty (40) foot right-of-way.

Commissioner Willner said the road is already built, but it's not an improved road.

Mr. South said it wasn't built a couple of weeks ago when we were out there doing field checks, that it shouldn't have been until he gets approval for his lots.

Commissioner Cox said he does have a filed entrance down lower, but she didn't notice any running right along St. Joe Avenue. It seems to her that the logical way to do that is to extend a road which would match up with Schenk Road, just extend on the west side of St. Joe a road back to service those homes and put the road below the hill, because we don't know what the elevations are going to be yet.

Mr. South said not only the appearance, but a service road down low doesn't eat up valuable building space which is what it is doing up higher. He has not contacted the owner or the Surveyor yet because this was just finished this morning, and he wanted to get the Commissioners feeling on it first, and he can contact the Surveyor tomorrow before this goes to Area Plan on Wednesday.

Commissioner Cox said see if they would look at the possibility of making a road go west off of St. Joe that would match up with where Schenk is now.

Commissioner Willner said he believes that is what he plans to do, except for one (1) lot.

Commissioner Cox drew a little sketch, showing Commissioner Willner the way it was explained to them at the last Area Plan Commission meeting.

Mr. South said he can bring up some rough cross sections they took of each lot line. The reason they need sixty (60) foot of right-of-way on the bottom is because of high fills and we need it on the top because of a deep cut. In between, about half way up it worked out pretty good.

Commissioner Cox said Area Plan wanted to know two (2) things and so did the engineer on this proposed subdivision, and that is 1.) the right-of-way necessary, and 2.) when is it going to be purchased.

Commissioner Willner said are you talking about buying this from R&S Funds and Mr. South said yes, that is the only fund he is aware of where it can be purchased from, and we need to proceed with the appraisal route, that we need to tell APC, in his opinion, that yes, we are willing to proceed with obtaining this right-of-way when things can be worked out.

Commissioner Cox moved the Commissioners accept the County Engineer's recommendation, to purchase the needed right-of-way on the left side of St. Joe Avenue. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner moved the Commissioners appoint Mr. Victor Funke as the right-of-way buyer for the project. Commissioner Cox seconded the motion. So ordered.

Mr. South said he would contact Mr. Funke.

Supplemental Agreement on Changes to Contract - Burkhardt Road Improvements: Mr. South said the state asked for some terminology changes in the contract for the Burkhardt Road Improvements, therefore he would submit the following letter for the Commissioners signature. This whole thing was approved January 17, 1983, therefore he would recommend the Commissioner sign the letter and get it sent to the proper authorities.
The letter reads as follows, from Morley and Associates, Inc. dated January 28, 1983.

Re: Supplemental Agreement for Changes to Contract-Burkhardt Road Improvements
Our Project #81-468-1

Dear Board Members:

Three changes are submitted to the Indiana Department of Highways for the Burkhardt Road Improvements. In order for the Federal Highway Admisistration to concur with these changes, a letter of supplemental agreement executed by the County Commissioners must be received.

The first change is an increase in soils work necessary to meet the requirements of IDOH soils section. This increase amount totals $66.25.

The second change is for additional engineering work required to prepare survey descriptions and plats for temporary and permanent right of way necessary to complete the project. The total amount of this work is $1,680.00. Attached is the manhour justification for this change. This work was not included in the original agreement.

The third change is the reconciliation of the estimated environmental services to the actual services performed. This is a reduction of $2,299.39 because a full environmental impact statement was not required.

It will be necessary to decrease the amount of the total fee under Agreement (Subsection 5.1) from $71,386.00 to $70,832.86, a decrease of $553.14.

If you approve of these changes, please sign below and forward a copy of this letter to the Division of Local Assistance. Please return one copy to us for our records.

Yours truly,
Ronald A. McGillem
Vice President
MORLEY AND ASSOCIATES, INC.

Commissioner Willner moved the letter be approved and signed. Commissioner Cox seconded the motion. So ordered.

Discussion of Sidewalks near Plaza Park School: Commissioner Cox said concerning a letter that was read earlier in the meeting, from Bonnie Brill, Plaza Park PTA Board, in regards to putting in sidewalks in that area, that the last paragraph of her letter states there is a critical need to slow traffic on Outer Loncoln before it reaches the crossing point and that a four-way-stop at Martins Lane and Outer Lincoln could do this effectively.

Mr. South said as a rule, a request for a four way stop to do nothing but slow traffic is not a good use of the stop sign, that they are not to be used to slow traffic, that if a lower speed limit is needed, then it should be lowered and inforced. He would recommend this matter be referred to Mr. David Savage and have him report to the Commissioners on it.

Commissioner Willner moved the matter and a copy of the letter be referred to David Savage, Traffic Engineer. Commissioner Cox seconded the motion. So ordered.

RE: SEMI-ANNUAL SERVICE CONTRACT WITH A-F FIRE AND SAFETY

President Borries said last week we had a semi annual service contract from A-F Fire Service, in the total amount of $60.00. None of the Commissioners understood what this was for, therefore it was to be checked out this past week. We now have the contract before us again with the following note attached by Mrs. Meeks.

> This contract is automatically renewed every six (6) months unless there is a price change. The last contract was signed on June 21, 1979 by the County Commissioners, at which time the rate was raised to $50.00 per year. It is now raised to $60.00 per year. A blue claim will be sent to the Sheriff's office, as this is to be paid from Jail account #105-220.

Commissioner Cox moved the contract be signed. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED FROM EVANSVILLE CABLE T.V.

A check for $6,816.63 was received from Evansville Cable T.V. along with the following letter.

Dear Commissioners,

Evansville Cable is again more than happy to send you the encolsed check in the amount of $6,816.63 which represents the fourth quarter payment from October 1, 1982 - December 31, 1982. As you can see, this check is up considerably over the $6,060.09 which was sent to you for the third quarter of last year.

We are beginning to pick up where we should have been but due to the June 8 storm, our credits for that particular quarter were horrendous.

We are now in the process of finishing Diefenback Road from Koring to Little Schaefer Road, Folz Lane and are now in the process of building Detroy Road from 460 to Mesker Park, Cynthiana Road from 460 to St. Wendel Road, including side streets of : Wood Haven Drive, Old 65, Kasson Drive, Char Mar Lane, Choise Cut Lane, Temper Trail Court, Mill Road (west of Cynthiana to Happe Road), Henze Road (from Mill Road north-part of), #6 School Road (from Cynthiana to Neu), Plainview Drive (from Cynthiana to Neu), Neu Road (between #6 School and Plainview). This would consist of approximately 400 additional homes being brought on to cable.

Darmstadt is in the process of being walked out and mapped for make ready purposes and should be built within the next six months.

We are also submitting, hopefully to be built in 1983, an extension at the end of Hogue Road taking in the Kirchoff subdivision.

Another area that will be submitted this year is Old State Road from where we terminate at the railroad bridge on to Hillsdale Road, east across Highway 41 to a little housing area north up Old State Road to Ridgeview Heights. This should consist of approximately 200 homes.

Again, we would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the County with cable TV service.

If the Commissioners have any questions, please feel free to give me a call.

Best regards,
Robert D. Ossenberg
Vice President and
General Manager

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Letter received and filed.

Commissioner Willner moved the check be signed and referred to the County Auditor. Commissioner Cox seconded the motion. So ordered.

RE: APPOINTMENTS TO VARIOUS BOARDS

President Borries said the Commissioners have several pending appointments to make so perhaps those could be made at this time. They were as follows:

Board of Zoning Appeals: President Willner said that Mr. Louis Carnaghi resigned his position on the Board of Zoning Appeals, that will expire on December 31, 1983. At this time he would like the name of Mr. Clifford H. Ford, Jr. to be placed in nomination to fill the un-expired term.

Commissioner Willner so moved. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

Human Relations Commission: President Borries said after 1983, the county, because of the Human Relations' extention of jurisdiction, we will have additional appointments but at this time he would entertain a motion to reappoint Mr. Earl Roehm, 410 Miller Road to a two (2) year term, which would expire 12-31-84.

Commissioner Willner so moved. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

Board of Park Commission: President Borries said we have had several inquires concerning our appointments to the Park Board and according to the statutes that extended the city of Evansville's park boundaries to the county line, the appointments could include only those who are a resident inside Vanderburgh, but outside the city limits. One appointment must be a democrat and one must be a republican. At this time he would entertain a motion to place as the democrat nominee, Doctor Charles Greif, 7731 Newburgh Rd., for a two (2) year appointment, to expire December 31, 1984. For the republican appointment, he would like to place the name of Mr. Don McMurtry, Browning Road, for a four (4) year term, to expire December 31, 1986.

Commissioner Willner moved Mr. McMurtry and Dr. Greif be appointed to the Board of Park Commission.

Commissioner Cox said she would not like to second the motion because she was not aware of the appointments today, nor of the people to be placed in nomination.

President Borries seconded the motion, which carried with two (2) affirmative votes. Commissioner Cox abstained, stating she did not want to participate in this because she feels like we do not know enough about this Board and what their duties are, and also we have an existing Advisory Board that we are presently waiting for a recommendation from.

President Borries said concerning the Burdette Park Advisory Board, he and Mrs. Cox attended their last meeting and he is not sure if they said when they would be submitting their report to us.

Commissioner Cox said she had to leave early, so she is not aware of when that report will be forthcomeing either but her understanding is that it will be in the next couple of weeks.

Preisdent Borries said he would ask that the Commissioners consider, assuming the report is completed in a few weeks, as to whether or not we would want to reappoint a Burdette Park Advisory Board.

Both Commissioner Cox and Willner said they would prefer to wait until they have seen the report the Advisory Board is to submit.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Schultheis Insurance Agency, Inc. for J.H. Rudolph, due to a merger, Feigel Construction Corp. is now J.H. Rudolph.

A certificate of insurance was submitted by Indiana Vocational Technical College for commencement ceremonies on May 13, 1983, at the Auditorium.

A certificate of insurance was submitted by Deig Brothers Lumber and Construction Co., Inc for Hirsch Road Bridge #93.

A certificate of insurance was submitted by Southern Indiana Gas and Electric Co. for a dinner and dance....at Auditorium on Feb. 17, 1983.

All certificates received and filed.

RE: ANNUAL REPORT FROM THE VANDERBURGH COUNTY JAIL FOR 1982

Received was the annual report from the Vanderburgh County Jail for the year 1982. Report received and filed, with instructions that David Jones be mailed a copy of it.

RE: CLAIMS

A claim was submitted by Helen L. Kuebler for travel expenses for the State Election Board meeting, held in Indianapolis, in the total amount of $172.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Fred Nenneker, for a refund on permit #4179V, in the amount of $33.50. Claim was signed by Jesse Crooks.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by Helfrich Insurance Agency for county coverages.

Highway, Comprehensive General Liability 1/1/83 - 4/1/83.....$30,114.00
Highway, Comprehensive General Liability 4/1/83 - 7/1/83.....$30,114.00
Highway, Workers Compensation 1/1/83 - 1/1/84.....$11,253.00
Highway, Business Auto Policy 1/1/83 - 1/1/84.....$12,744.00
General Fund, Comprehensive General Liability 1/1/83 - 1/1/84.....$70,344.00
General Fund, Business Auto Policy 1/1/83 - 1/1/84.....$31,073.00
General Fund, Workers Compensation 1/1/83 - 1/1/84.....$30,607.00
General Fund, Comprehensive Business (Property Ins.) 1/1/83 - 1/1/84....$29,165.00
General Fund, Public Officials Liability 1/1/83 - 1/1/84.....$ 9,166.00
General Fund, Public Employees Faithful Performance Bond 1/1/83 - 1/1/84...$899.00
General Fund, Crime Insurance 1/1/83 - 1/1/84.....$ 1,327.00
General Fund, Watercraft Insurance 1/1/83 - 1/1/84.....$ 540.00
General Fund, Non-Owned Aircraft Liability 1/1/83 - 1/1/84.....$ 817.00
Welfare, Comprehensive General Liability 1/1/83 - 1/1/84.....$21,068.00
Welfare, Comprehensive General Liability (Homes) 1/1/83 - 1/1/84..$ 2,777.00
Welfare, Workers Compensation 1/1/83/ - 1/1/84.....$17,168.00
Welfare, Workers Compensation (Homes) 1/1/83 - 1/1/84.....$ 2,932.00
Welfare, Business Auto Policy 1/1/83 - 1/1/84.....$ 1,216.00
Work Release, Comprehensive General Liability 1/1/83 - 1/1/84.....$ 1,575.00

Commissioner Willner moved the claims be approved. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by Ohio Valley Reporting Service:

A deposition of Sheriff James DeGroote, regarding a pending legal suit concerning the county jail, in the sum of $130.20.

A deposition of Bruce F. Meyer, in connection with the class action suit of the jail, in the sum of $490.00.

Commissioner Willner moved the above two (2) claims be approved, given to Mrs. Meeks and put on the March Council Call. Commissioner Cox seconded the motion.

RE: EMPLOYEE CHANGES.....APPOINTMENTS

PROSECUTOR IV-D PROGRAM

Benjamin E. Haddox	1233 S. St. James	Deputy Pros.	$16,000.00 Yr.	Eff: 1-31-83

WEIGHTS AND MEASURES

Frank Lutz III	536 Stanley Ave.	P/T Inspect.	$30.00 Day	Eff: 1-24-83

PROSECUTOR

Dana Shuler	51 Taylor Ave.	Chief Invest.	$16,247.00 Yr.	Eff: 1-1-83
Doloris Savage	1117 Burdette	Receptionist	$10,260.00 Yr.	Eff: 1-1-83

RE: EMPLOYEE CHANGES.....RELEASES

WEIGHTS AND MEASURES

Sara Barron	1763 S. Taft Ave.	P/T Inspect.	$30.00 Day	Eff: 1-19-83

PROSECUTOR

Dana Shuler	51 Taylor Ave.	Chief Invest.	$14,747.00 Yr.	Eff: 1-1-83
Doloris Savage	1117 Burdette	Receptionist	$ 9,825.00 Yr.	Eff: 1-1-83

There being no further business the meeting recessed at 4:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries	Alice McBride	David Miller
	Robert L. Willner		
	Shirley Jean Cox		
SECRETARY:	Janice Decker		

R J Borries

Robert L Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 7, 1983

The meeting of the County Commissioners was held on Monday, February 7, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding. This being the first meeting of the month it was officially opened by Sheriff Shepard. The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading of them dispensed with.

RE: OPENING OF BIDS FOR BOILER AT AUDITORIUM

Commissioner Willner moved the County Attorney proceed with the opening of bids received for the boiler replacement at the Vanderburgh Auditorium. Commissioner Cox seconded the motion. So ordered.

RE: AWARDING OF BIDS FOR MOST USED OFFICE SUPPLIES

Mr. Ben Evans, Director of the City/County Purchasing Department was present and stated on the bids received for the most used office supplies, that based upon the fact they are the lowest bidders, the Purchasing Department recommends the bid be awarded to Atlas Office Supply.

Commissioner Willner moved the bid be awarded, as recommended. Commissioner Cox seconded the motion. So ordered.

RE: FINANCIAL REPORT FROM COUNTY TREASURER

The following report was submitted by the County Treasurer, Lewis F. Volpe , dated February 2, 1983.

TO: COUNTY COUNCIL
COUNTY COMMISSIONERS

Thus far, $43,008.79 interest has been collected and receipted into the County Revenue Fund.

Outstanding investments are:

1) Repo, $900,000, dated January 10, 1983, due February 8, 1983. Estimated income $5,437.50. Rate 7.50%.

2) Repo, $700,000, dated January 13, 1983, due February 10, 1983. Estimated income $4,015.28.

3) Repo, $300,000, dated January 4, 1983, accrued to February 14, 1983. Estimated income $3,082.77. Various rates.

4) Repo, $900,000, dated January 4, 1983, accrued to February 22, 1983. Estimated income $9,119.15. Various rates.

5) Certificate of Deposit $500,000, dated December 29, 1982, due July 6, 1983. Estimated income $22,500.00. Rate 8.65%.

6) Certificate of Deposit $6,000,000, dated February 1, 1983, due March 8, 1983. Estimated income $46,300.00. Rate 8.05%.

7) Repo, $500,000, dated January 25, 1983, due February 22, 1983. Estimated income $2,868.06. Rate 7.375%.

Total estimated income is $93,322.76 of which $13,300.00 is committed to the Federal Revenue Sharing Fund, and the Reassessment Fund.

Yours truly,
Lewis F. Volpe,
Vanderburgh County Treasurer

There being no questions, the report was ordered received and filed.

RE: REQUEST TO TRAVEL....BARBARA CUNNINGHAM, AREA PLAN COMMISSION

Mrs. Cunningham, Executive Director of the Area Plan Commission was present and read aloud the following request to travel, dated February 7, 1983 and directed to the Board of County Commissioners.

Commissioners:

I am requesting permission to attend the Indiana Planning Association 1983 Indiana Conference for Local Planning Officials to be held April 5-6 at Purdue University.

As a member of the Indiana Population Working Group, I also request travel to attend the spring meeting to be held April 20th, at the Indiana State Board of Health Auditorium in Indianapolis.

Both meetings are essential to attend for the performance of our office. Because there is no longer an active State Planning Agency, the Indiana Planning Association serves as the planning activity source. At this meeting new and proposed State laws are discussed, new funding programs, new techniques in planning and zoning, and other tools that are necessary to run a professional office. The Indiana Population Working Group deals mostly with Census information and State Population projections. Both of which are necessary for long term planning, and are needed for our Comprehensive Plan.

I thoroughly understand the County's tight financial situation and it is unfortunate both meetings occur in the same month. We have sufficient funds in our budget to cover the expenses.

Respectfully,
Barbara L. Cunningham
Executive Secretary/Executive Director

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Ms. Cunningham said she transferred some $1200.00 out of her travel account at the beginning of this year, but she still has about $800.00 in the account.

After checking the budget book, Mrs. McBride said that Area Plan was allowed $2,000.00 in their travel account at budget time, for 1983.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

1982 Annual Report: Mrs. Cunningham submitted one (1) copy of the Area Plan Commission Evansville-Vanderburgh County's 1982 Annual Report and stated that in the interest of economy she is submitting only the one (1) copy, however, if any of the Commissioners are interested in additional copies she will see they get one.

Annual report received and filed.

Letter Concerning the Rezoning of Southwestern Indiana Baptist Association: Mrs. Cunningham submitted the following letter with additional information concerning the rezoning request from the Southwestern Indiana Baptist Association which was before the Commissioners on January 17 and is to come back before them on February 22nd. She said when Mr. Pollock was present in January he was told this would be heard again on February 21, however, that is a legal holiday, and they have contacted Mr. Pollock that it will be heard at 7:30 p.m. on the 22nd. The letter reads as follows:

The rezoning proposed is to allow a church association to build an office building to work closely with 25 churches. It is not a church. The zoning requirement is based on the actual intent and use of the building and the petitioner has indicated the site is proposed strictly for regional offices. This use is specifically listed in the Vanderburgh County Zoning Ordinance Use Group 5 under definition Fraternal, Religious Charitable Association Offices and is allowable in R-O, C-1, C-2, C-4 and M-1 zones.

Special Use category 5 was suggested by Mr. Steedman at the County Commissioners meeting January 17. The Special Use category is for charitable and philanthropic institutions associated activities. Most of these have commercial classifications, i.e., Visiting Nurses - R-O, Catholic Charities - C-3, Girl Scouts - C-4, Salvation

Army main building - M-1, Goodwills are zoned commercial, St. Vincent DePaul office, C-4. A Special Use for an office building is inconsistant with our policy.

Parking required is determined by the same ordinance. Small office buildings require 1 space per 200 square feet. The lot proposed for rezoning is not planned to be broken off the original 23 acre plat. Auxiliary parking lots do not have to be rezoned. With their additional acreage, they will be able to satisfy any parking needs.

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Letter received and filed for future reference in connection with the rezoning request.

RE: DATA PROCESSING...BOB FORTUNE...REQUEST TO APPEAR BEFORE COUNCIL

Mr. Bob Fortune, Director of the Data Processing Department was present and read aloud the following letter directed to the County Auditor, dated February 2, 1983.

County Data Processing faces a deficit in the year 1983. The precipitating factors have been:

1. An increase in the lease during 1982 that was not budgeted.
2. An increase in the lease during 1983 that was not budgeted.
3. An increase in the lease for 1983 due to new applications.
4. A cut of the budget by the County Council to the 1982 beginning level.
5. A cut of the lease account by the State to meet the tax levy.

Due to the above factors, the County will have a shortfall of $90,000.00 and will be unable to meet their lease obligation this year. Alternatives include:

1. Appropriating the necessary funds.
2. Buying out the lease and refinancing.
3. Renegotiate the lease with the vendor.
4. Evaluating the changing of equipment to a new vendor.
5. Cancelling existing programs and hardware.

Sincerely,
R.E. Fortune
Director

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Letter received and filed.

Mr. Fortune said he would recommend the county choose to continue the funding of this because within about a year it will be mostly paid for, on the lease/purchase plan.

Commissioner Willner moved the request to appear before county council be approved, that the $90,000.00 be put on for the March call and he would also like to suggest a meeting with Mr. Fortune and members of the Council and the Commissioners, in Mr. Fortune's office, so that he can explain to everyone the workings of the department, that there are several councilmembers that do not understand the workings of the department and they need to become familiar with it. Commissioner Cox seconded the motion, with a request that Mr. Fortune supply the Commissioners with some figures on the options mentioned in his letter.
A meeting was set up with Mr. Fortune at 2:30 p.m. on February 22nd.

RE: DAVID SAVAGE....TRAFFIC ENGINEER

Recommendation on 4-way Stop Request from Plaza Park PTA

President Borries said for the past couple of weeks there have been discussions concerning sidewalks in the Plaza Park School area and there was a request from the School's PTA Health and Safety Chairman, Ms. Bonnie Brill for a 4-way stop at Martins Lane and Outer Lincoln Avenue, and at this time he would ask Mr. Savage for his recommendation on this matter.

Mr. Savage submitted the following letter, directed to the County Commissioners and dated February 7, 1983.

RE: Outer Lincoln & Martins Lane
4-Way Stop Request

This office has evaluated subject intersection in accordance with the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) and has found that it does not meet any of the necessary warrants for multiway STOP signs. The IMUTCD further states that STOP signs should not be used for speed control. Existing right-of-way control is such that Martins Lane stops for Outer Lincoln.

RECOMMENDATION: This office recommends that the existing right-of-way designation remain at the intersection of Outer Lincoln and Martins Lane.

David L. Savage, P.E.

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Letter received and filed.

Mr. Savage said the request for the STOP sign also went before the Board of Safety, because half of it is in the city and half of it in the county and they instructed the Evansville Police Department to do some speed control in the area to see if that would be helpful. We are also taking a look at the speed limit on the road to see if the 20 MPH limit, when children are present, should be extended from where it presently is, on down to in front of the school. He would welcome any input from the Commissioners should anyone have anything.

Commissioner Cox asked Mr. Savage if he would contact Ms. Brill and inform her of his recommendation to this board and he replied that he would. Mrs. Cox said she would be very supportive of the added police patrol and possibly a slow down of the speed when children are present, as it is at other schools.

Request to Conduct a Speed Study: Mr. Savage said his office has received requests for reduced speed limits in a couple of other areas and he knows an effort was made some time ago to try to reduce the various number of speed limits that we have all over the county. In some places a 40 MPH speed limit is not practical and to take some of the subjectivity out of it he would be in favor of having the standard procedure for requesting a speed limit, would be to have a speed study done, as it is set out in the Indiana code for modifying the statutory speed limits.

Commissioner Willner said he thought that is what we are doing now and Mr. Savage replied with all the speed limits that have been changed since he has been here, with the exception of Darmstadt Road, there were no speed studies conducted.

All the Commissioners agreed for Mr. Savage to conduct these studies.

RE: DAVID GERARD....EVANSVILLE URBAN TRANSPORTATION STUDY

Federal Funding Applications: Mr. Gerard said he would like to submit the federal funding applications to the Commissioners at this time, for approval, that this is done on an annual basis. He has tried to compile the applications he thought appropriate, based on discussions he has had with the Commissioners.

1. Burkhardt Road Construction. This is the widening project from SR 62 down to Outer Lincoln Avenue. This will be Federal Aid Urban money and the county share of local funding is 25%, which will amount to approximately $386,000.00. Total estimated construction cost, including construction engineering is $1.54 million dollars.

2. Railroad Improvement - Burkhardt Rd and Southern Railway: This is funded 90/10%, which is 90% federal and 10% local and the 10% is reimbursed to the county by the Public Service Commission, so for all practical purposes it is a 100% funded project.

3. Covert Avenue Extension: This is for construction and the total estimated cost for the road project is approximately $2.8 million dollars, that 2.4 million of that is either in Evansville or Vanderburgh County, that it is roughly split even in terms of design costs and the county share will be approximately$305,000.00, and we will begin buying the right-of-way for this project, this year, as the Commissioners are all aware of.

4. Green River Road: This is widening between Morgan Avenue and Lynch Road Extension. We are submitting this for preliminary engineering, using Federal Aid Urban money. If the Commissioners recall, in the past two (2) years, that Federal Aid Urban money was not even available for engineering and this year it is available, although it is the bottom priority, so in all honesty he would have to say it is very doubtful it will be available, but we are going to go ahead and try for it, since it is an eligible catagory this year. This is a joint city/county project and the county share is about $16,000.00.

5. Pollack Avenue: This is a widening project from Green River Road to the Warrick County Line and we are not talking about a four (4) lane facility, merely a standard two (2) lane, and again using Federal Aid Urban money, so the probability is low in getting it approved. We would like to take a look at the traffic estimates along that stretch and see if perhaps the county could not do it cheaper simply by doing it with 100% local monies and not build it to federal standards. Basically this would be a minor lane widening with the piping of the ditch. The county share on this is about $18,000.00.

6. St.Joseph Avenue and Meier Road: We are submitting this as Hazard Elimination System money, which is 90% federal and 10% local. Both this and the St. Joe/Schenk projects are safety improvements, but in order to qualify for this money there is a fairly rigorous justification report that has to go along with it, and if we see there is any chance at all to get it through, his office will prepare that report this year. If we fail to get the Hazard Elimination money then we would turn this back to a Rural Secondary project, at 75% federal and 25% local. The environmental assessment and location design have both been approved on this project, and was done so back in 1979.

7. St. Joseph Avenue and Schenk Road: This would be applied for as Rural Secondary monies, with 75% federal and 25% local and the county share would be approximately $67,000.00, in the available estimates.

Two Signing Applications: Mr. Gerard said back in January of 1981 the Federal Highway did authorize some Rural Secondary money to do the engineering work for installing hazard warning signs on the rural secondary roads in the county. No work has ever been done, no contracts ever signed, and no local force work has ever been conducted and we are applying for the installation of it in Rural Secondary money.

Urban Roads Within Vanderburgh County: Mr. Gerard said this would be a similar project only on the urban roads within Vanderburgh County and a portion of this would be attributed to the city. We are going for both the engineering and the actual construction of the signs.

Vanderburgh County Bridge Reinspection: Mr. Gerard said if the Board will remember, you applied for this last year, that it was programmed by the state, but there has not been any work done on it. He believes the Commissioners discussed whether or not to do this in-house, out of the County Surveyor's office, or hire an outside firm, and once that decision is made then the necessary steps out of his office can be made. In the event no decision is made in time to get this money authorized for this fiscal year, we are going ahead and reapplying for it. All this does is simply guarantee us that it will be available next year, providing we don't get it started this year.

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Mr. Gerard said the total county cost is $840,000.00. He distributed to each of the Commissioners a copy of a funding sheet and stated that Vanderburgh County, about a year ago, using estimates from the State Board of Accounts, we estimated that in 1982 Vanderburgh County would receive $377,730.00 in roads and streets money. The acutal 1982 receipts were $376,482.00. Using the State Board of Accounts procedures to estimate 1983 R&S revenue of $381,000.00. He said it is probably more prudent to use the 1982 figure for estimating 1983, which would be somewhat lower. He said in the past he has prepared estimates and he knows that Mr. David South has also prepared estimates of what happens over the next four (4) or five (5) years with the roads and streets account and there is not going to be sufficient monies to proceed with all the projects the county has in the air at this time. Sometime in the near future we all need to sit down and look at either holding certain projects back for awhile or looking at alternative ways of funding them, as other county's have done, such as Warrick County.

At this time he would ask the Commissioners to sign the Applications and he will take them to Indianapolis tomorrow, as he is going to be in a series of meetings up there,

concerning various items, including funding for next year.
Another thing he would like to explain is that the new gas tax, that 4¢ of that is going into the Highway account, for road projects. In previous years there was a discussion that the Federal Aid Urban classification was going to be dropped by the Federal Highway and as a result of the gas tax that will remain at $800 million dollars for the next four (4) years, so that is good news. The bulk of the money is going to construction of interstates, reconstruction and repair of interstates and bridges. None of this gas tax money is coming directly to the county and it is not going to increase your roads and streets account or the motor vehicle highway account, but what it is going to do is make monies available to match with local dollars.

Commissioner Cox said she would support each of the proposed projects as given to the Commissioners by Mr. Gerard and also she would have a question, that it seems as though the State Board of Accounts have been pretty close on their estimates to Vanderburgh, that they missed the city by several hundred thousand dollars, but why has Warrick County's share been increased.

Mr. Gerard said their share really hasn't been increased that much that they use to estimate for a portion of Warrick County, but to stop the confusion they now estimate for all of that county.

President Borries said he would make one brief comment concerning the improvements on Pollack Avenue, that he is very happy to see it included, that he has had several citizens to call him in regards to the dangerous situation along Pollack and the deep ditch running along side it.

Commissioner Willner moved the applications be approved and signed and given back to Mr. Gerard to be taken to Indianapolis. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID JONES

Reading Aloud of Bids Received on Boiler at Auditorium: Mr. Jones said there were six (6) bids received for the replacement of the boiler at the Vanderburgh Auditorium, and are as follows:

GEORGE KOCH AND SONS, INC. of Evansville, Indiana.....$60,900.00 (Bid in order)

PEYRONNIN CONSTRUCTION CO. INC. of Evansville, Indiana....$53,290.00 (Bid in order)

MUNICIPAL ENGINEER AND CONST CO. of Evansville, Indiana...$52,700.00 (Bid in order)

REH MECHANICAL CONTRACTORS, INC. of Evansville, Indiana...$61,000.00 (Bid in order)

SANDLEBEN PLUMBING AND HEATING, INC. of Evans. Indiana....$55,400.00 (Bid in order)

RITZERT PLUMBING CO., INC. of Evansville, Indiana.....$57,700.00 (Bid in order)

Also received from Biagi and Associates, Inc was the following letter, directed to the Board of County Commissioners, dated February 7, 1983.

Gentlemen:
Our projected construction cost for the removal of existing boiler and installation of new boiler at the Vanderburgh County Auditorium is $64,000.00.

Sincerely,
BIAGI AND ASSOCIATES, INC.
Thomas G. McKinney
Mechanical Engineer

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Mr. Jones said all bids received were under the $64,000.00 as estimated by Biagi and Associates.

Commissioner Willner said that is good, but we still have a problem and that is that there is only $50,000.00 appropriated to do this replacement with. He asked Mr. Cooper if he can come up with the additional $2,700.00, should we award the low bid.

Mr. Cooper said yes, he can make that much available from his Auditorium budget for 1983.

Mr. Arch Biagi was present and stated all the bids were under the estimate and they all look good. Again he would remind the Commissioners that the boiler is much larger than the one they projected at $49,000.00. He does not know how the Commissioners would react to this, but they have a very short date on the awarding of this project, that we are calling for it to be completed by April 15th. They told the contractors there would be a notice of award issued as of today, therefore he would kindly ask the Commissioners to let Mr. Jones, Mr. Cooper and himself review these bids right now and come back later in the meeting with a recommendation of approval today.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Letter From Attorney Kenneth Washburn of Winter Park Florida: Mr. Jones said he received a letter from attorney Kenneth Washburn, of Winter Park, Florida, which reads as follows:

Gentlemen:

This law firm represents the estate of Eloise Rice, formerly known as Eloise Groeuinger, who was the daughter of Millie Groeuinger. The decedent's estate includes Vanderburgh County Memorial Coliseum Corp. stock certificates, number 572 and 575, for one share each. Please advise us as to whether or not these certificates have any value and if so, how we might redeem them on behalf of the estate. We have enclosed photo copies of the certificates.

Thank you for your kindness and assistance in this matter.

Very truly yours,
Kenneth Washburn
Attorney at Law

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Mr. Jones said in looking at the copies of the certificates, they were issued on January 18, 1915.

Commissioner Cox said from the numbers on these certificates, it looks like there could be some 500 more of them floating around somewhere.

Mr. Jones said he can write to the Secretary of State and see if that Corporation still exists, but he doesn't know what it is. He said it'll take some research to find out and at this time he does not know how to respond. There are two (2) $10.00 stock certificates. He will do some research on this and report his findings back to the board.

Commissioner Willner said perhaps Mr. Lewis could do some research on it and report back, therefore he would move the letter be referred to Mr. Lewis. Commissioner Cox seconded the motion. So ordered.

Meeting Pertaining to Class Action Jail Suit: Mr. Jones said Judge Brooks has asked for another hearing in regards to the jail suit, this coming Friday, February 11th, at 9:00 a.m., so any of the Commissioners that are free during that time, he would certainly appreciate them attending. The time of that hearing is really tentative at this time and he will notify the Commissioners of any changes.

Research Concerning Poor Relief Problems: Mr. Jones said in the research concerning poor relief, and the question of bonding as opposed to tax levy, he finds that prior to 1973 the procedure that he had urged was the method that was followed, that simply being that an excess levy was added to pick up the amount owed for the prior year, so that no township would get behind in their borrowings. With the tax freeze the State Tax Board chose to interpret that as including a freeze by virtue of those costs of poor relief. The Executive Director of the State Tax Board, in all respects agreed that it did not make any sense and that it was disastrous to continue this spiral and he also quoted the same figures he had given the Commissioners, that it would cost approximately $20,000.00 for every $100,000.00 of bonding. The gentleman also advised us of two (2) bills before the Legislature that would in essence declare that the property tax freeze does not apply to these costs of poor relief and urged that all of our officials attempt to get passage of this bill as a solution to break up

this cycle of costs. He asked the Director about filing a friendly suit against them in order to get this thing expedited, that we questioned two (2) things. He directed him to their in-house counsel and we are presently in the process of discussing this further. One of the exceptions in the freeze is for emergencies and they cited pestilence, war, etc. and he raised the question to them that certainly adverse economic circumstances are as much of an emergency. Secondly, it simply would apply that the freeze did not specifically take out poor relief, therefore the poor relief statute stands, that it is given a higher priority under the laws of Indiana and therefore in construing the two statutes, eventhough there is a rule that says the newer statute always supersedes when they conflict, there is another rule of construction at law, that you construe the two (2) that causes the least amount of damage, and by construing it the way they are, it is causing worse damage to us, therefore he finds there are two (2) possible basis for challenging the construction that the State Tax Board has placed upon the property tax freeze overlaid upon the poor relief statutes, with respect to how we fund this, that basically the state has said that the only way we can do it is to bond. He would assume that we can now wait until the Legislature is out and see what comes from it and then we may have to come back and bite this bullet.

Commissioner Cox said she read the synapsis of the bills that were sent to her from the Association of Indiana Counties and she saw one in the House and one in the Senate, and this related only to hospital costs, that it was putting poor relief for hospital costs outside the freeze.

Mr. Jones said he has not received a copy of either one of those bills, but he was left with the distinct impression that at least one of those bills simply and clearly made a statutory definition or exception for all poor relief and not for just a portion of it. He said the final thing he might add that may be of some comfort is that he suggested that system is just insane, that you could not keep a private corporation operating that way by having to bond for those ongoing costs and they agreed with him.

RE: CONRAD COOPER....AUDITORIUM

Awarding of Bids for Boiler Replacement at Auditorium: Mr. Cooper said Mr. Biagi and his associate and himself reviewed the bids received today and they were all technically correct and there were no alternate bids, therefore he was advised that the bid be awarded to the low bidder, who is Municipal Engineering and Construction Corporation, in the amount of $52,700.00.

Commissioner Willner moved the bid be awarded to Municipal Engineering in the amount of $52,700.00. Commissioner Cox seocnded the motion. So ordered.

The Commissioners signed the Contract and also a Notice of Award and Mrs. Decker is to see to it that Municipal Engineering receives a copy of both documents.

Report Submitted on Receipts for 1982: Mr. Cooper submitted the following 1982 report and stated he would caution the Commissioners that not included in these numbers are 1982 bills that were paid with 1983 monies and also special appropriations in the amount of $10,000.00 that county council allowed for payroll. The report read as follows:

RECEIPTS FOR THE YEAR 1/1/82 - 12/31/82

RENT	$94,196.70		
CATERING COMMISSION	$17,949.13		
PARKING	$20,822.00		
OTHER	$18,588.66	TOTAL	$151,556.49

OUTSTANDING RECEIPTS FOR THE YEAR 1/1/82 - 12/31/82

RENT	$350.00		
CATERING COMMISSION	-0-		
PARKING	-0-		
OTHER	$526.15	TOTAL	$876.15

DEPOSITS FOR 1983 EVENTS RECEIVED DURING 1982 BUSINESS

RENT	$2,337.50		
CATERING COMMISSION	-0-		
PARKING	-0-		
OTHER	-0-	TOTAL	$2,337.50

BUDGETED FOR 1982.....$202,141.00
RECEIPTS FOR 1982.....$152,432.64 (Added $151,556.49 & $876.15 Together)
DEFICIT FOR 1982.....$ 49,708.36

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Report received and filed.

Commissioner Borries asked Mr. Cooper what the projected outlook is for 1983, in regards to bookings, etc. and he replied based on the 1983 requests they are getting they could possibly surpass 1982 bookings, but even if they have the same amount of bookings as in 1982, based on the increased rates, we should come pretty close to erasing this $49,000.00 deficit.....however, in terms of utilities and labor, he is optmistic on keeping those costs down, but he is going to really concentrate on doing this in 1983.

He said last Friday he attended SIGECo's annual meeting for its commercial gas and electric customers and they gave us the impression that we can expect things to stay pretty steady over the next year, indicating that the most we can expect will be a possible 5¢ increase on gas.

RE: MARK TULEY....BURDETTE PARK

Recommendations From the Park Advisory Board: Mr. Tuley said at the last meeting of the Advisory Board, which was held on January 26, 1983, there were some recommendations made to help with the operation of the park. He said the yearly report of the Advisory Board should be forthcoming within a week or so. One of the recommendations made and unanimously passed by the Board was that the admission price to the rink be changed to $2.00, with skate rental still 50¢ and this would be the base price only, that during specials the price may be changed. He personally believes this will help us to see a profit from the rink, that right now we are sort of at a break even point.

Commissioner Willner moved the price change be approved, from $1.50 to $2.00. Commissioner Cox seconded the motion. So ordered.

Another recommendation, which was approved by the Board was that the Commissioners allow a couple to live at the campground in a trailer with free pad rent, sewage and water and they pay for their own electric and fuel oil and in return for this they would watch the campground and notify the security of any vandalism that is taking place or any other problems at the campground and they should be a live in couple at all times, even if the park does get fenced in. He said personally he thinks this would cut down on a lot of the problems that are being experienced out there.

Commissioner Willner said is he to understand this would be at the old building pad, that sits much higher and overlooks the entire park and Mr. Tuley said this is correct. Commissioner Willner asked if we could add telephone service to their expense and Mr. Tuley said yes, if the Commissioners desire to.

Commissioner Willner moved the request be approved and that the names of the persons chosen to live there be brought before the Commissioners for final approval.

Commissioner Cox said she will second the motion with the question....are we liable in any way for these persons, that she would like to see the county held harmless in case of a robbery, etc.

Mr. Tuley said yes, he would think the Commissioners could require the couple to carry their own insurance. He would recommend a lease type arrangement be entered into and then the Commissionrs could put it all in the lease just exactly what is expected. He would be happy to work with one of the county attorney's and get a lease agreement drafted and have it approved by the Commissioners before getting anyone to live there.

The Commissioners agreed for Mr. Tuley to begin working on this matter and keep the Board informed. Motion carried.

Burdette Park Foundation: Mr. Tuley said he has met with Carolyn McClintock concerning the Burdette Park Foundation, and he would like to set up another meeting with her, the president of the foundation and the County Commissioners to discuss Burdette being added to the Evansville Park Foundation.

Commissioner Cox asked Mr. Tuley just what is the City Parks Foundation and what area does it include.

Mr. Tuley said when you get down to it, the main thing is the fund raising aspect, that it allows the private sector to donate to the park and get the greatest tax right-offs, etc. They spread the money out to where it is needed most, like for planting trees, playground equipment, etc. They are willing to let Burdette Park become a part of this foundation and he believes it would be a lot cheaper and we can receive a percentage of what they take in. They are willing to take us in with no cost to us.
He said he will try to set up a meeting and inform the Commissioners.
All three (3) Commissioners agreed for Mr. Tuley to proceed.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of January 31 thru February 4, 1983. Report recieved and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of January 31, thru February 4, 1983. Report received and filed.

Mr. Bethel said this past week we used the grade-all on Williams Road, County Line Road, Denzer Road and Seminary Road. They graded Green River Road, Old River Road, Moffett Lane, Hornby Lane, County Line Road off of Denzer, Bickmeier Road, Seib Road and Emge Road. Their patch crew was on Boonville/New Harmony Road, Cemetary Road, Big Schaeffer Road, Fisher Road and Mesker Park Drive. Tree crews were on Short Mill Road, Bromm Road and Denzer Road. We had trash crews out all over the county picking up trash and also crews out rocking shoulders pretty well all over the county.

Commissioner Cox said she would like to thank Mr. Bethel for his cooperation in the completion of a problem that existed on the corner of New Harmony and Marx Road, that a guardrail was installed there and it should solve the problem....she really appreciates it being done so quickly.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of January 31 thru February 4, 1983.....report received and filed.

Claims: Mr. Guillaum submitted the following three (3) claims for Deig Brothers Lumber and Construction Company, Inc. All three were approved by Bob Brenner for payment.

1) Work done on Baseline Road Bridge Structure, in the amount of $1,174.09 (This is the final billing)

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

2) Final billing for work done on Baseline Road structure #11, in the amount of $4,847.93.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

3) Final billing for work done on Hedden Road Structure #108, in the amount of $551.62.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Discussion of Bridge on Old Petersburg Road: Mr. Guillaum said they have been trying to negotiate with Mrs. Shortridge, who is presently in Michigan. We are presently at a point to where a decision is going to have to be made and it looks like we can do one (1) of three (3) things. To do the work that she requires to go along with the job, we are going to be looking at a bottom line figure of anywhere from $8,000.00 up to $20,000.00. We have discussed the levee, the extension of the ditch, the moving of various debris and trees, pipes under the road and a series of things that would be quite extensive. Secondly, Mrs. Shortridge told us for $5,500.00 they would go along with granting the easement to us, and we are looking at about ½acre and he believes that is a little high on the value of that property. The third alternative we have on this is to go through condemnation. This is a decision the Commissioners are going to have to make.

Commissioner Willner asked if this $5,500.00 would be for a permanent right-of-way or a temporary right-of-way and Mr. Guillaum said it would be temporary for the construction, but really it would be in two (2) parts, making it both temporary and permanent.

Commissioner Willner said she would take $5,500.00 for both of them and Mr. Guillaum said yes. Commissioner Willner moved the $5,500.00 be approved for the Shortridge easement, because we could not get a right-of-way buyer for that amount.

Commissioner Cox said Mrs. Shortridge offered this...right?

Mr. Guillaum said she thought about it and came up with this amount of money she would take for it.

Commissioner Willner said Mrs. Shortridge would then do the reconstruction of the ditch at her expense and Mr. Guillaum said that is correct.

Commissioner Cox said we would need something in writing because we don't want her to come back to us and say we are liable, and if she doesn't follow through with her part of the deal and the things that need to be done, will that ultimately effect our road or approaches to the bridge or the bridge, in anyway.

Mr. Guillaum said no, not really, that there is a portion of the bridge itself, that the alignment could be questionable if it isn't done in coordination with our job, so he believes this should be written into the agreement with Mrs. Shortridge. We pay Mrs. Shortridge the money and in that portion she can do the improvements or not do them, that is her choice.

President Borries asked Mr. Guillaum to work toward getting an agreement drafted and bring it to the Commissioners for final approval before taking it to Mrs. Shortridge.

Commissioner Cox asked Mr. Guillaum if he thinks that $5,500.00 is a fair price and he replied based on the farm land out there he would have thought $2500.00 or $3000.00 would be more in line for a half acre.

Commissioner Willner said when you do not have frontage that is true, but when you do have, its a little higher than that.

Commissioner Cox seconded the motion made by Commissioner Willner for the $5,500.00 So ordered.

Request to Advertise for Bids for First Avenue Bridge: Mr. Guillaum said they would like to advertise for bids for the First Avenue Bridge, on March 7th. He said that Mr. Brenner met with the people of the Department of Natural Resourses, last week, in Indianapolis and he believes the elevation was arrived at and also we have arrived at the figures necessary. We are going to put a few stipulations in this contract, that we feel like the job should be done within either a ninety (90) or a one hundred, twenty (120) day period. We also would like to add a $5,000.00 per day penalty if the job was not completed by the deadline set aside. He is also thinking of perhaps a bonus should the job be completed before the deadline, however, he has not discussed that possibility with Mr. Brenner. They are putting the specifications together at this point and time and they should be completed by Friday. Mr. Brenner is planning another trip to Indianapolis tomorrow, to take the prints up there and get the final approval on them.

Commissioner Cox said on these prints you are talking about, are they the original bridge designs that was done in-house and Mr. Guillaum replied basically yes, that there have been a few minor modifications as to the elevation.

Commissioner Cox said concerning the ninety (90) or one hundred, twenty (120) days, is that a calendar period or working day..

Mr. Guillaum said that is another thing that needs further discussion before he would give a definite answer. We have utilities that are involved and we are trying to get all of these things worked out. He would say we would probably be safer to go with calendar days instead of working days, but he has to do more homework on that before he can give an answer.

Commissioner Cox said if the specifications did not specify calendar days, then it could run into quite a few months period and we certainly do want to avoid something like that happening. Also, have any of the utilities given us a specific number of days that they need in order to complete their work.

Mr. Guillaum said they have communicated with the Water Department and also with SIGECo. and he understands the biggest concern they have at this point is just knowing what direction we intend to go with the job.

Commissioner Cox said then in the Contractors bid, he will understand there may be others in the same general area doing their work, and that he will not have exclusive rights at the job site.

Mr. Guillaum said certainly he feels that would have to be written into the specifications.

Commissioner Willner asked Mr. Guillaum if it would be possible for us to also bid the moving of that bridge to either the Fifth Avenue or Maryland Street projects.

Mr. Guillaum said it's possible but without an indepth study on it he would not know what kind of thing we would be getting into, in terms of money. We would have to do a lot of work to change the specs or to add onto the specs that we already have if we were to put on an alternate such as Mr. Willner is talking about.

Commissioner Willner said he is talking about a completely separate bid, that it would have nothing to do with the building of the new bridge on First Avenue. This could be used as a replacement structure on Maryland Street or as an additional structure on Fifth Avenue, to give us four (4) lane, because we are going to be faced with that somewhere down the line. He understands no one thinks it is practical and we probably wouldn't get any bids on it, but why not try while we are at it and then we'll know.

Commissioner Cox said is she correct in understanding that what Mr. Willner is talking about is two (2) bids, one (1) of them would be for the demolition aspect and the other bid would be identical other than the bridge would be held intact and perhaps stored until it could be used on Fifth Avenue or Maryland Street.

Commissioner Willner said this is correct.

Mr. Guillaum said the first thing he would do concerning the moving of the bridge would be to sit down with his engineer and study thoroughly the feasibility of moving it, and he will keep the Commissioners informed.

Southwestern Engineer Law Suit: Mr. Jones asked Mr. Guillaum if the Surveyor's office got served with the Southwestern Engineering suit and he replied no, not that he knows of. Mr. Jones said he understands that the county has been sued over the Hirsch Bridge contract. He believes service was made on David Miller while he was on vacation. We will now have this suit to defend.

Eichoff Road Contract: President Borries said he does not know if the other two (2) Commissioners have had a chance to review the model copy of the Eichoff Road project submitted by Mr. David South, or not.

Commissioner Cox said she reviewed it and she understands this will be a standard contractual form to go by henceforth.

Mr. Jones said concerning what we call the boiler plate, the mandatory language, has been provided by the state. He and Mr. South added things to that, based upon some past experiences and what Mr. South submitted to the Commissioners is the end result. He understands the state's boiler plate has been changed as a result of our problems with St. Joe and Lynch Road.

RE: JIM LEWIS...SUPERINTENDENT OF COUNTY BUILDINGS

Discussion on the County Parking Lot: Mr. Lewis said in regards to the county parking lot (beside the Court Building) he believes it is going to have to require some changes to make it work properly and he would like to do that in three (3) phases. First of all he would like to do a survey of exactly what the situation is now and then make a recommendation of what system he feels would work the best and then when that is approved by the Commissioners he can put notice out to the departmentheads telling them what must be done to make it work properly. He would ask that the following memo be sent to all departmentheads, dated February 7, 1983.

SUBJECT: County Parking Lot

The County Commissioners request that you fill out the information listed below on all of your employees and return to the Commissioners office Room 305, by February 15, 1983.

Employees who use County Parking Lot
(Some employees have several cars with stickers. Please fill out all sticker numbers)

NAME	POSITION	DEPARTMENT	STICKER(S) NUMBER(S)

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All the Commissioners agreed for Mr. Lewis to distribute the above memo, to continue to work on the matter and keep the Board informed.

County Sale of Surplus Items: Mr. Lewis said he would like to have a surplus property sale of county items on March 5th, if possible. This would be on a Saturday morning, at the County Highway Garage at probably 9:00 a.m. He will have to see about getting an auctioneer and let the Commissioners know for sure.

Commissioner Cox asked Mr. Lewis if a notice has been sent out to all county office holders requesting a surplus item list and he replied yes, but that another notice will be sent to everyone of them as a reminder.

All the Commissioners agreed for Mr. Lewis to proceed with the sale.

Memo Concerning County Safety and Hazard Problems; Mr. Lewis requested authorization to send the following memo to all County Departmentheads and their employees, dated February 7, 1983.

SUBJECT: County Safety and Hazard Problems

We would like to inform each county employee that the county is facing a serious situation in regards to their Liability Insurance programs. The incidents of employee accident claims and legal lawsuits have risen so rapidly that the Insurance companies have directed us to mount an immediate safety program or face either a drastic increase in our Liability Insurance programs or a complete cancellation of the Liability Insurance.

This program is to take place at once and we will require each departmenthead and employee's full cooperation if this is to be a successful program. Some employee's will have more input than others but we need all of your support.

All county employee's can assist us by being more conscious of the hazards that can cause an accident and to take action to correct the hazardous condition.

Any conditions in the Civic Center Complex which could cause an accident should be reported to the Building Authority. (426-5801). Any condition such as weeds or trees causing vision problems, potholes, bad road shoulders, etc. should be reported to the County Highway Department. (426-5301)

Any conditions such as guardrail damage, drainage hazards or conditions on county bridges should be reported to the County Surveyor's office. (426-5210)

Any traffic lights or traffic sign problems should be reported to the Traffic Engineer. (426-5595)

Try to prevent and avoid accidents yourself and alert the county to any hazards you observe on county roads or property. This is especially important for employees working in areas with a high public visitation. i.e. Auditorium, Burdette Park, etc.

DEFINITION OF HAZARDS Any obstruction or condition in a county building, on county property or on roads which creates the possibility of causing an accident of any type.

This is the concern of all taxpayers and county employees since the higher Insurance premiums and lawsuits drain the county budget of money that would be available for pay raises, fringe benefits, etc.

ALSO ATTACHED WILL BE A SUMMARY OF PROPOSED PROGRAM

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Mr. Lewis said the companies involved have insisted that we go into a safety program and he and Mr. John Hodge and Mr. Charlie Bone have tried to work one out for everyone

so that perhaps we can receive some help along this line.

Commissioner Willner moved that Mr. Lewis be authorized to send out the memo to all departmentheads and to contine working on the program. Commissioner Cox seconded the motion. So ordered.

RE: TELEPHONE REQUEST....SHERIFF

President Borries said received was a request of telephone change from Sheriff Shepard asking that the following be approved.

1. Transfer 5398 number to number 5856 phone.
2. Move phone numbered 5398 to different office approximately 75' and have 5856 as the number.

President Borries said the request form shows an installation cost of about $63.35, with no monthly increase involved. There is also indication from Gil Ruston that they can use the present outlets except in new run-drop down from ceiling. Sheriff Shepard has indicated there are sufficient funds to cover this request.

Commissioner Willner moved the request be granted subject to the Sheriff's Department paying for all costs. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM I.S.U.E. REQUESTING USE OF COUNTY ROADS FOR CITIZENS RUN

The following letter was received from I.S.U.E., dated January 31, 1983 and directed to the Board of County Commissioners.

Gentlemen:

I am writing to request permission to use county roads for a road race that ISUE is planning for March 19, 1983. The race is the Fourth Annual CITIZENS-ISUE run.

The Sheriff's Auxiliary, Civil Defense, and REACT personnel will provide traffic control. I have enclosed maps that outline the proposed course.

Thank you for your consideration.

Sincerely,
Bill Stegemoller
Cross Country Coach

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Letter received and filed.

Commissioner Willner moved the request be approved providing they do not hamper the movement of traffic. Commissioner Cox seconded the motion. So ordered.

RE CERTIFICATE OF INSURANCE

A certificate of insurance was received from the Metropolitan Evansville Advertising Club for one day event awards banquet to be held in the Gold Room on February 15, 1983.

A certificate of insurance was received from the Tri-State Association of Grocers for a dance to be held on February 12, 1983 in the Gold Room.

Certificates received and filed.

RE: MAINTENANCE AGREEMENT WITH VALLEY BUSINESS MACHINES CO.

A maintenance agreement was received from Valley Business Machines Co. for two (2) Royal typewriters, belonging to the County Commissioners. Amount due is $150.00. Also attached is a blue claim in the amount of $150.00.

Commissioner Willner moved the agreement be approved and signed and the blue claim in the amount of $150.00 be approved. Commissioner Cox seconded the motion. So ordered.

RE: COMMENTS ON STATE LEGISLATURE

President Borries said concerning the State Legislation, he would like to merely update the other Commissioners of what he knows of certain bills. He did receive a letter from Representative Dennis Avery and also talked to him briefly on the phone. The letter received from Mr. Avery read as follows:

Dear Mr. Borries,

Enclosed you will find a copy of House Bills #1034 and #1326, that both bills deal with the issue of community corrections and the charge back provision. House bill #1034 will be heard for the second time, in the Governmental Affairs Committee, of which I am a member, on Wednesday of next week and it is my understanding that House bill #1326 will be heard in the Courts and Criminal Code in the very near future.

Please review this and feel free to contact me if you have any suggestions or ideas.

Dennis Avery

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President Borries said he believes he has also referred to copies of the bills to Judge Miller and he would like to refer his copies to David Jones, who has worked in regards to jail related matters. Representative Avery has suggested that we might want to re-file a Community Corrections Plan, of which we had endorsed earlier.

President Borries said there is also one major Local Income Tax Bill that is being developed in the House of Representative, Ways and Means Committee specifically, that he believes is number #1394, and he understands at this point and time it has bipartisan support, that it is an extensive document and he will not take any time today to read it to the Commissioners, but he will have it available for their examination. He would say that specifically item #9 says that local governments will be allowed to appeal for excess property tax levys to pay for debts incurred to their provision of hospital care for the indigent, or poor relief. That the appeals may be granted only if 1). the services for which debts were incurred were required to be provided under state law, and 2). it would be less expensive for the debt to be retired by imposing an excess levy rather than by issuing bonds.

Commissioner Cox said she has a copy of House Bill #1394 and #1395, in its entirety that she will leave with Margie Meeks to make copies of for the other Commissioners and for David Jones.

President Borries said that Representative Hayes also mentioned that he has drafted proposed legislation regarding Change of Venue, which again relates to our budget. This would specifically look at ways in which juries would be venued rather then us incurring the tremendous cost of trial being moved to other counties.

President Borries said also House Bill #1694, introduced by Representative Becker, regarding the change of the County Executive in Vanderburgh County to be elected from single member districts, rather than by all voters of the county. He understands there is to be a hearing on this bill sometime this week, perhaps this Thursday.
He merely wanted to briefly bring the Commissioners up to date on the statis of some of these House Bills.

RE: REQUEST TO GO ON COUNCIL CALL FOR VARIOUS ACCOUNTS WITHIN THE COMMISSIONERS BUDGET

President Borries said the Commissioners need to go before the County Council on Insurance, Depositions, Legal Services and also Patient & Inmate Care.

Commissioner Willner said we also need to be on call for the Telephone System, that there was a meeting earlier today and he believes it is the concensus of the City, the School System, the Building Authority and the County to change from the present system to a Dimension 2,000. Mr. Lewis has a copy of the System and we are talking about a total of some $94,000.00 a year savings, if we purchase the equipment and not lease it. He said one of the representatives of American Bell would be happy to assist us at the Council meeting and explain the four (4) options available to us. After each government unit goes before their own council, we are all to meet back on March 7th with the approval or denial from each unit.

Commissioner Willner moved they appear before Council with requests for Insurance, Depositions, Legal Services, Patient & Inmate Care and Telephone. Commissioner Cox said she would like to see the phone system put on for the Cumulative Capital Improve-

ment fund, because this would be for purchase of equipment and would qualify as Capital Improvement.

Commissioner Willner said this equipment does not have to be paid for until 1984, so perhaps we do not have to request a sum of money at this time, only for the system to be built into our next years budget.

Commissioner Cox said she did not think the Commissioners could enter into a contract unless the money was first approved, because she certainly would not want to sign a contract with Bell Telephone and then the Council not allow the money.

Commissioner Willner said we would have to have their written approval they will fund the system, but he does not believe we have to have the money appropriated right now.

Commissioner Cox seconded the motion. So ordered.

RE: COMMENT BY MR. JIM LEWIS CONCERNING THE COUNTY HEALTH INSURANCE PLAN

Mr. Lewis said in visiting with the consultants that are working on our Health Insurance they have pretty well gotten most of the information out into the field, including the monthly breakdown received from Blue Cross, that was requested a few weeks ago. They expect to close this off by March 1, 1983 and then start getting the bids in. At this time he would like to suggest the Commissioners begin to think about how they intend to go through these bids when we receive them and who will be doing it.

Commissioner Cox said we pay an insurance consultant, out of Indianapolis to do these things for us.

Commissioner Willner said they take care of all other insurances, but not Health, and that is what we are talking about here.

Mr. Lewis said they do not audit our Health Insurance, however, he would think they would do it for us....for a fee.

He said some of the Insurance Companies have said they would not bid on the specs that Blue Cross has because they feel it is to the benefit of one (1) company only. He believes that Ms. Parker is having all companies to bid the same coverage we had last year and she has sent out packets to all companies containing all the information she has received thus far.

President Borries said he is merely wondering if we could get a representative from each of the three (3) hospitals to look at our plan and give us some advise, that surely, with all the claims they receive and the many kinds of coverage they are familiar with, that they could give us some advise.

Commissioner Willner said they probably could, but they would probably recommend the cadillac program.

Commissioner Cox said that Mr. Lewis has done a lot of work in insurance, and she asked him if he felt qualified and he replied no, he doesn't, that he feels they should be experts.

Mr. Lewis was instructed to continue working on the matter and keep the Commissiones informed.

RE: DARMSTADT PRECINCT REDISTRICTING

Mr. Bill Jeffers submitted to the Commissioners copies of the legal description of Darmstadt in respect of the redistricting for the Town Election. Also attached is a sketch of the boundaries.

Documents were ordered received and filed.

RE: CLAIMS

A claim was submitted by Mr. Carl Heldt for legal services, in the amount of $1,100.20, regarding the matter of Vanderburgh County vs L&N Railroad Company. Mr. Heldt has submitted only a letter, so Mrs. Meeks has sent him a blue claim and we would also ask Mr. Heldt to submit an itemized statement showing it to the tenth of the hour. The matter was referred to Mr. Lewis.

A claim was submitted by David Jones for legal services, through January 1983, in the amount of $2,786.62. (Itemized statement attached)

Commissioner Willner moved the claim be approved, given to Mrs. Meeks and placed on the Council Call. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by American Consulting Engineers, Inc. with the following letter attached, dated January 27, 1983 and directed to the Board of County Commissioners.

The following statement is in accordance with Article II, B of an agreement dated December 6, 1982, between the Vanderburgh County Commissioners and our firm.

Engineering study and presentation of study at public hearing.

Lump Sum.....$7,500.00

Ten copies of the report were submitted on January 12, 1983, and the public hearing was held that evening in Central High School Auditorium.

If there are any questions regarding this statement or the enclosed claim, please contact us.

Very truly yours
William E. Gervasio, P.E.
AMERICAN CONSULTING ENGINEERS, INC.

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Commissioner Willner moved the claim, in the amount of $7,500.00 be approved and that it be paid from the First Avenue Account. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Judge William Miller, Vanderburgh County Circuit Court, for travel to Indianapolis, in the sums of $33.00 for Lodging, $15.00 for food and the amount of $72.60 for mileage.

Commissioner Cox asked who's budget is this to be paid from.

Mrs. McBride said she believes this will come from the Commissioners budget.

Commissioner Cox said Judge Miller did not appear before this Board and request permission to travel either.

President Borries asked if it would be the pleasure of the Commissioners that in the future that all persons wanting to have travel claims paid by the Commissioners must first appear before us and ask permission to travel, before doing so.

Commissioner Cox asked what was the reason for the trip and President Borries said the claim says for attending Library, Supreme Court and Judicial Study Commission.

Commissioner Willner said he does not question the trip, but how in the world are we going to pay for all of these out of our budget when we were allowed only $5,000.00. The County Council layed this in our laps and then failed to fund it.

Mrs. McBride said if it will help the Commissioners she will compile the figures of what was spent for travel, in the General Fund, in 1982.

Commissioner Willner said after a figure has been reached he would recommend the Commissioners also request additional funds for travel, in March, when they appear before the Council for other requests, because there simply is no way the $5,000.00 allowed will be enough, that it is not even realistic.

Commissioner Cox said Judge Miller's input is certainly helping the entire state and she cannot see why the judicial commission can't pay for some of these expenses, instead of the county having to.

The Commissioners requested that a memo go out to all departmentheads, informing them the Commissioners will be appearing before the Council in March for a clarification on the travel and also the claim from Judge Miller is to be held until such time as they get some answers.

A claim was submitted by LaTasha Pitt, in the amount of $142.50, for attending the Indiana Assessors School in Indianapolis. Attached was a State Board of Tax Commissioners certification of attendance.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Evelyn Lannert, in the amount of $142.50, for attending the Indiana Assessors School in Indianapolis. Attached was a State Board of Tax Commissioners certification of attendance.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Jack Hollencamp for attending the State Tax Meeting, in Indianapolis, in the amount of $253.92. Attached was a State Board of Tax Commissioners certification of attendance.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by the City of Evansville for the Joint City and County Departments.

Weights and Measures for December 1982.....$1,415.52
City/County Purchasing Department for December 1982.....$2,582.45
Building Inspection for December 1982.....$7,201.14
Civil Defense for December 1982.....$341.14
Traffic Engineer for December 1982.....$5,960.42

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR

Charles R. Althaus	713 S.E. Second St.	Field Deputy	$30.00 Day	Eff: 1-24-83

COOPERATIVE EXTENSION SERVICE

Janice M. Dougan	725 Forest Park Dr.	Part time	$4,000.00 Yr.	Eff: 1-31-83

BURDETTE PARK

Tim Deller	6300 Broadway	Rink Guard	$4.00 Hour	Eff: 1-29-83

VANDERBURGH AUDITORIUM AND CONVENTION CENTER

Vickie L. Hannon	118 W. Oregon St.	Part time	$4.10 Hour	Eff: 1-24-83

CIRCUIT COURT

Sara Willett	1531 Jeanette Ave.	Special Intern	$3.35 Hour	Eff: 1-24-83

SHERIFF

Pamela West	611 Westchester	Secretary	$11,466 Yr.	Eff: 1-29-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Donald Williams	1116 E. Walnut St.	Mechanic	$6.82 Hour	Eff: 2-1-83
Fred Blair	3512 E. Riverside	Truck Driver	$6.55 Hour	Eff: 2-1-83

PROSECUTOR

Roberta Jourdan	2100 N. Red Bank Rd.	Secretary	$13,000 Year	Eff: 2-14-83
Susan Barrett	5064 Lakeside Ct.	Secretary	$13,000 Year	Eff: 2-14-83
Jeanne Gansman	R.R.3 Box 243	Secretary	$13,000 Year	Eff: 2-14-83
Carol Hartman	R.R.1 Haubstadt	Secretary	$13,000 Year	Eff: 2-14-83

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH SUPERIOR COURT

Denise A. Durst	2405 E. Walnut St.	Riding Bailiff	$12,991 Year	Eff: 2-4-83

RELEASES CONTINUED

SHERIFF

Betty Hermann	7307 Bayard Park Dr.	Secretary	$11,466 Yr.	Eff: 1-28-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Fred Blair	3512 E. Riverside	Temp. Mech.	$6.82 Hour	Eff: 2-1-83

PROSECUTOR

Roberta Jourdan	2100 N. Red Bank Rd.	Secretary	$11,519 Yr.	Eff: 2-14-83
Susan Barrett	5064 Lakeside Ct.	Secretary	$11,519 Yr.	Eff: 2-14-83
Jeanne Gansman	R.R.3 Box 243	Secretary	$11,519 Yr.	Eff: 2-14-83
Carol Hartman	R.R.1 Haubstadt	Secretary	$11,519 Yr.	Eff: 2-14-83

Attorney Jones said in order to save Mr. Lewis some time, he has discovered a statute that was enacted in 1911, for the creation of Memorial Corporations, and he believes the statute resolves the problem from the deceased stockholder. In 1911 the Corporation was established and they had the power to conduct ceremonies, decorate graves and burial places, to erect monuments and memorials and to pay the expense thereof out of funds belonging to the Corporation. To receive donations, gifts and requests, in that they could sell stocks, consisting of one (1) share for each $5.00 of the permanent fund which belonged to the Corporation. The statute goes on to provide for the issuance of the certificates, which appears to have been done in this case, and that every share of stocks so issued shall be entitled to one (1) vote in the election of officers. Such vote is to be cast by the owner of the stock, in person, and not by agent or proxy. Such stock can be assigned by the owner or transferred by will, but shall not pass by inheritence and whenever the owner of any shares of stock shall die withoug having disposed of his stock by will, such stock so held by such persons shall therefore be cancelled and shall be known as "dead stock", and all other stock shall be known as active stock.

Commissioner Cox said for her own self she would like to know if such a Corporation still exists, that it would simply take a call to the Secretary of State.

Mr. Jones said apparently it is, because according to this statute it makes this thing perpetual, which means they will never go off the books. It would not surprise him if the Secretary of State could find this one and having worked for the Secretary of State while he was in law school, he sincerely means that. There would however be no value in the stock, it simply exists.

There being no further business the meeting recessed at 5:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 14, 1983

The meeting of the County Commissioners was held on Monday, February 14, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

The minutes of the previous meeting were approved with the following corrections being made:

Page fifteen (15) under the heading of Requests to go to County Council, it states a representative from Indiana Bell will attend the meeting and it should read a representative from American Bell.

Page eight (8), under the heading of Report Submitted on Receipts for 1982, from the Auditorium, it states receipts for 1983...$152,432.64 and it should read receipts for 1982....$152,432.64.

With the two (2) above correction being made the minutes were approved and the reading of them dispensed with.

RE: REQUEST TO TRAVEL....AREA PLAN COMMISSION

The following letter was submitted by the Area Plan Commission, dated January 31, 1983 and directed to the Board of County Commissioners.

As a member of the Indiana Population Working Group, I request travel to attend the spring meeting to be held April 20th, at the Indiana State Board of Health Auditorium in Indianapolis.
We have sufficiant funds in our budget to cover the expenses.

Respectfully,
Barbara L. Cunningham
Executive Secretary/Executive Director

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Letter received and filed.

President Borries said approvel was given to Ms. Cunningham last week to make the requested trip, therefore the above letter needs only to be filed.

RE: APPROVAL OF SPECIFICATIONS FOR CHEMICAL AND EQUIPMENT AT THE JAIL

Mr. Ben Evans, Director of the Purchasing Department was present and submitted the specifications for Laundry and Dishwashing Equipment for the Vanderburgh County Jail. He said these are highly technical specifications, written for us by an out of town firm, and they have never bid on our products for the jail before, and calls for the following:

A) Liquid Laundry Alkali
B) Non-Built Liquid Detergent
C) Liquid Laundry Bleach
D) Liquid Laundry Sour
E) Liquid Fabric Softener
F) Chlorinated Machine Dishwashing Compound
G) Machine Dishwashing Rinse Additive
H) Liquid Hand Dishwashing Detergent
I) Organic Type Chlorine Germicide
J) Quaternary Germicidal Detergent

He said the equipment shall be furnished by the vendor, at no cost to the county and maintained by the supplier on an emergency service basis of 24 hours per day, 7 days a week.
He said there is one (1) change he would like to make under D-General Bid Requirements, that it states the Board of County Commissioners reserves the right to reject any or all bids and to waive any Non-Material informalities if it is deemed in the best interest of the City of Evansville, Indiana. It should instead read in the best interest of the County of Vanderburgh.

Commissioner Willner moved, with the amendment being made as stated by Mr. Evans, that the specifications be approved. He asked Mr. Evans if the Sheriff had input in these and he replied yes.
Commissioner Cox seconded the motion. So ordered.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of February 7 thru February 11, 1983. Report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of

the county garage for the period of February 7 thru 11, 1983...report received and filed.

Mr. Bethel reported they had the grade-all out on Seminary Road, Koressel Road, Hogue Road and Kneer Lane. They graded Korff Road and Hillside Road. They patched Audubon Drive, Twickingham Court, Rode Road and Vienna Road. They had tree crews out on Short Mill Road, Denzer Road, County Line Road, Denzer and Bromm Road, St Wendel, Boonville and New Harmony Road and Little Schmuck Road.

President Borries said concerning Pollack Avenue widening that was briefly discussed last week, the Commissioners have reveived the Sheriff's report. This concerns the very deep ditch along outer Pollack Avenue and the Commissioners would appreciate Mr. Bethel's input in the matter, in regards to any options we may have at this point.

Mr. Bethel said he will get out there this week and report back at the next meeting.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. Brenner submitted the weekly bridge and guardrail report of the bridge crews for the period of February 7th thru 11, 1983...report received and filed.

Discussion of the First Avenue Bridge Project: Mr. Brenner said we have been working on this particular project since 1978, that being, the replacement of the bridge on First Avenue. He has made two (2) recent trips to Indianapolis to meet with the Department of Natural Resources, and James Morley went the first time and they were able to work out a plan they believe will work. We had to raise the bridge approximately four (4) feet, the plans have been revised and the specifications completed. He submitted a roll of drawing to the Commissioners, which contained fifty (50) sheets of drawings and he also had with him the specifications, which contains two hundred (200) sheets. They would like to bid the job on March 7th and those specifications read the contractor close the street for ninety (90) days or one hundred twenty (120) days. There is also an alternate bid in the contract, completely separate, to pick up the existing structure and to move it into the vicinity of the new Fulton connect with Kratzville Road, and it would eventually be used to expand the Fifth Avenue Bridge to four (4) lanes.
He would personally like to thank the City Engineer's office and also David South and Dale Willis for all their participation in getting this project together, that they all put in many hours overtime in the past week and he really appreciates it.
He said the specifications require the replacement bridge be completed in either the ninety (90) or one hundred twenty (120) days, but in either case the entire bridge would be closed to traffic for no more than ninety (90) days, although two (2) of the lanes of the new four (4) lane could be closed longer. He said there would be two (2) lanes of unimpeded traffic after the ninety (90) days, and that means no flagmen, no barrels, no nothing....at least two (2) lanes open and they can finish the other lanes.
We are talking twenty four hour days, with lights and big contractors. Most of the contractors that bid our little jobes will not be able to bid on this because they do not have that kind of staff or the equipment. He said the county may not receive any economically feasible bids on a ninety (90) day project and it is also possible no one will bid on the job, based on the ninety (90) day deadline. He said this has been coordinated well with the city, that the city plans to do the closing of First Avenue for the railroad tracks, and the utilities are to be done at the same time we are doing our part.
He said this project could cost one half million dollars more, which gets to his next point, that he would like to appear before the County Council and ask that $500,000.00 be transferred into the First Avenue Account. He does not believe it will take all that money, but if he is sitting there and the bid comes in at $1,600,000.00, then we physically will not have the time to advertise and ask for more money.

Mrs. McBride said the bridge accounts are all within the same series of account numbers therefore Mr. Brenner would not have to go before the county council for their approval and he replied he realizes that, but since this is such a large project, he would rather get council approval.

Mr. Brenner said he would suggest the money be transferred into the First Avenue account from the underpass on Nurrenbern Road and also a new bridge on Red Bank, which amounts to $650,000.00, and there is no way possible that those two (2) bridges could go under construction this year.

Mr. Brenner said back when the county did larger projects we had a Project Engineer, but that position has since been eliminated and if we are going to be working around the clock, he could certainly use a Project Engineer, that he would like to hire one at an annual salary of $18,500.00, however, he would ask the Council for only $12,000.00. This position would continue only as long as the First Avenue project is underway and when it is completed he will let the position go again and it will not be in next year's budget. He said the magnitude of this project prevents his regular staff from monitoring the work adequately.

Commissioner Cox asked if Mr. Dan Hartman could fill this role and Mr. Brenner replied Mr. Hartman is not suitable as a Project Engineer, that he is a Design Engineer.

Commissioner Cox asked what Mr. Hartman is being paid per year and Mr. Brenner said $26,000.00. Mrs. Cox said she thought if he wasn't too tied up in other projects, perhaps he could do this work.

Mr. Brenner said he will be too busy on other work and he would like to start him on the Maryland Street project, that the money is available and we need to get on it.

Commissioner Cox asked if the ninety (90) or one hundred twenty (120) days are work days or calendar days and Mr. Brenner said calendar days.

Commissioner Cox asked if there will be any incentive pay, or bonus pay for early completion and he replied no, however, there is a rather negative incentive pay, that is, if they run a day over, no excuses accepted, it is a $4,000.00 per day penalty.

Commissioner Cox asked if there are any problems with the city and the utilities on this project and Mr. Brenner said they are having a problem with Indiana Bell in trying to coordinate the work, that the utility estimates the moving of a main truck line from the bridge will cost some $500,000.00.

Commissioner Cox said what about the Corps of Engineer's and Mr. Brenner said he will be blunt....we do not have the approval from the Department of Natural Resources nor from the Corps of Engineers, however, the Corps has told us they will approve the bridge design if it is approved by the Department of Natural Resources. He said the engineers from the Department of Natural Resources will recommend approval of the design when their board meets on February 28th. in Indianapolis. He said after these two (2) approve this, then the Coast Guard has to give their approval. All of these formalities have taken years but he really believes we are on top of things now.

Commissioner Cox said is it clear in the bid specifications that the contractor building the bridge will not have exclusive rights to the bridge, that there will be other crews working in the same general area and Mr. Brenner said that is correct, however, the city crews won't be close to us, that these bridge specs include approxiamately 500' on either side, that we are paying for out of bridge funds. He said it is our goal to get the utilities out of there before we close the bridge, that there is a date specified when they are to be out of there and it seems they can all meet that deadline except for the Telephone Company and we are working on that problem right now to try to get it resolved.

Commissioner Cox said that Mrs. McBride just informed her we have only $200,000.00 unappropriated funds in our Bridge fund, and that really shocks her, that she thought there was much more than that. She asked how much money has been appropriated for the Maryland Street Bridge project and Mrs. McBride replied $800,000.00.

Commissioner Willner moved the Commissioners cancel the Maryland Street Bridge project for now and put the $800,000.00 in that account, into the First Avenue Bridge project account and that this be submitted to the County Council for their March meeting. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Commissioner Willner moved the Commissioner approve the specifications and drawing, as submitted by Mr. Brenner and upon his recommendation of approval. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner asked Mr. Brenner, concerning the Project Engineer, did he have a person in mind for the job and he replied no he did not. Mr. Willner asked if he would have to be a licensed engineer and Mr. Brenner replied no, he would not have to be.

President Borries asked if this person would be on the job full time and Mr. Brenner said yes and it would probably be for only six (6) months or so, because he would hope the job will be completed and cleaned up by the end of the year.

Commissioner Cox said what other projects are we involved in that is going to take David Guillaum and the present bridge crew and also how many workers do you have.

Mr. Brenner said he has six (6) laborers, one (1) operator, two (2) inspectors and also Dan Hartman. He simply does not have the kind of talent this project is going to take. He said concerning his two (2) inspectors, that one is a graduate civil engineer with a couple of months experience and the other one has only about a years experience.

President Borries asked Mr. Brenner, that in his opinion, it would be cheaper to hire an individual rather then contract out with a firm to do these services and he replied definitely yes, however, he intends to use his two (2) inspectors also, along with David Guillaum and himself. He said we will be there twenty four hours a day and there is no way around that.

President Borries asked how much Mr. Brenner believes it would take to pay this new individual and he replied to be safe he would like to ask the Council for $12,000.00, with the annual salary set in the salary ordinance at $18,500.00.

Commissioner Willner moved the request for the Project Engineer be approved and submitted to the Council in March.

Commissioner Cox said she cannot second the motion, not with the personnel Mr. Brenner has in his office now and we do not have any major bridge projects going right now. We are trusting the two (2) inspectors in your office to do the inspections on our other projects.

Mr. Brenner said this is true, but there has not been a job like First Avenue done here in the past thirty (30) years, that it is the biggest job he has ever tackled.

President Borries seconded the motion. So ordered.

Mr. John Vezzoso was present and stated he would like to offer his thanks and his appreciation to the County Surveyor's offce for the cooperation received, that they put in a lot of work and time and the cooperation has been tremendous all the way down the line.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Eichoff/Koressel Contract: President Borries said for the past couple of weeks we have had minor discussion on the Eichoff Contract that Mr. South submitted for the County Commissioners approval to send to United, and we now give him approval to send it.

Mr. South said he will see to it this goes to United this week.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Vanderburgh County Surplus Auction: Mr. Lewis reported the surplus auction will be held by Curran Miller Auction, on Saturday, March 12, 1983, at 9:30 a.m. at the Vanderburgh County Highway Department on St. Joe Avenue. A notice to be advertised was submitted at this time to the County Auditor, who will see that it is properly advertised.

County Safety and Hazard Problems: Mr. Lewis said last week he was allowed to send a memo to all departmentheads concerning county safety and hazard problems, and he would like to inform the Commissioners the program will start tomorrow.

Discussion on County Parking Lot (Beside the Court Building): President Borries said there have been many problems concerning the cars parked in the lot for officeholders, news media, attorneys, etc. and there have been many requests for the Commissioners to somehow reorganize the use of the lot. He said right now he is not sure just how many stickers are out, but he knows it's a tremendous number in relation to the available slots in the lot. He is wondering if it would be possible to set up a committee, composed of representatives of those persons who use the lot, to try to come up with guidelines, or at least recommendations on who should be permitted to use the lot.

Commissioner Cox said if this problem can be solved, it will be a miracle because there have been problems with that lot ever since it was built.

City Clerk, Betty Lou Jarboe was present and stated that according to the City Ordinance she polices the lot and they have a committee set up that includes herself as the representative of the City, the representative of the School Corp is Gary Staley and Mr. Jim Lewis, who represents the County Commissioners. Unfortunately, when you come to a parking lot you will make no friends and influence no people, because you are going to make someone mad. She said on the City Lot, there are three (3) slots alloted for nine councilmen, there is one (1) for the Mayor, one (1) for herself and one (1) for the Mayor's Secretary. The rest are all for departmentheads, or engineers, people who have to go in and out. She said under no circumstances is there any Chief Deputy's and there is also no slot for the Assistant to the Mayor. She said she believes there are about one hundred (100) stickers out for that lot and there are only sixty eight (68) slots, so no way can you give out that many stickers and still maintain any kind of control. She said the county lot is the only lot in this entire complex where we have a constant problem and there is never a day goes by but what she or Margie Meeks receives complaints that someone is parking in someone else's slot. The only thing she can say is that the Commissioners have been too generous in handing out parking stickers, and it is going to make some people mad, but if any order is gained in the lot, things are going to have to be done differently.

Mr. Jones said at one time there was a court case and as a result of that court case it created somewhat of a rupture in control of the number of permits, to the extent that there had to be public access, for instance, the attorneys, that any attorney could come in a get a permit, eventhough attorneys have only about four (4) slots available to them in the lot. It works the same way for the news media and he does not know how many other catagories are like that. The county, as he understands, turned over, by Ordinance, the enforcement of the lot to the City Clerk's office, so the county washed their hands of it, but so that we might not have another law suit, perhaps the answer is....you tow, and you vigorously tow. You may have to change the Ordinance in order to do that, but the minute you find a number on a sticker that does not match the number of the slot, you immediately call a wrecker and tow that vehicle off and have that person pay a fine, by Ordinance, plus the cost of the tow. He has seen it done in Indianapolis and it does work.

Ms. Jarboe said on occasion she has been standing out there with a police officer waiting for a tow truck and out comes an attorney, with the excuse he was tied up in court. As far as the law suit was concerned, yes we did lose the court case at the appeal level and not here at the local level. Mr. Bruce Heathcotte was the city attorney at that time and he re-wrote the present parking law and if this should happen again it will all go to one (1) hour parking only, because we will never lose that control again. She said there are two (2) parking slots in there that are marked for the public and with one (1) hour parking only.

Mr. Jones said if the allocation is done by Ordinance, you have something enforceable, regardless of what their excuse is for being parked there.

Ms. Jarboe said she would be happy to work with Mr. Lewis and the Commissioners in any way possible because quite frankly it is a daily problem for her office.

Mr. Jones said get your committee and then take it to Ordinance form.

Ms. Jarboe said if fines are imposed on the lot, then if she is going to pay city personnel to police it, then she doesn't want the fines to go to the county.

President Borries said the lot has literally become a catch-all and it needs to be clearly defined just who can use it.

Mr. Lewis said another problem we are having is that around 3:00 the maintenance and the police are parking in that lot, because of some problems they had in their own lot. We certainly are not going to solve the problem today, but he believes there should be a committee formed to come up with the system we want to use and then enforce that system.

Commissioner Willner said he thinks the entrance to that lot is in the wrong place, that if we would close the entrance on Eighth Street and make the entrance across from the Post Office, close to where the city lot is, he believes it would help and it would also add about four (4) or five (5) additional slots to the lot.

Commissioner Cox said she does not know if EUTS would approve a curb cut on Sycamore for egress and ingress with the high number of traffic using the street.

Commissioner Willner said there is already a curb cut there, they would just have to come on across with it.

Ms. Jarboe said she would remind the Commissioners that the Building Authority would have to approve any alterations to the lot.

All of the Commissioners agreed to proceed with getting a committee together to try to solve the problems with the lot.

RE REDISTRICTING OF THE TOWN OF DARMSTADT

Ms. Helen Kuebler was present and stated she received a letter from the Indiana State Election Board telling her they received the recent Vanderburgh County precinct changes for Darmstadt I and II and they approved of it and the only additional thing they asked for was the certified legal description of Armstrong 1, German 3, Center 8, Scott 3 and Scott 4 which reads as before with the addition of "Excluding those portions which are within the corporate boundaries of Darmstadt." They also want a certified map of these township precincts with the portions of Darmstadt shaded or deleted. She sent this additional information to the Surveyor's office and hopefully they sent this information to Ms. Bard.

Parking Lot: Ms. Kuebler said concerning the parking lot, she would like to say her girls are having a lot a problems with the gate at the Auditorium Lot, that when it is cold the arm will not go up and they cannot find anyone in the building when they try to get help, so your lot isn't the only one you have problems with.

Monthly Report: The monthly report of the Clerk of Circuit Court was submitted for the month of January, 1983.....report received and filed.

RE: COUNTY SHERIFF

Contract for Food for the Jail with Szabo: Sheriff Shepard was present and stated he met with Szabo Food Company and they agreed to go along for one more year without an increase in the catering of the food for the jail. They serve approximately six hundred (600) meals a day, at 99¢ per meal and that rate will continue for one more year.

Sheriff Pumping Their Own Gas: Sheriff Shepard said he has met with Jim Lewis and Ben Evans and with the cooperation of John Vezzoso they found a gas pump, and they are now in the process of pumping their own gas into the Sheriff's vehicles, at the Sub-station. We have thirty five (35) cars that we gas ourselves and we will save the county approximately $1,000.00 per month by doing this. The city did charge us 15% handling charge every time they gassed our vehicles. It cost us $500.00 to get this in operation and we will be saving at least $1,000.00 a month by doing it.

Commissioner Cox said about four (4) or five (5) months ago the Commissioners signed an agreement to receive government food subsidies to be used. These were things like salt, milk products, flour, sugar, etc. and she is wondering if Szabo is using the subsidies that it was her understanding the meals would be lowered in price if they did receive them and use them.

Sheriff Shepard said he is to meet with the Szabo representative tomorrow and he will check it out and report back.

RE: APPOINTMENT OF ATTORNEY CONCERNING COMPLETE LUMBER COMPANY LAW SUIT

Commissioner Willner said a couple of weeks ago the Commissioners agreed to have Mr. Curt John defend the county in the law suit concerning Complete Lumber, however, Mr. John has informed us it would be a conflict of interest since he is a deputy city attorney.

Mr. Jones said the city is in that suit and down the road it may come up how much each party may have to pay, under the agreement.

Commissioner Cox asked if this is a new law suit and Mr. Jones replied no, that he inherited this suit from Mr. Paul Wendel, who was county attorney at that time. This was a ditch project and Complete sought an injunction to stop the project when they saw it was going to cut across their property. Southern Railway was involved in it also, in that the old canal, there was an agreement between the County and Southern Railway, that the railroad could use that as a right-of-way, and the dispute became whether Complete was claiming adverse posession to some property that they didn't have legal

title to. In order to allow the ditch project to be completed all the parties in this suit entered into an agreement that the county would make some correction to the extent of about $30,000.00, which would cover that ditch in the effected area until the law suit could be decided and it is a winner take all proposition, that whoever wins the suit gets the $30,000.00. He said there is a botched up legal description involved which goes way back and a survey is being done to try to determine who got what. He believes the prospects look good for the county to recover, so it would certainly be worth pursuing.

Commissioner Willner moved that Pat Shoulders be hired to represent the county in this law suit. Commissioner Cox seconded the motion. So ordered.

RE: PERMIT BOND FOR DEIG BROTHERS LUMBER AND CONSTRUCTION CO., INC

Recieved was a license or permit bond for Deig Brothers Lumber & Construcion Co, Inc. in the amount of $50,000.00 for the installation of sanitary sewer lines at Farmington DcDowell neighborhood just off Highway 62, west of Evansville, Indiana.

Bond received and filed.

RE: PERFORMANCE BOND FOR DEIG BROTHERS LUMBER AND CONSTRUCTION CO., INC

Received was a performance bond for Deig Brother Lumber & Construction Co., Inc. for contract on Bridge Structure #50 on Hogue Road over Carpenter Creek, ¼ mile east of Red Bank Road. Amount of bond is $35,716.50.

Bond received and filed.

RE: APPOINTMENTS (2) TO THE CONVENTION AND VISITORS BUREAU

President Borries said there are two (2) appointments to be made to the Convention and Visitor's Bureau and at this time he would like to place the names of Mr. Robert Green, owner of the Executive Inn in Evansville and Mr. Ira Neal, who is Federal Project Director for the Evansville-Vanderburgh School Corporation, for nominations.

Commissioner Willner moved the recommendations by President Borries be approved. Commissioner Cox seconded the motion. So ordered.

RE: CHANGE IN PRECINCTS FOR THE TOWN OF DARMSTADT

Submitted was the changes in precincts bordering the Town of Darmstadt so as to conform with the changes in precincts within the Town of Darmstadt submitted by the Vanderburgh County Commissioners to the State Election Board on January 31, 1983. There were two (2) complete copies, maps included, and were submitted to the County Auditor with the instructions to send one (1) complete set to Ms. Bard at the Indiana State Election Board.

RE: CHANGE IN MEETING OF COUNTY COMMISSIONERS

President Borries said since February 21st will be a holiday, celebrating Washington's Birthday, the next regularly scheduled meeting of the Board of Commissioners will be at 7;30 p.m. on February 22nd.

RE: REPORT BY PRESIDENT BORRIES ON TRIP TO INDIANAPOLIS

President Borries said this past week he traveled to Indianapolis and appeared before the House Ways and Means Committee that is considering Local Option Income Tax Legislation for civil governments and also for school units of governments and judging from his experience while up there it is very mixed as to whether or not it will be approved. There is considerable opposition from various corporate units regarding the corporation excise tax. There were a number of local officials there to testify and the feeling was indicated there would be a Local Option Tax vehicle of some kind, but right now it is still up for grabs.

RE: DISTRICT COUNTY COMMISSIONERS MEETING ON FEBRUARY 23, 1983

President Borries said he would like to inform the commissioners there is to be a District County Commissioners meeting on February 23, 1983, in Washington, Indiana. Some of the discussion at that meeting will be legislation in the General Assembly, specifically as it relates to road and bridges, in county government, County

Commissioner's new lobbying effort, 1982 Federal Highway Act and Purdue Road School which is to be held on March 8,9 and 10th.
He said he will try to attend that meeting and if either of the other two Commissioners are interested they could let him know, that he is sure they recieved the same notice that he did.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by Metropolitan Evansville Advertising Club for a one day event-awards banquet to be held in the Gold Room on February 15, 1983.

A certificate of insurance was submitted by Deig Brothers Lumber & Construction Co., Inc for bridge structure #50 on Hogue Road.

A certificate of insurance was submitted by Tri-State Association of Grocers for a dance to be held on February 12, 1983 in the Gold Room.

A certificate of insurance was submitted by Deig Brothers Lumber & Construction, Co., Inc for sanitary sewer installation, Farmington Dr. and McDowell Road.

A certificate of insurance was submitted by Evansville Rescue Mission and Camp Reveal for a fund raising banquet to be held at the Auditorium on April 18, 1983.

All certificates received and filed.

RE: CLIAMS

A claim was submitted by County Attorney David Miller for legal services, itemized to the tenth of the hour, with attached statements, in the amount of $590.40.

Commissioner Willner moved the claim be approved and given to Ms. Meeks to put on Council Call. Commissioner Cox seconded the motion. So ordered.

A claim was submitted from Carl Heldt, for legal services, in connection with a suit involving Vanderburgh County and the L&N Railroad, in the amount of $1,100.20. This claim came before the Board last week but was sent back to Mr. Heldt with a request for an itemized statement to the tenth of the hour, which Mr. Heldt has submitted to us now.

Commissioner Willner moved the claim be approved and given to Ms. Meeks to be put on Council Call. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by the Perry Assessor's office:

Glen E. Koob, in the amount of $180.00 for attending the Indiana Assessor's Conference in Indianapolis. State Certification Attached.

Harry A. Tornatta, in the amount of $265.80 for attending the Indiana Assessors Conference in Indianapolis. State Certification Attached.

Commissioner Willner moved the two (2) claims from Perry be approved. Commissioner Cox seconded the motion.

The following claims were submitted by the Pigeon Township Assessors office:

Robert T. Dorsey, in the amount of $318.92 for attending the Indiana Assessors Conference in Indianapolis. State Certification Attached.

Joan M. Dorsey, in the amount of $60.00 for attending the Indiana Assessors Conference in Indianapolis. State Certification Attached.

David L. Fox, in the amount of $126.00 for attending the Indiana Assessors Conference in Indianapolis. State Certification Attached.

Commissioner Willner moved the claims from the Pigeon Assessors office be approved. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by the Knight Township Assessors office:

H. Jane Nicholson, in the amount of $251.28 for attending the Indiana Assessors Conference in Indianapolis. State certification attached.

Jerome R. Zeller, in the amount of $180.00 for attending the Indiana Assessors Conference in Indianapolis. State certification attached.

Maxine R. Ginger, in the amount of $280.00 for attending the Indiana Assessors Conference in Indianapolis. State certification attached.

Commissioner Willner moved the above claims from Knight Township be approved. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by the Center Township Assessors office:

Alvin E. Stucki, in the amount of $312.46 for attending the Indiana Assessors Conference in Indianapolis. State certification attached.

Shirley E. Stucki, in the amount of $60.00 for attending the Indiana Assessors Conference in Indianapolis. State certification attached.

Commissioner Willner moved the claims from Center Assessor's office be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helen Gaslin Insurance Agency, for Public Officials Bond for James Angermeier, County Assessor, in the amount of $30.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF CIRCUIT AND SUPERIOR COURTS

Linda Webster	4100 Claremont	Deputy Clerk	$394.61 Pay	Eff: 2-14-83

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF CIRCUIT AND SUPERIOR COURTS

Beatrice Phillips	1132 Lohoff	Deputy Clerk	$394.61 Pay	Eff: 2-14-83

There being no further business the meeting recessed at 3:55 p.m.

BOARD OF FINANCE MEETING

President of the Board of Finance, Shirley Jean Cox called the meeting to order and stated they are meeting today to consider the designation of those banks and trust companies which desire to become depositories of the several boards of finance, according to mutual convenience and agreement of the parties and within the statutes of the Depository Act of 1937, as amended.

Commissioner Willner moved that the duly authorized agents of all boards of finance and all banks and trust companies in Vanderburgh County do not agree as provided in the Depository Act of 1937, as amended. Commissioner Borries seconded the motion. So ordered.

President Cox said that being the only business before the Board of Finance, the meeting is adjourned.

124.

(10) 2-14-83

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 22, 1983

The meeting of the County Commissioners was held on Monday, February 22, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: REQUEST FOR RE-HEARING OF ZONING PETITION VC-5-82

Petitioner: Joseph and Nancy Bichler...5620 Upper Mt. Vernon Road
Owner of Record: Same

Attorney Jerry Atkinson was present to represent the Bichler's in a request for a re-hearing of a zoning petition, VC-5-82, for a scuba dive shop. This rezoning was denied on August 16, 1983, by the Board of County Commissioners. He said at the time this was first presented to the Commissioners, it was handled by Mr. Bichler and from the very beginning the situation was disastrous, in that Mr. Bichler was not trained in the way of government or able to communicate with the people who know what is now going on in government. He misunderstood what was required of him and misunderstood what people were saying and doing with respect to his petition.
He said there were some remonstrators present in August that came forward with complaints of junk cars, weeds, a pontoon boat on the premises and some described it as a under-water junk yard. The West Side Neighborhood Association also protested against the rezoning petition and objected against the property condition, in general. Mr. Bichler thought this request would be a very simple thing and when certain things were said he became offended and acted with some degree of hostility and it was all down hill from that point and time, and he did not know how to proceed to satisfy the various people who were asking things of him, however, Mr. Bichler did what he could, but it wasn't enough. After the Commissioners denied the petition Mr. Bichler came to him and asked what could be done and after discussing the situation with Mr. Bichler he believes there was more of a problem with communication then any great hazard to the community by virtue of the dive shop being located on that corner. He talked to Mrs. Cox and she said perhaps it would be appropriate to talk to the Area Plan Commission, which he did do and the suggestion was made that perhaps a temporary permit would be available to Mr. Bichler, but after exploring that he found there wasn't and at the recommendation of the Area Plan people he proceeded further, that he talked to Mr. Willner and as a result of that conversation he thought that Mr. Bichler would be given an opportunity to clean up and prove himself to be a good neighbor and come back to the Commissioners and request additional consideration. Somewhere in his own effort to try to solve this problem, something went wrong and he will assume full responsibility for that. The Area Plan saw an advertisement in some sort of publication and it was cut out and sent to him informing him there was a business being conducted at 5620 Upper Mt. Vernon Road, which he well knew, and APC recommended this come before the Commissioners at a regular meeting and ask permission for a re-hearing. He said the things that were initially wrong with this petition was that Mr. Bichler did not understand what happens when you ask for over an acre to be rezoned, when you don't need but just a small part of it. He also did not understand the people had a right to remonstrate against the weeds and the parked junk cars. Mr. Bichler did not understand how to go about proving you can be a good neighbor, that all he could see was that he is right next door to a factory and that factory has outside storage and that this same factory was called before these same bodies and didn't have any trouble getting a rezoning, but he could not get his rezoned right next door. He did not relate to this problem very well and he offended people and his wife put up a sign in reference to what would happen should this re-zoning be turned down and that also offended people.
At this time he is asking the Commissioners to give reconsideration to this petition, to give us an opportunity to amend the petition for rezoning to allow Mr. Bichler to carry on a small commercial activity in a place where it is probably appropriate to be. He will not ask to rezone a whole large area, that he does not need. They ask for a chance to give notice to remonstrators who were upset about the way the property had been used previously and have them to come in & voice their objections, if they still have any. They ask for a chance to explain in terms that are non-emotional, that what needs to be done and what his plans are in the future. He said Mr. Bichler is in that location quite by accident, that back in 1979 he was approached by someone who wanted to open a dive shop and things were started, with Mr. Bichler becoming the money man, that he took out a mortgage to buy the inventory for Aqua Sports Limited. He bought the inventory, took a security interest in it, then turned it over to the little company, and the company came apart when the principals decided to do other things and Mr. Bichler got stuck with the inventory. He tried to make a go of it for awhile at the

existing location but was being eaten alive with such high utility bills, rent, etc., and in desperation he moved his inventory, that he was either liquidating or going on to sell, if he could make it work, to his garage. After the point of him moving this stuff into his garage the Area Plan noticed Mr. Bichler was there and the rezoning was inappropriate and notified him and he filed for his rezoning, as did the clutch company next door to him. Mr. Bichler has mowed all the weeds down, gotten rid of the undergrowth and removed the pontoon boat from the premises and he has put in a parking area immediately behind his facility, where he can park his family vehicles so that there is not an accumulated amount of vehicles on the corner, obstructing the view of passing traffic. He also has started doing some landscaping, however, he has not been able to put in the plants he intends to because of the weather, but he is trying to prove he is a good neighbor.
At this time Mr. Atkinson submitted several photographs and explained to the Board just what they are and where everything is situated and the structure in question. He also submitted photos of the clutch company next door to Mr. Bichler and pointed out that the photos show some outdoor storage.

County Attorney David Miller asked Mr. Atkinson if he is indicating to the Commissioners that Mr. Bichler continued to operate this business during the late part of 1982 on your advice, after you had some indication from Area Plan that something might be able to be worked out in terms of a re-hearing, or something of the sort.

Mr. Atkinson said the indication he got from the Area Plan Commission was that as long as we were in progress trying to solve the problem that they would take no inforcement action against Mr. Bichler. He talked with Mrs. Cox, Mr. Willner and Ms. Cunningham and at all times, up until the latter part of January, Mr. Bichler was operating under the impression that he had, and that being that it was alright for him to do so, under those circumstances.

Mr. Miller said then you are telling us that Mr. Bichler was not knowingly defying a previous decision.

Mr. Atkinson said this is correct, that it was his understanding, as well as Mr. Bichler's understanding that he could continue in business under these basis, otherwise he would not have indicated that to Mr. Bichler.

Commissioner Cox said since her name was mentioned in the presentation, as having talked to Mr. Atkinson, she would say she did talk to Mr. Atkinson in late July or August of last year and at the time she suggested to him that since the Bichler's were living in the residence and the buildings were close, that perhaps something could be worked out where they could be put together and used as a Special Use Permit, and that is the extent of her conversation concerning this matter, with Mr. Atkinson. She sits on the Area Plan Commission also and about a month ago they became aware of the fact that Mr.Bichler was continuing his operation. She has been by the site and she would compliment Mr. Bichler for cleaning the area up, that it does look a lot better. She would state however, that the difference between this operation and the clutch company next to it is that where the clutch company is located it has been either a manufacturing company, lumber company, etc. for well over fifty (50) years. The thing that concerns the people living out there now, is that whenever they bought and built their homes out there they knew that business was already there and they are saying if this rezoning is passed, then it can spread to many areas and they are concerned about what will end up going in out there. Also, there was no specific plans showed to us by Mr. Bichler, what he was going to use the area for, that he said he may open a diving pool, he may build a pool, and he may give diving lessons, so she would like to know now if there is some site plans showing exactly what the area will be used for now and in the future.

Mr. Atkinson said right now they are only asking for a re-hearing and if that request is granted then they will submit a site plan, detailing exactly what is involved, both in terms of the request they are making at this time and also what he projects is possible in the future. When it was first suggested to him that a home occupation permit might be available to Mr. Bichler, he thought that would be delightful, that it seemed to answer all the problems, but he was informed by the APC that Mr. Bichler simply did not qualify for such a permit, all they are asking for now, is the chance to submit a plan the way it should have been presented in the first place and ask the Commissioners to reconsider and re-vote.

Commissioner Willner said he spoke with Mr. Atkinson yesterday in regards to this request and there seems to be some controversy about a discussion held right after the denial of this petition. He personally voted NO on this petition originally, that he believes the Commissioners gave Mr. Bichler a thirty (30) day extension on the request, to clean up the area and there was no action taken on Mr. Bichler's part to do this, therefore he did vote NO on the rezoning. Since that time, he has discussed this with Mr. Atkinson and informed him he would be susceptible to a re-hearing on this case if there were some actions taken toward making the place presentable and he believed this got misconstrued that Mr. Bichler was to continue operating.

Mr. Atkinson said he will take full responsibility for that misconstruction, that it was not Mr. Bichler and it was not Mr. Willner.

Commissioner Willner said be that as it may, he would say he has been out by the area in question and he also sees some positive things happening out there and that is a good indication to him and he sees no problem with letting Mr. Atkinson present ing a detailed sketch of what is going to be proposed to be done with the property. He has no problem with a re-hearing, however he is wondering if this rezoning should be granted, will this property then be for sale, and he realizes this is always the chance we take when we do something of this nature. He asked if there would be any effort to cut down on the amount to be rezoned to only the business, as it now exists.

Mr. Atkinson said definitely yes, that is a good possibility and a part of the plan that we now have in mind. Mr. Bichler did say that he intended to build a pool and that excited a lot of controversy about it being put under a high-powered line on his property. If Mr. Bichler were to have a dive shop at this location and if the shop were to be successful at this location and if he didn't feel like the opportunity for success could be greater elsewhere, then Mr. Bichler could come back to the Commissioners and request an enlargement of the zoning area to install an inside swimming pool, but at this time we are not after someting like that. When Mr. Bichler was before the Board last year he did not understand why not rezone it all, that it is his property, so do it all, that what difference does it make, well he has explained to Mr. Bichler that it makes a lot of difference on the amount requested to be rezoned, so we will not be asking for any greater area to be rezoned then what he is actually using and in the event there is some future development involving an indoor swimming pool then Mr. Bichler can come back with that request.

President Borries said he would compliment counsel, that he feels Mr. Bichler has been very well represented tonight. He does have concerns however, and he would also point out that he believes the Commissioners try to judge each rezoning request on it's own merits and sometimes we have very difficult situations come before us. The unfortunate situation that he sees in this particular case is that in regards to Mid-America Clutch Company, that this is clearly a grandfather case from the standpoint of whether counsel represented that company, or not, would not have made any difference at all, because they were in existance long before any Area Plan Commission existed. When we deny a rezoning, after allowing the proper length of time, he is concerned that this, in effect, reduces the Area Plan Commission's effectiveness and he certainly is not in favor of that because they are to be commend- for an outstanding job, that they too face very difficult situations. We have before us tonight a case where someone continued to operate, after being denied a rezoning to continue to operate and he does not know what would be a reasonable approach for the Commissioners and an unreasonable approach from the standpoint of some of the basic concerns we tried to address last year that he does not feel was meant at that time.

Mr. Atkinson said he has the view of the situation that if Mr. Bichler is granted a re-hearing at this time, that the hearing will take place at the next night meeting of the Commissioners and everyone will be notified that is entitled to be notified, that he will do this himself and there will be one shot at convincing the Commissioners that is a proper land use and fair to everyone involved and when that one shot is over then Mr. Bichler has another year before he can come before the Commissioners again.

President Borries said he appreciates Mr. Atkinson taking the blame, but it is the procedure that when a rezoning petition is denied by the APC and the Commissioners that the person must stop their operation at that time and would not be eligible for another hearing for a period of one (1) year.

Mr. Atkinson said he understands Mr. Borries concern but he would say he believes there is a difference in good faith and bad faith and he does not believe that Joe Bichler showed bad faith when he continued to operate.

Mrs. Barbara Cunningham was present and stated on August 17th, which was the day after the denial by the Commissioners, the APC sent a letter to Mr. Bichler saying he was denied and that his scuba diving shop is in violation of the Vanderburgh County/Indiana Zoning Ordinance and to please contact the APC office at his earliest convenience to arrange a mutually agreeable time-table for compliance. The form sent to Mr. Bichler is a semi-standard form sent to all persons denied a rezoning. The next day Mr. Atkinson contacted our office concerning the Bichler rezoning and to find out about asking the Commissioners to re-hear the case and her office gave him the information from the file and the code book. In October Mr. Atkinson had talked to Mrs. Cox about a Home Occupation, which they have on file, and he came into her office on October 18th to discuss this and we informed him at that time that this case did not fall under that catagory and that the only way he could continue to operate would be to ask the County Commissioners to re-hear the case and Mr. Atkinson said he would pursue this and get back with her. In November we again contacted Mr. Atkinson and he told us he would try to get it on in December. In January we contacted him again about trying to get it on the Commissioners agenda, so we have been in constant contact with Mr. Atkinson and we have tried to help Mr. Bichler and she would remind the Commissioners that when this case was first heard the Commissioners did ask Mr. Bichler if he would cut down on the amount of ground he wanted rezoned.
If the Commissioners tonight decide to re-hear this case, then it must be done by code, that it must be done with a unanimous vote. They would not need to refile but they would need to readvertise and give notice, so it could be back to the Commissioners in March if these rules are followed.

Commissioner Cox said if the Commissioners vote to re-hear this will it go back to the Area Plan Commission and Mrs. Cunningham said she understands it will go only before the Commissioners. Mrs. Cox said what if the Commissioners vote to deny a rehearing and Mrs. Cunningham said then it will be one (1) year from last August before it can be heard again and at that time the rezoning must be refiled.

President Borries asked if there were others in the audience wanting to speak on this rezoning....there were none.

Commissioner Cox asked Mr. Atkinson if at this time does he have anything to show the Commissioners what is to be prepared or what will be shown us at the re-hearing and Mr. Atkinson replied no, he has nothing of the sort tonight but basically it will be a plot plan showing the existing structures, with an awning on it, with the landscaping shrubs and bushes in front of it, and the island next to the corner will also be landscaped and the parking area which is now gravel will be paved and depending upon the decision of the Commissioners, it can show the family parking area, or it can be deleted. There will be no outside storage, other than garbage cans, there will be nothing outside.

Commissioner Willner moved that Joseph Bichler be granted a re-hearing on rezoning petition VC-5-82. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

RE: REZONING PETITION VC-9-82....CONTINUED FROM JANUARY

Petitioner: Southwestern Indiana Southern Baptist Association, Inc. P.O. Box 4157 Station A, Evansville, Indiana.
Owner of Record: Same

Mr. Allan Pollock was present to represent the Southwestern Indiana Southern Baptist Association, Inc. and stated he believes each of the Commissiones received a letter from Mrs. Barbara Cunningham, Director of the Area Plan Commission (APC) telling us a Special Use Permit for an office building is inconsistent with their policy and that we would not qualify for one, therefore he continues with the original request that this be granted an R-O rezoning. This was thoroughly discussed last month so he would be open for any questions that anyone might have, that have not already been answered.

Commissioner Cox asked what is the total acreage out there and Mr. Pollock said he believes it is twenty three (23) acres. She said she understands there are special use permits for the ball diamonds and for the shelter house and he replied that is correct.
Commissioner Cox asked Mr. Pollock if he has had any meetings with the neighbors and he replied no, other than a meeting with Mr. Wagner and Mr. Steedman, but other than that he has made no attempt to contact the neighbors in the area. He was out of town recently and he understands while he was gone that there were some calls for him concerning the matter though, but they left no numbers for him to return those calls and they have not called him back either.
Commissioner Cox said is she correct in that the amount they want to rezone is 1.02 acres and Mr. Pollock replied that is correct.
She said she has received some calls from people living along Whetstone Road and in the general area and their big concern here is that they were aware the Association owned the acreage, but it was also their understanding that it was going to be a recreational area only, and now here comes a request of 1.02 for a rezoning for an office building, which leaves quite a few more acres to be planned and developed and the neighbors don't know what is going to come next, that first it was special uses and now a request for an R-O, and she understands they are confining the area almost to the site development for this office building, which is very good, but that still doesn't eliminate the fact that maybe down the road you may come in with another request to build something else.

Mr. Pollock said their original plans was to build a recreational facility and offices further north down the road, however, that plan was beyond their financial capabilities, therefore they moved in a different direction to begin with offices only and if there should be any other building done there it would not be done in the immediate future and if it is done some day, it would probably be a gymnasium, but that is not in the making at this time.

Commissioner Cox said the original plans was for a recreational facility with office space in there also, so would that have required a rezoning also, or would a special use have been sufficient for that.

Mrs. Cunningham said no, they would have to have a rezoning for that also.

Commissioner Cox said she understands the neighbors concerns because sometimes when a rezoning is granted then the property owner sells the land and it becomes something entirely different than what it was rezoned for and there are a page and a half of things that can be allowed under the R-O zoning.

Mr. Pollock said they have thirty eight (38) churches in their Association and they certainly do not do things lightly, that they must get permission from the Executive Board at their annual meeting and they certainly do not intend to build a nice office building and then turn right around and sell it.

Commissioner Cox asked how it was handled when the St. Vincent DePaul went into their area, that did they obtain a Special Use Permit.

Mrs. Cunningham said there was a covenant and when St. Vincent decided to sell the property, the interested parties were advised there was a covenant involved and if St. Vincent decided to sell that they re-apply for the original zoning.

Commissioner Cox asked if something like that could be done for this and Mrs. Cunningham stated it could, but according to their attorney, a covenant is not enforceable, that we cannot enforce one.

David Miller said true, that is the current opinion, that it is not his opinion, but it is the current opinion.

President Borries said he believes the design of the structure being proposed seems to be sound from the standpoint of fitting into the needs of the neighborhood and they have indicated their intentions to remain there for a prolonged length of time and they have reduced to a minimal amount of acreage, therefore he would have no further questions. He asked if there were any remonstrators present at this time.

Mr. Richard Steedman was present and stated he was also present when this came before the Commissioners last month and at that time he did submit a petition from some of the neighbors who objected to the rezoning of this property. He would say that it is his personal feelings and the feelings of most of his neighbors that they aren't

objecting particularly to the design of the building, that he believes the petitioners have attempted to create a pleasing building and they certainly aren't objecting to the Association being there, on the basis of the type of people that they are or what they want to do, however, we are objecting on the basis that the R-O zoning in this neighborhood would be incorrect, that it is a residential neighborhood. They are concerned with the precedential effect this might have and they do not feel an office building fits in with the residential and agricultural community, that there are plenty places in the city and county the Association could build an office building if they desire to do so, to meet their needs, therefore he would ask the Commissioners to deny the R-O rezoning at this time.

President Borries said to let the record show we do have in our records a petition submitted by Mr. Steedman on January 17, 1983 and that there are some sixteen (16) signatures on it.

Commissioner Cox asked Mr. Steedman if the residents in the area are aware of the type of office this will be and what the Association intends to do with this building, and that they do not intend to rent out office space to anyone else that it will be solely for the Association and he replied yes, they are all aware of that fact it would be used solely for the office of the Southwestern Indiana Southern Baptist Association, Inc.

Commissioner Cox said if the building could be built with a Special Use Permit, rather than a rezoning, do you think the neighbors would still object and he said he could not speak for them but his personal feeling, he would not object as strenuously, however, he does not think this is the proper place for an office building under either type of zoning use.

Commissioner Cox said if a covenant is enforceable or not, she believes it is a reminder to all parties concerned that if a building is no longer used for this purpose that they would have to reapply for a residential rezoning, therefore she would ask Mr. Pollock if they would be willing to sign a covenant to this effect, because if we cannot believe our ministers then who can we believe.

Mr. Pollock said he could not make that statement personally, because he can only speak with the authority that is given him through the Executive Board and a covenant would have to be approved and signed with the Association and not with him personally, therefore he cannot make that agreement. However, you made the statement that if you cannot trust the ministers....who can we trust, well he has told this Board of Commissioners what their intentions are, so you will have to trust our word. His feeling is this should be considered on the basis of what we have and not on the basis of what we might have happen in the future, that he believes they have done everything humanly possible to have their request granted.

Commissioner Willner said he likes to feel, when he is voting on a rezoning, that if he lived in the area would he want it next to him and in doing so, he would know of no one he would rather have next to him then the Southwestern Indiana Southern Baptist Association, Inc., therefore he would move that rezoning petition VC-9-82 be approved. Commissioner Cox seconded the motion, which carried with the following vote: Commissioner Cox...No Commissioner Willner...Yes President Borries.. Yes.

RE: SPECIAL USE PERMIT 2-83-APC

Owner: Kingsway Christian Academy
Petitioner: Jackie Flowers

President Borries said this is a request for a special use for a day care center for children in the walk-out lower level of a church, that it came before the Board of Commissioners last month and was continued until tonight.

Mrs. Cunningham said after last month's meeting her office contacted the petitioner and they also sent her a letter informing her this was continued until February 22nd. and for her to please contact the office. She does not understand why Ms. Flowers has not contacted her or why no one is present tonight to speak on this because they have already had the building commissioner out there, the fire inspector has made his inspection, and they have obtained state approval, so she does not know what the problem is.

Mr. Miller asked if they had representation at the APC meeting and Ms. Cunningham replied yes, that a member of the church attended the meeting, but she has talked to the petitioner since that time and also sent a letter.

Mr. Miller said there is still time left, that the Commissioners can continue this for one (1) more meeting without jeopardizing the APC, therefore, that would be his recommendation.

Mrs. Cunningham said she will see that another letter goes out to the petitioner informing them of the action.

Commissioner Willner moved that Special Use Permit 2-83-APC be continued for one (1) month. Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER....AUDITORIUM

Legal Documents Received from Municipal Engineering: Mr. Cooper said his office received a Performance Bond, Labor and Material Payment Bond and a Certificate of Insurance from Municipal Engineering and Construction Corporation and at this time he would like to submit them to the County Auditor for proper filing.

Received and filed.

Letters Submitted to President Borries for Information Purposes: Mr. Cooper said he would like to submit a couple of letters to Mr. Borries, for his personal information, that one of them is to Judy Clabes concerning a recent "Review" in the Evansville Courier and Press and there are two (2) letters to Miss Emily Benham, Manager of the Evansville Philharmonic Orchestra, one (1) dated January 31, 1983 and one (1) dated February 17, 1983, regarding the sharing of the box office space with other organizations that are there in the building. He would submit these letters for the Commissioners viewing at this time.

Work on the Boiler: Mr. Cooper said the boiler contractor will begin dismantling the old boiler this week, that they have been there almost daily doing preliminary work and we have also started work on repairing the existing air conditioner, to operate this next cooling season and this is progressing fairly well. They have removed the heads from the chillers and are using brushes to clean the tubes.

Agreement Between the Commissioners and Municipal Engineering: President Borries said also on our agenda today is the signing of the agreement between the County and Municipal Engineering and Construction Corporation. There are four (4) copies of the Agreement, that we are to keep one, that one goes back to Municipal, one goes to the Auditorium and the Auditor keeps the other one. This calls for only the President's signature and the Auditor to attest.

Commissioner Cox moved the Agreement be signed and forwarded to Municipal. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID MILLER

Power of Attorney Request: Mr. Miller said he has two (2) copies of a form for Power of Attorney, that he would ask for the Commissioners to approve tonight, which authorizes his law firm to speak for the county with the State Board of Tax Commissioners on the matter of the sales tax payments, including potential liability of the Vanderburgh County Auditorium from 1979 to 1983. It seems that the State Board of Tax Commissioners will not recognize the existance of a legal representative for the county unless they have this signed document showing that person has the power to speak for the county.

Commissioner Willner moved the document be approved and signed. Commissioner Cox seconded the motion.

After the two (2) documents were signed they were given back to Mr. Miller.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of February 14 thru 18, 1983...report received and filed.

Highway Annual Report: Mr. Bethel submitted the Annual Highway Report for 1982. Received and filed.
Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of February 14 thru 18, 1983...received and filed.

Mr. Bethel said this past week they the grade-all out on Little Schmuck, Koressel Road, Hogue Road and Fisher Road. They graded Armstrong, Oak Grove Road, Fleener Road, Croft Road, Little Schmuck, Wedeking Avenue, Outer Darmstadt, Ridge Top and Mann Road. They have patched Schroeder Road, Rosenberg Road, Red Bank Road, Boonville/New Harmony, Green River Road, Vienna Road and Harmony Way. Tree crews were out on Short Mill, County Line Road off of Denzer Road and also Denzer Road. They rocked the shoulders on Water Works Road, Old Owensville Road and St. Wendel Rd.

Report on Outer Pollack Avenue: Mr. Bethel said last week President Borries asked him to check out Outer Pollack Avenue, which he did do and he talked to the Commissioners earlier about what he felt could be done to it and if the Board so desires, he can start putting up guardrail out there tomorrow.

President Borries said the Commissioners did receive the Sheriff's report last week concerning the very deep ditch along Outer Pollack Avenue and with the new apartments being developed in that area and with Covert Avenue not being open yet, Pollack is going to receive an enormous amount of traffic and it is a very dangerous situation. Traffic is also going to be picking up with the boaters traveling out there to the Angel Mounds boat ramp.

Commissioner Willner asked Mr. Bethel if he has a cost estimate on this and he replied no, that the guardrail would run approximately one half of a mile.

Commissioner Cox asked if there are any guardrails stockpiled at the garage and Mr. Bethel replied yes, they do have some of guardrails that they took up on St. Joe Avenue and also on Mesker Park Drive. He would think however, this should come from the Surveyor's budget, or the Cumulative Bridge budget.

After a brief discussion the Commissioners decided to defer this action for a week and have Mr. Bethel measure it and see if it qualifies for Bridge Funds and he is to report back next week with this information and a cost estimate.

RE: PLANS FOR CONSTRUCTION OF STREETS AND STORM SEWER IN EASTLAND ESTATES

President Borries said the Commissioners received, this past week, the plans for the construction of streets and storm sewers in Eastland Estates, off of Green River Road and he would like to submit these plans to Mr. David South, Highway Engineer, at this time for his viewing and a report back on this at a later date.

Mr. South said to what extent are we involved in storm sewers, that he understands that even when we accept the road we don't accept the storm sewer.

Commissioner Willner said do you mean other than what is in our right-of-way and Mr. South replied both in and out of the right-of-way.
Commissioner Willner said if it is in our right-of-way we are responsible but if it's not in our right-of-way we are not responsible, or at least that is his opinion.

Problem on Rode Road and Oak Hill Road: Commissioner Willner said he understands that Mr. Steven McBride, resident of Oak Hill Road, has retained counsel and he also requested that Mr. South make a trip to that area and discuss the proplem.

Mr. South said he met with counsel for Mr. McBride last week and discussed probable causes and what could be done and he would say the bottom line would have to be that there isn't anything very economical to come out of it unless the county wants to volunteer to pipe the ditch, for some four (4) to five (5) hundred feet, with a 24" to 36" diameter pipe. His personal reaction was that the county does not have the funds to do this.

Commissioner Willner asked Mr. South if he is aware of the work that has been done in that area for the past couple of years and he replied not in detail, no.
Commissioner Willner said we had the Surveyor to survey a flow line behind that house, on private property, and we met with the property owners in that area trying to get a workable solution to let that water run to where it should be running, and the outcome was unsuccessful.

Mr. South said counsel explained to him that there was an attempt made and the owner wasn't too happy with it. He believes the Drainage Board has the power to open the old drainage way, if the people like it, or not, because you cannot block a natural water flow.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Sewer Problem at Timbers Apartments on Green River Road: President Borries said he has had two (2) calls from the manager of the Timber Apartments, which is in Vanderburgh County, off of Green River Raod, concerning a sewer problem in that area, particularly the terrible odor and also the overflow problems from a sanitary sewer. Mr. Lewis has been in contact with some people this week concerning this problem, therefore he would ask for a report at this time.

Mr. Lewis stated he has contacted Mr. John Vezzoso and he informed us that he too had been out to the area earlier and that this is an old problem that has been out there for many years and apparently not to easily corrected, however Mr. Vezzoso said this is now under the Water Works Department and that we should contact Don Mills. He did try to contact Mr.Mills for three (3) days and Mr. Mills has returned his calls, but they always seem to miss each other, however he understands someone from his department has been out to talk to the Manager and told him there wasn't anything that could be done about it, however, he will continue to work on it and check it out to see if this is true and will report his findings back to this Board.

President Borries said we need a clarification on this because he understands that a sanitary sewer frequently overflows into a storm sewer and he believes a pumping station is also involved in this problem.

Attorney David Miller said he would like to make a suggestion concerning this matter, that if it is true that storm sewers are at some point accepting overflow from sanitary sewers and if it is true that those storm sewers empty into a stream, as most of them do, such as Pigeon Creek, etc., then he believes this matter should be referred to the Stream Pollution Control Board and he would bet they will not take an answer like nothing can be done about it. If a developer has failed to build his system into the city system in a fashion that is safe for all the residents around the area the Stream Pollution Board will see to it that something is done. He said there has been problems for a long time out there with the city's pumping station not being able to handle all of the sanitary sewage, because he has had complaints from private clients.

Mr. Lewis is to continue working on the matter.

F-82 Forms: Mr. Lewis said he was informed that February 28th is the deadline for the Commissioners to submit the F-82 forms for any type of road work for the county to receive federal monies on.

President Borries said that Mr. David Gerard presented this to us a couple of weeks ago, the Commissioners approved several applications and it is being taken care of by Mr. Gerard, that he was going to hand deliver them to Indianapolis.

Discussion on County Parking Lot: Mr. Lewis said upon last weeks discussion on the county parking lot, a committee has been formed to study the problems and that will consist of Judge William Brune, Councilmember Mark Owen and Surveyor Bob Brenner and himself. He would like to obtain Commissioners approval of this committee so they can begin working on the problem, that he understands the duty of this committee will be to study the present parking situation and ordinance and come up with a proposed plan to be submitted to the Commissioners for approval and after that point, to sit on this committee and decide who can park on the lot and to approve each application.

President Borries said that was very well expressed and he understands that to also be the duties of such a committee. He would also think that at some point the City Clerk will also be included in the talks.

Mr. Lewis said he was able to uncover one of the problems and that is that there are sixty three (63) parking slots and we have one hundred and seventy six (176) stickers out.

The Commissioners all agreed to the persons named to the committee and urged Mr. Lewis to go forth.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report: President Borries said no one is present from the Surveyors office tonight, however, they did submit the weekly guardrail report for the period of February 14 thru 18, 1983....report received and filed.

RE: CHECK FROM CITY OF EVANSVILLE IN REGARDS TO COVERT AVENUE EXTENSION

A check was received from the City of Evansville, in the amount of $21,058.25, which is the City's portion of work done on the Covert Avenue Extension and this is to be placed in the Local Roads and Streets Fund.

Commissioner Cox moved the check be approved and signed and deposited in the #216 account. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM SHERIFF REQUESTING TRANSFER OF EQUIPMENT

The following letter was received from the Sheriff, dated February 18, 1983 and directed to the Board of County Commissioners.

RE: Transfer of equipment to another department:

Dear Commissioners,

At the present time the Sheriff's Department has a piece of equipment that came with a radio console several years ago and has never been hooked up and has no known use to this department.

This piece of equipment is a console type slide viewer where you may load two carrousels of slides and by electronic means call them up to be viewed. The Sheriff's Department has no need for this viewer and we need the space in the radio room.

I have contacted the Fire Department and Chief Behme states their department would accept the viewer to be used by their department.

I respectfully request permission from you to assign and transfer this viewer to the custody of the Fire Department.

Respectfully submitted,
Clarence Shepard, Sheriff
Vanderburgh County, Indiana

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Letter received and filed.

Commissioner Cox said in her research of this matter she found this console was purchased along with our present radio dispatch, where they hooked up with the Fire Department and how it was to be used was in an overall disaster plan of the area, however, we have not proceeded that far in our master plan for disaster. She also would have a question about us transferring something to a city department.

Attorney Miller said he understands that what the Sheriff is wanting is for the county to give away a substantially valuable asset, and he would recommend this be investigated a little further as to whether or not that would be an appropriated step to take. If the city needs such a console, then perhaps we could give the city a very good price on this one, if we don't need it.

The matter was referred to Mr. Lewis for further study and recommendation.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Sib's Marineland Sales for boat building or repair and drivers - coverage under U.S. Act, for the Sheriff's boat.

A certificate of insurance was submitted for Theatre A Corporation for rehearsals and Theatrical Performanc "Peter Pan" on February 23,24,25,26 and 27, 1983, at the Vanderburgh Auditorium.

A certificate of insurance was submitted for No-Ruz Grotto for the Monarchs Ball on February 26, 1983 at the Vanderburgh Auditorium.

A certificate of insurance was submitted for Just Sales, Inc. for a warehouse sale held February 17 thru 23, 1983 at the Vanderburgh Auditorium.

All certificates received and filed.

RE: CLAIMS

A claim was submitted for a deposition of Joseph G. Cannon, in regards to the jail suit and in the amount of $288.60.

Commissioner Willner moved the claim be allowed and placed upon the Council Call for appropriate funding. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Dennis Weichman, concerning Vanderburgh County Commissioner litigation, contractual services rendered in January of 1983, in regards to the jail suit, in the amount of $615.00. President Borries said this is the expert that we hired.

Commissioner Cox moved the claim be approved and placed upon the Council Call for appropriate funding. President Borries seconded the motion. So ordered.

A claim was submitted by Judge Robert Lensing, in the amount of $53.53 for attending a conference in Indianapolis, at the Indiana Judicial Center.

President Borries said last week we had a claim concerning this same conference from Judge William Miller and that claim is presently being held until a decision can be made on whether we are going to be able to pay for such trips or not and we also need to know if these conferences are mandatory or not.

Commissioner Willner asked if either Judge Miller or Judge Lensing came to us for permission to travel and President Borries said he believes not.

Commissioner Cox said she does not know if the word has gotten through, that use to these people had travel money in their own account and now they don't, that it was all put into the Commissioners budget. She asked if Judge Miller's claim was put on Council Call yet and Mrs. Meeks said no, that she was instructed to hold it until the Commissioners and Council met and discussed the travel situation.

President Borries said we met with the Council today, but we never got around to discussing travel.

Commissioner Cox said the funds just are not available except for state called meetings and if Judge Lensing received a letter requesting his presence at that meeting then that would act as the authority, and the same way concerning Judge Miller, but her point is that they are using our judges to serve on committees and to help make decisions which people all over the state benefit from and it looks like the State Judicial Commission could fund at least a portion of these costs.

President Borries referred the claim of Judge Lensing to Mrs. Meeks with instructions to find out if these meetings the judges attend are mandatory.

A claim was submitted for Deborah Ransom, in the amount of $71.28 for attending a DAS meeting in Indianapolis. Mr. Bill Campbell appeared before the Commissioners and received permission for this person to travel.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Schultheis Insurance Agency for an Official Bond for Sheriff Clarence Shepard, in the amount of $75.00.

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY ELECTION OFFICE

Edna L. Henry	305 N. Tekoppel	Deputy Clerk	$3.75 Hour	Eff: 2-14-83
Susan K. Kirk	8302 Spry Road	Supervisor	$4.68 Hour	Eff: 2-3-83
Fred C. Roeder	8744 Big Cynthiana	Bal. Sup.	$4.37 Hour	Eff: 2-3-83
Carol Jean Primm	805 S. Villa Dr.	Clerical Assist.	$3.75 Hour	Eff: 2-7-83

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EMPLOYMENT APPOINTMENTS CONTINUED

BURDETTE PARK

Perry Gostley	R.R.1 Box 40	Extra Rink Guard	$4.00 Hour	Eff: 2-10-83

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY ELECTION OFFICE

Carol Jean Primm	805 S. Villa Dr.	Deputy Clerk	$3.75 Hour	Eff: 2-11-83

BURDETTE PARK

Larry Daugherty	1611 Florence St.	Security	$6.00 Hour	Eff: 2-16-83

There being no further business the meeting recessed at 9:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 28, 1983

The meeting of the County Commissioners was held on Monday, February 28, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: INTRODUCTION OF PAUL WALLACE

President Borries said we have with us today, Mr. Paul Wallace, who is a member of the law firm of Bowers, Harrison, Kent and Miller, and also serves as attorney to the Area Plan Commissioner. Mr. Wallace will be counsel here today, filling in for Mr. Miller and Mr. Jones, who could not be present.

Mr. Wallace stated that Mr. Miller and Mr. Jones are both actively engaged in trials today, therefore he is present to answer any legal questions that may arise today.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of February 22 thru 25, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of February 22 thru 25, 1983...report received and filed.

Mr. Bethel reported this past week they had the grade-all on St. Joe Avenue and Baseline Road. They graded County Line Road, Happe Road, Water Works Road and all the roads in Union Township, River Road and Old Green River Road. Their patch crew was on Upper Mt. Vernon Road, Cunningham Drive, Rode Road, West Franklin, Ward Road, Whetstone Road, Cherry Hill, Clover Drive, Blossom Lane and Hedden Road. Their tree crew was on St. Joe Avenue, County Line Road off of Denzer and Mohr Road. They riprapped Baehl Road and rocked the shoulders on Water Works Road, Darmstadt Road, Schutte Road, Whetstone Road and St. Joe Road.

Discussion on Guardrail on Outer Pollack Avenue: Mr. Bethel said last week he was asked to submit a cost estimate to install guardrail on outer Pollack Avenue, where a very deep ditch runs along side the road, therefore he would submit the following:

Guardrail.....$10,400.00
Metal Posts.....$ 5,000.00
Ends, Etc.....$ 2,000.00

Mr. Bethel said last week he stated there were serveral culverts out there, which would make us eligible for bridge money to do this job, however, he was mistaken, that there is only one (1) culvert out there and the rest of them that he was talking about were drive-ways, however, with this one (1) culvert out there, it could possibly take 100' off of both sides, which would reduce the cost. He explained that where he came up with the $10,400.00 figure is that it would be $4.00 per ft for the guardrail and there would be a cost of $25.00 each for the metal posts.

President Borries asked then has it been decided that this could be done with Cumulative Bridge monies and Mr. Bethel said he knows we could do the 100' with Bridge monies, but he does not know about the rest of the project.

Mr. Guillaum corrected Mr. Bethel by saying the Bridge money could be used 500' on either side of the culvert, and not the 100' as stated.

Commissioner Cox asked what would be the total footage for this project and Mr. Bethel replied one half (½) mile, or 2600 feet.

Mr. Bethel said he does have some used rail, that was removed from St. Joe, and that could be used on this project and the Surveyor's office would have to supply the rest of the railing.

Commissioner Cox said she did drive out Pollack and look at the area and she feels it definitely needs something done to it.

President Borries said it is a serious situation and at some point and time the road itself is going to have to have some type of improvement made to it, because there are new apartments going up out there and because Covert Avenue is proposed but in no way has begun, in regards to construction.

Mr. Bethel said his opinion is that this should be tiled and covered, however, even if that were done we could still use the guardrail, but this is really a temporary thing.

Commissioner Cox said if about $6,600.00 could come from the Bridge Fund, then could the highway department come up with about $10,000.00 and Mr. Bethel replied no, that it would have to come from the Surveyor's budget, that he does not have it anywhere. He understands the Surveyor's office does have enough guardrail in stock to do this job.

Mr. David Guillaum said the Surveyor's office has been out to the area and has done some preliminary work on this and one of the problems they have is that in some places there is not enough room to even put down a post to attach the guardrail, so we would have to do it like we did on Red Bank Road.

Mr. Bethel said on these areas that Mr. Guillaum is talking about they could take old guardrail and shore it and fill it in, like on Red Bank Road, that it will be a good job when it is completed.

President Borries said he certainly wants to have this done, however, it seems the question is on the funding.

Commissioner Willner said we won't know until he finds out how much guardrail is needed and how many feet he will have from St. Joe, that won't cost us anything and then we can take the rest from the Bridge Fund.

Commissioner Cox asked Mr. Bethel if he has 1500' or 1600' of guardrail and he replied no, at the most he would have about 200'.

Commissioner Cox said could we ask the Council for a transfer in the Local Roads and Streets money and lets use that, say about $8,000.00.

David South said to his knowledge it would be legitimate to use the Local R&S money to do this, eventhough it hasn't been done in the past. He would remind the Board that with the road being so narrow, that if you install guardrail, you could throw cars into on-coming traffic, that people seems to shy away from guardrail on narrow roads and sometimes have a tendency to ride the center line. So is it better to let them go ahead into the ditch or hit on-coming traffic and he knows this is a rough choice to have to make.

Commissioner Cox said she drove the area on Thursday and if nothing else, it makes a person very nervous to drive out through there, especially if you meet an oncoming vehicle, because it is a very narrow road, and she for one would feel much safer with guardrail up.

Mr. South said delineation would help about every 100' or so, like we have on the interstates, because it would sure help you to know where the edge is at.

President Borries said something needs to be done and he would suppose it to be the lesser of two (2) evils, however, the obvious alternative is that the road needs to be widened, shoulders and all, but we are not talking about an immediate situation on that.

President Borries said Mr. Gerard submitted several projects to us a couple of weeks ago and as we all know this Pollack Avenue project was included in those requests for federal funding and Mr. Gerard hand delivered those applications to the state.

Commissioner Willner asked if this will always be a two-lane road and President Borries said the projection show us yes, because the Covert Avenue project is a four-lane project, almost to Warrick County, so that would take the bulk of the traffic.

President Borries asked Mr. South if perhaps we could explore some kind of immediate funding on this project before we go ahead with the guardrail at this point.

Commissioner Cox said she understands Rick to ask if we could somehow step up the Federal Project on Pollack Avenue and get something done very soon on the widening of it.

Mr. South said that project really doesn't even exist yet with the Federal Government and won't until October, that we are sitting up for the fiscal year of 1984. If we want to do anything out there this year (1983) he would say it would have to be with local funds.

Commissioner Willner said if we go ahead with the guardrail now and then later do a federally funded project, we could then recover the guardrail and Commissioner Cox said that they sure could. Commissioner Willner asked if the 1,000' of guardrail would be put up by the bridge crew or would the highway do it and Mr. Bethel said they would both have to do it, that he would have to have his grade-all out there to help, since the ditch is so very deep.

Commissioner Willner moved we go ahead and install the 1,000' paid for by the Bridge Fund and let the County Garage install the guardrail that they have in stock and come back to us with the rest. Commissioner Cox seconded the motion. So ordered.

RE: BOB BRENNER....SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of February 22 thru 25, 1983. Report received and filed.

Discussion Concerning First Avenue Project: Mr. Guillaum said we did receive staff approval of the plans on First Avenue, from the Department of Natural Resources, however, they will have a formal meeting next month and we will then receive formal, written approval on the plans at that time.

President Borries said then you are telling us that the approval, insofar as final design is okay and Mr. Guillaum said that is correct, that verbally, over the phone, they worked out some minor areas of concern and they have no problems with how we intend to proceed on the project.

RE: DAVID SOUTH....HIGHWAY ENGINEER

Environmental Impact Statement on Lynch Road Extension: Mr. South said he received in the mail just today the preliminary copy of the environmental impact statement for Lynch Road Extension, which means it is moving along and he would anticipate that within the next two (2) or three (3) months, after the state reviews it, we might be ready for a public hearing on it. This report is some two hundred (200) pages and it is only the preliminary report, therefore he will submit it to the Commissioners at this time to be filed in the office. He and David Gerard also have a copy of the document.

Eichoff-Koressel Contract: Mr. South reported that concerning the Eichoff-Koressel Contract, he spoke to David Gerard this morning and he informed us he has a problem with a particular paragraph and he said he would get back on it, however, as of the start of this meeting, he has not heard from him, therefore, at this time he is not fully prepared to make a recommendation on the matter. He will try to contact Mr. Gerard before this meeting is over and see if there is still a problem with it or not.

Request to Travel: Mr. South said Road School is next week in West Lafayette at Purdue University and by statute the Highway Engineer is supposed to attend the meetings, therefore he is requesting permission to travel March 8, 9 and 10th.

Commissioner Cox asked if anyone else is attending and Mr. South replied that he is not aware of anyone else, however, he believes Mr. Dan Hartman attended last year.

Commissioner Cox moved the travel request be approved. Commissioner Willner seconded the motion. So ordered.

Mr. South said concerning the lodging, he happens to know where he can get free lodging within forty (40) miles of Lafayette, so if the Commissioners would want to exchange the motel bill for forty (40) miles, round trip, he can save the county, that it would be about $12.00 per night vs about $30.00 per night.

President Borries said that would be agreeable.

Request for Two (2) Days Personal Leave: Mr. South said since road school is on a Tuesday, Wednesday and Thursday, he would like to ask permission for Monday and Friday off, for personal business.

The Commissioners agreed.

RE: MARK TULEY....BURDETTE PARK

1983 Starting Budget Report: Mr. Tuley submitted the following financial report which goes through February 28, 1983.

1983 Budgeted	$509,237.00
1982 Encumbered By P.O.	$ 17,475.92
1982 Encumbered By Contract	$ 67,764.92
1982 Insurance Reimbursement	$ 6,115.44
TOTAL FOR 1983 BUDGET	$600,594.28

Expenditures & Balance 1/1/83 to 2/28/83

Total Expenditures	$108,900.56
Total Balance	$492,758.17

Income 1/1/83 to 2/28/83

Pool	-0-
Rink	$ 7,553.19
Rentals	3,074.10
Misc.	594.89
TOTAL	$ 11,222.18*

2/28/83

Total Expenditures	$108,900.56
Total Income	- 11,222.18
TOTAL DEFICIT	$-97,678.38

* See Next Page for Daily Breakdown of Income

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Weekly Absentee Report: Mr. Tuley submitted the absentee report of the employees at Burdette for the periods of December 21 thru 30, 1982, absentee report for the full month of January, 1983 and also the period of February 1 thru 10, 1983.....all reports received and filed.

Financial Statement of 1961 to 1982: Mr. Tuley submitted a financial statement which covers income from the pool, skating rink, rentals and miscellaneous items for the period from 1961 to 1982.

President Borries asked what accounts for the large increase under Misc., in the year 1981 and Mr. Tuley said it shows $69,115.65 and that is because of the federal reimbursement.

Discussion Concerning Security at Burdette: Mr. Tuley said last week he gave each of the Commissioners a report concerning the security at the park for 1983, which has security twenty four (24) hours a day, seven (7) days a week and in 1982 the total cost of security amounted to $56,502.50. After meeting with the Sheriff and several other people he would submit the following proposal:

1. Eliminate one security guard position at a savings of $12,480.00. (This position is vacant at this time).

2. We have submitted a request to Sheriff Clarence Shepard to have two of our staff made special deputies while on duty only. An off duty sheriff cost us $10.00 per hour. With your approval we can save considerably.
   a.) Issue tickets for existing ordinances, example; your 1983 fishing ordinance and the speed limits, ets.
   b.) These special deputies will not carry guns.

3. Thirdly, I recommend the Assistant Manager be moved into the grounds keepers house. This will allow us to impose step number one, listed above. Several things can be accomplished by this move.
   a.) $12,480.00 eliminated from the budget for security.
   b.) Assistant Manager can fill in for vacationing security guards, sick days, and personal days. Presently we call in a sheriff at $10.00 per hour or do without security.
   c.) Assistant Manager will be in the park to assist in after hour maintenance for emergency repairs.

4. The following is the security proposal for 1983. I am confident this will be sufficient for all our security requirements.

   Sheriffs cost as follows:

38 weeks at 608 hours =	$6,080.00
14 weeks at 420 hours =	$5,880.00
Summer holidays (3) at 33 hours =	990.00
TOTAL COST OF SHERIFF	$12,950.00

   Park Guards Cost as Follows:

Greg Smith at $6.00 per hour at 2,080 hours =	$12,480.00
Jim Render is salary at 2,080 hours =	$13,350.00
TOTAL COST OF GUARDS	$25,830.00

   TOTAL COST OF SECURITY = $38,780.00 *

* This cost does not take in consideration that six weeks has already expired, nor does it allow for extra security for specials.

Examples: National BMX Race, Country Festival in co/op with City Parks.

I think you will find this to be a better alternative.

Respectively,
Mark T. Tuley, Burdette Park Manager

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Commissioner Cox asked if the position you propose to eliminate is a union position and Mr. Tuley said no.
Commissioner Cox asked where the Assistant Manager presently lives and Mr. Tuley replied, in an apartment, outside of the park. Commissioner Cox asked Mr. Tuley if he is referring to the little Assistant Manager's house as the Grounds Keeper's house and he replied, yes, it is one and the same house.
Commissioner Cox said she has a question on the powers of these employees who are going to be deputized, that it states they can issue tickets for existing ordinances and they will not carry guns. She asked if they will have the power to arrest should someone become disorderly and Mr. Tuley said that will be up to the Commissioners and what powers they want this person to have, that an ordinance should be adopted to state such matters. He said the Sheriff will submit a letter to the Commissioners requesting such an ordinance be adopted. We really don't know if what they are proposing at this time is possible, but there has been some discussion that perhaps down the road we could merge our security system in with the Sheriff budget. We don't know if this would ever be feasible, but it has been talked about.

Commissioner Cox asked if the Sheriff's Department would give this employee any type of training and Mr. Tuley said he put "Special Deputy", which is a mistake, that it should read "Sheriff's Reserve", and he will have the same powers as the Sheriff's Reserve Deputy.

President Borries said it is obvious we must clarify what powers, exactly, they will have and we would have to have the County Attorney to draft a proposed ordinance, that Mr. Tuley can get with one of the attorney's and see what is legal to apply in this case, have the ordinance drafted and present it to the Commissioners for final approval.

Commissioner Willner said he doesn't think he would like to see this person have any arresting powers, that if there are problems out there that can't be handled, then a Sheriff should be called, in all instances. There could be an instance when the Sheriff would call all Deputies in, including ours, therefore we could get into some real problems as he sees it. He could go along with the other parts of the proposal submitted by Mr. Tuley, but not this one (1) particular matter concerning the powers of the deputy, that he would rather it continue as it is with the park security, and if trouble arises he can take license numbers and call the Sheriff, but he wouldn't want him to have arresting powers.

Commissioner Cox said we would still have to have an Ordinance for park security, wouldn't we and Mr. Tuley said we already have one for that and have had for years.

Commissioner Willner moved the rest of the proposal be approved, as submitted, but that #2, a & b, be stricken.
Commissioner Cox seconded the motion. So ordered.

Report From Burdette Park Advisory Board: Mr. Tuley said last week he submitted a rather lengthy (11 pages) report from the Advisory Board, as requested by the Commissioners. A copy of this report was also submitted to the County Auditor to be properly filed with other Burdette documents. He said since the report is so lengthy he will not read it, however, he would be happy to answer any questions that anyone might have concerning it. He said basically most of the things they proposed, in regards to user fees, etc. have already been enacted by the Commissioners. He feels the Board did a very good job, that the fees are fair and competitive.

Commissioner Willner said he read a letter from Louise DeVoy and she recommended we have an ice cream stand at the park during the summer time. He personally doubts if there would be enough revenue to open an ice cream shop out there, but he would like for Mr. Tuley to check into the matter and see if there is some type of a machine that could be installed at the pool and at the club house.

Mr. Tuley said he would be happy to check on this, that they have existing consessionaires at the rink and the pool, so possibly they would consider adding something of this nature. Presently we are operating with Lee Foods, without a contract and he believes there has not been a contract since 1974 or 1975.

Commissioner Cox said she would like to compliment the Advisory Board for the hours spent and the in-depthness of their report and their considerations and recommendations. She does not understand fully, in regards to the leasing of the park, is it being recommended that no lease agreements be entered into at all, and if this is true, she would like to have an explanation of why they felt that way, or if their report simply meant they didn't want the park leased out, in total, to an individual.

Mr. Tuley said their intent was not to lease it out in total to any individual, that they had no problem leasing a portion of the park to a private enterprise. The Advisory Board encourages us to rent what portions we can. We are being very agressive in reaching out and looking for various ways to bring in revenue. He personally feels the Advisory Board came a long way, that some of them did not understand county government workings when they were appointed to that board and he for one would like to see some kind of board continue, that there are some tough decisions lying ahead of us.

Commissioner Willner said he too would like to thank the Advisory Board for the work they put in concerning the park and he too would have to agree with Mr. Tuley, that he would like to see some type of Advisory Board continue for the park, however, he believes the number on the board was too many, that perhaps only three (3) or four (4) should form the committee.

President Borries said he too appreciates the work of the Advisory Board, and it is understandable that when you have this many people working on one matter, for such a long period of time, it is almost certain they will not all agree. He said there is an obvious amount of pride in the studies and a large concern for the park and to him the most obvious concern was that they do not want to see the park decline, in terms of quality, that they are very proud of Burdette and want to continue to be, however, he has deep concerns about the financial aspect of the park and if the council is going to have to continue to make cuts in the budgets, where will the money come from and how will the quality be maintained. He believes that is when everyone started looking at the users fees. Obviously the Committee was against an admission fee to the park. He too would concur with the other two (2) Commissioners that we should continue some type of Advisory Board at Burdette, however, he would think the number serving should be a odd number and not four (4).

Discussion of Park Foundation: President Borries said the City Parks Foundation has created a booklet of services and the kinds of things people want to donate to the parks and things they could buy for the parks with their donations instead of seeing their donations literally eaten up by employees, they could buy swings, etc. He believes this would certianly be a plus for Burdette Park to be included in the Parks Foundation, so that if individuals wished to contribute to Burdette Park, they could do so and their money would certainly be applied to whatever they specified it be used for.

Mr. Tuley said that allows the private sector to get involved and it also allows the Burdette Park budget to be utilized more effectively elsewhere, where it is needed. He said they have stepped up a very agressive campaign with the private sector and within the next couple of weeks he hopes to come back to the Commissioners with a report and request for approval for several very worthy projects for the park, and it will not cost the county one red cent. So far the aspects look very good, that he received a confirmation on one (1) of them today and he won't say anything else for fear of messing up the other proposal he has going.
He said concerning the admission fee, he understands that the County Council is going to be pushing for such a fee, of some sort, that they feel this is the only way the deficit is going to be reduced. If this is going to happen he would like to recommend perhaps a charge of $1.00 per car, and then 50¢ of that charge go into a special fund set up by the Council, for Burdette Park Capital Improvement Fund and the other 50¢ go into the General Fund. Maybe people would not mind an admission fee so much if they knew part of it was going back to the park.

Commissioner Cox said concerning the admission fees, did the Board have any cost analysis done, of what would be necessary to institute admission fees and Mr. Tuley replied no, but they did realize it could not be done without first fencing the park in. He said they did conduct a study on monitoring the vehicles and in the summer they will average 5,000 per week and by using a conservative figure of four (4) persons per car, we serve about a quarter of a million people, per year, out there.

Mr. Tuley said he also wants the Commissioners to know we were contacted by the Bureau of Outdoor Recreation (BOR) in July and September informing us they are going to be accepting applications for grants for 1984, so he will certainly get his requests in.

Commissioner Willner moved the Commissioners enter into an agreement with the City Parks Department in forming a Foundation for persons wanting to donate funds to the parks in Vanderburgh County. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO USE MEETING ROOMS FROM THE VANDERBURGH CO. ELECTION BOARD

The following request was received by the Commissioners, dated February 2, 1983.

Dear Commissioners:

We respectfully request the use of the Council Chambers, Room 301, City/County Administration Building and the Commissioners Caucus Room 303, on Tuesday May 3, 1983, beginning at 4:00 p.m. and until such time as the Counting Center Teams complete their work.

In addition, we would like to use the Council Chambers as follows for instructional meetings for precinct officials:

Monday, April 18, Wednesday April 20, and Friday April 22, 1983, at 10:00 a.m.
Tuesday, April 19 and Thursday April 21, 1983, at 7:00 p.m.

The above dates have been cleared with Chief of Security, Bob Hinton and are awaiting confirmation.

As in the past we are again planning to use the first and third floor foyers to receive in supplies on election night and will work with the City/County Building Authority on set-up arrangements.

Thank you for your cooperation.

Sincerely,
Helen L. Kuebler, Secretary
Vanderburgh County Election Board

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

RE: LETTER FROM SOUTHERN INDIANA HIGHER EDUCATION

President Borries said the following letter was received from Southern Indiana Higher Education, which he believes is a follow-up on a conversation by various groups with the Commissioners. The letter was dated February 14, 1983 and read as follows.

Mr. Richard Borries:

Rick, this is a follow-up to our conversation of several days ago concerning student housing adjacent to the Indiana State University-Evansville campus.

Southern Indiana Higher Education, Inc. is a non-profit corporation that currently owns 1100+ acres continguous to the ISUE campus. Our group, you may remember raised via public subscriptions, $967,000 in the late 1960's. From the proceeds of that fund drive we purchased 1400+ acres on the west side of Evansville. Then we donated to Indiana State University most of the 400+ acre site upon which it is now located.

Our group S.I.H.E. owns the remaining 1100+ acres free of encumberances. We are holding the tract in trust for the future development of higher education in southern Indiana. Today, I am President of S.I.H.E.; Robert L. Koch is Chairman of the Board; and Frank F. McDonald is Executive Vice President. I am appending a list of our board members for your information.

S.I.H.E has established a subsidiary non-profit corporation - Mid America Student Housing (MASH) - with the same directors.

Purpose of MASH is to erect housing for I.S.U.E. students.

What we would propose to do is this:

MASH would erect student housing units sufficient to accommodate 600 students initially.

At the end of the amortization period MASH would deed the housing units and the real property upon which the housing units would be situated to Vanderburgh County.

During the construction and amortization periods the County would have no obligations.

Real property and buildings when deeded to the County would be "Free and Clear" of all indebtedness

We need the willingness of a governmental unit who will accept the project to receive favorable interest treatment. Without the favorable interest treatment, we will be unable to build affordable housing for the students.

It is our belief in S.I.H.E. that there is a tremendous opportunity for growth here in terms of the University expanding. Just as important are the enhanced opportunities for economic growth and cultural enrichment that will accompany a growing and progressive university. Lexington, Kentucky and the Research Triangle in North Carolina are outstanding examples of how beneficial strong public higher education can be to an area.

I hope the County Commissioners will be favorably inclined to this approach. Please call me if you and/or you commission associates need or wish additional information.

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President Borries said at this point and time he would think we need to let them know we would support this kind of thing. Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

RE: JESSE CROOKS....BUILDING COMMISSION

Monthly Report: Mr. Crooks submitted the monthly report of permits issued for the month of January, 1983.....report received and filed.

Mr. Crooks informed the Commissioners he is presently working with Mr. Bob Fortune in an effort to put his department on the computer system and if this cannot be done he simply will have to have additional help in his office.

RE: DAVID GERARD.....EVANSVILLE URBAN TRANSPORTATION STUDY

Discussion on Eichoff/Koressel Contract: Mr. Gerard apologized for not being present earlier when Mr. South and the Commissioners discussed the Eichoff/Koressel contract. He said there are just a couple of things he would like to point out to the Commissioners, that in the appendix B, it talked about the information that is to be provided by the locals. Some of those items will require an additional expenditure and he would use as an example the Archeological Reconnaisance, rather than include that in a consultants contract. His office is working with the Indiana University and a gentleman out of Ohio, in trying to get that archeological study completed. He said the transportation data, the traffic projections and things of that nature are routine and there is no extra cost for those things. Quadric surveys, biological surveys are only required when we are involving the habitat of an endangered species, but we won't know that until they complete some of their field checking. Another point he wanted to bring out is that if you look at the itemized cost, there is a cost for the location study and a cost for categorical exclusion documentation of around $12,000.00 and then a cost of around $21,000.00 for environmental assessment. He said it will either be a categorical exclusion or an environmental assessment or an environmental impact statement, that it probably will be and environmental assessment, and that decision will come out very early in the meetings with the federal highway.

Discussion of the Outer Pollack Avenue Project: President Borries informed Mr. Gerard there was an earlier discussion on the Pollack Avenue project and briefed him on what was decided concerning the guardrail. He asked Mr. Gerard the statis on this as far as federal monies are concerned.

Mr. Gerard said two (2) weeks ago we submitted an application on that project, for federal funds for engineering work on Pollack Avenue, from Green River Road to the Warrick County Line. Engineering studies are an eligible catagory for federal aid urban, but to be honest, he does not think we will receive the funderal funds for this project for engineering studies. He believes the state and federal government is trying to get the locals to go ahead and do these jobs with local funds, that they are trying to preserve that money for construction instead of engineering studies.

President Borries said then it would have to be our decision to look at an in-house local engineering study and Mr. Gerard said this is correct.

Commissioner Cox asked Mr. Gerard when will he know for sure that the federal funds will not be available for engineering studies and he replied by June.

President Borries thanked Mr. Gerard for his remarks in regards to things discussed today.

RE: PROBLEM WITH DRAINAGE ON RODE ROAD AND OAK HILL ROAD

Mr. Richard D'Amour, attorney representing Steve and Barbara McBride, who reside at 5300 Oak Hill Road, was present and stated they would like to discuss a drainage problem the McBride's have had for quite some time. He understands this problem has been brought up by David South at a previous meeting so everyone is somewhat aware of the problem. He said the McBride's purchased their home in 1979 and they have had drainage problems ever since they moved there. He said Steve and Barbara have drawn a map of the general area in question and he pointed out to the Commissioners where the McBride's live and where Oak Hill Road connects with Rode Road and also where all the drainage problem is coming from, behind the homes. He pointed out there is an open ditch that runs along the north side of Rode Road, goes under the McBride's drive way and it is about three (3) feet deep where it intersects with Oak Hill Road, From the McBride's driveway it is then tiled all the way to St. George Road. It is about 350' from Rode Road to St. George Road.
Mr. D'Amour had several photographs of the area in question and at this time he submitted a couple of them showing the north side of Rode Road, along side the McBride's home. These photos show a good amount of water standing there in the ditch and further photos showed how the water invaded their property to a large extent. He said it gets so bad when it rains that the water comes all the way and laps on their garage, crosses their drive-way and then approaches their home, however, it has yet to invade their home. He also understands the water blocks Rode Road and has a tendency to go out on Oak Hill Road. What we have here is four (4) different areas draining onto this one person's property, that is to say 96" dumping into the McBride's 24" drain.
The Commissioners were kind enough to allow Mr. David South to travel to the area and he met with him on the matter and they discussed it at length and the possible alternatives to the problems.

Mr. D'Amour showed a picture of what appeared to have been a natural drainage at one time, with Sycamore trees on it, and it appears the flow of water has been diverted at some point and time in the past, and in walking over it he finds it to be very marshy and wet.
We now know what the problem is, but we need to know what the alternatives are and also just what the McBride's can live with and what the County can live with, and who's going to pay for it. At this time he would like to throw out some alternatives to the problem. First would be to open the ditch along what he considers to be the natural waterway, and that obviously is on private property. Mr. Rode and Mr. Liecner have been approached and they are not very receptive of a ditch going through their property, although, at one time he believes there was one running through there. Secondly, there could be a retention area where excess overflow could go. Thirdly, there is another alternative, however, alone, he would not think it to be sufficient, and he pointed out on the map where he would recommend the ditch be closed and re-opened to send some of the water on to Oak Hill. He pointed out where most of the water seems to be coming from. He said the pipe at the McBride's is 24" and when you get down to where it comes out on Oak Hill Road it has narrowed to 15". He would recommend it be dug deeper and new tile put in or else just dig an open ditch along that area. He realizes some of these people do not want a ditch along their house, but his client doesn't want any water either. He understands the county will do the work but will not pay for the tile.
He said his clients do not have the money to take this to court and they really do not want to sue anyone, but something simply is going to have to be done. Mr. and Mrs. McBride will be happy to entertain any questions.

President Borries said Mr. D'Amour made an excellent presentation and he would think we need to get some cost estimates and get our Surveying crew to look the situation over, as far as our right-of-ways are concerned.

Commissioner Willner said Mr. Guillaum's crew has already been out there and they are the ones that drew up the plans in regards to the water flow behind the houses, so that has already been done.

Commissioner Cox said since this has already been done then she would like to know about this ditch that runs on Oak Hill Road, between Rode Road and St. George Road, that is it on private property or on county property, that if it is on county right of way and it needs to be simply cleaned out, then it looks to her like we would do that part, but if it's on private property and was put in by private individuals then we get into the same situation that we have at Oak Hill and Bergdolt Road. If the neighbors all the way down the line will see to it that the tile is kept open, then the water will move . She would say that she feels like open ditching along Oak Hill Road will not do the job.

Mr. D'Amour said obviously a larger tile would be the answer, all the way down the line but the only reason he suggested open ditching, was to save money.

President Borries said he wonders if the Barrett Law has any applications in a situation like this, in regards to tiling.

Commissioner Cox said at one time it did have sewers on it, storm sewers that is.

Mr. D'Amour said he has the McBride's legal description and he believes all along Oak Hill Road, the ditch is within the public right of way, therefore, it would be his feelings that that county could have the authority to go in there and do some work on the area.

Commissioner Willner said if we had a topo map of the area here today, we would see the area behind the houses is lower than the area up on Oak Hill Road and what has happened is that during the development of the subdivision someone blocked the natural flow of water, on private property and tried to divert it around the front of the property and everyone knows water will not run up hill, unless you pump it up. He believes it is a legal matter and if someone blocks the natural flow then you have re-course by going to the courts and not by going to the county, that the county does not have any responsibility for drainage in the county, other than for Legal Drains, and we have no funds to do anything with. If an individual is blocking the waterway, then the process is through the courts.

Commissioner Cox said it seems to her the liable person would be the one that blocked the natural flow and did that person have permission to do what all they did.

Mr. David South said the larger pipe would be nice, except we must remember the top of this one is already exposed, that there is no cover over it. He said if the dimension is correct on the 15" pipe, then the 15" vs the 24" pipe, the 15" will take less than 50% of what a 24" will dump into it and we all know water is not a compressable substance. He has been told the water bubbles back up out of the in-let which tells us there is a restriction down stream. He said the road in back of the house shows distress and it would probably be equally advantagous for the county as for the residents out there to open up the drainage in the back of the house because it is destroying our road, therefore he believes the county can take the necessary steps to improve those drains that are effecting our roads.

President Borries told Mr. D'Amour and the McBride's the Commissioners will continue to study this, give it very serious consideration.

Mr. D'Amour said he will be back in touch with the Commissioners at a later date.

RE: LETTER FROM JAMES ANGERMEIER, COUNTY ASSESSOR

President Borries said there is a letter from Mr. James L. Angermeier, County Assessor, addressed to County Attorney David Miller, which reads as follows:

Dear Mr. Miller:

A question has been raised as to the law regarding election of presence of two township Assessors sitting on the Board of Review, by House Acts 1747. At a more recent meeting and election held January 10, 1983, in compliance with the law the nomination of Robert Dorsey was made by a Chief Deputy by the name of Shirley Stucki. Last year a legal opinion was rendered by the County Attorney David Miller that the Chief Deputy could not serve on the Board of Review. Now the question is being asked that can a Chief Deputy place a name in nomination when in fact they could not serve on the board. Secondly, a question has been asked as to the so called presence at the meeting in order to accept a nomination.

I would appreciate you legal opinion as soon as possible. This decision could have a legal bearing on the performance and decisions of the Board of Review of 1983, as to the legal statis.

Sincerely,
James L. Angermeier, County Assessor

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Commissioner Cox moved the letter be referred to David Miller. Commissioner Willner seconded the motion. So ordered.

President Borries gave the letter to attorney Wallace and ask him to please see that Mr. Miller receives it.

RE: SOUTHWEST DISTRICT OF INDIANA ASSOCIATIONS OF COUNTY COMMISSIONERS MEETING

President Borries said Bill Bethel, Jerry Linzy and himself attended the Southwest District of Indiana Associates of County Commissioners meeting last Wednesday night, in Washington, Indiana and they heard that many counties needed to get their F-82 forms into the state, however, we have already submitted ours. They also promoted Road School, which David South will attend. There was also minor discussion as to future funding but the Legislature at this point is up in the air as to what will take place.

President Borries said also there had been some discussion concerning the time changes and Senator Humes proposed to ask the Department of Transportation to come in and consider putting all of Indiana on our time, Central Standard time and Central Daylight time, but it looks very unlikely that that would take place. This is quite a confusing issue but the Commissioners are aware of it now.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Joseph E. Phillips for an Art Sale held February 27, 1983.....received and filed.

RE: EICHOFF/KORESSEL CONTRACT

Mr. South said he was not in the room when Mr. Gerard spoke on the Eichoff/Koressel Contract matter, however, he did talk to him out in the hall and Mr. Gerard briefed him on what was discussed about the additional expenses, so he would say that he also does not have any qualms about the contract and us going ahead with it, however, he would

propose the following letter be approved, signed and sent to Robert Woods.

Attention: Mr. Stephen Dilk

Dear Sir:

As the Board of County Commissioners of Vanderburgh County, Indiana, we are requesting contract approval to undertake the following County project:

> Improvement of Eichoff Road from S.R. 62 on the south to S.R. 66 on the north, a distance of approximately 26,700 feet (5.06 miles) in west-central Vanderburgh County: Projects ME-180 ( ) and RS-6582 ( ).

Our County does not have the engineering staff necessary to perform these studies for the referenced project. After careful evaluation of their qualifications, we acquired the professional engineering services of United Consulting Engineers, Inc., 5332 N. Temple Avenue, Indianapolis, Indiana 46220. United Consulting Engineers, Inc. was selected August 9, 1982. The firm was selected in accordance with our procedures for selection of consultants by competitive negotiations on contracts involving Federal participation.

In our review of the attached agreement between ourselves and United Consulting Engineers, Inc. which we are submitting for FHWA approval, we found the engineer's services to be complete and the fee for those services to be justified.

Your earliest attention to this matter is greatly appreciated, since we are quite anxious to see our project progress as quickly as possible.

Very truly yours,
BOARD OF COUNTY COMMISSIONERS

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Mr. South said we do not sign the contract at this time, we merely give permission for it to be sent to the state and after the state reviews it, then we sign it.

Commissioner Cox asked what is the total amount of the contract price and Mr. South said it is not to exceed $25,070.80.
Commissioner Cox said have we determined exactly what this includes, and it does include corridor design studies and Mr. South said yes, that this does not include a full EIS statement, should it be determined we must have one and as Mr. Gerard stated, it does not include an archeological reconnaisance report, but there should be no major increase over this, and if there was, it would not be with United Engineering, but rather with whoever you obtained to do the work.

Commissioner Cox said then she understands that the $25,070.80 is what we are paying for this and if we need environmental study or environmental impact, then these would be at an additional cost.

Mr. South said no, it is one or the other, that the maximum is twenty five, so if the twelve instead of the twenty one is used then the maximum of twenty five drops to sixteen. Only if we have to have EIS will we have a major problem.

Commissioner Cox moved the letter be approved and signed. Commisisoner Willner seconded the motion.

Commissioner Cox said the contract does include two (2) of the three (3) options and Mr. South replied yes, that where we would get in trouble would be with the EIS statement. He said when this gets through it gets us up to design drawings.

Commissioner Cox said she asked if this included corridor designing and was told yes.

Mr. South said it includes the corridor location, but not corridor design.

RE: CLAIMS

President Borries said we have been holding two (2) claims, one from Judge Lensing and one from Judge Miller for several weeks now and we received word from Judge Lensing that his was a State called meeting for training sessions for the judges.

Commissioner Cox said she wished Judge Lensing would have sent his letter to us, asking his presence at that meeting.

President Borries said before we approve or deny these, perhaps we should send another memo specifically to the courts and the judges again asking for their notice, in advance, to the Commissioners, in regards to travel. We also need to get, from the Auditor, the amount we presently have left in our travel account.

Mrs. McBride said she does not have that figure with her today, but she will check in bookkeeping and get that figure to the Commissioners next week.

Commissioner Willner said he does not doubt that this travel is in the best interest of Vanderburgh County, but his problem is we have less than $5,000.00 now and it is not going to last and he believes the Commissioners should have a policy stating what we will and will not pay, whether it be for the Courts, the Commissioners, the Council, whoever, buts lets make a policy and stick to it.

President Borries said lets develope some guidelines by next week's meeting.
Both claims were held for another week.

A claim was submitted by Deig Brothers Lumber and Construction Company, Inc., in the amount of $58,255.90 for labor and material as per attached itemized statement for Hirsch Bridge #93....partial payment.

Commissioner Cox moved the claim be allowed. Commissioner Willner seconded the motion. So ordered.

There being no further business the meeting recessed at 5:00 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	Paul Wallace (Rep.)

SECRETARY: Janice Decker

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

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BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 7, 1983

The meeting of the County Commissioners was held on Monday, March 7, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: OPENING OF BIDS FOR REPLACEMENT OF FIRST AVENUE BRIDGE

County Auditor, Alice McBride certified there were four (4) bids received in her office, for replacement of the First Avenue Bridge, by a time no later than 2:30 p.m. today.

Commissioner Willner moved the County Attorney proceed with the opening of the bids. Commissioner Cox seconded the motion. So ordered.

RE: OPENING OF BIDS FOR LAUNDRY AND DISHWASHING EQUIPMENT FOR THE JAIL

City/County Purchasing Agent, Mr. Ben Evans was present concerning the laundry and dish-washing equipment for the county jail and stated they received two (2) bids, one (1) being from Sysco of Louisville and one (1) from Pro-Tex-All, of Evansville. He said when they received the bid from Sysco it was already opened, therefore, he would recommend it be null and void. Secondly, the bid from Pro-Tex-All covers only dishwashing equipment and detergents and we asked for those along with laundry detergents, therefore he would ask the bids not be accepted and that he be authorized to re-write and re-advertise for the items.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: FINANCIAL REPORT FROM COUNTY TREASURER

The following financial report was received from Mr. Lewis F. Volpe, County Treasurer, dated March 2, 1983.

TO: COUNTY COUNCIL
COUNTY COMMISSIONERS

Thus far, $46,091.56 interest has been collected and receipted into the County Revenue Fund.
Outstanding investmants are:

1. Repo, $900,000, dated January 10, 1983, due March 30, 1983.
   Estimated income $14,735.36. Various rates.

2. Repo, $700,000, dated January 13, 1983, due March 9, 1983.
   Estimated income $7,975.37. Various rates.

3. Repo, $900,000, dated January 4, 1983, accrued to March 8, 1983.
   Estimated income $11,726.55. Various rates.

4. Certificate of Deposit $500,000, dated December 29, 1982, due July 6, 1983.
   Estimated income $22,500.00. Rate 8.65%.

5. Certificate of Deposit $6,000,000, dated February 1, 1983, due March 8, 1983.
   Estimated income $46,300.00. Rate 8.05%.

6. Repo, $500,000 dated January 25, 1983, due March 15, 1983.
   Estimated income $5,031.44. Rate 7.375%

Total estimated income is $108,268.72 of which $13,300.00 is committed to the Federal Revenue Sharing Fund, and the Reassessment Fund.

Yours truly,
Lewis F. Volpe
Vanderburgh County Treasurer

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Report received and filed.

RE: MARK TULEY....BURDETTE PARK

President Borries said at the County Council meeting of March 2nd, the council passed a resolution asking that the County Commissioners consider the implementation of an admission fee at Burdette Park and the vote for that issue was five (5) to two (2). The resolution was merely a proposal and not binding and the Council asked that the Commissioners study the feasibility of it at this point. The Council is looking at ways to increase revenue, especially if there are going to be any capital improvements made to the park. They asked if there had been any studies done on the number of vehicles that use the park and we referred to the study that Mr. Gerard reported, that being that during the summer months, some 5,000 vehicles per week went through the park.

Commissioner Willner said his thoughts are that the fee would constitute some problems, especially when we are renting the pavilions and cottages out to individuals. We have been trying to get the larger companies to hold their company picnics at the park and if we add the admission fee, just to get inside the gate, then we are going to experience some problems, however, if a person would rent a building out there, he would imagine it could be fixed so that the entering and leaving and re-entering of the grounds could be included in the rental fee, however, this would maan a person at the gate at all times, plus perhaps a gate house, etc. If the Council would give us a dollar figure, perhaps we could wrestle with that and there may be some alternatives to a fee.

Commissioner Cox said if the Council adopted a resolution at their meeting, do we have a copy of that resolution and President Borries said we do not.
Commissioner Cox said she has great concern over charging admission at Burdette Park for several reasons. First of all our six (6) member Advisory Committee, that each of us participated in appointing, it was a unanimous recommendation of that board that we not put on an admission fee. Secondly, she believes the County Council is concerned with finances, as we all are, but we may very well take in $5,000.00 and spend $6,000.00 without studying this situation in its entirety. She is not certain that putting an admission fee on would disqualify us for federal funding, but she believes this should be looked into and we might also be liable to pay taxes on an admission fee. She has received numerous calls from various organizations and from individuals who have used the park facility in the past and they have questions on a $1.00 per car admission fee, that if they rented a facility out there and then had to pay to get in the grounds, they would rather look elsewhere for a rental of a building. Also, for people who have multiple children in their family and use the skating and swimming facilities and they drive them there and pick them up later, this would mean two (2) admission fees for that vehicle unless some type of a refund could be set up and she personally feels that is not the answer, that if we are going to try to refund admission fees, we are going to get into a lot of problems. She feels like the whole intention of a park is to make money and she believes we have missed the boat in not looking for other ways to produce revenue and to bring people to use what we have at Burdette and she would like to see us study what an admission fee would entail, that Mr. Tuley could get those figures together for us, on what we would need to do in regards to security, etc., but she is strickly against an admission fee to the park. She also feels like if an admission fee were to be put on out there, then people would begin to drop their children off at the gate and pick them up at the gate and they would then have to walk the narrow winding road through the park and this, in her opinion, would create a safety hazard, especially along side the lake.

President Borries said he would concur with the suggestion that we study this matter and he would suggest that Mark Tuley check with other parks in the immediate area, specifically Audubon Park and perhaps some of the near-by parks in Brown County and study the aspect of what they do with some of the points mentioned in relation to small children and in relation to people using the park only to drop their children off and coming back to get them at a later time. Also check to see what kind of equipment or personnel is needed to collect such fees and report back to the Board for further study.

Mr. Les Lantaff, a member of the Park Advisory Board was present and stated the things the Committee asked to be instituted is not going to happen over night but he believes we will see an increase in revenue from the things that have already been instituted. He personally feels like putting on an admission fee is going to cost money instead of making money.

Mr. Tuley said he would gather the information available and report to the Commissioners as soon as possible.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of February 28 through March 4, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of February 28 through March 4, 1983...received and filed.

Mr. Bethel reported in the past week they had the grade-all out on Baseline Road, Upper Mt. Vernon Road, Boonville/New Harmony Road, Hepler Road, and Denzer Road. They graded all the bottom roads, Boehne Road, Neubling Road and Seven Hills Road. They used the back-hoe at the Hillcrest Home. They've patched West Franklin, Hedden Road, Chapel Hill Drive, Schlensker Road, Kansas Road, Ward Road, St. George Road, Old State Road and Elmhurst. He had tree crews on Mohr Road, Kissel Road, and County Line Road off of Denzer Road. They rocked the shoulders on Old State Road, from one end to the other. They had the trash trucks out on Lynn Road, St. Joe, Old Green River Road and Weinbach.

Commissioner Willner said he has seen some pictures of Pollack Avenue, with the guard-rail already installed.

Mr. Bethel said that is rail he had in stock and he still has a little left and it should be installed today.

President Borries asked Mr. Bethel the statis of his budget to date and he replied it is very very tight, however, he is trying to stay within it. He had $170,000.00 taken from his budget therefore he has been doing a lot of planning to try to get through the entire year with what he has.

Mr. Bethel said he needs further guidance on the funding of the remaining guardrail to be installed on Pollack Avenue.

Commissioner Willner said he understands 1,000' of guardrail is to come from the Cumulative Bridge Fund, that Mr. Bethel is to install what footage of guardrail he has available at the county garage and then he is to measure and see how much more we will need and we'll see about taking that from the R&S Fund.

President Borries asked Mr. Bethel if he would be able to get the final measurements and an estimate to the Commissioners by next week and he replied that he could.

Commissioner Cox said if Mr. Bethel lets us know by next Monday, which will be the 14th. then that will give us time to meet the 15th. deadline to put it on the April Council Call.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Lewis said he has only to report that the County Surplus Item's sale will be Saturday, March 12th. at 9:30 a.m. at the County Highway Garage.

Commissioner Willner asked if the old mower from Burdette Park is offered on this sale and Mr. Lewis replied he has not seen it.

RE: LETTER FROM DATA PROCESSING

The following letter was received by the Commissioners, dated March 3, 1983 and directed to Mrs. Shirley Jean Cox.

I would like to be placed on the agenda for the April County Council meeting to discuss the lease obligation for 1983. Due to a misunderstanding with the delivery of the prior letter dated February 2, I had not been placed on the agenda for the March meeting.

Since no one visited Data Processing after the joint Council-Commissioners meeting on February 22, I am rescheduling the visitation for March 16, 1983, at 3:30 p.m. in the Computer Center, Room 205 in the Administration Building. This is for all County Council and Commissioners for the purpose of answering any questions and resolving any dilemmas prior to the April Council Call.

Sincerely,
R.E. Fortune
Director

Commissioner Cox said she wonders why Mr. Fortune scheduled this meeting for the 16th. because we don't normally meet with the council on a Wednesday, that we always meet with them the third Monday of the month.

President Borries instructed Mr. Lewis to contact Mr. Fortune, or have Ms. Meeks to contact him and see if that meeting could be changed to Monday the 21st. at 4:30 p.m.

RE: MONTHLY REPORT OF SHERIFF

The monthly report, for the month of January, 1983 was submitted by the Sheriff...report received and filed.

RE: LETTER FROM COUNTY ASSESSOR....JAMES ANGERMEIER

President Borries said the Commissioners received a letter from County Assessor, James Angermeier stating that after having been informed of the inconvenience of finding a parking space around the Civic Center for the purpose of conducting official business he would appreciate the Commissioner issuing a parking permit to each of the following elected officials located in their respective townships.

Armstrong Township.....William Hepler
German Township.....Gary Wagner
Perry Township.....Harry Tornatta
Scott Township.....Robert Harris
Union Township.....Ms. Eileen Basham or Robert Bernard

These permits would not be used daily, only at the times when they have business to conduct at the Civic Center.

Commissioner Cox moved the request be submitted to Mr. Lewis to be studied before the parking committee recently appointed. Commissioner Willner seconded the motion. So ordered.

RE: PUBLIC MEETING CONCERNING WIDENING OF MORGAN AVENUE

President Borries said he would remind everyone there is to be a public meeting tonight at Stockwell School concerning the proposed widening of Morgan Avenue, between Boeke Road and Green River Road. The meeting will get underway at 7:00 p.m. He has talked to some officials and he is very discouraged at this point to learn construction on this project may not start until April, 1985.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Kappa Alpha PSI Fraternity, Inc for a dance held on February 25, 1983.....recieved and filed.

RE: CLAIMS

A claim was submitted by Sebree, Craig and McKneight, Inc., for engineering and environmental services on Lynch Road Extension and the amount due is $8,378.83.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

President Borries said perhaps he should brief the other Commissioners on what the County Council did concerning several items in the Commissioners budget, at their last meeting. He said the council did approve the county's insurance funding and they also approved attorney's fees and deposition statements, but did not approve a sizable amount of funding for change of venue costs for claims that we have held for awhile, so we have several claims that will be re-submitted to them in April. In regards to travel, there were no specific guidelines given by the Council, but they did seem to go along with the fact that we, the Commissioners, will still continue to maintain and handle the travel for the county and that the travel be limited to inside Indiana, to state called meetings, and that we should prepare another memo reminding people that if they are requesting to travel, that they must do so in advance, and no airplane travel.

Commissioner Cox said if a person desired to travel by plane, could they get the regular mileage rate and then that individual pay the difference in costs.

President Borries and Commissioner Willner said they would see nothing wrong with that. A memo will go out of the Commissioners office this week to each office.

A claim was submitted by James Gard, Postmaster for pre-sort 1st. class permit for 1983. This is for the mailing out of the tax bills and is in the amount of $40.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Robert Brenner for two (2) trips to Indianapolis, on February 2, 1983 and February 14, 1983 to meet with the Indiana Department of Natural Resources concerning the First Avenue Bridge project. Claim is in the amount of $146.96 and is to come from the Bridge Fund.
Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: READING ALOUD OF BIDS FOR FIRST AVENUE PROJECT

Attorney David Miller said he has opened four (4) bids for the First Avenue Project and they all appear to be in order and they all have submitted bids for the 120 day allotment and for the 90 day allotment, as requested, and were as follows:

SURVEYOR'S OFFICE ENGINEER'S ESTIMATE For the approaches and the new structure the amount of $1,515,899.00. Alternate A, provides for the relocation of the structure, with floor is $375,000.00. Alternate B, for the relocation of the structure, without the floor is $275,000.00. The Engineer's estimate does not take into account the 120 days or the 90 Days.

BARNETT BROTHERS, INC. OF HENDERSON, KY.:

120 Day Time Allotment	90 Day Time Allotment	Item #32
Total bid...$1,432,565.24	Total bid...$1,492,565.00	$100,000.00
Alternate "A"....$450,000.00	Alternate "A"...$450,000.00	
Alternate "B"....$380,000.00	Alternate "B"...$380,000.00	

Mr. Miller said he has been advised by the Surveyor's office that if alternate "A" or "B" is selected, it will be possible to eliminate Item #32 from the gross bid, since Item #32 is the removal of the structure.

Barnett Brothers acknowledged receipt of both addenda.

DEIG BROTHERS LUMBER AND CONSTRUCTION OF EVANSVILLE, INDIANA

120 Day Time Allotment	90 Day Time Allotment	Item #32
Total bid...$2,354,203.00	$2,481,203.89..Total bid	$225,000.00 (120da)
Alternate "A"...$774,500.00	Alternate "A"..$774,500.00	
Alternate "B"...$721,000.00	Alternate "B"..$721,000.00	$230,000.00 (90 da)

Deig Brothers does not acknowledge receipt of the two (2) addenda documents.

TRAYLOR BROTHERS, INC. OF EVANSVILLE, INDIANA

120 Day Time Allotment	90 Day Time Allotment	Item #32
Total Bid..$1,533,362.92	Total Bid..$1,653,397.00	$100,000.00(120da)
Alternate "A"..$470,000.00	Alternate "A" $470,000.00	
Alternate "B"..$390,000.00	Alternate "B" $390,000.00	$146,100.00(90da)

Traylor Brothers acknowledges receipt of both addenda documents.

J.L. WILSON CO. INC. OF BLOOMFIELD, INDIANA

120 Day Time Allotment	90 Day Time Allotment	Item #32
Total Bid...$1,719,865.40	$1,872,102.00 Total Bid	$65,000.00(120da)
Alternate "A"...$396,856.00	Alternate "A"...$396,856.00	
Alternate "B"...$320,132.00	Alternate "B"...$320,132.00	$78,075.00(90da)

J.L. Wilson acknowledges receipt of all addenda documents.

All bids were ordered given to the County Surveyor for further study and recommendation.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guard-rail report of the bridge crews for the period of February 28 thru March 4, 1983. Report received and filed.

Hirsch Road Project: Commissioner Willner asked about the statis of the work on Hirsch Road and Mr. Guillaum said the last conversation he had with Deig Brothers he wanted to wait until the borrow pit dries out a little more. They do have the deck all poured and it looks good. Their abutments are all in good order also and their next item would be the dirt. Everything has gone so very well up to this point that we don't want to press him to get into the borrow pits until we feel the dirt is dry enough. It was looking pretty good until this past week-end, but they have indicated to us they will get on it just as soon as they can.

Strawberry Hill: Mr. Guillaum informed Mrs. Cox he will have a crew to look at the problem on Strawberry Hill this week and if there is anything we can legally do on it, he will see that it is put on their agenda for work to be done.

RE: COUNTY ATTRONEY.....DAVID MILLER

Law Suit....County vs Karma Records, Inc. Mr. Miller said the county has a claim against Karma Records, Inc. for certain taxes, that he understands to be personal property taxes. Karma has made an assignment for the benefits of creditors in a proceeding in Marion County, Indiana. Mr. Volpe contacted the attorneys for the Trustee and asked that the county be placed on whatever list there is in order to assure the county is paid the personal property taxes and Mr. Volpe received a reply from the Indianapolis law firm and that letter indicates there is a fund which has been established for the payment of taxes in Superior Court #5, in Marion County, and this gentleman suggests that Mr. Volpe contact the County's counsel and have an appearance entered in that case, therefore he would like authorization from the Commissioners to appear, as recommended. He would say the county would not want to spend a great deal of money, when the county's claim is not really very large. He does not know exactly how much is owed because he has not talked to Mr. Volpe, but he will do so.

Commissioner Willner moved that David Miller be authorized to look into the matter and report back if he finds it necessary. Commissioner Cox seconded the motion. So ordered.

Law Suit....Hille vs Sheriff: Mr. Miller said the Hille law suit is coming up for trial on April 5, 1983. This is the case in which Mr. Hille found himself in a motor vehicle being chased by the Vanderburgh County Sheriff's Deputies, in Union Township and the vehicle he was riding in went off the end of the levee and Mr. Hille is holding the County liable. We have a settlement offer that we are bound, by court order, to reply to, in writing and that settlement offer is $10,000.00. This is identical with an offer we received about six (6) months ago and at that time it was his recommendation, as county attorney, that the Commissioners allow the case to be tried. He has no reason to change his mind and he would at this point still recommend....we go to trial. He said there is a statute that we will be relying on that says, to the effect, that neither a county nor it's employees can be held liable for injuries or damages which is caused when the officer of the county is in the course of enforcing the laws of the State of Indiana and that same statute says the county is not liable when the accident is a result of the use of property in a manner which it was not intended to be used.

Commissioner Willner moved Mr. Miller continue with the proceedings on the Hille case. Commissioner Cox seconded the motion. So ordered.

Letter from County Assessor: Mr. Miller said he received the following letter from James Angermeier, dated February 2,4, 1983.

Dear David:

A question has been raised as to the law regarding the election and presence of two township assessors sitting on the Board of Review by House Act 1748. In the more recent meeting and election held January 10, 1983, in compliance with the law, the nomination of Robert Dorsey was made by a chief Deputy, by the name of Shirley Stucke.

Last year a legal opinion was rendered by the County Attorney, David Miller, that the Chief Deputy could not serve on the Board of Review. Now the question is being asked, can a Chief Deputy place a name in nomination when in fact they could not serve on the Board? Secondly, a question has been asked as to the so called presence at the meeting in order to accept a nomination.

I would appreciate your legal opinion as soon as possible. This decision could have a legal bearing on the performance and decisions of the Board of Review of 1983 as to the legal status.

Sincerely,
James L. Angermeier
Vanderburgh County Assessor

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Letter received and filed.

Mr. Miller said he also received a letter from Mr. Angermeier wanting an opinion on whether or not certain properties which is in the public right-of-way, but is not being used as public right-of-way, but used as privately used land and whether that should be given a tax code number and taxed to the user.

Commissioner Cox said she received a letter dated January 3, 1983, concerning the uncoded property and she believes it was referred to the county attorney at that time, when it went through the Commissioners meeting.

Mr. Miller said he would be happy to study the laws and give opinions of both matters to Mr. Angermeier, however, the one opinion he gave Mr. Angermeier concerning the Board of Reveiw still stands at it did when he gave it to him, that being the Chief Deputies could not serve on the Board of Review.

Commissioner Willner said the Attorney rendered an opinion last year on whether or not a Chief Deputy could serve on the Board of Review and he said they could not, that the state statute did not give them that authority, and now we come back with the same question of letting their Chief Deput vote, so it is obvious that if they cannot serve on it, they certainly could not vote. There is a bill introduced to the House to straighten that out but as of how it stands now he would say the Commissioners could render the opinion, instead of the Attorney having to do it, that being it is the same answer....no.

Commissioner Cox said she agrees with that.

Commissioner Willner moved the Commissioners secretary write a letter to Mr. Angermeier informing him the opinion of the Commisisoners still stands as the opinion rendered by the County Attorney last year. Commissioner Cox seconded the motion. So ordered.

Possible Claim against County from Linda Rhea: Mr. Miller said the county has been notified, by certified mail, of the possible claim of Linda Rhea, who alleges that an injury occurred at Burdette Park due to the negligence of the agents of the county. He would recommend this be referred immediately to the county's insurer for their attention

Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

Law Suit...Elizabeth and David May vs County: Mr. Miller said the county has been sued by Elizabeth May and David May for personal injuries allegedly suffered on or about the 3rd day of September 1982., by Elizabeth May at the hands of one Kenneth Collins, who is a Deputy Sheriff in Vanderburgh County. He believes this is covered by our county insurance, therefore he would recommend they be notified immediately and at the same time, enter an appearance to be sure the county is not defaulted in anyway, in case the insurance company declines liability.

Commissioner Willner moved the matter be referred to Mr. Miller. Commissioner Cox seocnded the motion. So ordered.

RE: CLAIM:

A claim was submitted by County Attorney David Jones, in the amount of $1,073.79, for legal services.
President Borries said he has examined the attached statement, which is itemized to the tenth of the hour and would recommend approval.

Commissioner Willner asked about one (1) itemized, which is work done on the Complete Lumber case, that the Commissiones gave that suit to an outside attorney, so why is it on Mr. Jones' list.

President Borries said this is for Mr. Jones' work done on the suit up to the time the Commissioners hired outside legal counsel, and on Mr. Jones' statement it shows for 3 tenths of an hour, dated on February 9, 1983.

Commissioner Cox moved the claim be allowed and put on the Council Call for April. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CLERK OF CIRCUIT AND SUPERIOR COURTS

Margaret Gresser	3355 W. Franklin	Bookkeeper	$394.61 Pay	Eff: 2-28-83
Danna Harpole	1300 Marshall	Juv. Dep. Clerk	$394.61 Pay	Eff: 2-28-83

RE: EMPLOYMENT CHANGES....RELEASES

PIGEON TOWNSHIP TRUSTEE

Ethel M. Bryant	1217 E. Eichel	Clerk	$11,000 Yr.	Eff: 3-5-83

PROSECUTOR

Jeanne Gansman	R.R. 3 Box 243	Secretary	$13,000 Yr.	Eff: 3-14-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Janet Ward	3306 Igleheart	Bookkeeper	$394.61 Pay	Eff: 2-28-83
Sharon Green	2838 W. Penn. St.	Juv.Dep. Clerk	$394.61 Pay	Eff: 2-28-83

Commissioner Cox asked what the Council said about a hiring freeze, if anything and Mr. Borries said there was some discussion along that area and he believes Mr. Wallace was to refer that to Mr. Jones, to look into, as to the Council's powers in regards to setting the number of employees and their salaries.

President Borries said also, when the Council finished with their meeting they had less than $30,000.00 remaining in the County General Fund. He asked Mrs. McBride if any of the income that Mr. Volpe had on his report today will go into the General Fund and she replied no, that our budget is set up on $900,000.00, so unless he goes over that amount we will not receive anymore in the General Fund.

President Borries said at this point and time it is a very gloomy outlook and the Commissioners need to each one study the problem and see what alternatives are available to us. This is a very serious matter and at this point he does not know where the county is heading.

Commissioner Cox said she did receive a letter from Steve Hammelman, from Great West Life saying they would be able to present something to us with a potention 30% savings to the county, as of April 1st.

President Borries said he believes the insurance bids are due by March 17th.

Mr. Jim Lewis said Ms. Parker called him this morning and informed him there are two (2) bids ready now, and three (3) more are trying to get things together for us. She would like to find out how this is going to be handled and he believes the Council has indicated they too would like to be in on the reading of them or at least on a discussion of bids. What the companies would like to do is present their proposals, in person, to the Council and Commissioners, so that they could answer questions, that tentatively they would like for meetings to be set up, perhaps a two (2) hour time frame.

None of the three Commissioners would agree to a two (2) hour meeting with each of the Insurance companies, that they all felt thirty (30) minutes was quite long enough to hear their proposals, that is, thirty (30) minutes for each company. It was decided the Commissioners could hear the Insurance Companies proposals at the joint meeting of the Commissioners and the Council on March 21st at 2:30 p.m. and that Mr. Lewis should please inform Ms. Parker of such time and date.

Commissioner Cox asked Mr. Lewis if Ms. Parker ever said whether or not she considered the Teamsters insurance, that she understands Mr. Whobrey did receive some sort of a

packet pertaining to the insurance and she received from Mr. Whobrey, what the Teamsters Plan would be and how much it would cost, and if we would go to that plan for our Teamsters employees at the Highway, Auditorium and Burdette Park, we could save about $1,034.00, however, this would have to be done by April 1, 1983. We are talking about thirty six (36) Teamsters employees. Mr. Whobrey told her he would forward this information on to us for study, or rather, he should get it to Ms. Parker.

Mr. Lewis said he would contact Ms. Parker tomorrow.

There being no further business the meeting recessed at 3:55 p.m.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 14, 1983

The meeting of the County Commissioners was held on Monday, March 14, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: DAVID GERARD.....EVANSVILLE URBAN TRANSPORTATION STUDY

Public Information Meeting....Covert Avenue Extension

Mr. Gerard submitted two (2) maps to each of the Commissioners and explained he has shown them before but would reiterate they are the I-164 spur, from Division Street down to U.S. 41 at South Lane Drive. The darker of the two (2) copies is the location of the spur in the vicinity of Newburgh Road, Covert Avenue interchange and the lighter color copy is the original site plan for the Braunstein Retirement Center. This Monday at 7:00 p.m., at Caze School on Green River Road and Pollack Avenue, the State Highway will hold a Public Information meeting to present and receive comments concerning the potential options with the connecter road. The connecting road, as shown on the darker copy, is coming down that empty lot, would in fact, due to the change in plans of the Retirement Center, require acquisition of a security or maintenance building and possibly some of the parking lot area. The State Highway will be presenting essentially three (3) options, with the first option to leave the road as it is proposed in the draft of the environmental impact statement. Another option is to drop the connecting road and essentially use Fuquay Road and any type of tie-in between Newburgh Road and the Covert Avenue Extension. The third option is to move that connecter to the far western edge of the triangular piece of property, which is the Braunstein property. There is a report on each of those options that has been put together by Bernardin, Lochmueller and Associates, Inc. and he has a copy of such reports in his office. We have discussed in the past about some of the advantages and disadvantages of the connecter as it is presently proposed and the on/off ramps from the interstate, which will be a signalized intersection. If the connecter were to be moved to the west we would be adding another signal on Covert and from a traffic flow and safety standpoint that certainly is not as desirable as the original proposal. There has been one (1) option that he has not mentioned and it has been discussed somewhat in the news media and that is the possibility of running Newburgh Road underneath the interstate and putting another bridge in and the cost estimate on that proposal would be about $900,000.00, however, he does not believe that is going to be presented as a feasible option, this Monday night, so basically, it will be the three (3) options he just presented to the Board.

Widening of Morgan Avenue and Green River Road Intersection Discussion

Mr. Gerard submitted some maps to the Commissioners and stated they are copies of the proposed design plans for the Green River Road/Morgan Avenue intersection. Tomorrow at the EUTS policy committee meeting he is going to be asking the policy committee to send a letter to the State Highway in response to the public hearing that was held last Monday, that we have a fifteen (15) day period in which to respond. The letter will address a couple of items that was discussed during that public hearing. One (1) is that the state presently proposes to initiate the construction, in terms of their scheduling, for this project, for April 1985. We had hoped that would begin, at the latest, in 1984, so we will be forwarding that request on to the state.
Also, the widening of Morgan Avenue, from Boeke Road to Green River Road was one (1) alternate for the Diamond Avenue Extension. It was an alternate to building Diamond Avenue along an entirely new corridor and while we certainly need Morgan Avenue widened that widening alone will not solely accomplish what the original intent of the Diamond Avenue Extension was, therefore, we are going to be requesting that if possible, the improvement of Diamond, from the Diamond/41 intersection to Morgan and Weinbach be included as part of this project. The left turn lanes are being lengthened on U.S. 41 at Morgan Avenue to accomodate traffic coming off of Diamond Avenue, south on U.S. 41 and then east on Morgan Avenue.
Finally, and he believes most importantly, Boeke to Green River Road is simply one (1) phase of the Morgan Avenue project and there is to be a second phase to go from Green River Road to I-164, however, he does not know the scheduling on that phase. When they say from Boeke to Green River Road, that is exactly what we get, that there will be no improvement of the east approach of Morgan Avenue, at Green River Road, in other words, that leg of the intersection on the east side of Green River Road, at Morgan Avenue, will not be improved as part of this particular project. From a logical standpoint it

makes most sense to improve the entire intersection as a single project. That approach has one (1) lane for left turn movements to head south on Green River Road and it has one (1) additional lane to head either west or turn right and go north on Green River Road. That approach leg is already operating over-capacity and that problem will be worsened with completion of this project, because as you can see from the drawing there will be a concrete median constructed on the north approach of Green River Road and traffic will no longer be allowed to come off of Old Boonville and turn south on Green River Road and eventhough this is good and we support it, it will be re-routing traffic down Hoosier or Burkhardt onto Morgan, thus increasing the amount of traffic that wants to make the left turn at Green River Road, therefore they will be taking this before the State Highway, that the entire intersection be approved as part of a single project instead of waiting two (2) or three (3) more years for the improvement.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Elmridge Drive: Mr. South said about March 2nd he sent a letter out to an attorney in regards to Elmridge Drive and he believes the Commissioners each received a copy of that letter. Just this morning he received a subpoena to go to court next Monday at 9:00 a.m. in connection with this street. He said the county has not been named in the suit, that he was subpoened as County Highway Engineer and he is to take all available records with him. He showed the subpoena to David Jones prior to this meeting.

Eastland Estates, Section B: Mr. South said approximately two (2) weeks ago the plans for the streets and storm sewers for Eastland Estates, Section B. was given to him and of the two sets he received he gave one (1) to David Gerard and one (1) to the City Engineer. He received these documents back just this morning and roughly looked them over and talked to Sam Biggerstaff prior to this meeting and it was agreed they would try to get together this week and come up with a recommendation, therefore, he would ask for a week's delay on the matter.....permission granted.

Letter From Indiana Department of Highway's Concerning Access Roads: Mr. South said when he returned from Road School, he found a letter waiting for him from the Indiana Department of Highways and they are wanting to build access roads less than the county standards mainly around I-164. There are many roads listed and because of the broad scope of these, he would recommend they be reviewed individually. He won't guarantee they be done by next week, but he will get them done and present a recommendation as soon as possible. Basically what they are wanting to do is build us a gravel road and would we take over maintenance of it.

Report on Road School: President Borries asked Mr. South if he had anything to report on the Road School he attended last week and he replied it was interesting, however, he doesn't have any great words of wisdom from it, however, he would confirm there is more money coming down the pike, but we are already running out of money for the next four (4) years to match possible money. We may be able to build a little more, as far as federal monies are concerned, but he does not see how it is going to effect the over all scope of what we have layed out for Local Roads and Streets, that we are still going to be short of local monies, but we still need to get some planning done and some priorities set. He understands there is not a large increase in Urban funds, but Secondary does look like it's going to improve and there will be more money for bridges.

Commissioner Cox said they have done more work out on St. Joe, that the light post is down and it looks like they have put in a new concrete section of pavement, just south of Diamond Avenue. She asked what is the status of St. Joe at this point, and are they fixing it up so that we will say yes to taking it over.

Mr. South said the last meeting, as far as he knows of, that took place with the Highway on this matter, was with the Commissioners and he did not attend that meeting. His last report written to the Commission, basically is that we don't want or need that part south of Diamond, that if it goes anyplace, it should go to the city and not to the county and for $800.00 a year...it's a pain. He would not stand in the way of north of Diamond though.

President Borries said his understanding is that the work the state did out there was unacceptable and that Mr. South had corresponded that feeling to them.

Commissioner Willner said the last time he met with the state on this matter they wanted to know if we would accept the road and a renumeration, besides the regular gasoline tax and he personally would not agree to that. Even the portion north would give Vanderburgh County another four lane bridge and we can see what bridges are costing us today. They are willing to pay us a lump sum to take the southern portion over for maintenance.

President Borries said he would concur, that the county certainly would not want it, that it is technically outside the city limits, by virtue of Buchannan Road, which is the city/county line, but then you immediately go into the state right-of-way, so he can see no benefit to the county for us to take it over.

Discussion of Mileage Charged By Mr. South: Commissioner Willner asked Mr. South if he was charging the county mileage to and from his home residence, here in Evansville and he replied he has not since the first of December, 1982.
Commissioner Willner asked Mr. South to compute the past almost two (2) years that he did charge the county the mileage and repay the county by next week and Mr. South replied no...that he will compute it.
Commissioner Willner said first of all he would ask the other two (2) Commissioners if they ever gave Mr. South oral or written permission to charge mileage to and from his residence, because he personally has not given Mr. South this permission and he does not approve of it and he needs to know if either of the other Commissioners gave him permission to do so.

Commissioner Cox said she didn't.

Commissioner Willner said we find the county is in a very financial straight and we are not paying for mileage for a lot of public officials, but he does not ever remember a case where a public official charged mileage to and from his residence and he finds it absolutely appalling and he does want the money repaid and he is going to contact the State Board of Tax Commissioners and the Prosecutor and he will push it to the extent that he thinks it is theft by deception and he is certainly glad it is not continuing in 1983, but that makes his point even more binding, that it also was not permitted for 1981 or 1982 and he intends to further pursue it.

President Borries said he would like to relay the message that Mr. South was to check with the State Board of Accounts and at this point he is not aware of any reply that Mr. South received.

Mr. South said there was some discussion earlier, that he was to contact the State Board of Accounts for clarification and keep on charging. However, because of developments around here recently he decided that was just another war that didn't need to go on so he said "to heck with it". As far as approval, lets remember when he came to work here, his job had a county car along with it and when #51 got in such terrible shape, and it is hardly road worthy today, it was asked if he would drive his own car and he said he would as long as he could be paid mileage for exactly the same thing, if he would drive it the same way and treat it the same way as if it were a county car and he would charge mileage for anyplace he would go to and from in a county car. He does not need to remind this board of the number of people around here that drive county vehicles back and forth and he is doing nothing different than what they are, except you are paying $1.40 a day for the convenience of him using his car so that he can respond and go out into the field. If he comes to work by mass transit, and he could, then it would be rather rough for him to respond to his field actions when he has to go out during the day. It did not amount to much money and that is why he decided it wasn't worth the battle to go for it. Now out of the clear blue sky he is being told to pay it back, so if we want to start dropping bombs he will exchange shells, but you talk about some of the things I've done by playing dirty pool with the Commissioners, well, this is not exactly what he would call a clean shot either. He did ask if he could get mileage and use his personal vehicle as if it were a county car and the answer was yes and if that doesn't imply what he has done, OK, then lets clarify it. He will stand on his case also to the State Board or anyplace else you care to take it. The Engineer's office is rather a strange animal that has to answer to calls every day and he has to have transportation to respond. He will accept the ruling from the State Board as long as he gets his two cents worth in at the same time. He did not back off because he was afraid of the answer, and as a matter of fact he will now apologize for laying off of this one.

Commissioner Cox said she was not aware of the fact until three minutes ago that we were paying mileage to Mr. South for traveling back and forth from his own private residence, because if you would have had a county car you would not have been able to use it like that, that is, to go outside Vanderburgh County, without permission from this Board.

Mr. South said the only mileage we are talking about is between his apartment in Evansville and the Civic Center, and not to his home up north, that this is seven (7) miles per day, he said too bad he didn't live in Darmstadt, he would have received more.
Commissioner Cox said she misunderstood and she stands to be corrected and is glad to hear Mr. South did not charge us mileage to and from his home in northern Indiana.

President Borries said we will seek clarification on this matter.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of March 7 thru March 11, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of March 7 thru March 11, 1983...received and filed.

Mr. Bethel said in the past week we had the grade-all on Little Schaffer. They had the grader on Old Green River Road, Emge Road, Hornby Lane, Young Road, Outer St. Joe Ave. Mann Road, Motz Road, Motz Lane, County Line Road and Charles Lane. They had the tree crew on Schutte Road, Mohr Road, Kuebler Road, #6 School Road, Meier Road, Boehne Camp Road, Mill Road and Kissel Road. We had patch crews on West Brook, Bayou Creek, Old Melody Hills, New Melody Hills, Boehne Camp Road, Happe Road, Short Mill Road, Green River Road, Henze Road, Bayou Creek Road and they rocked the shoulders on 460 . Thursday they had five (5) trucks out salting for the school routes.

Estimate For Remaining Guardrail for Outer Pollack Avenue: Mr. Bethel said he was instructed to get an estimate to the Commissioners this week, on what the remaining cost to install guardrail on Outer Pollack Avenue from the Local Roads and Streets would be and he would submit the following.....$12,150.00.

Commissioner Willner moved the amount of $12,150.00 be requested from the Local Roads and Streets money to pay for the remainder of the guardrail to be installed on Outer Pollack Avenue and that it go before the County Council at their April meeting. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner said the Surveyor's office will install this guardrail and if they need any help with it, the county garage will help.

Equipment Needs of the County Garage: President Borries said we are rapidly approaching the season where we hope we can do some on-going road paving as well as maintenance. He realizes Mr. Bethel is working with a very tight budget but he would like for him to gather together information concerning the equipment, that is, things he sees most critical, so that they can continue to function, that he would hate for us to get in a condition of serious equipment breakdowns and thus be unable to do some road work this year.

Mr. Bethel said he would prepare a report listing his equipment needs and present it to the Commissioners next week, because there are things he too would like to discuss with the Board.

Commissioner Cox said she would like to compliment Mr. Bethel on his trash crews, that they are out doing a really good job and she asked Mr. Bethel if he has a tarpaulin and he replied yes, he purchased a new one just this year.

Further Discussion Regarding Guardrail on Outer Pollack Avenue: Mr. David South said in regards to the request to go to the Council for Local Roads and Streets money to be used for guardrail for Outer Pollack Avenue, do the Commissioners want this to go in as materials in the amount of $12,150.00 or do you want it to go in as a project on Pollack Avenue, that if it goes in as a Pollack Avenue project and you don't use the materials there then you are in trouble, but if you put it in as materials and you have some left over, you are free to use it anywhere you want, therefore he would recommend it be requested for materials.

President Borries said he too would think it should be requested as materials.

Request for $10,000.00 for Stop Light on Green River Road: President Borries said we also have on our agenda a request for possible use of R&S monies for a stop light on Green River Road, between Eastland Mall and Eastland Place. We would like to go on the April Council Call for $10,000.00, which would be the county's portion of the light.

Commissioner Cox said she discussed this with Mr. Vezzoso and she understands this will be our only cost, that she was concerned why the city's portion was only $5,000.00 and she was told the city will take over all the maintenance and will be paying the entire light bill henceforth, so really, she thinks the county is getting off cheap in the long run.

Mr. South said the one possible problem we might have is we would be spending gas tax money in an area in which we have no committment, in other words, that is a city street and we get no gas tax money for that section of street and we aren't maintaining it, so it could get a little touchy.

President Borries said we must make a decision today, since it is already the 14th and we must get our request into the Auditor's office no later than tomorrow, to get on the April Council Call.

Commissioner Cox said she would like for it to be placed on the Council Call and then if legally something has to be worked out then it can always be dropped.

Mr. David Jones said why are we doing this if we aren't responsible...why spend money on a road we aren't responsible for?

Commissioner Cox said because Eastland Place, a large development out in the county, that was approved by this Board of County Commissioners, is involved in this intersection.

President Borries said we also are involved in a number of transportation activities, through EUTS.

Mr. Jones said he too would go ahead and put this through and if they say no, then we will have to do something else. There simply is not going to be anything in the statutes saying yes you can use Local Roads and Streets money for street lights that are two (2) feet from the county right-of-way.....it simply will not be in there like that. The key is to call someone with the State Board of Accounts and see if they will allow it, or one of the field auditors will have to pass judgment on it.

County Auditor, Alice McBride asked the Commissioners if they would like for her to check on the matter and they said yes.

Mr. South said he would go to the Auditor's office and check with the state with Mrs. McBride and he would also be happy to make up the requests to submit to County Council. He really does not understand this because he thought they knew we didn't want any more lights on Green River Road and they were to plan around that and now all of a sudden another light is going up. Do we sit on the Subdivision Review Committee for the Area Plan Commission and discuss these items and then they go ahead and do whatever they want.

Commissioner Cox she does not understand where they got permission to have curb cuts there...that she does not know. If it is a city street, she guesses they got permission from the city, and they didn't have to come before the County Commissioners.

Mr. South said permission did not come from his office.

Commissioner Cox moved the amount of $10,000.00 be requested from the Local Roads and Streets Fund for the county's portion of the stop light on Green River Road and that it go before the County Council in April. Commissioner Willner seconded the motion. So ordered.

RE: BOB BRENNER....SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of March 7 thru March 11, 1983. Report received and filed.

Strawberry Hill: Mr. Guillaum informed the Board they will get out on Strawberry Hill this week, that Mrs. Cox had called their attention to a problem out there but they did not have an opportunity to get out there and discuss it with the property owners, however, they will try their best to get out there this week.

Hirsch Road Project: Mr. Guillaum said he would inform the Commissioners that as soon as the weather permits, Deig will get back out on the Hirsch Road project and get it completed.

Discussion of Bids for the First Avenue Bridge Improvements: County Surveyor, Bob Brenner was present and stated everyone is aware of the fact we received four (4) bids on the First Avenue Bridge project and that Barnett Brothers was the low bidder. They did discuss with the low bidder and the second low bidder, Traylor Brothers, that there is one (1) item in both bids, called a trim seal, and both contractors have agreed it is not really needed and this would delete $18,000.00 from Barnett's bid and $40,000.00 from Traylor's bid. This still leaves Barnett Brothers roughly $80,000.00 low bid. Technically, arithmetic wise, etc. all the extensions proved to be correct on all four (4) bids. He said there were four (4) options for the bidders and he believes the Commissioners received a letter from the Surveyor's office, concerning his feelings on

moving the bridge, that they attempted to do a cost analysis and found it to be inefficient to move the old bridge, therefore, it would be his recommendation the old bridge be destroyed, in place, and that is how they would like to award this bid.

Commissioner Willner said he did receive Mr. Brenner's letter containing the estimate on the cost effectiveness of the moving of the old structure and he understands Mr. Brenner was using federal funds as a means to show it was not cost efficient, but we must remember that federal money is also taxpayers money, therefore, he would like to hold that option open for one (1) week, that he would like to give the city a chance to tell us whether or not they want the old bridge, since 5th. Avenue is a city project, including the bridge. If federal monies were not forth coming he believes it would be very cost efficient to move the bridge.

Mr. Brenner said that is possible, however, you will still have a fifty (50) year old bridge.

Commissioner Cox said she believes we are dealing with an unknown factor as far as the bridge is concerned. We have found that supposedly it is structurally sound, however, there would have to be a lot of repair work done to it, other than the cost of moving it. We aren't sure how long it will have to sit where it is to be moved to before it will be installed elsewhere, that this could cause extra deterioration to the structure, and we could be talking some $700,000.00 to $800,000.00 plus, and if we can get a new four (4) lane bridge built in the area for $1 million, or even $2 million, she believes that would be the cheaper way to go since we are dealing with so many unknown factors at this time, therefore she would support Mr. Brenner's recommendation that due to cost effectiveness that we think in terms of not moving the bridge, but rather tearing it down.

Mr. Brenner said it will be the decision of the city but he does not believe they will take it, however, the week's wait is no problem because we also must wait for the final, written approval from the Department of Natural Resources and the Corps of Engineer, and we should receive these on March 25th. We cannot technically award a bid on this until we receive those approvals.

Commissioner Willner asked Mr. Brenner if he would like to speak on the 120 or 90 days time limit of the bids and he replied that is up to the Commissioners and they should perhaps talk to the contractor about that.

Commissioner Willner said he would like to hold that option open for a period of one (1) week also, so that the Commissioners can meet with the successful bidder for a pre-construction conference to determine either the 120 days or the 90 days.

President Borries said we have two (2) city officials present today, those being Mr. David Gerard and Mr. John Vezzoso, so based on the facts discussed today he would like for the city to try to give us an answer next week on whether they would be interested in the bridge or not, so the Commissioners could make the final decision on whether to move it or to destroy it.

Commissioner Willner said he would like to tentatively award the bid so that the contractor could go ahead and be working with their supplier for the pre-stretched concrete beams, because that could very well effect the 120 or 90 day limit we put on it.

Commissioner Cox said what questions would be asked during a meeting with the contractors and Commissioner Willner replied he would like to ask whether he would prefer 90 or 120 days, that he would like to get the contractors feelings on it before the bid is officially awarded, because he personally does not know if he would want the 90 or the 120 days, therefore, he would like the contractor's input.

Mr. Brenner said the difference between the 120 days and the 90 days, on the low bidder, is $60,000.00. The penalty for failing to build it in 90 days, that is, if they went the whole 120 days, would be $120,000.00, so it might be advantages for you to take it in 90 days, even if you think it can be built in 120 days....if that makes any sense.

Commissioner Cox said she has voiced concern before about awarding bids to those contractors outside Vanderburgh County, so what she is about to say is not anything new. She feels like we should try to deal with our local people insofar as possible and in all fairness she is not very familiar with Barnett Brothers Construction Co. She did call both Barnett Bros....and Traylor Brothers and talked to both of them just to satisfy herself. She feels like the First Avenue project is a very large project because it touches a lot of entities of our community and she believes it all boils down to the

fact to where your confidence lays and she knows that Traylor Brothers has been around here for a long time and have done a lot of projects in and around this area. She knows they built Oak Hill bridge and kept traffic moving and they are specialists in their field. She is very concerned about the project being completed on time and that we have traffic open and going on First Avenue. What she is saying is that she does not have the confidence in Barnett Brothers, eventhough they are low bidder, and from not knowing about them and from what research she has, her confidence is with Traylor Brothers and she feels she should express that feeling. Traylor Brothers is a very large company, that their bonding capacity is way up around $200 million dollars and we do not know what problems we are going to get into with the First Avenue bridge and should we get into things such as flooding, with the experience Traylor Brothers has she would feel more comfortable if they were doing the project.

Mr. Brenner said we feel as though we are paying a premium on this job to do it in a short period of time and with these bids the premium is right at one quarter million dollars.....and that is the difference in building it in one (1) year and building it in 120 days, so for sure...time is a consideration.

President Borries said the other two (2) Commissioners have spoken their feelings and he too would concur that Traylor Brothers is a very reputable firm and it is his understanding that Barnett Brothers is equally so. He believes that when you are looking at bids, and based on the technical expertise of the Surveyor's office, then he believes the Commissioners must consider the low bid as accurate, therefore, at this point he would have to look at the low bid of Barnett Brothers.

Mr. Brenner said all four (4) bids did concur with the specifications.

Commissioner Cox said again it boils down to confidence because we, the Commissioners, have awarded bids to low bidders before on various projects, and in not knowing about the Contractor and some of them not from this area, we have experienced some problems. She is not saying that in derogatory, but to her, it is just like a proven track record and that is what she is basing her feelings on. She would say that she is aware that Barnett Brothers has done some small bridge projects for us in Vanderburgh County that were successful and she knows they have completed other bridges outside our area that were also successful, but she feels more confident in Traylor Brothers.

President Borries said if there is no further comments he would open the floor for a motion.

Commissioner Willner moved the bid for the First Avenue bridge project be tentatively awarded to Barnett Brothers, less the moving of the old bridge, less the approval from the Department of Natural Resources, less the approval from the Corps of Engineers and less the decision of the 120 days or 90 days construction period, which he hopes can be decided next week.
Commissioner Cox seconded the motion which carried with the following vote.

Commissioner Willner.....Yes
Commissioner Cox.....No
President Borries.....Yes.

Based on Commissioner Willner's concerns the Board agreed to a meeting with Barnett Brothers on Monday, March 21st. at 2:00 p.m.

Mr. William Deep, attorney for Barnett Brothers asked to be heard at this time. He stated his firm has represented Barnett Brothers for approximately forty (40) years, since their inception right after World War II. He understands the concerns of Mrs. Cox, however, he would like to say they really are not as far from Evansville as the river seems to imply. He would also report that Jeb-Co. Inc. of Evansville recently bid on their river port project and they were $92.00 high, above Peters, of Henderson, Kentucky and he would want the Commissioners to know that Jeb-Co was awarded the contract. A few years ago Ryan Construction phoned him and informed him he submitted a bid on the hospital in Owensboro and they were trying to give him some home grown treatment. This was over a one (1) million dollar job. Mr. Deep said he went to their meeting and told them if there is anything wrong with their qualification then do not give them the bid, but if it is just because he was from Evansville then we will see you in federal court....needless to say, Ryan was awarded the bid. If you will look back through the records you will find that more contractors receive bids for work in Henderson, than what their own Henderson bidders receive. He has been in this work for thirty (30) years and he and his firm would never allow consideration be given because they live twelve (12) miles away.

Mr. Deep said he would appreciate being allowed to read the following affidavit from one Roger Allan Fry, from Evansville, Indiana, who is a bond agent doing their bonding, and has done so for several years.

STATE OF KENTUCKY
COUNTY OF HENDERSON....SCT. AFFIDAVIT

Affiant, ROGER ALLEN FRY, of 321 Inwood Drive, Evansville, Indiana, a resident of Evansville and Posey County, Indiana, since 1953, and presently a stockholder in the Johnston Agency, Inc. (a general insurance agency), and its licensed resident Indiana agent, after being first duly sworn, deposes and states as follows:

Affiant has been agent and stockholder with the Company since 1975, and during this period of time, the agency has been the bid bonding agent for Barnett Brothers, Inc. in the approximate amount of $100,000,000.00 and has issued performance payment bonds in the approximate amount of $25,000,000.00; that during this period of time neither the agency nor the bonding company itself have ever had a claim filed against Barnett Brothers, Inc.; that all of the jobs for which bonds have been issued have been satisfactorily completed by Barnett Brothers, Inc. and no claims have been made by any owner of projects performed by Barnett Brothers, Inc. A recent contract that the agency bonded was the Second Street Overpass in Henderson County, Kentucky, that was completed in 1982, and accepted by the Kentucky Department of Transportation, and the contract price was $9,642,000.00,which was an equal joint venture by Barnett Brothers, Inc. This job was satisfactorily completed and accepted by the Kentucky Department of Transportation without any bond claims being made by the owners, sub-contractors, or adjacent owners arising out of the Barnett Brothers, Inc. contract.

The affiant further states that the agency has issued single bonds to Barnett Brothers, Inc. that amounted to approximately $8,500,000.00; Barnett Brothers, Inc.'s bonding company is CNA, a national company licensed and authorized to do business in the State of Indiana, with its principal Indiana offices being located in Indianapolis, Indiana.

Affiant states that the bonding company made an indepth investigation to establish a bond line for Barnett Brothers, Ind. The bonding company runs bank, creditor, sub-contractor, supplier, and personal investigation with regards to the Company's credit and performance capability and the officers' integrity and reputation in the industry. This procedure is currently up-dated and the bonding company has never discovered any detrimental conditions that would reflect upon Barnett Brothers, Inc.

Time is "of the essence" in the performance of all projects and Barnett Brothers, Inc. has always completed its projects on time, and no claims have ever been made against Barnett Brothers' bonding company for failure to complete its contracts on time.

The records of the agency reflect that during the past five (5) years it has issued bid bonds as follows:

Vanderburgh County, Indiana This sum is exclusive of this project.	$2,425,000
Indiana Port Commission Final bonds were issued on these projects in the amount of $1,193,683.	$1,800,000
Indiana State Highway Commission	$7,910,000

The Indiana State Highway Commission has pre-qualified Barnett Brothers, Inc. in the approximate amount of $8,000,000 for work in the State of Indiana. It is to be noted that the commission prior to any contract, either domestic or foreign, makes a thorough investigation in order to be assured that a company is capable of properly performing contracts up to the amount of its qualification.

Further the affiant saith not this the 14th day of March, 1983

Roger Allan Fry

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The above Affidavit was submitted to the secretary for the record.

Commissioner Cox responded by stating Mr. Deep and Barnett Brothers has the opportunity to gain her confidence in this project.

Commissioner Willner said he certainly would not want to be on record as having anything against Traylor Brothers, that he believes they are a wonderful company and he would think it was through the wisdom of our forefathers to make us take bids on these projects, to make sure everyone was treated equal and he would again state that Traylor Brothers is a fine firm.

President Borries would concur with Commissioner Willner's statement concerning Traylor Brothers....that they are a very fine firm.

Commissioner Cox stated that if anything goes wrong, the people of Henderson, Kentucky will not have to answer to the Vanderburgh County residents....we three (3) County Commissioners will.

RE: JIM LEWIS.....SUPERINTENDENT OF COUNTY BUILDINGS

Report on County Surplus Items Sale: Mr. Lewis said the sale went off as planned for the county surplus items, at the County Garage this past Saturday, and the county netted $1,534.72, and everything at the sale site was sold. At this time he submitted the paper work, cash and checks to the County Auditor to be properly deposited in the County General Fund or the Highway General Fund....whichever is correct for the items sold.

Letter From Mark Tuley of Burdette Park: Mr. Lewis submitted the following letter, dated received on March 9, 1983.

Dear Mr. Lewis,

We are requesting the 1979 Jeep Cherokee that the Surveyor is having declared surplus. I think this will be a tremendous asset for our park security. The serial number is J9A18NN050272, license number 14741.

With the acquisition of this vehicle we will no longer be in need of the Dodge Station Wagon on loan to the Commissioners.

Thank you,

Mark T. Tuley
Burdette Park Manager

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Letter received and filed.

Commissioner Cox asked what happened to the Dodge station wagon and Mr. Lewis said it was given to the Commissioners and then it went to Juvenile Court, on loan to them and it is to come back to us in another month or so. She asked what vehicles Mr. Tuley now has at the park and Commissioner Willner said the four wheel drive and his trucks and tractors. She asked who is using the four wheel drive Blazer that is out there and Commissioner Willner said Mr. Tuley and also the security.
Commissioner Cox said does the Surveyor's office no longer need this Cherokee, that a 1979 is not very old.

Commissioner Willner said he does not believe it is in good enough shape to put on the road, that it was purchased used from the Work Release Program.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Memo....Concerning Parking Lot: Mr. Lewis submitted the following memo and asked permission to distribute it to all department heads, dated March 8, 1983.

TO: ALL COUNTY ELECTED OFFICIALS AND DEPARTMENT HEADS
FROM: VANDERBURGH COUNTY BOARD OF COMMISSIONERS
SUBJECT: COUNTY PARKING LOT

A. The County Commissioners recognize the problems that are present in administering the County Parking Lot, of which the major problem is over 160 permits out for 63 parking spaces.

B. A committee has been appointed to find a solution to the present problem. They estimate a time frame of four to six weeks to formulate a plan, procure new parking decals and get the new plan implemented.

The committee consists of:

Judge William Brune
Surveyor Robert Brenner
Councilman Mark Owen
County Building Superintendent Jim Lewis

C. Recently many people have been requesting tickets be invalidated due to problems in the lot when their spot is taken. Please observe the following rule until the new plan is implemented.

If a car is in your spot, find a legal place to park (not in news media or another reserved spot.) Call or contact the City Clerk or the County Commissioners office with whatever information you have on the vehicle in your spot. (License Number-Sticker Number - Type Vehicle) The operator will be notified to move, if he can be located, or vehicle will be towed away, so you can park in your spot.

Please bear with us until the new plan is in effect.

THE BOARD OF COUNTY COMMISSIONERS

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Mr. Lewis said the above memo is just a filler until we can get the new system going and he hopes the next memo to everyone tells them what the new parking lot scheme is, how it will work and sending them the new application for parking stickers.

Mr. Jones said he read in this that the operator will be notified to move, if he can be located or the vehicle will be towed away.....who is going to do the towing?

Mr. Lewis said he does not believe the above is a Resolution, that he is merely getting the information out to the officeholders.

Mr. Jones said if the Commissioners sign this, they are telling the officeholders this will be the procedure.

Mr. Lewis said he merely quoted what the rule is now, that is in the Ordinance on record.

Mr. Jones said he doesn't want to delay this matter, that we have already been taken to the Supreme Court once on this parking lot, an ounce of prevention may be worth another appeal. His thinking is this, that if someone in a good faith effort to enforce the law out there initiates a towing, the only authorized party that can initiate that towing appears to be the City Clerk and if the City Clerk doesn't enforce it he does not see how anyone else can, because by Ordinance, the county delegated it's right over the parking lot to the City Clerk, which makes them responsible and he would be concerned about the liability should someone other than the City Clerk authorize tow away.

Mr. Lewis said he was not inferring that anyone other than the City Clerk do it.

Mr. Jones said fine....that is all he wanted to hear. He is still of the opinion that after a couple tow aways occur the problems will clear up.

Commissioner Cox said now are you, Mr. Lewis, going to do just this and he replied, not him, but the Commissioners are, if you sign the document, then we are going to be doing it through the same Ordinance that is now in effect.

Commissioner Cox moved the memo be signed and distributed. Commissioner Willner seconded the motion. So ordered.

Mr. Lewis said if the Commissioners want to hold up on this until the new system is implemented, that will be fine with him.

Commissioner Cox said she would like to see it work, that this is the way it should be and she agrees with attorney Jones that all we have to do is put some teeth in the Ordinance and once a car is towed and a person pays $25.00 or $30.00 to get it back, you can bet they won't park in a wrong slot again.

Mr. Lewis said he will also call Purolator and have their drivers to use the freight zone instead of the parking slots.

Memo...Reproduction Equipment: Mr. Lewis submitted the following memo, dated March 8, 1983 and asked permission to distribute it also.

TO: ALL COUNTY ELECTED OFFICIALS AND DEPARTMENT HEADS
FROM: VANDERBURGH COUNTY BOARD OF COMMISSIONERS
SUBJECT:REPRODUCTION EQUIPMENT

1. The County is concerned with the expansion of reproduction equipment and the rising cost of reproduction supplies and maintenance costs. In order to get a reliable picture of where we stand and how much extra money we are expending yearly for those services, we need reliable information from each office.

2. Please fill out the attached survey information completely and return to the office of the County Commissioners by close of business on March 25, 1983.

3. If you have no reproduction equipment of any kind, please return survey form with top three lines filled in and the work "None" beside current equipment status.

Thank you for your cooperation.

BOARD OF COUNTY COMMISSIONERS

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Mr. Lewis said we will have a person with technical abilities to look these surveys over and if the material comes out the way they feel it is there will probably be a study given to the Commissioners showing some steps to perhaps correct the situation, that might be a considerable savings to the county.

Commissioner Willner moved the memo be approved and signed and distributed. Commissioner Cox seconded the motion. So ordered.

Memo.....Travel Funds for 1983: Mr. Lewis submitted the following memo, dated March 8, 1983 for Commissioners approval and asked permission to distribute it.

TO: ALL COUNTY ELECTED OFFICIALS AND DEPARTMENT HEADS
FROM: VANDERBURGH COUNTY BOARD OF COMMISSIONERS
SUBJECT: TRAVEL FUNDS FOR 1983

A. The County Council took the Travel Funds from most of the county departments and allotted a total of $5,000.00 to the Commissioners budget for travel in the 1983 budget.

B. This restrictive amount was discussed with the County Council and the Commissioners were advised to issue the following guidelines in reference to 1983 travel expenditures from the Commissioners budget.

C. All personnel desiring to travel and who come under the Commissioners travel budget must request permission to travel, by appearing in person or submitting, in writing, their request at the weekly public Commissioners meetings.

   1. Travel will be restricted to within Indiana only.

   2. The purpose of the travel must be mandatory or at the request of the state.

   3. Air travel will only be reimbursed at the difference between the road mileage allowance and the air fare cost.

D. We are sorry to impose these restrictions but we have no alternative with the amount of money allotted in the budget for travel.

Thank you for your cooperation.

BOARD OF COUNTY COMMISSIONERS.

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Commissioner Cox said under "C" she would like to see it amended to include the person requesting travel also submit their letter of mandate or state request, whichever they received.

Commissioner Willner moved the memo be approved subject to the change recommended by Commissioner Cox. Commissioner Cox seconded the motion. So ordered.

Request From West Side Improvement Association: Mr. Lewis said he received a request from Ms. Shirley James, of the West Side Improvement Association, that the Commissioners grant them one (1) day of taking their trucks into the land fill and the county paying the cost. He understands this request was asked and granted to them last year also, that it pertains to clean-up week in April. The Perry Township Fire Department has agreed to furnish the manpower and the equipment to clean up several eye-sores on the west side of Evansville. He does not know for sure what day it will be nor does he know for sure how many trips it will take.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Meeting Concerning Pigeon Creek: Mr. Lewis informed the Commissioners there is to be a meeting between Gibson County, Warrick County and Vanderburgh County concerning Pigeon Creek, which will be held at the Darmstadt Inn, at 11:00 a.m. on Tuesday, March 15th.

Meeting with Data Processing: There is to be a walk through meeting with the Data Processing department on March 16th, at 3:30 p.m., with Mr. Robert Fortune.

Insurance Proposals: Mr. Lewis said the insurance proposals are to be reviewed on Monday, March 21st at 2:30 p.m. with the County Council, in room 303.

RE: LETTER TO INDIANA DEPARTMENT OF HIGHWAYS FROM CHAMBER OF COMMERCE

Submitted to the Commissioners is the following copy of a letter sent to the Indiana Department of Highways from the Evansville Chamber of Commerce, in regards to the widening of Morgan Avenue. The letter was dated March 7th and directed to Mr. Herald Fancher, Public Hearing Officer of the Indiana Department of Highways.

Dear Mr. Fancher:

On behalf of the Metropolitan Evansville Chamber of Commerce, I would like to express our continued support for the widening of Morgan Avenue from Boeke Road to Green River Road. Completion of this project is necessary not only to accommodate traffic deverted from Division Street during its construction, but to handle present and future Morgan Avenue traffic as well. Therefore, we encourage the State Department of Highways to widen this facility at the earliest possible date.

At the time of the June 28, 1982, early information meeting, completion was estimated by the end of 1985. We hope that this date will be met.

Although we recognize the widening of Morgan Avenue as an alternative to the earlier planned extension of Diamond Avenue, we would expect some improvement of the current Diamond Avenue tie-in at the Weinbach Avenue/Morgan Avenue intersection to be considered as a part of the Morgan Avenue widening.

Lastly, we wish to express our continued support for the eventual widening of Morgan Avenue east to the proposed I-164 near the Vanderburgh/Warrick County line. We hope the passage of the 5¢ per gallon gasoline tax in 1982 will speed this project along.

Thank you for your attention to the Metropolitan Evansville area and for this opportunity to comment specifically on the Morgan Avenue project.

Sincerely,
Donald A. Rausch
Chairman

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Letter received and filed.

RE: NOTICE OF PUBLIC HEARING FROM DARMSTADT BOARD OF TRUSTEES

The following letter was received from the Darmstadt Board of Trustees, dated February 1, 1983.

The Town Board of Trustees of the Town of Darmstadt, Indiana will hold a Public Hearing on the Proposed Sanitary Sewer System for Darmstadt at 7:30 p.m. on Thursday, March 17, 1983.

The meeting will be held in the gymnasium of the Trinity Lutheran School at 1401 Boonville-New Harmony Road in Darmstadt.

The meeting is being held to obtain comments and input on the consulting engineer's preliminary design of the community sanitary sewer system. Cost estimates for the system and proposed user charges will be discussed.

This will be a review of material covered in the meeting held January 20, 1983.

Roger Steinkuhl, President
Town Board of Trustees
Town of Darmstadt, Indiana

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Letter received and filed.

RE: LETTER CONCERNING DARMSTADT PRECINCT CHANGES FROM INDIANA ELECTION BOARD

The following letter was recieved from the Indiana State Election Board, dated March 4, 1983 and directed to the Board of County Commissioners.

Dear Commissioners:

This letter is to serve as notification of the State Election Board's approval of your recent precinct changes. These precinct changes were officially approved in the meeting today.

Unforutnately the town of Darmstadt must be divided into 2 precincts because it divides a Senate District line.

Sincerely,
Maureen Bard
Director of Special Projects

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Letter received and filed.

RE: LETTER OF REQUEST FROM ISUE FOR USE OF FACILITIES AT BURDETTE PARK

The following letter was received by Mr. Mark Tuley, Manager of Burdette Park, from ISUE, dated March 8, 1983.

Dear Mr. Tuley,

Thank you for the opportunity to propose two cooperative summer recreation programs to the Burdette Park Board. Cooperation between Burdette Park and ISUE should benefit both institutions as well as the public. The two proposed programs are a noncredit roller skating course and swim team practice. Please review the following and notify me of any recommended changes before presentation of the proposal to the Board.

ROLLER SKATING

6 Tuesdays or 6 Thursdays, June 21-July 28, 9:00-10:00 a.m.
Total of six contact hours. ISUE will pay $10 per hour for instruction plus $1.50 per student per session for skate rental and facility usage. We recommend a registration fee of $25.

EVANSVILLE AQUATIC EAGLES SWIM TEAM PRACTICE

Tuesdays and Thursdays, 8:00-9:30 a.m., June 14-July 27

Our group of about ten swimmers will require the use of two lanes. We propose a payment of 50¢ per swimmer per day of use, to be paid by the swimmers directly to Burdette.

If the proposed entry fee for Burdette Park is implemented this summer will it be possible to arrange for persons enrolled in the above programs to have the fee waived?

I hope this information is sufficient for your presentation to the Board. If you prefer that I accompany you to the meeting I will be happy to do so. Please contact me at 464-1863 if you have any questions or comments.

Sincerely,
Paul Krack
Recreational Sports Coordinator

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Letter received and filed.

President Borries said he understands that Mr. Tuley says there will be no problems with the days and times stated.

Commissioner Willner said he would agree with the programs therefore moved the request be approved.

Commissioner Cox said she agrees with the programs but she is wondering who is going to be teaching the roller skating classes.

President Borries said his personal feelings would be that it will be the rink people at Burdette and not an ISUE person.

Commissioner Cox asked if this would take place during normal working hours and President Borries said we can seek clarification but he understands it will not require extra pay on the part of Burdette Park, however, if a person would have to be paid extra that it would come from ISUE.

Commissioner Cox said she is happy to see such programs but she does believe it should be on a break-even basis, that we don't want to end up paying for them using it. Commissioner Cox seconded the motion. So ordered.

President Borries said he will request additional clarification on the programs from Mr. Tuley.

RE: MONTHLY REPORT FROM ALEXANDER AMBULANCE SERVICE

The monthly report was submitted be Alexander Ambulance Service, Inc. for the month ending February 28, 1983.....report received and filed.

President Borries said he has examined this report and he is also aware of some correspondence between Attorney Miller and Alexander, however, he is not aware if Mr. Miller has received a reply, concerning certain items on the report that we requested clarification on.

Commissioner Cox said this report shows the name of the person the run was made to and it looks like the amount charged, that not too many have paid.

Mr. Jones said he would think a lot of the delays would be that they are waiting for their individual insurance company to pay for them.

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

Submitted was the monthly report of the Clerk of the Circuit Court for the month of February, 1983.....report received and filed.

RE: MONTHLY REPORT....BUILDING COMMISSION

Submitted was the monthly report of the Building Commission for permits issued for the month of February, 1983.....report received and filed.

RE: LETTER FROM THE INDIANA DEPARTMENT OF CORRECTION

President Borries said the following letter was received, addressed to Robert Willner.

Please be advised that pursuant to Indiana Code 11-12-2-1 thru 11, applications are being accepted for the dispursement of funds for Community Corrections Programs. Funding will be from the period July 1, 1983 to June 30, 1984. If your county is interested in applying for Community Correction subsidy funding, applications must be received not later then 1:00 p.m. eastern standard time, May 2, 1983.

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The letter was given to Mr. Lewis to forward on to Mr. Ken Hood at R.E.S.C.U.E.

RE: MONTHLY REPORT....SHERIFF

President Borries said he received the monthly report of the Sheriff for the month of February, however, he has left the only copy in his office, however, he would like for the record to show it received and filed by the County Commissioners.

RE: CLAIMS

A claim was received from Mr. Dennis Wiechman for deposition in regards to the Jail Class Action Suit, in the amount of $255.00.

Commissioner Willner moved the claim be allowed, given to Mrs. Meeks, and put on the Council Call for April. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Mr. Paul D. Harmon for refund on property purchased on county tax sale on April 5, 1982 and a legal description could never be arrived at. Claim is in the amount of $25.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Deig Brothers Lumber and Construction Co. Inc. in the amount of $1,129.20 for labor and material to complete Rosenberger Avenue Culvert project. The invoice and claim shows it is for work done on Rodenberg, however, Mr. David Guillaum said that is incorrect, that it is Rosenberger.

Commissioner Cox said she would like for Deig Brothers to submit another invoice showing the correct project...Rosenberger and Mr. Guillaum said he would contact them and have them send a correction to the County Auditor.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PERRY TOWNSHIP ASSESSOR

William B. Sutton	1400 Reiter Dr.	Deputy	$30.00 Day	Eff: 3-9-83

VOTERS REGISTRATION

Rosemary Muensterman	6025 Broadway	P/T Clerk	$30.00 Day	Eff: 3-7-83
Debbie Leath	321½ S. Evans	P/T Clerk	$30.00 Day	Eff: 3-7-83

PROSECUTOR

Brenda L. Robbins	1201 Old Post Road	Legal Sec.	$10,500.00 Yr.	Eff: 3-14-83

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITOR.....REASSESSMENT

Margaret S. Blaxton	8209 Old State Rd.	Part time	$30.00 Day	Eff: 3-17-83
Geraldine Gass	4524 Cass Avenue	Part time	$30.00 Day	Eff: 3-17-83
Joanne Matthews	2000 South Vann	Part time	$30.00 Day	Eff: 3-17-83
Georgia Wilson	212 E. Riverside Dr.	Part time	$30.00 Day	Eff: 3-17-83

PROSECUTOR

Jeanne Gansman	R.R.3 Hwy. #57	Legal Sec.	$13,000.00 Yr.	Eff: 3-11-83

There being no further business President Borries declared the meeting recessed at 4:45 p.m.

174.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 21,1983

The meeting of the County Commissioners was held on Monday, March 21, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: MR. ROBERT GOLF, CONCERNING KLEITZ ROAD PROJECT

David Guillaum, Chief Deputy Surveyor was present and stated that Bob Golf is here tonight to submit some claims concerning the purchasing of right-of-ways for the Kleitz Road project, that the Commissioners hired him to do. This concerns easements from property owners on Kleitz Road and Mr. Golf was successful in obtaining a couple of them, one (1) from Norman A. and Viola M. Dewig (Husband and Wife) and one (1) from Jeffrey A. and Jennifer M. Puckett. We are still having difficulty getting the easement needed from Clero Schmitt, that we offered him $5,000.00 for the easement and he is wanting to work out something different concerning the dirt, that Mr. Schmitt wants the dirt included in the deal and we personally are a little concerned about getting the county into another situation where the county is to supply the dirt, so the Commissioners are going to have to make the final dicision on that question.
Mr. Guillaum submitted the two (2) easements to the County Auditor to be properly recorded in the County Recorder's office. Also submitted at this time was the following blue claims:

Jeffrey A. Puckett and Jennifer M. Puckett, for easement purchased by the County concerning the Kleitz Road Project, in the amount of $591.00.

Norman A. Dewig and Viola M. Dewig, for easement purchased by the County concerning the Kleitz Road Project, in the amount of $516.00.

Robert A. Goff, for professional services in purchasing right-of-way from the Dewig's for bridge replacement and road approaches, in the amount of $300.00

Robert A. Goff, for professional services in purchasing right-of-way from the Puckett's for bridge replacement and road approaches, in the amount of $300.00.

Commissioner Willner asked Mr. Guillaum if the above meets with his approval and he relied yes.

Mr. Guillaum said he assumed this would be paid from the bridge fund and the Commissioner's agreed.

Commissioner Willner moved all four (4) claims be approved and also the easements be approved and properly recorded. Commissioner Cox seconded the motion. So ordered.

Mr. Guillaum asked what, if anything, has the Commissioners decided to do with the Schmitt request concerning the dirt and Commissioner Willner asked him to keep working on it and keep the Commissioners informed.

RE: REZONING PETITION VC-1-83...FIRST READING

Petitioners: The Auction Mart, Inc. 13020 N. State Highway 57

Premises affected are situated on the northwest side of State Highway 57, a distance of 1,000 feet northeast of the corner formed by the intersection of State Highway 57 and North Green River Road. The common address is 13020 State Highway 57. The real estate is presently zoned Agricultural and the requested change is to C-4. Present existing land use is Agricultural (dormant) and the proposed land use is expansion to Sign Shop (Alvey Sign Shop); expansion to Auction Gallery (The Auction Mart, Inc.)

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

Commissioner Willner moved that rezoning petition VC-1-83 be referred to Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: REZONING PETITION VC-5-82...JOSEPH AND NANCY BICHLER

Mr. Jerry Atkinson, attorney for Joseph and Nancy Bichler was present and stated their appreciation for a re-hearing of the Bichler rezoning request at 5620 Upper Mt. Vernon Road, Evansville, Indiana. Last month he indicated certain things that he would do and one of those things was that he would notify the contiguous property owners and all of the people who voiced opposition. He filed an affidavit with the Commissioners showing all the receipt they received back from the property owners. He also went through the minutes of the Commissioners meeting and picked out everyone who had appeared and objected, including the West Side Improvements Organization. In checking, he also found out the Vanderburgh County owns property immediately to the south of the subject real estate, that being the Boehne Camp property, so the county was also sent a notice. They have obtained consent from every contiguous property owner, with the acception of the county itself.
He indicated to the Commissioners that they would be reducing the size of the area which they wish to rezone, and they have done that. He would like to distribute a packet to each of the Commissioners showing maps of the area in question plus some letters and a restrictive covenant. He also has a letter directed to President Borries, from the Westside Improvement Association, where they withdraw their previous objections concerning this rezoning.
He said there are two (2) representatives of the Westside Improvement Association present tonight, those being Mr. and Mrs. Donald Vandeveer and they have asked that the following letter be read aloud, therefore he would ask permission to do this. The letter was as follows:

Dear Mr. Borries:

In regard to Mr. and Mrs. Joseph Bichler's request to rezone their property at 5620 Upper Mt. Vernon Road, WIA submits the following information.

Our organization has been in touch with Mr. Bichler and his attorney, Mr. Jerry A. Atkinson. As a result of this communication, we have contacted all the complaining parties and informed them of Mr. Bichler's intentions. All persons contacted agreed Mr. Bichler has greatly improved his property; several individuals stated they are more offended by the open dump that is developing at the corner of Boehne Camp and Upper Mt. Vernon Roads immediately opposite from Mr. Bichler and request the Commissioners take some action in regard to this eyesore. The above mentioned parties also requested before Mr. Bichler be granted his rezoning, he submit in writing to WIA that 1.) the zoning will be limited to the upper portion of his property, and 2.) there will never be any junk cars, marine salvage, or salvage of any kind stored anywhere on the premises, and 3.) the place will be maintained in a neat fashion free of weeds and other litter which constitutes any eyesore to the neighborhood.

If WIA receives this written confirmation of intent (which we regard as a legal and binding contract), we will not oppose Mr. Bichler's zoning petition. WIA also congratulates Mr. Bichler on his attempts to be a good neighbor and wish him well in his business.

However, we do wish to take this opportunity to inform the Commissioners that the area in question is developing as an above-average neighborhood and also due to the fact the environs is hampered by inadequate roads and drainage we do not feel this is the place for the development of business.

Very truly yours,
Shirley W. James, President
Board of Directors
Westside Improvement Association

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Mr. Atkinson said in his discussions with Ms. James, he assumes the inadequate roads and drainage she mentioned in her letter is in the lower areas, that the property in question is up higher.
The packet he gave out contains a map of the area in question and Mr. Atkinson said he understands most of the opposition came from the large amount being requested to be rezoned, that people felt like Mr. Bichler was going to turn it into a junk yard or a marine salvage yard. The following is a letter to the Westside Improvement Association concerning such matters.

To Westside Improvement Association,

Pursuant to our conversations at our meeting with you on March 16, 1983, the undersigned, and each of them, do request that you inform the Vanderburgh County Commissioners at its meeting on March 21, 1983, that you no longer have any objection to the rezoning of the real estate located at 5620 Upper Mt. Vernon Road, Evansville, Indiana, from Agricultural use to C-1. We understand that you have agreed not to object to this zoning if we are willing to make a written commitment that no junk automobiles or marine salvage will be stored upon the entire 1.26 acre tract presently owned by us on the corner of Boehne Camp Road and Upper Mt. Vernon Road, and that we keep said property neat and clean and regularly cut the weeds located thereon and upon the further condition that the area to be rezoned shall be reduced in size to an area including the existing parking facilities and the dive shop building itself.

As an inducement to you to withdraw your previous objection to the proposed rezoning, the undersigned, and each of them, do hereby promise to offer to the County Commissioners an amended petition for rezoning seeking the actual rezoning on only that portion of the real estate located at 5620 Upper Mt. Vernon Road, as is presently occupied by the parking areas and the existing dive shop, to covenant with said County Commissioners to keep the 1.26 acres owned by the undersigned cleared of weeds, clean, neat and free of debris and to allow no junk automobiles or marine salvage to be placed upon or remain upon said real estate. It is the intention of the undersigned to be bound by the offered covenants and to perform them.

Sincerely,
Joseph Bichler
Nancy Bichler

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Mr. Atkinson said he has prepared, as the last document in the packet, a Restrictive Covenant that Mr. and Mrs. Bichler have executed and he will record it tomorrow, should the Commissioners grant this rezoning. However, the Covenant may not be enforceable, as your county attorney would tell you is probably true. All we can do is offer it as an indication of good faith. He has attempted to bind the land for a period of fifteen (15) years, no matter who may be the owner of it, that is the entire tract and not just the portion they seek to have rezoned. These protective covenants and restrictions are for the benefit of the owners of real estate contiguous to or located within 300 feet from the within-described real estate and may be enforced by the owners of such lands by preceedings at law or in equity against any person or persons violating or attempting to violate any such covenants or restrictions by injunction or otherwise. The covenant also stated the real estate shall be at all times kept clean from debris and any weeds growing thereon shall be regularly mowed.

He said the fourth (4) document in the packet shows some of the additional changes that they intend to make and one (1) of them is a curb cut with an entrance onto Boehne Camp Road. They would have a drive-way there because of safety considerations and no one would ever have to back out onto Upper Mt. Vernon Road, in fact, it was the recommendation of the Urban Transportation Study to have it on Boehne Camp Road. There is a little island on the corner that will be landscaped and there will also be some decorative rock put on the west side of the building. There will also be shrubbery planted in the immediate front of the structure (this does not show on the map), and they anticipate that with the parking to the rear of the building that there will not be any large accumulation of vehicles at any time on that corner to obstruct anyone's view.

He said the measurements of what they would seek to have rezoned would be limited to 90 feet east, from Boehne Camp Road and 190 feet deep, from Upper Mt. Vernon Road and that would take us one (1) foot beyond the parking area that is immediately behind the existing structure and it would not take in the house.

At this time he presented the Commissioners with a photograph of a wooden barrier covering an existing private shed, one that needs replacing and Mr. Bichler intends to replace it with what is called a skid barn, and this is for his private family use only, that it will not be used for business purposes and there will be no outside storing at all on the premises.

He said there is some siding work that still needs to be done, but other than that he has presented his case along with written documents and letters of consent from the property owners in the area and he would ask the Commissioners to consider the request tonight and he would be happy to entertain any questions to either himself or Mr. Bichler at this time.

Commissioner Cox asked if the 90' runs along Upper Mt. Vernon, and Mr. Atkinson replied yes, it does. Mrs. Cox said the county no longer owns the property that Mr. Atkinson referred to earlier in the meeting, as being county owned.

President Borries said the Area Plan Commission has compiled a case history of the property in question here tonight and it in no way reflects on Mr. Bichler, but it raises serious questions in his mind, that from June 1, 1977, when Mr. Bichler first obtained a permit for a garage, it stated very clearly that it would not be used for a business, trade or occupation, up to this past week in the Thrifty Nickel that had an advertisement for the Dive Shop, that really, he has continued to operate regardless of whatever reasons that he could state. He certainly would commend the Bichler's for improving the residence, that there were objections concerning some of the unsightly things on the Bichler property. When we look at zoning and look at what constitutes a compliance with regulations that seem to be reasonable at the time, he is just not convinced that the compliance has been made in this situation. He asked Mrs. Cunningham what constitutes a violation here and should Mr. Bichler have continued to operate his shop.

Mrs. Cunningham said generally when a petition is denied we send a letter to them requesting a meeting with them to work up a mutually agreeable time table to close down the operation, and usually that is thirty (30) days to clear out the stock, etc. They informed Mr. Bichler in August that he was in violation and asked him to contact the APC office to arrange for this mutually agreeable time table and then Mr. Atkinson contacted us and said he was going to seek a re-hearing for the Bichler's, so she believes what happened was this continued on for several weeks because the re-hearing was not arranged with the Commissioners and since we had not given Mr. Bichler a definite date we kept contacting them and tried to get Mr. Bichler or his attorney to set up the re-hearing with the Commissioners. She too believes that Mr. Bichler has done a tremendous job in cleaning up since the petition was denied, however, she would question whether or not the Covenant would be enforceable, that she has been informed they are not and we cannot use them and eventhough one is documented, who will enforce it, that she is not sure the Westside Improvement Association has the authority to enforce such a Covenant.

President Borries said he is concerned at this point that should this be approved that Mr. Bichler could build a three (3) story building out there under the tower and we would not be notified until after the fact. He just does not see, in this particular petition, much of a response at this point, to comply with a request that was made as early as 1977...that a business should not be operated. He feels it is a shame that we have had to come this far along just to get some reasonable requests, as far as cleaning up the property, that really should have been done a long time ago.

Mr. Atkinson responded by stating Mr. Bichler now understands and is asking compassion and forgiveness, to some extent, that he is trying to do everything possible to be a good neighbor. There was a lot of confusion on Mr. Bichler's part and now what we are trying to do is turn this around and have it evaluated on the merits of whether or not it is harmful to any interests in that neighborhood, for Mr. Bichler to operate a Dive Shop.

President Borries said to let the record show there has been submitted a petition bearing thirteen (13) signatures showing in favor of this rezoning.

Mr. Donald Vandeveer, member of the Westside Improvement Association commented the Bichler's have the Association's approval and blessing in this rezoning attempt.

Commissioner Cox asked if proper notice was given, since the county no longer owns the hospital property and after Mr. Miller looked at the affidavit he nodded his approval of it.

President Borries said he has serious reservations about this rezoning because he does not believe the Area Plan Commission acts out of bad faith in what they do and he does not believe, that as a County Commission, we have acted in bad faith in denying it, from what we saw was not good compliance at the time.

Commissioner Cox said she hopes the neighbors realize that once a rezoning is granted, and in this case it would be a C-1, that there is no assurance this would be a Dive Shop henceforth, that the property could be sold and anything under a C-1 classification could be operated from that area. It is strickly a residential type of neighborhood, with the exception of the grand father clause and she sees this section in there as being a buffer between the existing rezoning for the clutch company and the residential areas and it really bothers her to do spot rezoning, which she considers this to be.

Commissioner Willner said the Commissioners had to do a lot of extra work, but he believes the point has been proven and what Mr. Bichler has done is a step in the right direction for the Area Plan and the county, as a whole, therefore he would like to give Mr. Bichler a second chance and approve the rezoning and that since it is such a small area to be rezoned anyone buying the property would have to come before the Commissioners for more ground to be rezoned. He believes Mr. Bichler has showed good faith and he sees it as a job well done.

Mr. Atkinson said from the very first time Mr. Bichler contacted him, every road they took was intended to be in cooperation with the Planning Commission, the County Commissioners and was intended to solve what he believes to have been a colossal misunderstanding. They were operating in good faith and had no intentions to defeat what was done as a legislative act or to defeat the authority of the Area Plan Commission and they were always trying to solve the problem within the system. If there is a fault here, in the passing of time, then it has to be his own, and please don't attribute bad faith to Joseph Bichler concerning some time lapse. He was operating under the assumption that as long as they were making progress there would be no enforcement action. They received a letter in which it was indicated there would not be any more extensions of time and that an enforcement would occur and we immediately came before the Commissioners requesting a re-hearing.

Commissioner Willner moved that VC-5-82, as amended, be approved. Commissioner Cox seconded the motion, which failed with the following vote:

Commissioner Cox...No Commissioner Willner...Yes President Borries...No

RE: SPECIAL USE PERMIT...2-83-APC

Owner: Kingsway Christian Academy
Petitioner: Jackie Flowers
Location: 333 S. Boehne Camp Road
Present Zoning: Agricultural
Use: Special Use #28 for a Day Care Center

Zoning Recommendation: A special use for a church was approved 12-15-80 subject to drainage board approval. The church is now requesting to place a day care center for children in the walk-out lower level. State approval for remodeling existing church to accommodate up to 45 children has been given.

Mr. W.K. Manchette, 12045 St. Wendel Road was present and stated he is representing Jackie Flowers in this request and he would state the church is still interested in obtaining this special use permit for the day care center, however, due to a funding problem they have slowed their efforts for such a center. They are hoping by autumn they will be back on track and have the center open.

Commissioner Cox asked APC, that if this special use is granted, how long will it remain in effect, if they don't use it right now and Mrs. Cunningham said it will be good for one (1) year

Commissioner Willner moved that Special Use Permit #2-83-APC be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: COUNTY ATTORNEY....DAVID MILLER

Law Suit...Hille vs. Sheriff Deputies Lynville, Shackelford, etal: Mr. Miller said the civil action pending in Gibson County, Indiana, entitled Charles Hille and Nola Hille vs Lynville, Shackelford and several other deputy sheriff's, has been won by the county by summary judgment and the case is now over....there will be no trial.

Summons...Timothy Johnson vs. Vanderburgh County Jail: President Borries said the Commissioners recieved a summons concerning one Timothy Johnson, who was driving a vehicle while apparently intoxicated and he was taken to the Vanderburgh County Jail and being in a state of intoxication he fell from his jail bunk and suffered further injuries.

Commissioner Willner moved the matter be referred to David Jones. Commissioner Cox seconded the motion. So ordered.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of March 14 thru 18, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of March 14 thru 18, 1983...report received and filed.

Mr. Bethel reported in the past week they had their grade-all on Baseline Road, Mohr Road, Darmstadt Road and Outer St. Joe Avenue. They had a patch crew on Bayou Creek, Old Melody Hills, Green River Road, Smith Diamond, Schlensker Road and Jobes Lane. They rocked the shoulders on Hogue Road, St. Joe Avenue, Oak Hill Road and Heckel Road. Our tree crews were out on Seib Road, Schutte Road, McCutchan Road and Old Henderson Road. They made street repair on Aspen Drive and Twickingham Drive. They had trash crews on Lynn Road, South Weinbach, Hogue Road and St. Joe Avenue.

Pollack Avenue Up-date: Mr. Bethel reported the additional guardrail needed to finish up Outer Pollack Avenue are on order and they will complete the project when the rail comes in.

Note from Resident in Evergreen Acres: President Borries said the following note was received from a resident in Evergreen Acres, in regards to a road problem reported in the area.

Dear Sir:

Just wanted you to know that all of my neighbors and I thank you for your help in patching our streets, that they patched every hole they could find and I hope this slows down the dirt under the concrete that is washing out. You hear so many bad things about public officials these days and we all really appreciate your prompt help.

Resident of Evergreen Acres

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Received and filed.

Equipment Needs for the County Garage: President Borries asked Mr. Bethel if he has been able to compile the assessment list of equipment yet and he replied he has several ideas, that he doesn't have all the information yet and he would rather wait until next week to discuss it when he can give a full report.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of March 14 thru 18, 1983. Report received and filed.

Mann Road Project: Mr. Guillaum said he has drafted a letter in regards to Mr. Adler, along Mann Road and he would like to submit it to the County Attorney at this time.

Mr. Miller asked if this is in response to his inquiry concerning problems on Mann Road and Mr. Guillaum replied yes, that after checking it out they do not feel it is cost effective to spend anywhere from $15,000.00 to $30,000.00 in order to get a waterway adequate to handle what is necessary.

Flap Gate on Woods Road: Mr. Guillaum said there was a discussion in the past concerning a flap gate on Woods Road that a Mr. Schmitt had put on. We requested he remove it and he indicated to us that he would, but as of earlier last week he had not done so. He needs to know if he should send a crew out to remove it or contact Mr. Schmitt and tell him a little stronger to remove it.

Commissioner Cox asked Mr. Guillaum if he has responded in writing and he replied no, only phone calls have been made.

The Commissioners agreed that Mr. Guillaum should send Mr. Schmitt a letter and that way it would be on file.

Railroad Crossing Problems on Boonville/New Harmony Road: Mr. Guillaum said in the past few days he was asked the question of where we stand with regard to the underpass or overpass, depending on how you look at it, at Boonville/New Harmony Road, that they went to Indianapolis on, concerning the railroad.

Mr. Miller said that he nor Mr. Jones can be involved in this suit concerning the Railroad and he understands the Commissioners have hired Mr. Pat Shoulders to represent the county in the matter.

Hogue Road Discussion: Mr. Guillaum said concerning the Hogue Road project, that the water lines have been removed and we are waiting for Southern Indiana Gas and Electric to remove their utility lines and when that is done Deig Brothers will proceed with the project.

First Avenue Project: Mr. Guillaum said he is sure everyone is aware of the fact we are waiting on final, written approval from the Department of Natural Resources and the Corps of Engineer's, that they are to have their meeting March 25th. after which you, the Commissioners, can legally award the contract.

President Borries said the Commissioners had a meeting with Barnett Brothers, City officials and the Surveyor, concerning the construction of the First Avenue Bridge and at this point he believes we are talking in terms of getting Barnett Brothers started by June 1, 1983.

RE: DAVID SOUTH...COUNTY HIGHWAY ENGINEER

Mr. SOuth said he has nothing to report tonight, however, after reading an article in the evening paper, about what is going to happen, he would suggest the best alternative for the Commissioners would be to have an executive meeting this week and iron out some differences, rather then taking up a lot of time tonight sitting here shooting back and forth at each other.

President Borries said personally he would concur with the suggestion and asked if the other Commissioners had any questions of Mr. South.....there were none.

All three (3) of the Commissioners agreed upon and in accordance with open door laws, President Borries said he would set an Executive Session meeting for Monday, March 28, 1983, immediately following the regular meeting of the County Commissioners.

Commissioner Cox moved the meeting be set, as stated by President Borries. Commissioner Willner seconded the motion. So ordered.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Request For Free Use of Burdette Facility by Union 104: Mr. Lewis said since Mr. Tuley is on vacation he would like to present the following request. Union #104, and he is not certain what union that is, has arranged to have a party for the orphanages here in Evansville, on May 21, 1983, at Burdette Park. They have scheduled a shelter house for the picnic and they would like for the Commissioners to waive any fees for it, since this is for the orphans.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Request by Diana Floyd to Borrow Chairs from Auditorium: Mr. Lewis said there has been a request from Diana Floyd, representative of the Chamber of Commerce, to borrow one hundred (100) chairs from the Auditorium, for a social event at the old Evansville Store building. Ms.Floyd has been involved in the downtown renovation and said the chairs will be picked up and returned in good order.

Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

Health Insurance Meeting: President Borries said the Commissioners, the County Council and Mr. Lewis set in a meeting today concerning county health insurance, at which time five (5) companies submitted proposals and these were all taken under advisement.

RE.....REQUEST TO TRAVEL....COUNTY RECORDER

The following request to travel was received by the Commissioners on March 15, 1983.

Richard Borries, President:

This is a request to attend the meeting to be held on March 22, 1983, in Indianapolis, Indiana for all Indiana Recorders, in compliance with IC-5-11-14-1, by the Indiana State Board of Accounts. This request is for mileage and meals, plus lodging for one day. See letter attached.

Sincerely,
Estella M. Moss
Vanderburgh County Recorder

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Letter recieved and filed.

Attached to the Recorder's letter was a mandate from the State of Indiana, State Board of Accounts.

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

RE: REQUEST TO TRAVEL.....COUNTY AUDITOR

County Auditor, Alice McBride stated she would like to get permission from the Board for her Chief Deputy, Pat Tuley, to travel to Harrisburg, Illinois. We want to buy a computer disc and in checking out some prices for refurbished disc' we found one for $1,035.00, one for $1,042.00, one for $860.00 and in Harrisburg they have one for $475.00 and we want to purchase two (2) of them. Mr. Tuley is willing to pay for his own lunch, however, she would like for his mileage to be approved. This will be for 132 miles, round trip, at 22¢ per mile.

Commissioner Cox asked if UPS has been checked into and Mrs. McBride said yes, that it would run more then us going after it, in fact, they won't even sell it to us this cheap if they have to send it to us.

After a brief discussion concerning the new travel policy it was decided that Mr. Tuley could take the county car, presently with Mr. Lewis.

Commissioner Willner moved the request be approved and that Mr. Tuley take the county vehicle. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO TRAVEL....COOPERATIVE EXTENSION SERVICE

The following letter was received from the Co-op Extension Service, dated March 14th. and directed to the Board of County Commissioners.

Subject: Notification of 1983 Training Sessions for Staff

The funds will come from our Travel Account.

Agent	Session	Date	Place
Jack D. Wade Ag. Agent	Nat. Ass'n of Co. Ag Agts. Mtg.	Oct. 10-14	Wichita, Ks.
Allen Boger Hort. Agent	Nat. Ass'n of Co. Ag Agts. Mtg.	Oct. 10-14	Wichita, Ks.
Jane Heramb Home Ec. Agent	Nat. Ass'n of Home Economists	Oct. 23-28	Atlanta, Ga.
Glenna Hanks Youth Agent	Nat. Ass'n of Co. Youth Agts.	Oct. 30 - Nov. 4	Portland, Or.
James Jordan Youth Agent	Nat. Ass'n of Co. Youth Agts.	Oct. 30 - Nov. 4	Portland, Or.
Allen Boger Hort. Agent	Midwest Fruit Specialists Mtg.	Nov. 2-4	Vincennes, In.

If you have any questions, please call.

Sincerely,
Jack D. Wade
Extension Agent, C.E.C.

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

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Floyd I. Staub, Inc., general contractor, for work in Vanderburgh County, Indiana.

A certificate of insurance was submitted for Aiken Management, Inc. for the theatrical performance, "Children of Lessor God" on April 4, 1983, at the Vanderburgh Auditorium.

A certificate of insurance was submitted for Christian Athletes Ministries for a program at the Vanderburgh Auditorium Convention Center on May 5, 1983.

A certificate of insurance was submitted for Rev. Francis R. Shea, Bishop of the Catholic Diocese of Evansville for commencement exercises by Mater Dei and Memorial High Schools on June 5, 1983.

All certificates received and filed.

RE: CLAIMS

Two (2) claims were submitted by the Law Firm of Kahn, Dees, Donovan and Kahn, for Mr. Pat Shoulders, for legal fees for county representation, as per agreement with the County Commissioners. Itemized statements attached. One (1) claim is in the amount of $150.00 and one (1) claim is in the amount of $600.00.

Commissioner Willner moved the claims be approved and put on the May County Council call. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by County Attorney David Miller for legal fees, in the amount of $857.80, from January, 1983 thru February 25, 1983. Itemized statement attached.

Commissioner Willner moved the claim be approved and put on the May County Council call. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

R. Michael Bonnell	1409 Jeanette Ave.	Community Services Coordinator	$16,679 Yr.	Eff: 3-21-83
George D. Morgan	309 Springhaven	Sp. Intern	$3.35 Hour	Eff: 3-2-83
Dennis Heathcott	2421 Division St.	Trans. Officer	$13,574 Yr.	Eff: 3-21-83
William Martin		Trans. Officer	$12,980 Yr.	Eff: 3-21-83

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Robert L. Hart, Jr.	1001 Cross Gate Dr.	Community Services Coordinator	$16,679 Yr.	Eff: 3-18-83
Dennis Heathcott	2421 Division St.	Trans. Officer	$12,980 Yr.	Eff: 3-18-83
Robert M. Bonnell	1409 Jeanette Ave.	Trans. Officer	$13,574 Yr.	Eff: 3-18-83

COOPERATIVE EXTENSION SERVICE

Glenna L. Hanks	2108 Bellemeade Ave.	Ext. Agent	$ 9,628 Yr.	Eff: 3-14-83

There being no further business President Borries declared the meeting recessed at 9:00 p.m.

184.

(10) 3-21-83

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice G. Decker

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 28, 1983

The meeting of the County Commissioners was held on Monday, March 28, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: MARK TULEY.....BURDETTE PARK

Roads Within Burdette Park: Mr. Tuley presented a map of the newly proposed road names of the roads within Burdette Park and asked that the Commissioners review them for further recommendation and discussion.

President Borries asked Mr. Tuley if the roads within the park have been county accepted insofar as receiving state highway funds for them and he replied not to our knowledge and even if they were you could name the roads anything you want, if we are getting mileage or not.

The matter was taken under advisement.

Park Data: Mr. Tuley said he is still gathering data on the park study and will try to have it ready to present in two (2) or three (3) weeks.

Fees Charged by Area Swimming Pools: Mr. Tuley reported that Mr. Borries had asked him to check into some of the fees charged by other area swimming pools and he found that Hartke, last year, was charging $1.25 for adults and 75¢ for children under twelve (12) years of age. We at Burdette are charging $1.00 per person, so unless Hartke has an increase this coming season, we are comparable with them, therefore he would not recommend a rate increase at this time.

Letter Received From I.S.U.E. Mr. Tuley said while he was on vacation he understands a letter went through the Commissioners meeting, in regards to ISUE using the facilities at the park.

President Borries said the letter did go through a couple of weeks ago and the request was approved, however, there was a question on who the instructor would be at the roller rink.

Mr. Tuley said it will be one of our own rink guards.

Commissioner Cox asked if this particular guard will be called in during a time when he was not ordinarily working anyway and Mr. Tuley said he will be bringing him in at other times, that the county pays him $4.00 per hour, but the school will be paying him $10.00 per hour. The rink will be sitting vacant at that time and they will be paying $1.50 per student, per session.

Commissioner Cox said she does not think this will bring in much revenue but she certainly believes it behooves the county to work with our educational institutions.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of March 21 thru March 25, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of March 21 thru 25, 1983....report received and filed.

Report on Equipment at the Garage: Mr. Bethel submitted the following report of the condition of the equipment at the county garage, which was requested by President Borries a couple of weeks ago.

VEHICLE NO.	RATING	EQUIPMENT	RATING
#1	Fair	1 New Loader	Good
#2	Good	1 Old Loader	Poor
#3	Bad	1 Paver	Good
#5	Good	1 New Gradall	Good
#6	Good	1 Old Grader	Fair
#8	Bad	1 Old Grader	Fair
#9	Good	1 Belt Loader	Good

VEHICLE	RATING	EQUIPMENT	RATING
#10	Bad or Junk	1 Pug Mill	Good
#14	Good	1 Roller	Good
#15	Bad	1 Roller	Fair
#16	Good	1 Wrecker	Fair
#17	Fair	1 Back-hoe	Good
#18	Good	1 Tractor Mower	Fair
#19	Fair	1 Tractor Mower	Fair
#21	Good	1 Tractor Mower	Fair
#22	Fair	1 Gradall	Poor
#23	Bad	1 Truck (Tandum)	Good
#25	Fair	1 Truck (Tandum)	Good
#27	Good		
#28	Bad or Junk		
#30	Fair		
#31	Good		
#32	Good		
#34	Bad or Junk		
#35	Fair		
#45	Fair		
$46	Fair		
#50	Bad or Junk		
#51	Fair		
#55	Fair		

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Received and filed.

Mr. Bethel said his department is in dire need of a gradall and we are talking big money. He had a company bring one of their gradall's out so they could test it and at this time he presented a brochure of the machine for the Commissioner's viewing. He said we can get this piece of machinery on a lease/purchase plan, that the purchase price is $135,000.00 and they will allow us $23,500.00 trade in on our oldest gradall, leaving a total of $111,500.00. Payment, per year, would be $36,323.95, which would make the total...for four (4) years, at $145,295.00, which is 7.35% interest per year. He said the total amount of interest paid for the four (4) years would be $33,795.00. We would not have to pay anything this year, that the trade-in they would allow us would take care of all payments for the year 1983, and we can get immediate delivery. He would remind the Commissioners that if we are going to keep the roads in shape, we are going to have to purchase this gradall, or another one. Repairing the old one is absulutely eating the budget up, that everytime it breaks down it runs us anywhere from $500.00 to $3,000.00 for repairs.

President Borries said upon advise from the County Attorney, we would have to look for bids on this gradall and we will also have to seek appropriations from the Council.

Commissioner Cox asked Mr. Bethel how many gradall's we have and he said we have only two (2), that one (1) of them is listed in "Good" shape and the other is listed in "Poor" shape, in fact, the one isn't even being used because it breaks down every time he sends it out. He said there is an error on the report, in that it shows three (3) gradall's, but we only have two (2) of them.

Mr. Bethel said since the new gradall would be on a lease/purchase plan, at the end of four (4) years we would purchase it for $4.00.

Commissioner Willner said it had been discussed, the possibility of purchasing some equipment from the R&S Funds and wondered if it had been checked into.

President Borries said he does not believe it was ever pursued any further, therefore he would recommend we confer with the County Attorney, take the request under advisement for awhile and get back with Mr. Bethel as soon as possible.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of March 21 thru 25, 1983...report received and filed.

Strawberry Hill: Mr. Guillaum reported that he believes we are going to find out we are on private property in regards to the problem Commissioner Cox reported to him on Strawberry Hill. He asked Commissioner Cox for the exact address and she replied it is 417 Strawberry Hill Road and the property owner is David Berning.

Mr. Guillaum said they will continue to work on it and report back, but right now the way it looks it is on private property.

Awarding of Bids on First Avenue Bridge: Mr. Guillaum said last week we received word from the Department of Natural Resources and received their approval and we should be getting that approval, in writing, this week. He said concerning the bids received for the First Avenue bridge, they have reviewed them very thoroughly and would like to recommend the contract be awarded to Barnett Brothers of Henderson, Kentucky, with the ninety (90) day option, in the sum of $1,492,565.24. We feel that the ninety (90) day option will work a little smoother with the overall plans, plus the city has re-scheduled some of their railroad work, or so he understands, which will make it all coordinate a little better also. We would be looking at a June 1st. closing of the bridge with miscellaneous work beginning even before that time, if the contractor so chooses. He said from what they received from the city, they do not want the old structure, that it would not be feasible, cost wise, to move it.

Commissioner Willner asked if June 1st. is acceptable to all the utilities and Mr. Guillaum replied there are going to be some things that will need to be ironed out, but he believes the time table will fit in with their work also.

Commissioner Cox said with the ninety (90) day period, that will be from June 1, 1983 through August 29, 1983 and Mr. Guillaum replied that is correct, and that is ninety (90) calendar days unless the water is too high to proceed.

Mr. Cole Banks was present and stated he would like to state appreciation to the Commissioners, that we have been on this project for a long time. They appreciate the Commissioners attending their meetings and the cooperation they received from the Surveyor's office, that cooperation from everyone has been tremendous. They too would recommend the ninety (90) day option, the reason being that on a project such as this they are trying to be realistic and they realize things may come up and shooting for a ninety (90) day completion, then realistically we may have the bridge open between ninety (90) and one hundred twenty (120) days. We feel the cost differential is worth taking the amount of money on...especially considering the risks that were pointed out to us in having that bridge closed from the survey the County Commissioners had done by Mr. Cantwell in Indianapolis. The First Avenue Bridge Association, in regards to the members they were able to poll, recommend the ninety (90) day option, however, they make no recommendation on the moving of the present bridge.

Mr. Sleziak was present and asked if this is the appropriate time to talk about First Avenue, other than the bridge and Mrs. Cox said we, the county, do not have anything to do with First Avenue, other than the 500 feet on either side of the bridge, however, Mr. John Vezzoso is present and could perhaps answer any questions on the matter.

Mr. Sleziack said if the bridge is open and ready to go by September 1st. or about that date, it would certainly be an embarrassing situation if the street itself would not be open to traffic at that time.

Mr. Vezzoso said at his last meeting on this it was understood the city would have at least two (2) lanes open at that time and as far as he knows, they are still on that schedule. Mr. Gerard informed him this morning that they might be on the July bid letting.

Mr. Sleziack said he, like Mr. Banks, would like to thank the Commissioners, the Surveyor's office and everyone concerned for the wonderful cooperation in this action.

Commissioner Willner moved the bid for the First Avenue Bridge be awarded to Barnett Brothers of Henderson, Kentucky, for a June 1st. starting date, for a ninety (90) day option, with the demolition of the old bridge instead of the moving of it, at a bid price of $1,492,565.24.

Commissioner Cox said in regards to the June 1st. starting date, it that a road closing date or a starting date.

Commissioner Willner said it is really a starting date, but he would presume the contractor would do his homework between now and June 1st.

Mr. Owen Barnett was present and stated if the contract is signed today, they will begin work out there before June 1st. and the day they close the bridge is the day they will knock it down.

Commissioner Cox said then Mr. Barnett's work will begin sooner, that the June 1st. date is the closing date and Mr. Barnett said this is correct.

Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Discussion of Outer St. Joe Avenue Bridge: Commissioner Willner said on the Outer St. Joe Avenue Bridge, where we filled the old wooden railroad bridge, there have been some copmlaints from property owners on the north/west side that some water is ponding out there since the fill has been put in, in fact, one of the ladies living out there had to go in after a little child, and the water is probably eight (8) or nine (9) feet deep out there and we certainly need to correct this situation. He wants this checked into and a recommendation at the very earliest possible date, and certainly before next week.

Commissioner Cox said she thought this problem belonged to Darmstadt and Commissioner Willner said no, he believes it is our responsibility, that it is in the Town of Darmstadt but they never accepted the bridge and we have been maintaining it.

Commissioner Cox said she is aware of where this is at and true, it is very bad.

RE: SAM BIGGERSTAFF - EASTLAND ESTATES, SECTION "B"

Mr. Sam Biggerstaff was present and submitted the following letter to the Commissioners, dated March 28, 1983, in regards to Eastland Estates, Section "B".

RE: Eastland Estates Section B

Dear County Commissioners:

I am asking for approval of the plans for construction of streets and storm sewers for this subdivision.

These plans were first submitted in December of 1982 and re-submitted on February 11, 1983.

I met with Mr. South on Wednesday March 23 and he had questions concerning the following.

Question 1. Why is the storm sewer located in a public utility easement instead of public right-of-way?

Answer: The water main is located between the curb line and the right-of-way, therefore to prevent any conflict between the two the storm sewer location was placed in a ten (10) foot easement.

Question 2. What type of inlet castings and what is the flow characteristics of these inlets?

Answer: The type of casting was not noted on the plans. The plans now show the type which is the same as specified for use by the City of Evansville. This type of casting is designed for gutter and curb line drainage.

Question 3. Will the storm sewer joints be sealed?

Answer: All storm sewers joints will be sealed with a black colored mastic, which is furnished by the pipe company.

Question 4. What type of storm was used in the design of these storm sewers?

Answer: These sewers were designed for a ten (10) year storm.

Question 5. How will the drainage at the intersection of Greencove and Greenfield be handled.

Answer: A valley gutter will be constructed at the location according to the City of Evansville Standards for this type of intersection drainage. Any future extension of this street to the east would place about 150 feet of gutter water crossing this intersection.

Question 6. What is the owner going to do about turn onto proposed Covert Avenue at Greenfield?

Answer: We have proposed to end all construction at the south end of a proposed twenty (20) foot radius into a proposed twelve (12) foot turn lane. These plans will be submitted to the proper authorities for them to decide if this work will be added to the contract as an extra work agreement or be done under their supervision by the developer.

Other questions concerned the type of street construction which was set out in our letter of February 11, 1983. We do propose to use a Type "A" expansion joint, a Type "B" longitudinal construction joint and the same at the end of a pour, unless it falls at the location of an expansion joint. All construcion joints will be sawed.

I hope that these plans can be approved for construction today because it has been almost two months since we last submitted these plans.

There is a lot of work that must be done, such as area grading, construction of storm and sanitary sewers, and construction of the pavement. All of this takes time and we would like to get the work completed by June of this year.

Respectively yours,
Sam Biggerstaff

Letter received and filed. ********

Mr. Biggerstaff said he believes this has been hanging long enough and if Mr. David South had any questions he should have addressed them to him after the above letter was sent to him, on February 11th.

President Borries asked Mr. South for any comments he might have on the matter.

Mr. South stated since he cannot accout for all the red tape and for all the offices that handle matters such as this, he can only respond for himself and his office. As far as the delay is concerned, the Commissioners were forwarded a copy of transmittal letters and when they were given to him the following week he sent them to David Gerard's office and to the City Engineer's office for their comments, for obvious reasons. After he returned from Road School, he began trying to set up a meeting, however, he was twenty five (25) minutes late for the appointment, and therefore missed Mr. Biggerstaff the first go around. We finally did have a meeting last week and discussed a lot of things and he did have a lot of questions, in addition to what is in the letter submitted today by Mr. Biggerstaff. Mr. Bussing was also in the meeting last week and they asked us how much time it would take and he told them after the answer came to his questions then give us two (2) days to go over the plans. The next time he heard anything was this morning when he was called and asked for a meeting and for reasons that will become obvious later on in this meeting, he did not have time today, and he told them so. A few of the major things the Commissioners ought to be aware of, not necessarily engineering decisions, but with that divided entrance coming in off of Covert, and we must assume someday that Covert is going to be built and at the end of that divided entrance we have this swale across that road which in the winter is going to allow that intersection to be iced up. The question is do we want to allow surface drains through intersections, especially a major entrance-way, which could possibly service five hundred (500) houses eventually, that he understands this will be the only access off Covert and there will be a lot of traffic and quite frankly he believes it will be a maintenance problem, especially in cold weather. Concerning the local flooding of inlets, a lot of times when he gets called out to a sub-division, isn't because Pigeon Creek or the Ohio River is out, its because, in some cases, insufficient inlets in the roadway, that they will not handle the water and puts flooding in the houses, so he has asked for more detailed information to prove these inlets will get rid of the water as they say it will, that past history in the county suggests they do not work alright. Inlets vs catch basins....we had no idea from the original plans if they were going to use inlets, catch basins, or a combination of both, however, he sees they do now have standards for both of them on the plans, and this is vitally important on these flat grated pipes because the mud and debris off the street, if its an inlet, will get right into the pipe. If you have a catch basin, then you can clean that, so you have a choice of regular maintenance on a catch basin or wait ten (10) years or so and go in and clean a pipe out.

Mr. South said he was told a few weeks ago that we won't accept anything off the right-of-way, and it is their intention for the county to take over the storm drain that is in the utility easement and he wants some clafification on whether we are going to accept it or is it going to become a private matter between the home owners, since it is off the county right-of-way, eventhough it is in an easement for the county, he wants to know how the Commissioners want to handle it. He said he could go on but it would be wasting time, but he does need some direction on this matter.

Commissioner Cox asked Mr. South if he presented his questions to Mr. Biggerstaff and Mr. Bussing, other than verbally and he replied no. She said often times when we communicate it is best to have things written down because sometimes things are not understood as they are meant to be. She asked Mr. South if the letter submitted by Mr. Biggerstaff answers, in full, the questions concerning the proposed development and he replied no. She said then she would like for him to get his questions all down on paper.

President Borries said there has been a considerable length of time lapsed since this request was first made by Mr. Biggerstaff and Mr. Bussing and he understands they want to get moving with their project, so in interest of time, which we do not have today, how soon can we have all the questions answered.

Mr. South said barring nothing else happening, with cooperation from both sides, he would see no reason why it could not be done by next week's meeting.

President Borries asked if this was agreeable with Mr. Biggerstaff and he replied as long as they get more than one (1) or two (2) days to do their work when Mr. South has had two (2) months to do his.

Mr. South said he is not instant with letters, that he can get one to Mr. Biggerstaff by Wednesday.

Mr. Biggerstaff said he would like to say, concerning Covert Avenue, that he has discussed this with Mr. Gerard and he believes he is the man that makes that decision. We also went through it with the Plan Commission and basically we have set up, at Greenfield Drive, that there will be a twelve (12) foot turn lane and a twenty (20) foot radius, onto Greenfield Drive. We have stopped our construction at the south end of the twenty foot radius and we don't know if the turn lane will be an extra work agreement or if they will say the developer must pay for it, that as of now no one has bought any right-of-way out there and that problem will work itself out, that either the state will buy the right-of-way and say you put in the turn lane or else they will work it out with the right-of-way and we show that on these plans. David Gerard says that is satisfactory with him.

Mr. Gerard said the Commissioners must remember that what Mr. Biggerstaff is talking about and what Mr. South is talking about are two different things.

Mr. Biggerstaff said this is true, that the area Mr. South is talking about is the valley gutter across the intersection (he pointed the area out on the map before the Commissioners) and stated it is the City of Evansville standards for valley gutters, across intersections, and that is exactly what they want to install. He also pointed out on the plans where the State Highway Department has an inlet.

Commissioner Cox asked Mr. South if he has seen the standards and he replied he has seen the pavement standards, but the city tells him they have no standards for old curbs and gutters, so he cannot respond when he is not informed what is going on.

Mr. South said there are two (2) major questions he has, that in accordance with the Sub-division Ordinance of the Area Plan Commission, the roads will either be built or bonded prior to acceptance and recording of the final plat. This has not been done before eventhough it is still in the Ordinance, so are you going to waive the Ordinance. Second question is in some of the swales, if they are small swales, they are supposed to be piped, again according to the Ordinance, so are they going to have to follow the Ordinance as far as the pipes are concerned, or will that be waived also.

Mr. Biggerstaff said these are swales in the back of the lots and there is only a one (1) foot drop from the back of the house to the swale and there is no way to put a pipe in them. He asked Mr. South to figure out a way to do that and they will do it.

Commissioner Willner said we have an engineer coming before us with a problem and it is obvious the Commissioners are not engineers, that David South is, and we don't need the questions from him....we need the answers from him, and if the two (2) engineers cannot sit down and work it out then we really have problems.

Mr. Biggerstaff asked Mr. South if he will work out the pipes in the back.

Commissioner Cox said now lets wait just one minute here...that is not our County Engineer's job to do. She believes he should work with Mr. Biggerstaff but she can understand and appreciate Mr. South's concerns, because we have people coming to us and complaining about the terrible flooding on their private property and many of these people are in sub-divisions. After the developers are in there and build their homes and leave then we get all the feed back and questions on the improper drainage, so it behooves us to try to do the plans so that it is workable but it certainly is not the job of our County Engineer to draw up the drainage plans for sub-divisions. She is wondering if we did wrong in allowing a sub-division to go in there in the first place.

Mr. Biggerstaff said no, that FHA requires that all sub-divisions have drainage from the house to the street and from the house to the rear of the lot and drain down there. He asked Mr. South when he could get started on his written questions and he replied if nothing else gets higher priority from the Commissioners, he will start on it first thing in the morning.

Commissioner Cox said she believes this has gone on long enough that it should receive top priority and President Borries said he would agree.

Mr. Biggerstaff said he will be at Mr. South's office at 8:30 Wednesday morning.

RE: FRED BLUMENAUR....CITY ENGINEER'S OFFICE

Mr. Fred Blumenaur was present and stated he would like to discuss some federal projects that are in TIP, that they are going to be flying three (3) projects themselves and they were wondering if the county would like to participate, that they could fly them all at one time and save both the city and county some money. One of the projects would be Pollack Avenue, from Green River Road to the County Line. Another project would be Green River Road, from Theatre Drive to Heckel Road and this would tie in with the city's project of Green River Road, south, and the downtown area that they are going to be flying. Also there are two (2) out on St. Joe, those being Schenk Road and Meier Road.

Commissioner Willner said he believes the plans are already made for the Meier Road intersection and Mr. Blumenaur said he believes there needs to be some revisions on it.

Mr. Blumenaur said it is $400.00 for each time they fly and they are going to charge us for only once and then it would be $55.00 a sheet and would be about twenty five (25) sheets for all four (4) projects.
Commissioner Willner said he wants to know what we need on Meier Road yet, that he was under the impression that it is ready for construction.

Mr. Blumenaur said there are two (2) existing houses that have some water valves that haven't been located plus up-grading the standards, that they have changed since Dale drew this up some four (4) or five (5) years ago.

Commissioner Willner asked if he was talking about drainage or city water and Mr. Blumenaur said drainage.

Mr. Guillaum said he and Mr. Brenner discussed the aerials with Mr. Blumenaur and it would be a cost savings to the county, that we use them every day.

Commissioner Cox asked how close are we to design for Schenk and David South said Schenk hasn't even been started yet and he would also like to say if you are going north on Green River Road, we have had some serious problems near Daylight, Indiana, therefore he would suggest they go ahead and fly Green River all the way north, as far as it goes.

Commissioner Willner moved the request be approved and that the money be taken from the R&S funds. Commissioner Cox seconded the motion. So ordered.

President Borries said this has been approved too late for it to go on the April County Council Call, that an amount will have to be arrived at and submitted to the County Auditor for advertisement for the May Council meeting.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Approval of Travel to Indianapolis: Mr. South said he met with David Jones and the people from Engineer Associates this past Thursday and some questions arose that needed some answers so he went to Indianapolis and attempted to get them. He traveled last Friday therefore he needs retroactive approval for travel permission, and he did drive.

Commissioner Cox said she was contacted by David Jones and David South and she did give her informal approval, per phone, at that time, therefore, she would move the request be approved.

Mr. South said the money will come from the Highway travel account.

Commissioner Willner seconded the motion. So ordered.

Request from Highway Commission to Lower Standards for Frontage Roads: Mr. South said we received a letter from the Indiana Highway Commission requesting us to lower what county standards we have for frontage roads, that they have quite a few cases along the new interstate that is going to produce maybe two (2) or three (3) parcels of ground being served by a new road and their full intention is to build this thing and some day give it back to the county. He believes the bottom line is that they would like to build about eight (8) gravel roads along side the interstate and expect us to take them over when the project is done. If you (the Commissioners) want to take more time on this and review them individually, that is fine, but if you answer in general is no then they can be informed of that, in general. He is not going to personally recommend we lower the standards because our county standards for an asphalt road is not that high anyway. There will be a few parcels that the state, or feds, will not buy for the interstate, that it will be cheaper to buy the whole parcel then build the road in and this is their argument for wanting to put in a six (6) inch gravel road. He would remind the Commissioners that some of these cases are within a mile of Evansville and he would wonder if someday at the end of that road should we have a fifty (50) or sixty (60) lot subdivision and it will be up to us to improve the road and he does not believe the county wants that kind of a commitment. He suggested they make a private road out of them and if they needed a piece of ground for one individual piece, then buy it from that person and keep us, the county, out of it, but they claim they cannot do it that way.

Commissioner Willner said if they want to put the roads in, they should be at our standards and even then, he isn't sure the county would be interested in taking them over, but he certainly isn't going to let them build any gravel roads in Vanderburgh County, because we certainly have enough dust problems without creating more of them, so he will stand on the standards.

Commissioner Cox said she too stands on the standards.

President Borries said that he also stands on the standards.

Mr. South said he will answer them in a general comment....follow the standards, and he has also suggested to them they put cul-de-sacs at the end of them so people using them can turn around. He will also send them a copy of the Subdivision Control Ordinance.

Comment From David Jones Concerning Eastland Estates, Section "B":

Mr. Jones said he would like to advise the Commissioners of something he just realized, concerning a request from Mr. Biggerstaff, in regards to Eastland Estates, Section B. He believes this same thing happened before, and quite honestly, it got by him. When it comes to accepting, or not accepting any aspect of these subdivisions, that is governed by a Zoning Ordinance, you, the Commissioners, cannot, as a matter of law, waive an Ordinance. What is required is that the subdivision owner has to go through the Board of Zoning Appeals and get variance because you cannot waive an Ordinance, that there is no such thing as waiving an Ordinance whether for storm sewer, thickness of the pavement, curb cuts, etc.

Commissioner Cox said cannot the Commissioners make a recommendation to the Board of Zoning Appeals and Mr. Jones said yes, you certainly can make recommendations.

Mr. Jones said all subdivisions have to go through Area Plan.

Mr. South said he has some questions that he would like to discuss with Mr. Jones, therefore they agreed to talk after the meeting recessed.

RE: LETTER FROM WILLIAM AND SANDRA ESCHE

President Borries read aloud the following letter, dated March 24, 1983 and directed to David South.

My husband and I are requesting you and the Commissioners to allow us to install a 12" culvert rather than an 18" one at 2045 Koring Road. My parents have lived at 2030 Koring for thirty two years and have never witnessed any excess of water in the ditch.

We also did some checking in the neighborhood and found the following. At 7310 Little Schaefer Road, there is a 12" culvert. This is at the break of the hill. It's approximately 270 feet from the closest end of our culvert. There is also a 12" culvert beneath Little Schaefer Road where it intersects Koring. We found it to be half choked and still handling the water flow. This intersection is 120 feet from the closest end of our culverts.

Furthermore, we noted a 14" culvert beneath Koring at the intersection of Upper Mount Vernon Road. This culvert is handling a much greater volume of water than our location will be handling.

Based on these facts and our direct observations over several years, we feel a 12" culvert will adequately handle the flow of water. We appreciate you time and effort in working toward these ends. Please notify us at 425-2090 or 985-5957.

Sincerely,
William and Sandra Esche

Letter received and filed. ********

Mr. South stated they received the phone call last week that leads into this matter and the information he has back from a field check is that the 15" pipe goes under the intersection, not too far from the Esche' property and after going back through all the drainage calculations to determine what size we needed and based upon the fact that the property up-stream from them is sub-divided (eventhough it is not built on yet) the fifteen inch pipe appears to be properly sized, therefore the eighteen inch pipe requested seems to be in order.

Mrs. Esche was present and stated there is a 12" pipe at the inlet end, but it is half choked and still carrying the water, but the outlet end is 14" and not 15". They are building a new home and they do not have any water problems with the 12" pipe and they hate to spend the additional money to put in an 18" culvert. They will keep their culvert clean, they will also buy it and install it themselves, that there will be no cost to the county.

Commissioner Willner asked if this is a drive-way entrance and Mr. South replied yes.

After repeated discussion Mr. South said he would personally go out and look at the site and come back with further recommendation.

Mrs. Esche thanked the Commissioners for allowing her to appear today and for all the help she has received thus far, that Mr. Willis has been very helpful to them.

RE: LETTER FROM FEDERAL EMERGENCY MANAGEMENT AGENCY

President Borries read aloud the following letter from the Federal Emergency Management Agency, dated March 22, 1983 and directed to Mr. Borries.

This is to inform you that information has been received which may result in a revision to the Flood Insurance Rate Map (FIRM) as noted below:

Information Source: Mr. Richard F. Lythgoe (812) 867-2645

Community: Unincorporation Areas of Vanderburgh County, Indiana

We are reviewing the data used to prepare the map, and our consulting engineers will be contacting you to discuss flooding problems. Please make available to them

any technical flood or topographic information you may have, and let them know about information that you believe may be available from other sources. After all technical data have been received and analyzed, the map will be revised, if necessary.

If we can be of further assistance, please let us know.

Sincerely,
Brian R. Mrazik, Ph.D.
Acting Chief, Engineering Branch
Natural Hazards Division

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Letter received and filed and referred to the County Surveyor's office.

RE: PHONE REQUEST FROM LAW LIBRARY

President Borries said there is a phone request from the Law Library, that that office is being moved from 214 Courts Building to 207 Courts Building, Civic Center Complex and there is a note from Margie Meeks and Jim Lewis attached to the request form that this has already been done because the city had some work done and it was much cheaper to have this done at the same time. The installation cost was $32.00 and the labor was done at half cost.

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

RE: LETTER FROM COUNTY CLERK REGARDING MEALS ON ELECTION DAY

President Borries read aloud the following letter from Ms. Helen Kuebler, County Clerk, in regards to meals on Election Day. Letter was dated March 22, 1983 and directed to the Board of County Commissioners.

At our Election Board meeting, March 17, 1983, it was brought up the allowance for meals for the election boards is so small, it is very difficult to get someone to furnish meals at that price.

Therefore, it was suggested that this allowance be increased to $3.00 for breakfast, $3.50 for lunch and $3.50 for supper.

Appreciate your putting this on the agenda for March 28, 1983.

Helen L. Kuebler, Clerk

Meals at present are:
$2.50, $3.00 and $3.00

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President Borries said there is a note from Ms. Meeks informing us if the price allowed for meals is raised, they would need $1,312.50 additional appropriations, since the budget was figured to the penny on present meal allowance.

Commissioner Cox said she would agree that the amount is set too low to get a decent meal for the workers. Since the city is going to have to foot this bill, have you, Ms. Kuebler, talked to them and she replied no she has not.

Ms. Kuebler said they also discussed the possibility of having only two (2) meals, like at perhaps 10:00 a.m. and 4:00 p.m.

President Borries asked what the law says about this and Ms. Kuebler said the statutes says you must furnish good, plain, substantial meals are reguler times, starting at 7:00 a.m.

Commissioner Cox said this amount was increased once while she was Clerk and that was in about 1975 and they have not been increased since that time.

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

President Borries he certainly does not want to make an issue of this but he would entertain a motion in regards to the Attorney fees for Election Attorneys. He knows they put in long hours and they work very hard but he would like to see a limit of $25.00 put on them, for meals, at this point, that we did have some high costs at the last election and we really need some sort of guidelines.

Ms. Kuebler said the thing to do would be to ask each board member, when they are obtaining the attorney, to inform them of the $25.00 limitation put on their meals.

Commissioner Cox said the claim cannot include tips or alcoholic beverages.

RE: LETTER FROM THE DEPARTMENT OF NATURAL RESOURCES

President Borries said the Commissioners received a letter from the State of Indiana, Department of Natural Resources, dated March 17, 1983, notifying us that the John W. Boehne House in Vanderburgh County, Evansville, Indiana was entered on the National Register of Historic places on February 17, 1983. The exact address of this is 1119 Lincoln Avenue.

Letter received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Aiken Management Corp. for the theatrical performance "Children of a Lessor God" on April 4, 1983 at the Vanderburgh Auditorium.

A certificate of insurance was submitted for George Ware, 670 Covert Avenue, for a dance on April 3, 1983 at the Vanderburgh Auditorium.

Certificates received and filed.

RE: CONTRACT WITH TEAMSTERS UNION

President Borries said we have before us today, the contracts between the county and the Teamsters Union, however, he does not believe that County Attorney David Miller has had a chance to review them, therefore, he would ask they be given to Mr. Jones, who in turn will see that they get to Mr. Miller.

Commissioner Cox moved they be referred to the County Attorney's. Commissioner Willner seconded the motion. So ordered.

RE: MEETING WITH THE PUBLIC SERVICE COMMISSION.....DAVID SOUTH

Mr. South said he would like to report that while he was in Indianapolis he stopped by the Public Service Commission, because there had been some back room discussion about why we had not heard back from the Ordinance we sent them. He received a call from the gentleman heading the Public Service Commission and he tells us he has never received a letter from the Commissioners concerning this Ordinance. They have seen a copy of the letter that went to Southern Indiana Gas and Electric, but they have not received one directly from us, therefore, they have not answered it.

Mr. Jones said he sent them one by certified mail so he knows they received it.

Mr. Jones was instructed to mail another one to them, by certified mail.

RE: CLAIM

A claim was submitted by Municipal Engineering, for the sum of $1,422.00, for the boiler at the Vanderburgh Auditorium and it is a partial payment.

Commissioner Willner said he understands the boiler is to be delivered tomorrow, and he would sure hate for it to come in damaged, so he would like to see this delayed for a week.

The claim was given to Mr. Lewis, to be held in file for another week, and he should check and see if the boiler has been delivered.

Mrs. McBride said she would not pay for it until it is delivered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

KNIGHT TOWNSHIP ASSESSOR (REASSESSMENT)

Marjorie Humphrey	2512 Vogel Road	Part time	$30.00 Day	Eff:3-24-83
Jayne Melchoirs	3307 Bayard Park	Part time	$30.00 Day	Eff:3-24-83

RE: EMPLOYMENT CHANGES.....RELEASES

KNIGHT TOWNSHIP ASSESSOR

Marjorie Humphrey	2512 Vogel Road	Part time	$30.00 Day	Eff:3-23-83
Jayne Melchoirs	3307 Bayard Park	Part time	$30.00 Day	Eff:3-23-83

RE: SPECIAL MEETING OF COUNTY COUNCIL CONCERNING FINANCIAL PROBLEMS

President Borries said he would like to make note that County Council President, Kathy Mann contacted him in regards to a special meeting on Tuesday (tomorrow) at 3:00 p.m. and she has requested that all the elected officials and office heads that can make it, be present. The meeting will consist of discussion in regards to the budget problems we are facing in the county and asking for in-put and alternatives to the problem.

Commissioner Cox said she would report that she received a letter from Councilman Bill Taylor informing her that at the April Council meeting he is planning to make the motion that the Cumulative Capital Improvement Fund monies be put into the County General Fund, so if we are going to do anything towards our phone system then we had certainly better get a claim on some of that money in the CCI fund, because once it gets into the County General..its going to be gone.

Mrs. McBride said before this money can be transferred into the General Fund, there will have to be a Resolution approved between the Commissioners and the Council.

David Jones said he was not aware this was going to be requested by Mr. Taylor, but if it is going to be done he would like to make a plea that we earmark at least $5,000.00 of the CCI money for the jail. He understands that what was labeled as the jobs bill has been switched to anti-recession measures, has monies for local contract jails and our jail is on a priority list with the U.S. Marshal Service to receive monies to improve the jail. It is not a grant, however, we might have to come up with some architechural specs and drawings in order to get the money. So if we can spend a few thousand dollars to receive perhaps six (6) to seven (7) hundred thousand dollars, it would behoove us to do so.
He said he understands we are being challanged on the validity of the CCI Fund, that he believes Mr. Campbell (from the State) is of the opinion that because there is a specific statute that allows the city to create such a fund and there is not a specific statute for the county, that therefore the county has no authority to do so. He personally takes the view though that the county does whatever it is not otherwise prohibited to do and this is something that's done under Home Rule and since it has been there for all these years and they have done nothing about it, then it is too late for their challenge. There is a specific statute that says the State Tax Board can't interfer with local government operations without a specific statute allowing them to, so if Mr. Campbell touches our fund he is going to scream loudly about it.

President Borries said he has discussed this matter with Mr. Taylor and he is well aware of the phone system problems and that one (1) of the proposals presented to us could save us, based on a seventy two (72) month purchased plan, that the estimated annual savings would be $94,212.00. The cost of the phones and the installation, he believes, was about $112,400.00. The estimated cost savings to the county alone was $48,000.00 annually.

RE: DISCUSSION OF DUMP SITE ON BOEHNE CAMP ROAD

Commissioner Willner said he would like to have permission for the county highway crews to go out and clean up the dump on Boehne Camp Road.

Commissioner Cox said this cannot be done, that it is on private property, so why not send a letter to the property owner and tell them to clean it up.

Commissioner Willner said that is okay with him, he just wanted to get it done instead of fighting, but if you want to fight....we'll do that.

President Borries referred the matter to Mr. Lewis and instructed him to get a letter out to the property owner notifying them it has to be cleaned up.

RE: DISCUSSION CONCERNING COUNTY INSURANCE

President Borries said only as a point of information, Mr. Jones has forwarded some information that might be of some value to us as we are concerned about the county insurance, that he is looking at, and is having members of his legal staff looking at the possibility of sharing various insurance's and payments and premiums with other counties, and he is wanting some direction along this line and whether the Commissioners want him to pursue the matter.

Commissioner Cox said Mr. Jones has pointed out that if we did do this we would need to engage the services of a risk officer.

Mr. Jones said you will need one (1) good insurance person who can set it up, that it is all based on the numbers just like any other insurance operation. He very briefly explained the possibilities of pooling with other units of governments to try to bring the insurance costs down and in all of his research he has found nothing to keep the county from doing this.....it just has never been done before. He contacted the Methodist Hospital in Indianapolis and received some real helpful leads along this line along with some names of other persons to contact.

Mrs. McBride said she discussed this with Sharon Derringe, of the City, and she is wondering about the possibility of joining with the city.

Mr. Jones said absolutely, that the more combined units in it the better off everyone is and he is suggesting it will include any and all types of insurance, with the exception of only one, that he would be hesitant on at this time is the Roads and Streets Policy, because we are one of the few counties that has one.

President Borries thanked Mr. Jones for his comments and for the work he has done on this and also Mr. Lewis has done an immense amount of work on our insurance problem also and he would thank him for it.

There being no further business, President Borries declared the meeting recessed at 4:35 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Richard J. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
APRIL 4, 1983

The meeting of the County Commissioners was held on Monday, April 4, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

This being the first meeting of the month the meeting was formally opened by the Sheriff.

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

RE: FINANCIAL REPORT FROM LEWIS F. VOLPE, COUNTY TREASURER

The following report was submitted by the County Treasurer, Lewis F. Volpe, dated April 4, 1983 and directed to the County Commissioners and the County Council.

Interest has been receipted as follows:

COUNTY REVENUE	$ 98,530.99
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	3,897.45
	$ 104,776.45

Outstanding investments are:

1) Repo $900,000 dated January 10, 1983 Due April 8, 1983. Estimated income $16,536.25. Various rates.

2) Repo $700,000 dated January 13, 1983, Due April 11, 1983. Estimated income $12,766.99. Various rates.

3) Certificate of Deposit $500,000 dated December 29, 1982, due July 6, 1983. Estimated income $22,500. Rate 8.65%.

4) Repo $500,000 dated January 25, 1983, due April 5, 1983. Estimated income $7,204.13. Rate 7.375%.

5) Certificate of Deposit $7,000,000 dated March 8, 1983, due April 12, 1983. Estimated income $52,300. Rate 7.80%.

6) Repo $250,000 dated March 10, 1983, due April 11, 1983. Estimated income $1,666.74. Various rates.

7) Repo $250,000 dated March 15, 1983, due April 7, 1983. Estimated income $1,177.95. Rate 7.375%

8) Repo $400,000 dated March 23, 1983, due April 21, 1983. Estimated income $2,456.94. Rate 7.625%.

Total estimated income is $116,609.00.

Yours truly,
Lewis F. Volpe
County Treasurer

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Report received and filed.

Commissioner Cox said she assumes the total estimated income listed at $116,609.00 is until the end of March and President Borries said in looking at the report we can see the interest rates are down quite a bit from a year ago and yes, he believes this is for March also.

County Auditor, Alice McBride said this is correct.

RE: COUNTY COUNCILMAN HAROLD ELLIOTT...COMMENTS ON COUNTY FINANCES

Mr. Harold Elliott, County Councilman was present and stated he would like to briefly discuss some of the financial problems of the county and he thanked the Commissioners for letting him be heard today. He would like to say that his statements today are strictly his own and not necessarily those of the County Council, although several of the Council members have indicated that they agree with him. He said at the next meeting of the Council they are expected to consider requests for additional appropriations of nearly $237,000.00 from the County General Fund and of this total amount $142,515.99 is a request by the County Commissioners for Change of Venue, Patient and Inmate Care, School Transfer and Tuition, Legal Services and Depositions. We do not have $237,000.00 in the General Fund, infact, there is only around $30,000.00 in the fund and since we are unable to spend monies we do not have it is necessary to consider available alternatives, such as borrowing, reducing expenditures or increasing income, and some have even suggested bonding. His personal opinion is that contracting long term debts to pay short term obligations is financial irresponsibility and that is the first step on the road to bankruptcy. At a special meeting of the Council last week, President Kathy Mann informed officeholders and supervisors that the best estimate we have, after utilizing the balance in the Cumulative Capital Improvement Fund and deleting the dental and eye coverage in the employees health insurance is that the county will be approximately $600,000.00 short of having the money to pay the bills for the rest of the year, and this figure is probably understated. Ms. Mann went on to state that one (1) possible solution would be to reduce county employees work week from forty (40) hours to thirty five (35) hours, which would amount to a savings of $39,000.00 per pay period which would accumulate a total of $585,000.00 over fifteen (15) pay period, beginning May 1st. This brought immediate reaction to those present, at which time Ms. Mann stated that Council would like to hear alternate suggestions, including possible lay-offs. Other councilmembers suggested they take time to think over the possibilities and come up with ideas to help solve the problem. One of the suggestions that he read about in the news media, and he had difficulty believing it, it was suggested that county employees work a thirty two (32) hour work week, get paid for thirty two (32) hours until such time the projected deficit was recovered and after that the employees would continue to work the thirty two (32) hours but get paid for forty (40) hours, until they make up all they lost. Now can't you just see the average taxpayer reading this and saying to themselves that the idea is fair enough, but in thinking about it the employee is being paid the first fifteen (15) weeks for the thirty two (32) hours and for the next fifteen (15) weeks, they are being paid 1.25%...or 25% more than the rate, per hour, and he hopes this is a mis-quote. He could not vote for such a proposal. The taxpayer might also say that if a person can handle the job in thirty two (32) hours for more than half a year, then why can't they do it for the whole year and this sounds reasonable to him. When he spoke to the Commissioners in December he made the statement that he thought the county had too many employees and he still believes that, however, he is not in favor of indiscriminate lay-offs and resulting hardships to employees families. He does however believe the work force can be reduced by attrition and that council should be given the opportunity to review every vacancy that occurs and then to decide, with assistance from the Commissioners, whether replacement is necessary or not, and if so, then that replacement, whenever practical, should be transferred from another department of county government. At budget time the council liaison member should review each position with the officeholder or departmenthead and eliminate all positions not absolutely needed full time and this procedure would justify budgeting for part-time help and it would also provide several months notice to those who are no longer needed. He is sure that the Commissioners are aware, from his correspondance, that he is a proponent of users fees. At the March 2nd County Council meeting he asked President Borries if he would consider an admission fee of $1.00 per person at Burdette Park. After a discussion of the matter, the Council voted to ask the Commissioners to set an admission charge to the park, but left the amount open. As expected, this drew varied reactions. He has talked to many people who support his original proposal of $1.00 per person, however, he read comments in the news paper such as "it looks like a fast buck" or "he is against the westsiders" and neither comment could be further from the truth, that this is a county owned facility and sectionalism, as far as he is concerned, does not enter into it, that he would be pushing just as hard for an admission charge for Burdette Park if it were located east of Green River Road or north of Darmstadt. As far as the "fast buck" comment.....this is a situation that has long needed correcting, and it would not only help now, but it would help hold taxes down in the future. He would estimate between 50% and 75% of the residents of Vanderburgh County do not use the facilities at Burdette on an average of one (1) time per year, yet they are expected to pay taxes to support the park that experiences annual deficits of approximately one half million dollars. He feels that the people actually using the park, including those from other counties and other states, should bear the brunt of the costs. When he spoke with the park manager a couple of months ago he informed us his best estimate of people entering the park is between 400,000 and 800,000 per year. A charge of $1.00 per person, with a

possible reduced rate for children under twelve (12), and no charge for pre-schoolers, would go a long way toward alleviating the county's financial burden and it would also be a bargain for the users of the park. Whatever the Commissioners do, he strongly urges a head charge instead of a per vehicle charge, because if you decide on the latter, he is afraid we will find many people parking their vehicles outside and getting into a friend's car to enter the park and you will also be facing the entering of vans and trucks with ten (10) to fifteen (15) people in them. Mesker Park entrance fees are $2.00 for adults and $1.00 for children under twelve (12) years of age and no charge for children under three (3) years of age. Finally, please consider that some of the loudest protesters will pay $1.00 just for the privilege of parking their cars while paying anywhere from $3.00 to $15.00 to attend a concert or a basketball game at Roberts Stadium. You might also give consideration to the council members who are asked to appropriate monies for unbudgeted obligations over which they have absolutely no control.

Commissioner Cox stated that Mr. Elliott said at the beginning of his presentation that these were his own personal comments, but that there are other councilmembers agreeing with him, so is there a majority of the councilmembers (that is four members) that agree with him.

Mr. Elliott said that most of the people on the council agree there should be a charge, but there was no agreement on the $1.00 per person, that he is advocating, because we could get as much as $400,000.00 per year with that kind of fee.

Commissioner Cox said she understands this was to be put into a Resolution form.

Mr. Elliott said according the Council's secretary it was put into Resolution form and presented to the Commissioners in March, however, the amount was left open.

Commissioner Cox said when she attended the meeting of elected officials, departmentheads and Council, the matter was discussed concerning the employment changes (known as the pink slips) and the replacement of employees. We will probably have some pink slips go through later in this meeting, so what exactly is the council asking for in regards to them.

Mr. Elliott said they (the council) would like to be notified either through their President or Vice President or the head of their finance committee, so that they can review the position, talk to the officeholder and find out if that position really needs to be filled. We all know this county is overstaffed.

Commissioner Cox asked when would this become effective and Mr. Elliott replied immediately.

Commissioner Cox said you, the Council, is being asked to appropriate monies for things you have no control over, well, a lot of these costs that the Commissioners are requesting for, we have absolutely no control over either. We don't decide what cases are venued out of the county, we don't decide what school children are transferred and we don't decide who goes to boys school and who goes to girls school, but these costs come out of the Commissioners budget, so we are caught in the same web that the Council is caught in.

Mr. Elliott said this is true and that is why he is asking for cooperation from the Commissioners concerning the implementation of a users fee.

Commissioner Willner said years ago the Commissioners realized this Burdette Park problem and last year we cut approximately $100,000.00 out of the park budget and he was absolutely appalled when we went before the Council and they told us to spend it before the coming year. He realizes Mr. Elliott was not on the Council at that time, but this action really did take place and it goes against his grain to see things like that happen. We also worked hard on a solution for the Vanderburgh Auditorium and you, Mr. Elliott, personally wrote a letter against the proposal, without even knowing what the final dollars would be, and he finds things like this hard to believe. We made a decision on the insurance some three (3) months ago and took the proposal before the Council and they didn't like that either. We have been working on a phone proposal, that we have cut phones in the past and intend to cut more in the future and we don't even have financial support on that proposal. He has mentioned four (4) examples whereby they went before the Council and was turned down each time and it's things like this that he certainly cannot understand. Now, after these four (4) plans were turned down, you come back and tell us you have another plan for Burdette Park. If you would tell us how many dollars you want from Burdette Park, we will try to get it for you, but he believes it is the job of the Commissioners to do it the best, most feasible way. As far as an entrance

fee for Burdette Park, he personally feels it is a kiss of death for the park. He would think it much better to make the employment out there seasonal, but keeping the park open the year around. If you are going swimming, Burdette isn't the only game in town, that you can go swimming fifty (50) other places, without paying a parking fee. If you are going skating, you can go at least three (3) other places without paying a parking fee. If you want to rent a building for a Sunday picnic, you can rent one a hundred other places in Vanderburgh County, without paying a parking fee.

Mr. Elliott said he does not agree with Mr. Willner concerning the entry fee because when he was a child, he paid to go out there and the place was packed all the time.

Commissioner Willner said when you've got the only game in town you can charge $1.00 a person, but when you don't have.....you are in trouble.

President Borries said the Commissioners received a letter from the Westside Improvement Association that states the following:

> "The WIA understands the question of entrance fees for Burdette Park has been tabled for the present. If at sometime in the future this issue is reconsidered WIA would like to be notified so that we could give some in-put".

President Borries said the above note came from Ms. Shirley James, President of WIA.

Mr. Elliott said he would respect her wishes.

President Borries said he will give Mr. Elliott the address of Ms. James and perhaps he could personally contact her and maybe share her ideas.

President Borries said he does question the figures that was submitted on the number of persons entering the park annually, that it was stated between 400,000 and 800,000 people enter annually.

Mr. Mark Tuley was present and stated the figure he gave Mr. Elliott was the same figure he submitted to the Commissioners, from a study taken by E.U.T.S. and that was between 200,000 and 250,000 persons annually. We were basing this upon two (2) or three (3) people per vehicle.

Mr. Elliott said that would still be a lot of money to help our financial situation. Another thing he sees a problem with is the insurance, that we are asked to project hospital charges a year in advance.

President Borries said there will be a county council meeting this coming Wednesday and he would like to suggest they, the Commissioners, meet with the Council before the 2:30 p.m. meeting to discuss the insurance proposals we have already received.

Mr. Elliott said he already has a 1:30 p.m. meeting set up with the judges for that day.

It was suggested the Commissioners meet with the Council immediately after their regular meeting, at approximately 4:00 p.m.

Mr. Elliott said he is for the employee paying a larger portion of their hospitalization that he does not feel it is out of line to ask them to pay 10% or 15% of their own insurance premium.

Commissioner Cox said the County Commissioners are only one board of county government, so do you intend to go to the other offices and discuss the possibility of them cutting their budgets also.

Mr. Elliott said he has already spoken with several of them. Each Councilmember is the liaison for several different county offices and one by one he is making his rounds to talk to those he is liaison to.

President Borries said he will contact Ms. Mann and see if she and the rest of the members will agree to meet on the insurance after the regular meeting this coming Wednesday. He thanked Mr. Elliott for attending today and for his input in the financial problems of the county.

RE: COUNTY COUNCILMAN BILL TAYLOR IN REGARDS TO DISSOLVING THE CCI FUND

County Councilman Bill Taylor said he is present on his own behalf and not in behalf of the County Council, eventhough he has discussed his topic with each of the Council members and also with Mr. Borries and Mr. Willner. He would ask the Council and the Commissioners jointly eliminate the Cumulative Capital Improvement fund, because it was jointly established by both both boards. He would like to see the excess funds put into the County General Fund simply because the County General Fund is financially strapped. He realizes there are some outstanding obligations for portions of the money in the CCI fund and that amount of money would have to be taken out before the money is put into the General Fund. He would like to see that done as soon as possible and then at the April Council meeting the CCI fund can be eliminated.

Commissioner Willner said he understands the Legislature might make Capital Improvement funds legal for the county, that he believes there is a move in that direction.

Mr. Taylor said if it happens, it won't be until 1984 and we can't wait that long. He made a number of trips to Indianapolis, sitting in on Legislative Sessions, thinking that there was a sigh of relief coming to us, but it isn't. There are some things coming in 1984 but that will not solve the problems we thought it would.

Commissioner Cox said personally she believes this is a step backwards for Vanderburgh County, that when the Cumulative Capital Improvement fund was first established it was done for very good reasons because if someone builds a building and then gives it to you, that is fine, but we must think into the future and of maintaining it and this was one way we could have funds available to help do some of the replacement and maintenance on these buildings that we know are going to need it. She doesn't think that when you have a check and balance in say a deficit of a park, that Capital Improvement should be a part of that, that Capital Improvements are improvements that are made on the facilities on either a maintenance basis or on a long term basis. She believes the Commissioners have amemded the CCI fund Ordinance some three (3) times since she has been a County Commissioner to allow those funds to be used for other things. The fund is being drained and it is not regenerating itself and as was mentioned, we don't have other properties to sell. We know we'll have improvements at the Auditorium and also at the Hillcrest-Washington Home in the future, and where will that money come from.

Mr. Taylor said we who are sitting here today trying to solve the problems of the finances for the county for the future cannot be blamed for the condition of things, that he believes the blame goes back to those particular Republicans that gave the Hamilton Golf Course away for $1.00 a year, when there were developers interested in developing it. If this is a step backwards then that step was made when the Republicans were sitting up here controlling everything. He cannot take blame for the situation the county is now facing.

Commissioner Cox said she is sorry that Mr. Taylor tried to make this a political thing, but to her, this is just like the car that you know it is going to last only so many years and the roof on the house is going to last only so many years, so what are you going to do, move or write a bad check for it or something like that.

Mr. Taylor said either write a bad check, move or take the bus and the Republicans messed up the bus system also.

President Borries asked the Auditor what she found out about the Cumulative Capital Improvement fund and she replied after discussing the matter with Mr. Bob Campbell of the State Board of Tax Commissioners he tells us right now the counties really are not allowed to have a CCI fund and had he of known we had such a fund when she appealed the $100,000.00, he would not have approved the amount.

Mrs. McBride said all the money could be put into the County General Fund and then the County Council will appropriate it out of the General Fund into certain accounts, such as phone system, jail, etc. or you can leave the $112,000.00 in the CCI fund for the phone system.

President Borries asked what the State Board of Tax Commissioners suggested we do with the money and Mrs. McBride replied....put it into the County General Fund.

President Borries asked Mrs. McBride if she would get a clarification from the state on how to best handle this and she said she would meet with Mr. Frank Eads this coming Wednesday and find out exactly what steps must be taken in regards to the $112,000.00 for the telephone system. President Borries thanked Mr. Taylor for appearing today.

RE: COUNTY ATTORNEY....DAVID MILLER

Mr. Miller received the following letter from the CPA firm of George S. Olive and Co., who does the accounting for Alexander Ambulance Service, giving answers to some of the several questions he had raised in a letter regarding how they arrived at certain figures in the first monthly report. The letter received is dated April 1, 1983 and is as follows:

Dear Dave:

Tom Alexander of Alexander Ambulance Service, Inc., has asked me to respond to your letter of February 24, 1983 in which you requested clarification of certain items on the January 31, 1983 income statement submitted in accordance with the county contract.

Because of the number of questions raised, I fully intended to call you before this to set up a meeting to discuss this matter. However, since this is our busy season, I haven't been able to give this matter the attention it deserves. I will try to answer most of your questions in this letter and would be glad to meet with you after April 15 if you have any additional questions.

A separate ratio was used to allocate personnel costs and vehicle operating costs relating to county runs. The ratio for personnel costs was based on total man hours for county runs and down time of the units over total man hours required to staff the two units for the entire month. The ratio to allocate vehicle operating expenses was based on total mileage for responses under the county contract over total mileage on the two vehicles for all responses.

The advertising expense is the monthly cost of the yellow page listing for the corporation.

Only the county runs that were made at the request of the authority made in the agreement were used to allocate both personal costs and vehicle operating expense to the contract. Any private runs made by these vehicles into the county were not charged to the county contract. I am not sure that a numerical breakdown of private runs made into the county is available because they are included in the listing of all private runs on the corporation's records.

The following is a list of the items included in purchases:

Medical Gas and Equipment	$153.00	Paramedic Supplies (Oxygen)
Deaconess Hospital	343.64	Paramedic Drugs and Supplies
St. Mary's Hospital	26.01	Paramedic Charges
Welborn Hospital	636.13	Paramedic Drugs and Supplies
Alan Trapp	48.04	Tool Box for Ambulance
	$1,206.82	

Salaries include the salaries paid to two paramedics and two EMT's who staffed the vehicles for the month of January totaling $4,928. We also included the administrative salaries of Tom Alexander and the dispatcher, Debbie Craig, totaling $1,435.25. The total of these salaries were then multiplied by the man hour ratio (total hours for county runs and down time over total man hours) of 93.23% to arrive at the amount charged to the county contract.

The ambulance service leases its facilities from Alexander Funeral Homes, Inc. for $800 per month.

The professional fees are paid to EMT's who are not on the payroll but who have been temporarily hired to cover on the vehicles when a regular EMT is unavailable. Professional fees also includes a monthly charge to Evanvsille Data Processing for billing and accounting services.

The items which are being depreciated include the ambulances and equipment on the ambulances. However, this figure is the amount that the corporation books monthly for statement purposes and does not reflect the actual annual depreciation because of additions and deletions during the year. We anticipate that the depreciation figure will have to be adjusted either up or down at the end of the contract year based on the actual depreciation of the units for that period of time.

The income reported as earned under the county contract is determined under the accrual method. The corporation uses the reserve method for determining bad debts to properly match income and expense during each month. At the end of the contract year the reserve is adjusted to reflect actual bad debt experience for the year. I am also enclosing a breakdown of receivables of county runs for the month of January.

I hope that this letter will answer your questions and give you a better understanding of the accounting methods and the allocation methods that are used.

I will be glad to meet with you after April 15 to discuss any other questions you may have.

Sincerely,
Richard B. Haag, CPA
GEO. S. OLIVE & CO.

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Letter received and filed.

Mr. Miller said he will inform the Commissioners of a time and date to meet concerning Alexander when such information is available.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of March 28 thru 31, 1983....received and filed.

Easements in Regards to Baseline and Petersburg Road Project: Mr. Guillaum said he has some easements in regards to the X bridge at Petersburg and Baseline that he would like to get the Commissioners approval on. If the Commissioners will recall, we needed to obtain these from Ms. Shortridge before we can continue on with the contract, that we took bids on this job last November, that Tennyson was the low bidder and we would now like to get started on the job.

Commissioner Willner moved the easements be approved. Commissioner Cox seconded the motion. So ordered.

Mr. Guillaum said their crews will be starting on the X bridge soon, that they eliminated the clearing and the ditch work from the bid, in order to get the cost down somewhat, so now that they have the easements they can proceed.

RE: BILL JEFFERS OF THE SURVEYORS OFFICE IN REGARDS TO COUNTY DRAINAGE PROBLEMS

Mr. Bill Jeffers was present from the County Surveyor's office and stated the County Commissioners referred this particular matter of drainage to the Surveyor's office and the crew went out and took a look at the site and he is going to try to report on the findings. He said Mr. Jack Tubbs and Mrs. Kenneth Kempf is present today and they are involved in the matter of the drainage problems. He submitted a drawing to each of the Commissioners and stated it shows a portion of Brookshire Estates, Mac's Sub and also Gehlhausen Sub. and right up the middle of the page (Fuquay Road) is the city/county corporate boundary. He said the drainage complaint was brought to the Commissioners by Mr. Jack Tubbs, who's property is shown on the map as lot #12 and also Mrs. Kempf, who's property is shown as lot #13. Both of these people live on Kirkwood Drive, in Brookshire Estates. There complaint is that the lot immediately north of Mrs. Kempf's lot, which is lot #14 is overflowing and throws water onto their lots and onto their houses. He said this is located in the vicinity of Plaza Park School, in Brookshire Estates, which is a sub-division developed by Mr. Roy Foster and is located in Knight Township, outside the corporate boundaries of Evansville. The ditch assessment statis is that all the people in this sub-division are on the Nurrenbern water shed and pay a ditch assessment to the county. The ditch that runs behind their houses is the southern most part of the Nurrenbern Ditch, but we do not maintain this particular portion of the ditch, that the portion the county maintains starts at Lincoln Avenue, one-half mile north and runs north to Boonville Highway, however, they are in the water shed and they do pay a ditch assessment. The sub-division is platted and recorded but the streets and other drainage improvements are not county accepted and the Area Plan Commission has stamped the plat with the following statement. "Street, road and other minimum improvements have not been made and the public is notified that Vanderburgh County, Indiana will not accept the same for maintenance until the owners of the various lots herein improve the same up to said minimum standards".
Mt. Jeffers said he included that statement because the question arises when you look at the 20' right-of-way on the one side of Fuquay Road that was reserved in the plat and the ditch in question lies totally within that 20' immediately behind Tubbs' and Kempf's lot.

The sub-division was platted reserving that 20' strip and he doubts that Fuquay Road will ever be built, however, the 20' strip remains dedicated to the county, and it would be a legal matter on whether the county should maintain that 20' strip at this time. The specific nature of the problem is that all the water from the west side of the corporate boundries, that is from the city side, enters the ditch and flows due north through the ditch, to and under Lincoln Avenue, and it does flow. There are some minor restrictions in the first three hundred (300) feet of this ditch, that the bank on the city side is about four (4) or five (5) foot higher than the bank on the county side and it has washed down and caved in and also someone has driven motorcycles or bicycles on it and made little paths and built a little ramp to go across the ditch which holds at least two (2) feet of water back, below lot #15.
Mr. Jeffers instructed the Commissioners to look at the second drawing he submitted to them and it shows where he drew in the two (2) little low spots, that he has them circled and shows how the water goes over the low spot at the back fence and goes up against the Kempf's home and up against the Tubbs' garage. After examining the site it looks to him like the water could possibly get into the sliding glass door at the Kempf's home and into the family room. At this time he submitted two (2) photographs of the Kempf's home showing how the water is standing in her yard, nearly up to her patio.
He said the solution to the problem would be to manually or with a machine grade the ditch to remove all restrictions and insure that the ditch flows until it is totally emptied north. Deposit all the silt and soil removed from the ditch onto the east bank to form a levee and also remove any silt that remains in the pipe that runs under Washington Avenue. He is not saying who is responsible for doing this work, he is only saying what needs to be done to correct the problem and the decision of who is to be responsible will have to come from the Board of Commissioners. They also suggest a legal statis be made of the 20' right-of-way and examine the possibility of abandonment of it back to the developer, who in his subsequent developments of Brookshire II and III has not dedicated 20', but has retained it as a drainage easement, which means the property owners lines extend another 20' back to the corporate boundary, as is shown on lots #1 and #2 on the first drawing.

County Attorney David Miller asked if this drainage problem has been discussed with Mr. Foster and Mr. Tubbs said no he has not and Mrs. Kempf said she has tried but Mr. Foster will not talk to her.

Mr. Miller asked if this problem has existed essentially since the time that these homes were built on these lots and Mr. Tubbs said yes, that he had his home built there and he has had this problem ever since he moved in out there.

Mr. Miller asked if eithor one had hired anyone to do any work along the drainage area in the back of their houses and they both replied no, they had not, that they are waiting for an answer as to who will be responsible for correcting the problem.

Mr. Miller said when the original plat was approved there was a requirement that a tract of land be set aside to the north of this subdivision to be used as a water detention area for the purpose of detaining the water run-off from the subdivision. Do you know if that requirement was met?

Mr. Tubbs said he understands it was determined the lake has nothing to do with the drainage of this particular ditch.

Mr. Jeffers said since Mr. Biggerstaff is present today, perhaps he could enlighten the Board on this matter, but he believes that ditch was supposed to have been structured so that it caught all water coming from the city side of the boundary. The city side is essentially around 402' above sea level and the Kempf's and Tubbs' side is aroung 394', so actually the flow line of the ditch is at a higher elevation then the floor of their houses and the ditch is suppose to catch any water coming from the city side before it gets into the subdivision property and flow due north and has nothing to do with the retention basin.

Mr. Miller said he really needs to look at the plat of Brookshire to make a correct determination on the problem.

Ms. Beverly Behme was present, from the Area Plan Commission and volunteered to go to her office and obtain that particular plat for Mr. Miller's viewing.

President Borries said we will continue to work on the matter and get a legal opinion from our counsel as soon as he can see the plat and make a determination for us.

RE: REPORT OF EROSION ALONG OLD HENDERSON ROAD

President Borries said the Commissioners' office learned this past week that there will be a speed up of the Army Corps of Engineer's contract for maintenance or riprap along Old Henderson Road, where there have been some serious erosion problems and the project has been speeded up as a result of Federal Funding that has come forth in the past few weeks. We are hopeful this will begin in September and end in November of 1983. This could involve eight (8) jobs, depending upon what contractor receives the contract through the Corps of Engineer's.

RE: SAM BIGGERSTAFF....EASTLAND ESTATES, SECTION B

Mr. Biggerstaff said he and David South met together last Wednesday, at which time Mr. South presented to him several written questions and he believes the Commissioners each have a copy of those notes, that there are some twenty three (23) questions and answers on it and at this time he will go over them with brief explanations of some of them.

1) All Roads to be paved to Subdivision lines. This was agreed to but not changed on plans.

Answer: Roads will be constructed as close as construction will allow to property lines.

Mr. Biggerstaff said if someone owns the property next to you and does not want you on it then of course, you cannot set up any forms on their land.

2) Storm sewers outside County Road Right-of-way are private sewers.
   (a) Bonnie View Drive. If County is to take over this storm sewer move right-of-way to include storm sewer.

Answer: Legal problem.....no action taken

   (b) East and West Sides of Subdivision. According to the subdivision ordinance the drainage swales should be piped. Offsite drainage must be shown and used in pipe sizing calculations.

Answer: Still says it can't be done....will ask for variance from Board of Zoning Appeals.

Mr. Biggerstaff said they propose to leave an easement adjoining the public street right-of-way for this storm sewer, because we don't want the sewers under the streets and on one side we have the water lines and on the other side we have the sanitary sewer, so we don't have any place to put it. Mr. South has said something about making the right-of-way ten (10) foot larger, but if we do that then it will move our building line back and we'll have to re-subdivide it. We could however, put on the easement document that it is ten (10) foot easement for the construction and maintenance of the storm sewers. We have done this in the past for water lines and sanitary sewers. Mr. Biggerstaff pointed out on the plat map exactly where the storm sewers will run.

Mr. South said past policy is that once it gets out of the county right-of-way, it is then private sewers, however, it is true there is not room in the right-of-way for the storm sewers.

Commissioner Willner said he sees nothing wrong with giving them the easement.

Commissioner Cox said she doesn't either, because if there were room, it would go in there anyway, however, we do have to have permission from those property owners, because if we should get in there we would be liable for trees, shrubbery, etc.

Mr. Biggerstaff said we will have it a matter of written record that they cannot plant shrubbery in the easement and also the owner will have to keep it free and clear in the future, that it can be on their deeds.

Mr. South said there will not be any open drains, that they will all be closed manholes and Mr. Biggerstaff said this is correct, that of thirteen (13) lots there will be four (4) manholes.

Mr. Biggerstaff said he realizes the Ordinance stated the swales must be piped, however those will be the responsibility of the property owner and he pointed out on the plat plan how this will all drain and we can put it on their deed they will keep it free and clear of rubbish.

Commissioner Willner said he will agree with that if it is written on the deed.

Mr. South said we are talking about a deed, well the final plat has not been recorded yet and that would be the place to catch it all and then it would not have to be on each separate deed.

3) Intersection at Greenfield Drive and proposed Covert.
   (a) Right-of-way along Pollack should be purchased before the plat for lots 1 thru 6 are recorded.
   (b) Turn lane details and cost should be agreed to in writting before road plans are approved.

Answer: This is not an engineering problem. Let the Attorney's handle it.

Mr. Biggerstaff said it is shown on the drawing how Covert Avenue is proposed. He has discussed this matter with David Gerard and we feel that these plans should be given to the State Highway Commission and let them determine how they want this done. You will notice on our plans that we have stopped the construction at the end of the 20' radius, which is the end of a turn lane (he pointed this out on the plan).

President Borries said in interest of time instead of taking all twenty three (23) of these one at a time, is there anything pertinent that we need to discuss

Mr. Biggerstaff said he believes there are no problems with #4 and #5.

6) If the velocity in the storm sewers is not self cleaning the Catch Basins (CB) should be installed before connecting to mainline sewers. (Plans that were resubmitted did not indicate the location of all the needed Catch Basins).

Answer: Sam says the velocities are self cleaning. This office will check further.

Mr. Biggerstaff said he informed Mr. South that when the east side sewer was built, catch basins were installed. He said an inlet is where you have a pipe with the inlet on top and a sewer going out the bottom into the main sewer. A catch basin you can drop down several more feet and you have a spot there that collects dirt and debris. The city of Evansville has never cleaned one out yet, that over a matter of years your catch basin fills up and you don't have it to start with, you have a regular inlet.

Mr. South said it is like he stated last week that you can clean out a catch basin on a regular maintenance schedule or you can wait ten (10) years or so and go in and clean a pipe out...it's your decision because its really not if you do it but rather when you do it.

Commissioner Cox asked Mr. Biggerstaff if she understood him to say the velocities of the water running through there should take care of the cleaning of it and he replied that is how they figure it. These are installed even before the pavement is put in so they will have to be cleaned out after all the construction is completed, that they will be fire hosed out at the beginning, that is, after all construction is completed.

Mr. South said that is where we don't see eye to eye and he explained his reasoning on why.

7) Drop inlet on the pipe between lots 19 & 20 should be changed to pipe end section. Other comments included herein indicates this should be part of a much longer structure.

Answer: This area may become part of a storm sewer. If not, this comment still applies.

8) Swails should not drain onto roads.

   Corrected to "Swails draining more than one lot should not drain onto road."

9) Downspouts should not be piped into County right-of-way. (This restriction should be on final plat.)

Answer: Sam doesn't believe we have the right to ask this. Legal question.

Mr. Biggerstaff said after you sell a house a lot of people take a pipe and run their downspouts where they want to and he really does not know what can be done about it. You will have a difficult time policing it and a difficult time enforcing it.

Commissioner Cox said she believes there is an Ordinance on the books regarding the running of downspouts onto the street.

The Commissioner all agreed that this restriction should be written on the final plat, that they be open to the elements and allowed to absorb before hitting the streets. Numbers 10, 11 12 and 13, there were no questions on.

14) All road elevations should be at least 6 inches above the top of pipe in Kolbs ditch. In general the whole subdivision needs to be raised 2 feet. Having street flood is not good for the streets and does not make for a good transportation aystem.

Answer: The streets whose elevation go below the top of the proposed 47" pipe are being regrade. In general this will be Bonnie View Drive from 9 + 03 to 12 + 00 and other streets intersecting in this area.

Mr. Biggerstaff said the 100 year flood is 382 on Kolb Ditch and he told Mr. South the pipe will never fill up. Water may be there an hour or so but it will go out.

Mr. South said the pipe we are placing in Kolb Ditch, the top of the pipe is above the top of our street. He has operated under the assumption that the pipe was designed and approved through drainage procedures and was properly sized, however there seems to be some challenge on the up-stream water to this. Using that assumption we would be in excess of a foot of water when that pipe is flowing full. If the pipe is truly over-sized then maybe this condition won't happen. On the same token 382.6 is the low elevation of the street on the other side which is already built, which is also below the top of the pipe, or the proposed top, because it isn't in yet either.

Mr. Biggerstaff said one of the main reasons for this pipe being enlarged is to keep it from clogging up, that the ditch doesn't get cleaned that much, so this will let the debris go on through it.

President Borries said we will accept Mr. Biggerstaff's recommendation on this question.

No questions on #15, 16, 17 and 18.

19) Ditch along Lot 20. This ditch will not fit development plan. It should be piped.

Answer: This will be checked out.

Mr. Biggerstaff said they moved the elevation back and they can have a 2½ to 1 slope on there. The house grade is up and he sees no problem.

No questions on #21, 21 and 22.

23) Subdivision Ordinance should be reviewed for compliance. Variances to be requested from Zoning Appeals Board, if needed. This office has not made this check at this time. Please note pavement details in subdivision ordinance. Please note 11.04 construction plans in subdivision ordinance. Paragraph 7.06(b)11(d), Auditor Certification. In general a complete review of the current ordinance would be in order at this time.

Mr. South said the subdivision should be approved with a certification from the Auditor and also there needs to be an agreement on who is going to do the inspection and if the county is going to do it there should be an agreement with the owner to reimburse the county, according to Ordinance. According to our standard sheets the developer can use his own engineer if he will certifiy to us when the job is over and certify it has been done with inspections in the county.

Commissioner Willner moved the problems #1 thru #23 be approved, as outlined and amended here today. Commissioner Cox seconded the motion. So ordered.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of March 28 thru 31, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of March 28 thru 31, 1983....report received and filed.

Mr. Bethel reported he had the gradall out on Lower Mt. Vernon and Boonville/New Harmony Road. They had graders on Old Henderson Road, Cypress Dale Road, Green River Road, south of the levee and Old River Road. They graded the shoulders and rock them on Old Petersburg Road and Old State Road. They patched Lexington Avenue, St. Joe, St. Wendel Road, Cypress Dale Road and Seminary Road. Trash crews were on Bayou Creek Road, Schaffer Road, Lynn Road, Broadway and River Road. Tree crews were on Short Mill Road, Boonville/New Harmony, Baseline and Hepler Road.

President Borries said he knows that Mr. Bethel is concerned about purchasing a new gradall, however, our county attorney has advised us we must seek bids for it, therefore we will need a set of specifications prepared to bring before this board for approval for advertisement.

Mrs. McBride said she was asked to check with the state man to see if this can be purchased from the Local Roads and Streets Fund and after doing so, she was told no, this cannot be done. She said there are certain things you ordinarily take out of the Highway budget that you can take from R&S funds, but you cannot buy the gradall from R&S.

Mr. Bethel said the specifications are already completed and he will contact the purchasing department and work with them on it and report back to the Commissioners as soon as possible.

Problem on Pruitt and Nesbit Station Road: Commissioner Willner said he received a complaint concerning a bank removal, for safety purposes, at Pruitt and Nesbit Station Road intersection, on the northeast corner. He asked Mr. Bethel to please contact the onwer and see if we can get his permission to cut the bank down and he replied that he would try to reach him.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Recommendation on Installation of 12" Culvert at 2045 Koring Road: Last week Mrs. Sandra Esche was present and asked for approval to install a 12" culvert, instead of an 18" culvert at their home at 2045 Koring Road and Mr. South was to go out and view the site and come back this week with a recommendation.

Mr. South said he did go out last week and look the situation over and their house and garage is built even lower than the road and they are going to dip the drive-way, so that it will have a low point lower than the house and they are assuring us the dip in the drive-way, and their front yard actually will become a ditch or a swale that will handle the water from the highway, so in essence, when we get through, the county will be provided an easement across their yard to allow our water to go on across. The protection for the county is that we must have permission from them for their front yard to become our overflow for that smaller pipe, and with these conditions, he verbally approved the 12" pipe. He sees no problems with this and they are presently preparing the information we will need and then an easement will have to be prepared and approved by the County Attorney and County Commissioners.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for U.S. Sheet Metal and Roofing Company, Inc. for roofing, heating, ventilating, air conditioning, building and general construction, from Greene and Greene Agency, Inc.

A certificate of insurance was submitted for IFELS c/o Ms. Carolyn McGuire for a social gathering and meeting to be held at the Gold Room on April 2, 1983.

Certificates received and filed.

RE: PROCLAMATION ON SOIL STEWARDSHIP WEEK

The following proclamation was submitted to the Commissioners for adoption.

PROCLAMATION

WHEREAS, the well-being of our people depends upon the protection of ample supplies of food, fiber and other products of the soil; and

WHEREAS, the quality and quantity of these products depend upon the conservation, wise and proper management of the soil and water resources; and

WHEREAS, our people have a mutual interest in the land and share the responsibility of preserving its productivity; and

WHEREAS, conservation districts provide a practical and democratic organization through which landowners are taking the initiative to conserve and make proper use of these resources; and

WHEREAS, the conservation districts are carrying forward a program of soil and water conservation in cooperation with numerous agencies and countless individuals;

NOW, THEREFORE, I, in full appreciation of the value of the soil to the public welfare and desiring to honor those who protect it, do hereby proclaim Many 8-15, 1983

SOIL STEWARDSHIP WEEK

In the County of Vanderburgh

****

Commissioner Willner moved the proclamation be approved. Commissioner Cox seconded the motion. So ordered.

RE: APPOINTMENT TO AREA PLAN COMMISSION

President Borries said the Commissioners need to make an appointment to the Area Plan Commission, that we received a letter from Mr. James Schields informing us of his resignation from APC, effective immediately. The person to be appointed to fill this position must live outside the corporate city limits of Evansville, in the first Commission district and that is really not a very large area. He will continue to look for someone to fill this vacancy and he would appreciate any input from either of the other Commissioners.

RE: APPOINTMENT TO THE ALCOHOLIC BEVERAGE BOARD COMMISSION

President Borries said we have a re-appointment to the Alcoholic Beverage Board, that the term of Bert Reed expires April 30, 1983. Mr. Reed has indicated he will be happy to serve another year on this board.

Commissioner Willner moved Mr. Bert Reed be reappointed to the ABC Board for a one (1) year term. Commissioner Cox seconded the motion. So ordered.

RE: VOTING PLACES FOR THE 1983 CITY PRIMARY ELECTION

President Borries said we have before us today a completed list of the places of voting for the 1983 primary election that must be approved by the Board of Commissioners and properly advertised in the Evansville Courier and Press.

Commissioner Willner moved the notice be approved as submitted and properly advertised. Commissioner Cox seconded the motion. So ordered.

RE: CONTRACT FOR RENTING TABLES AND CHAIRS FROM ROBERTS STADIUM

President Borries said we have before us a contract of bailment for the rental of chairs and tables from Roberts Stadium for the primary election. The service charges are as follows:

50 or fewer tables, 112 or fewer chairs.....$25.00
51 or more tables, 113 or more chairs.....$50.00

Commissioner Willner moved the contract be approved. Commissioner Cox seconded the motion. So ordered.

RE: REPORT ON LOCAL OPTION CONFERENCE COMMITTEE

President Borries said Mr. Rob Matthews was present earlier but due to another commitment has had to leave and he left a bit of information for us, that being, the Local Option Conference Committee, at the state legislature has held hearings today regarding local option legislation and they will be holding another hearing at 2:00 p.m. tomorrow.

RE: REGISTRATION OF VOTERS...MR. JAMES McINTYRE

Mr. Jim McIntyre, of Voters Registration was present and stated his office will be open until 12:00 midnight tonight for anyone not yet registered to vote.

RE: MEETING WITH COUNTY COUNCIL ON FINANCES OF THE COUNTY

President Borries said the Commissioners are to meet with the Council tomorrow and he asked if there is any suggestions from the other Commissioners in regards to their budget that he welcomes any input.

Commissioner Willner said we have discussed doing some fee raising at both Burdette Park and the Auditorium and he did ask Mr. Cooper to come up with a new fee schedule and he informed us that he thought the Gold Room is about where it should be but that the auditorium needs to be reviewed and that report will be forthcoming. We just increased some fees at Burdette Park the first of this year and perhaps we need to look at them again and especially if there is no gate fee put on out there. He agrees with Mr. Elliott that the county employees are going to have to pick up a larger portion of the insurance. He also believes we are on the right track in regards to the phone system.

Commissioner Cox said she would support increased fees for swimming and also increased fees on cottage rentals. She would also support increased participation by employees in regards to their insurance and perhaps it should be on a percentage basis rather then on a flat fee. She does not know if we can cut anymore phones out than what has already been cut. She knows also that Judge Lensing is trying to find other means to handle juvenile offenders here, instead of sending them away to boys school or girls school, and this is a really big expense to the county. Perhaps it would also help to send a letter to the School Corporation concerning their review of who is eligible for transfer tuition.

President Borries said within the Commissioners budget he knows of no room to operate, short of the Burdette Park budget, that we will have to look at the fees and perhaps a temporary closing in the fall. It is very unfortunate we have to consider these things but we are extremely limited to what we can do.

RE: DSICUSSION OF SIDEWALKS NEAR PLAZA PARK SCHOOL

President Borries said some weeks ago we had a discussion of installing sidewalks near Plaza Park School and we asked Attorney David Miller to search the statutes concerning the Barrett Law. Mr. Miller has told us during an earlier meeting that whenever an improvement is constructed within a platted subdivision the board may assess all or parts of the lots in that subdivision or any platted subdivision connected to it by the improvements. He would like to know if it is the feelings of the other Commissioners that we notify all the various platted parts or just the persons along Outer Lincoln Avenue.

Commissioner Willner said under the Barrett Law you may ask the effected property owner to install the sidewalks at his own expense and let him do the work or hire a contractor to do the work for him or we may do the work and bill him through taxation.

Mr. Miller said if you do it by Barrett Law assessment there is a procedure you must follow in determining waht benefits are to be gained by the improvements as opposed to the cost of the improvements and it must be justified. The board has the option of assessing the adjacent property owners only, those property owners who's land touches the improvements, or, in the case of a platted subdivision such as this is, and this is true only in the county, that you have the right to assess that portion of the adjacent subdivision that you believe benefit from the improvements.

Commissioner Willner said can the property owner install his own sidewalks and Mr. Miller said yes he can. Mr.Willner said then we need to do the leg work first before we can ascertain the rest of it.

Commissioner Cox asked if we need to have a hearing and Mr. Miller replied you need to pass a preliminary resolution that you have determined that it is necessary and then publish notice of a public hearing and at that hearing you make the final determination as to benefits vs costs. The comments from Mr. Willner about the property owners being able to construct the sidewalks themselves depends upon whether or not you choose to assess a number of lot owners as apposed to the three (3) or four (4) lot owners who's land will touch the sidewalks, because if you conclude that it is more fair to assess a number of lots then it becomes more or less impractical to allow each abutting land owner to hire his own contractor because the abutting land owner would then have the obligation to collect from all these other folks because he doesn't have the assessing power that you have.

Mr. Miller said he will prepare two (2) preliminary resolutions, one (1) that will have all the lots in the subdivision in it and one (1) that will have just the abutting lots and the Commissioners can take them undervisement until such time you want to approve one or the other of them.

The Commissioner directed Mr. David South to find out how much it would cost, per square foot, for the construction of the sidewalks and to report his findings next week.

RE: DISCUSSION OF A BURDETTE PARK ADVISORY BOARD

President Borries said with the park season coming upon us we need to make the decision on whether or not we want to continue a park board and how many would be on such a board.

Commissioner Willner said he would like to have an advisory board with the least number of members possible, therefore he would suggest one (1) from each Commissioner's district for a total number of three (3).

Commissioner Cox said she will go along with that.

President Borries said then perhaps next week each Commissioner could submit their appointment choice and then if we wanted to enlarge the number of members we could always do that in the future.

RE: CLAIMS

A claim was submitted by Municipal Engineering and Construction Corp for the boiler replacement at the Vanderburgh Auditorium in the amount of $1,422.00.
This claim was held over from last week to make sure the boiler arrived not damaged and it has been delivered without any damages.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by the City of Evansville for the Joint City/County Departments, for the month of February, 1983.

50% of Purchasing Department.....$2,729.49
50% of Economic Development.....$ 286.65
42% of Weights and Measures.....$ 856.62
14% of Traffic Engineer.....$8,881.04
40% of Building Inspector.....$5,976.93
17.8% of the Health Department.....$8,502.37

Commissioner Willner moved the above joint department claims be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES

Commissioner Cox said we need to know how to handle the pink slips getting ready to go through this meeting.

President Borries said perhaps we should read them into our minutes and then forward them on to the council at this point.

Commissioner Cox said but in doing that, do we approve them and Mrs. McBride said you can read them into the minutes and refer them to the Council, but if you sign them then you approve them.

President Borries said then we will read them into the record and take them to the Council meeting on Wednesday.

Commissioner Willner said he does not think we ought to do that because he doesn't think it's the Council's decision, that it is the Commissioner's decision. He does not mind reviewing but he does not want the hassle of another seven (7) member board and some will want it and some won't want it. Also, take for instance, the Sheriff's Department who's budget has already been approved and when you tell him that he can't replace a person....is that legal? He personally is sure it is not.

President Borries said then should we sign these today and ask for a clarification in the future.

Mr. Elliott said that was just one of the many suggestions to try to help the financial situation.

Commissioner Cox asked if Ms. Mann has communicated with the Commissioners in regards to this and Mr. Borries said not in writing.She said during the meeting with the Council Ms. Mann did make the statement she was going to ask the Commissioners to cooperate.

Commissioner Willner said we are going to run into more problems here because if you will look at some of these pink slips and the dates effective you are going to find most of them are already working.

The Commissioner decided to go ahead and approve the ones going through today and then request a written clarification from the Council at their April meeting.

APPOINTMENTS:

PIGEON TOWNSHIP TRUSTEE

Odie F. Harlan	1611 Florence St.	Clerk	$11,000.00 Yr.	Eff: 3-26-83
Billie Watson	1716 S. Bosse	Clerk	$11,000.00 Yr.	Eff: 3-21-83

VANDERBURGH COUNTY ELECTION OFFICE

Casey Randolph	R.R.5 Box 136	Bal. Assemb.	$3.75 Hour	Eff: 3-21-83
Carol J. Primm	805 S. Villa Dr.	Dep. Clerk	$3.75 Hour	Eff: 3-28-83
Clara L. Berry	1308 Bellemeade Ave.	Dep. Clerk	$3.75 Hour	Eff: 3-28-83

CIRCUIT COURT

Karen J. Destache	3109 E. Blackford	Special Intern	$3.35 Hour	Eff: 3-14-83
James Dischinger	207 Chestnut St.	Special Intern	$3.35 Hour	Eff: 3-14-83
Tamara Jones	2210 Sunburst Blvd.	Special Intern	$3.35 Hour	Eff: 3-14-83

TREASURER

John O. Dixon	5815 Ashbrooke	Chief Deputy	$18,893.00	Eff: 4-6-83

RELEASES:

PIGEON TOWNSHIP TRUSTEE

Janice Jackson	1219 S. Bedford	Investigator	$12,040.00 Yr.	Eff: 3-26-83

CIRCUIT COURT

Scott A. Danks	310 Washington Ave.	P/T Bailiff	$180.00 Week	Eff: 4-8-83

TREASURER

Gilbert Schiff	6401 Jefferson	Chief Deputy	$18,893.00 Yr.	Eff: 4-1-83

There being no further business President Borries declared the meeting recessed at 5:35 p.m.

214.

(17) 4-4-83

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick " Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS
VANDERBURGH COUNTY, INDIANA

COUNTY COMMISSIONERS MEETING
APRIL 11, 1983

The meeting of the County Commissioners was held on Monday, April 11, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading of them dispensed with, with a correction to be made on page four (4) which states that Mr. Elliott does not agree with the entry fee to Burdette Park and it should read that Mr. Elliott does agree with an entry fee to the park.

RE: SHERIFF CLARENCE SHEPARD...ORDINANCE CREATING JAIL IMPROVEMENTS ADVISORY COMMITTEE

Sheriff Shepard submitted the following Ordinance for adoption by the County Commissioners and stated as the Commissioners are aware there is a strong possibility of monies becoming available in our county for a jail expansion plan and this is due to the recent passage of the Federal Jobs Bill. There was a jail expansion committee formed in 1980 and authorized and recognized by the County Commissioners to study and propose ways and means to expand the Vanderburgh County jail facilities. This committee has been defunct since that time and now he respectively requests the Commissioners recognize and authorize him to reinstitute this committee to study and update cost figures to have ready for presentation to the Federal Agency administering the funding of jail improvement monies when they become available. He contacted the following persons and they have consented to serve on this committee:

Judge Miller....Chief Judge of Circuit Court
Judge Brune.....Chief Judge of Superior Court
Bart O'Connor...Juvenile Court Representative
David Jones.....County Attorney
Alan Henson.....Work Release Director
John Harl.....Chief Probation Officer of Circuit Court
Robert Pigman...Vanderburgh County Prosecutor
Walter Smith....State Jail Inspector
Captain Moers...Vanderburgh County Jail Commander
Mark Owen.....County Council Liaison to the Sheriff

He said the committee will use all previous drawings, reports and cost estimates to update new proposals and he would greatly appreciate the Commissioners consideration in this matter. He said they have had one breakfast meeting and all the persons named have agreed to serve on this committee at no cost to the county.

At this time the following Ordinance was submitted to the Commissioners, by County Attorney David Jones.

ORDINANCE CREATING JAIL IMPROVEMENTS ADVISORY COMMITTEE

WHEREAS the Board of County Commissioners is charged by the Acts of the General Assembly of Indiana with the establishment and maintenance of a county jail (I.C. 36-2-2-23); and

WHEREAS, Vanderburgh County has a requirements contract for detention services for Federal prisoners in accordance with provisions contained in Basic Ordering Agreement #J-C28-M064 dated February 1, 1982; and

WHEREAS, the aforesaid Agreement with the United States Marshal's Service expires on September 30, 1983; and

WHEREAS, the parties to said Agreement are desirous of continuing and extending the term thereof subject to the County Jail's compliance with federal standards and requirements for local detention facilities; and

WHEREAS, Vanderburgh County anticipates the offer of certain federal funds from the United States Marshal's Service to be designated for certain improvements to the Vanderburgh County Jail in exchange for an extension of the aforesaid Agreement for detention services for Federal prisoners; and

WHEREAS, the Board of Commissioners has determined it to be in the best interests of Vanderburgh County to continue said Agreement and to receive federal assistance for improvements to the Vanderburgh County Jail;

NOW, THEREFORE, BE IT ORDAINED that there is hereby created a Jail Improvements Advisory Committee (the "Committee") consisting of the following persons:

Sheriff, Clarence Shepard; Judge of the Circuit Court, William H. Miller; Chief Judge of the Superior Court; William Brune; and Jail Commander, James Moers; Director of the Work Release Program, Alan Henson; Chief Probation Officer, John Harl; State Jail Inspector, Walter Smith; Bart O'Connor as representative of the Juvenile Court; a representative from the Evansville-Vanderburgh Building Authority and County Attorney, David Jones.

Ordinance...Continued:

The Committee shall meet as often as necessary to consider, review and advise the Board of Commissioners of the need for improvements in the County Jail, consider applicable standards and requirements for conditions of confinement, consider specifications for any proposed improvements and to work with any architect or consultants retained by the County for jail improvements and to advise the Board of Commissioners as to the most effective utilization of any improvement monies to be received by Vanderburgh County.

The Committee shall serve in their official capacities without further compensation. They shall meet in such places as may be provided by the Board of Commissioners. The Committee shall meet at such time as Sheriff Shepard may designate upon passage of this ordinance and select one of their members as chairman of the Committee. The chairman shall thereafter call such meetings of the meeting as necessary and render appropriate report to the Board of Commissioners. The Committee members shall serve until replaced at the pleasure of the Board of Commissioners or until such time as the committee may be terminated.

Passed by the Board of Commissioners of Vanderburgh County on the ___day of ____ 1983, and upon said day signed and executed by the members of the Board as appears by their respective signatures hereto and all as attested to by the Auditor of Vanderburgh County.

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County Attorney David Jones said we anticipate the offer of some federal monies from the United States Marshal Service, that is part of what has been dubbed "the jobs bill of 1983", that part of jobs bill contains an appropriation of 20 million dollars to United States Marshal Service for upgrading of local jails throughout the country, with which the Marshal's Service has contracts for detention services for federal prisoners. Of the seven hundred (700) jails they do business with, two hundred (200) are considered primary use facilities and Vanderburgh County is one of of the two hundred (200) primary use facilities and while we don't know how much, nor do we know what will be required, there is a very strong likelihood that within the next week or so we will receive some type of notification of the award of monies. This will not be an outright grant and the monies will be conditioned upon probably a longer term commitment from the county, that the county's basic agreement with the Marshal's Service expires in Septmeber of this year and you will recall we served notice on the Service that in the event that we lose one or more areas of the jail suit that we would probably have to terminate that agreement and he understands the offer of monies is directly in response to that notification we gave them of possible termination. The monies would be there so long as we made certain improvements to the jail and that is exactly what the money is for. It is his understanding there wouldn't be any discretion, that if they say the money is for a,b,& c, then that is what we have to use the monies for. Part two of this thing is if the improvements are made then it would be their belief that we would be at least in federal compliance so that they would want a longer term commitment on the jail. Again, as far as federal prisoners are concerned, we are paid a good rate for housing them, in other words, they pay for themselves. He has also been advised by Washington that we would have to act very quickly and he has been asking for everything possible for several weeks now so that we would be ready when this money is available, because this is not like applying for other federal grants that we are accustomed to doing, that there are not any forms to fill out on our part and we really won't know any more until the offer is made to us and at that point we will have to come up with some architectual plans and specifications and to that extent we would ask for at least $5,000.00 out of the Cumulative Capital Improvement Fund to be set aside for the retention of necessary data. He has no idea how much money we will receive, that they have made some kind of a determination, based upon an inspection which is not public record, that it is an internal document and he was not even able to subpeona it in the jail suit. The trial date of the jail suit has been changed from May 23 until July 25th. and he has notified everyone, in writing, of this trial date change. He said there is a special stutate recently enacted that allows the hiring, eventhough there is not an appropriation for it, of an architect or consultant for public improvement project, even before the appropriation is made, that this is a brand new statute and is an exception, so that we could proceed to do just that. He also would note for the record that Mr. Jack Kinkel had served the old ad-hoc advisory committee free of charge for about two (2) years and had prepared a complete set of plans and so it would be his personal recommendation that the Commissioners consider asking Mr. Kinkel if he would provide those services, for this reason, he does not believe you could get anyone else for any less than that without having to educate them from scratch. Mr. Kinkel has already spent a great deal of time that was not charged or billed and there was no obligation to the county and he is very familiar with the jail and what would be needed at this point. The Commissioners may choose anyone, but it will take an architect with some drawings and those drawings will have to be submitted

to the Building Authority, because they own this building and the county simply rents a portion of it and in order to make any changes to that jail it will require the approval of the Building Authority. He would also point out that the Ordinance creating the committee anticipates a member from the Building Authority to serve on the committee.

Commissioner Willner moved the Ordinance be approved, as submitted. Commissioner Cox seconded the motion. So ordered.

President Borries said we must then draft a letter to the Building Authority, informing Mr. Ruston of the passage of this Ordinance today and request they choose someone from the Authority to participate on this committee.

Commissioner Cox moved the letter be drafted and sent to Mr. Ruston. Commissioner Willner seconded the motion. So ordered.

President Borries said we next need to decide how to go about getting the $5,000.00 from the CCI fund to take care of plans, drawings, etc.

County Auditor Alice McBride said a Resolution must be approved between the Commissioners and the County Council, putting all the money in the CCI fund into the County General Fund and then a letter of request to the Council from the Commissioners asking that $112,000.00 be put into a certain numbered account for the telephone system and the $5,000.00 into another separate account for the jail data.

President Borries asked Mr. Jones if such a Resolution could be drafted and ready for approval next week and he replied yes.

Commissioner Willner said he agrees, however, we might put something in the Resolution stating that if the phones do not cost the full $112,000.00, that the remainder of the money would automatically go back into the County General Fund, that he understands there is some new developments on the phone system and that the centrex cost might go down, since Indiana Bell is going to be separated from American Bell and if the cost is lowered enough we might stay with the present system.

Mr. Jones said the Resolution would simply abolish the CCI fund and then appropriations and repeals would be handled through the County Council in the general fund.

RE: WILLIAM DAY CONCERNING ABANDONMENT OF DOGWOOD LANE

Mr. William Day, of 12,200 Dogwood Lane was present and stated that Dogwood Lane is a gravel road approximately 600' long, that it runs off of Briar Ridge, which is off of Browning Road. Briar Ridge Subdivision was originally platted in about 1946 and the road right-of-ways were dedicated at that time but there were no roads back there and the first house was built in the mid 50's and the balance of the subdivision has been built in the past fifteen (15) years, with the last house being built about two (2) years ago and there are still two (2) or three (3) vacant lots out there, however, none are on Dogwood Lane. The original subdivision went further south then it does at the present time, that they sold off about 800' X 2,000' to the Oak Meadow Country Club for a golf course. Dogwood Lane originally went down to that property and the right-of-way extends that far but there has never been any develpment or roadway put in, that the roadway stops about 400' from the Oak Meadow property line. Since this has never been developed he would like to get the road abandoned, as would his neighbor who has a fence setting in the middle of the road at this time. He would inform the Commissioners that in this subdivision there are fourteen (14) property owners and they jointly own a lake and a dam, which is accessible either from his property, through the right-of-way at Briar Ridge or at Dogwood Lane or through the other end. The lake is about 250' from the Dogwood Lane end. He realizes he would have to get the approval of the other property owners for this abandonment because of their access to the lake, but he is interested in what procedures he should follow for it to be legal. There is no county road giving access to the Briar Ridge Subdivision, that it is a private road getting into the subdivision and the right-of-ways were dedicated to the county, but we maintain them, like putting gravel on them and having them graded, that the county has never done any maintenance on them whatsoever, however, he understands the name of Dogwood Lane is on the County Roads list.

Commissioner Cox said she had this confused with Dogwood Drive, but it sounds like whoever developed the property probably got into some difficulty with laying the roads the way they thought they were laying them and she does not know if they amended their plat to show this, or not.

President Borries asked Mr. South if he would happen to have his copy of the county accepted roads with him and he replied he can get a copy of the current roads that are accepted into the highway system, but he believes what we are going to find in this case is this is not one of the accepted roads, but rather a dedicated right-of-way, so the fact the right-of-way is dedicated makes it county property and he understands this would have to go through the abandonment procedures.

Commissioner Willner said after Mr. Day initiates the action then we must appoint viewers, that there are certain procedures that must be followed.

Commissioner Cox said she has no objections to this going back to the property owners.

Commissioner Willner said but he must follow the legal procedures, that it must be advertised so that other people have a say so in the matter, but he also has no objections with Mr. Day proceeding.

President Borries asked Mr. South to go get his list and verify the statis of the road and report back later in this meeting. He then asked Mr. Day to please be seated until Mr. South could obtain this information.

RE: SEABOARD RAILROAD REQUEST TO CLOSE ALLENS LANE FOR ONE (1) WEEK

Mr. Richard Eiffler, City Engineer, was present and stated a representative from the Seaboard Railroad could not attend today, however Seaboard has informed us they intend to repair a couple of crossings, one being on Maryland Street, at the Pigeon Creek Bridge and the other one at Allens Lane and they asked for permission to close Allens Lane for a one (1) week period and this request will be going through the Board of Works this Wednesday and since this crossing is half city and half county and since the city is involved on Maryland Street, they would watch both city and county and take care of all notifications to the media and all permits and emergencies, that the Commissioners would not have to do anything other than give approval for the closing.

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

President Borries asked Mr. Eiffler if the Commissioner's secretary should notify the media of the closing and he replied no, the city will take care of everything in regards to the matter.

RE: COUNTY ATTORNEY....DAVID JONES

County Attorney Jones submitted the following Letter of Agreement, as prepared by David Miller, for the Commissioners signatures.

LETTER OF AGREEMENT

During the course of negotiations between Vanderburgh County and Chauffeurs, Teamsters and Helpers Local Union No. 215 changes were made regarding part-time employees. At that time there was one employee, Eric T. Evans, who was working part-time at Burdette Park. It was agreed between the County and the Union that Mr. Evans would not be affected by these changes.

As settlement of Mr. Evans' grievance, dated 12/3/82, the Union and the County agree that Mr. Evans shall receive the following fringe benefits:

FOR 1982

1. County will continue to pay the insurance premium as they do for other Union members;
2. 1-1/2 Personal Days;
3. 40 Hours Vacation;
4. 4-1/2 Sick Days;
5. 6-1/2 Holidays.

FOR 1983

1. Insurance as in 1982;
2. All holidays for the remainder of 1983;
3. 3 Personal Days
4. 80 Hours Vacation; and
5 48 Hours (6 days) sick leave.

Eric T. Evans will return to full-time employment in September of 1983.

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President Borries the agreement concerns one Eric Evans who was a full-time contractual employee at Burdette Park and he is going to return to full-time employment in September of 1983 and it is a settlement wherein he will receive a portion of his benefits by the contract according to the hours that he works.

Commissioner Cox said this is one of the things they discussed when they met with the Union, that Mr. Evans was on a part-time basis because he was going to school. Commissioner Cox moved the agreement be approved and signed. President Borries seconded the motion, which carried with the following vote.

Commissioner Cox...Yes Commissioner Willner...No President Borries...Yes

Agreement Between Vanderburgh County and Veterans' Council

Mr. Jones said he has only one (1) copy of an agreement between the Board of Commissioners and the Veterans' Council, in regards to the old Coliseum. The statute that authorized the long term lease of that building has been repealed since that lease was entered into. It is his understanding that we have been advised that we need to increase the insurance coverage on the Coliseum, under that agreement, to require that the Veterans' Council raise the level of coverage and there was also some problem about them having paid the insurance. If we were to create a new agreement then he does not believe they could get it for 99 years and $1.00, because the statute would require going through some kind of an appraisal process and throwing it out for bid, etc., so in order to increase the insurance it simply requires an amendment of the existing agreement and that is what has been prepared, and he would present that document at this time for the Commissioners approval. We are simply increasing the public liability insurance to $500,000.00 per person and $1 million dollars per incident.

Mr. Lewis said he understands the lease with the Veteran's Council is expired and has not been renewed.

Mr. Jones said he would like to retract his statement, that after looking at the old agreement between the Veterans' Council and the County, he believes it has expired, therefore we cannot approve the amendment he just submitted. He asked for additional time to study this and will come back with it at a later date.....permission granted.

RE: MARK TULEY....BURDETTE PARK

Letter to Commissioners Concerning Current Conditions at Burdette Park: Mr. Tuley presented the following letter to the Commissioners.

The data gathered for this report came from four State parks, one County park and a City park all in Indiana. First, all State parks in Indiana have an admission fee. Second, if you decide to go to an admission fee this will not have any effect on Burdette receiving Federal Grants.

Once you study the data supplied I think the question of Burdette charging an admission becomes secondary to the fact that we are overstaffed. In the last year we have started taking steps to reduce our staff. I believe we have made considerable progress, but I think we have a long way to go before you consider charging people to enter the park. Information gained from some state park managers is that our personnel budget is more than their total budget to operate their facility.

The following are the cost estimates you asked for to change over for charging admission. Please remember these are approximate figures. They breakdown as:

1. Fencing needed area $11,000.00
2. Guard Shacks $20,000.00
3. Employee Cost $ 6,400.00

   a. 2 full time cashiers at $4.00 hr. for 16 weeks=$5,120.00
   b. weekends at 10 weeks=$1,280.00
   c. 1 additional relief person should be hired.

   Approximate total cost.....$37,400.00

In these parks there is one entrance and one exit. Burdette presently has three. This gives you two options, either have two booths or redesign and pave some existing roads.

Also included in your report is an expense and rental income from October 1982 through March 3, 1983. I believe this is self explanatory. Total rental income during this period is $9,196.20. Total labor expenses of the maintenance crew is $51,275.28.

In discussing this current situation with Carol McClintock I was told the City of Evansville park maintenance has 16 employees. Burdette presently has 10.

In summary, try to remember the cost estimates on changing over to an admission system are rough estimates. I believe before we implement an admission fee to Burdette Park we need to examine the personnel structure of the state parks and re-structure our staff accordingly. I understand in these economic times it is tough to talk about layoffs and work reductions. I hope the information is beneficial to you and will help you with the tough decisions ahead.

Respectively,
Mark T. Tuley
Burdette Park Manager

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Also included in Mr. Tuley's information packet is a report from six (6) other parks, those being Brown County State Park, New Harmony State Park, Lincoln State Park, Turkey Run State Park, Prides Creek County Park and Eagle Creek City Park and information shown about them includes admission fees, season passes, cost of rental of buildings, swimming fees and swimming passes, number of employees, park acreage and the cost of operating an admission booth.

Mr. Tuley also presented the following report concerning Burdette Park.

INCOME FROM RENTALS

October 1982	$3,917.10
November 1982	884.50
December 1982	1,150.50
January 1983	1,406.00
February 1983	1,838.10
TOTAL	$9,196.20

SALARY OF UNION GROUND CREW

10-1-82 to 10-28-82	$8,943.55
10-29-82 to 11-25-82	9,230.13
11-26-82 to 12-31-82	12,021.87
1-1-83 to 2-3-83	11,129.93
2-4-83 to 3-3-83	9,949.80
TOTAL	$51,275.28

Mr. Tuley said all the information on the six (6) parks, he received by telephone, that he knows the travel account is also very small, however, after studying the reports he submitted, perhaps someone should travel to some of them, however that would be the decision of the Commissioners.

President Borries asked how many acres we have at Burdette and Mr. Tuley replied about two hundred (200).

Commissioner Cox said in looking at when the admission booths are open and it looks like they run pretty well on state standards, that they are operating from April 1 thru October 30, so does this mean those parks are closed during the other months.

Mr. Tuley said no, they are open those other months but they are not charging admission, that evidently it would not pay for itself because there aren't enough visitors coming and going during those winter months. The maintenance people and employees still stay there though, that they are full-time employees and work the year around.

President Borries said there has been discussion of immediately increasing the fee for the swimming pool, but if the other Commissioners would agree, perhaps we should take a week to study the material Mr. Tuley has submitted to us today, and perhaps we could also make a decision on the gate fee, that he indicated to the County Council that he did not think there would be Commissioners support for such an entrance fee.

At this time Mr. Tuley submitted his absentee report for February and March, 1983.

Commissioner Cox said she would like to request one other thing from Mr. Tuley and that is in regards to the utilities at the park, that she would like to know what the utility bills ran for the months of October 1982 to March 1983 and Mr. Tuley said he would be happy to do this and he will get it to the Commissioners right away.

Mr. Tuley submitted the following financial statement:

1983 Starting Budget

1983 Budgeted	$509,237.00
1982 Encumbered by P.O.	17,475.92
1982 Encumbered by Contract	67,764.92
1982 Insurance Reimbursement	6,116.44
Total 1983 Budget	$600,594.28

Expenditures and Balance 1/1/83 to 3/31/83

Total Expenditures	$152,141.62
Total Balance	448,452.66

Income 1/1/83 to 3/31/83

Pool	-0-
Rink	$ 11,444.77
Rentals	5,406.60
Miscellaneous	1,427.30
Total	$ 18,278.67

3/31/83

Total Expenditures	$152,141.62
Total Income	18,278.67
Total Deficit for 1983	$133,862.95

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President Borries said the swimming season will soon be upon us so what is the statis of the pool at this time and Mr. Tuley replied he sees no problems, that it looks very very good, and the mild winter we had really helped us.

President Borries thanked Mr. Tuley for the work done on the reports and advised him they would be taken undervisement for later decisions.

RE: REPORT BACK FROM MR. DAVID SOUTH ON DOGWOOD LANE

Mr. South said in looking at his list of county accepted roads, we have a Dogwood Drive and also a Dogwood Lane and the "Lane" is not shown as a county accepted road which means we don't acknowledge it, nor does it indicate we were ever paid mileage for it.

President Borries informed Mr. Day that since this apparently is not an accepted county road he could proceed with initiating proceeding to have that portion abandoned and then it would come back to the Commissioners for action.

RE: CONRAD COOPER.....VANDERBURGH AUDITORIUM

The following memorandum was presented to the Commissioners, dated April 11, 1983

Subject: New Boiler Installation

The installation of the new 200 horsepower boiler is approximately 85% complete, with first firing projected for this Friday, April 15, 1983. During the course of the installation, two (2) minor changes in the installation have been initiated. The first involved connecting the old existing boiler to the new automatic chemical feed system of the new boiler. This change will insure that the old boiler will receive the proper water feed treatment along with the new boiler with a minimum of man hours expended.

The second involved the addition of a gas equalizing line placed on the new high-pressure gas regulator that will feed fuel to the new boiler. This change was recommended by the regulator manufacturer and representatives of Southern Indiana Gas and Electric Company as a safety precaution and also to increase the efficiency of the regulator. The expected expense of these changes is not expected to exceed $200.00

The Commissioners are cordially invited to inspect the boiler installation and witness the first firing on Friday, April 15, at 1:00 p.m.

Respectfully,
VANDERBURGH AUDITORIUM
CONVENTION CENTER
Conrad Cooper, Manager

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Letter received and filed.

The Commissioners indicated they would try to be present for the boiler firing on April 15th.

Mr. Cooper said he would also like to clarify something he read in the news media, that it indicated he had hired an additional part-time employee and we have not. What we do have is a standing list of three (3) or four (4) people who work one (1) at a time as coat check people. They are strickly part-time people and they are paid $4.10 per hour.

Discussion of Rate Increases: President Borries said we may need to look at some new projected rate increases at the Auditorium. This is unfortunate, but we are going to have to do some studying along that line and he realizes the building is run on a very tight budget.

Mr. Cooper said we have had a steady rate increase during his time of management at the Auditorium because he favors small or moderate regular increases over waiting long periods of time and having to increase so much at one time. He believes the rates layed dormant so long that the economy simply ran off from it. He would also like to bring the Commissioners attention to the concession commission paid to the Stadium last year, that it was an astronomical amount and we could be receiving some astronomical amounts also if we would put our foot down and say "okay, if you come in here, you are going to buy your food and beverages from us", and then rightly expect a commission to be paid to the County General Fund.

Commissioner Willner moved that Mr. Cooper contact all catering services in and around Evansville requesting proposals to furnish catering services for the Auditorium. Commissioner Cox seconded the motion. So ordered.

President Borries said Mr. Cooper will also have to check into the aspect of a license with the Alcoholic Beverage Commission.

Mr. Cooper said he will proceed on this and report back all collected information.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of April 3 thru April 8, 1983....report received and filed.

Awarding of Bid on Old Petersburg and Baseline Road #44: Mr. Guillaum said we have tentatively awarded the contract for the relocating and replacing the bridge structure and section of roadway on Old Petersburg and Baseline Road #44 to Tennyson Construction, Inc. and we have now obtained the easement needed from Ms. Shortridge therefore he would like the Commissioners signature on the bid and for the Auditor to send a copy of the signed bid to Tennyson. As the Commissioners will recall we removed some items from the bid because we could do them cheaper ourselves and those deletions are as follows:

CONTRACT MODIFICATIONS ADDENDUM #1

Eliminate the Following items:

1)	22 Waterway Excavate and Clearing	$8,000.00
2)	29 Compacted Agg.	19,300.00
3)	38 R/W Clearing	3,500.00
4)	40 Riprap	1,200.00
	Total	$32,000.00
	Original Bid	$217,910.76
		-32,000.00
	Amount of Contract Awarded	$185,910.76

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Commissioner Willner said he still is concerned because somewhere along the line we asked the Surveyor's office to contact Shell Oil Company concerning this project.

Mr. Guillaum said Bill Jeffers did contact Shell Oil and it appears at this particular time, right now, our bridge project will not have any bearing or will not interfer with their plans. Their long range plans could effect us....maybe, but as of now there is no conflict.

Commissioner Willner moved the contract be awarded to Tennyson in the amount of $185,910.76, and signed. Commissioner Cox seconded the motion. So ordered.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period to April 4 thru 8, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of April 4 thru 8, 1983....received and filed.

Mr. Bethel explained in the past week they had the gradall on Fisher Road, Short Mill Road and Denzer Road. They graded County Line Road, Goebel Road, Young Road, Summer Time Lane, Nunning Road, Short Selzer Road, Baehl Road and Schmitt Road. They graded shoulders on Old State Road, Boonville/New Harmony and St. Joe Avenue. They patched on Marx Road, Schillinger Road, St. Joe Avenue, St. Wendel Road and Seminary Road. Tree crews were on Barton Road, Boonville/New Harmony, Seven Hills and Old Henderson Road.

Specifications for Purchase of New Gradall: Mr. Bethel said he has the specifications ready on the new gradall and he is asking permission to submit them to the Purchasing Department for proper advertisement.

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

Problem with Pavement on Green River Road: President Borries said having traveled down the northern portion of Green River Road he is not sure how much longer that pavement is going to last and he would like for Mr. Bethel to go out and check on this, that the cold mix we normally use would stand up on Green River Road and he does not know if there is anything in the Highway budget for a hot mix type of pavement for it.

Mr. Bethel said he would check it all out and report back with his recommendation.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Use of R&S Funds for Stop Light on Green River Road: President Borries said we have received word from the State Board of Accounts regarding the use of Local Roads and Streets fund to pay for the installation of a new signal within the city of Evansville, located on Green River Road. He asked Mr. South if he would have any recommendations on what monies could be used to install this stop light, since it looks like Roads and Streets monies cannot be used.

Mr. South responded by stating that when he wrote to Mr. Renner concerning the stop light, he specifically asked that if Local Roads and Streets funds could not be used then what funds could be....General Highway....County General Fund....Revenue Sharing. Which, if any. In the letter he received from the State Board of Accounts it states they know of no authority which would permit a county to use Local Roads and Streets Funds or any other county funds for construction of maintenance to roads and streets situated outside the county road system. Construction and maintenance would include traffic signals. He believes they simply shut the door on any funds we asked about using, as far as the county is concerned. He knows of no other funds that can be used.

Comments Concerning Reimbursement of Mileage: Commissioner Willner asked Mr. South if he intends to comply with the wishes of the State Board of Accounts on the reimbursement of mileage funds that has been discussed in the past.

Mr. South said he is still trying to determine what the wishes of the State Tax Board are, that he made a phone call last Wednesday and has not received a return call as of now. He is basically challenging one aspect of the thing, that they have quoted statutes that were in existance before this whole thing started and it becomes the definition of what official duties are. Is a take home car on official business when it is driving back and forth.

Commissioner Willner said he has no further questions.

President Borries asked Mr. South to continue to seek clarification.

Mr. South said he is seeking clarification on why they ignored the comparison between the take home car and his mileage, in this particular case. He believes the bottom line is going to come down to what is official and what is unofficial and he believes the County Commissioners are going to have to make that decision.

Commissioner Cox said she did read the correspondence from the state and she didn't read in it any reference to what we were talking about, that being use of a personal vehicle in lieu of a county furnished vehicle, that it looks to her like they interpreted it on something like a mileage basis for use of a personal vehicle and not a personal vehicle in lieu of a county furnished vehicle and in her mind that is where the big question lies and she would be willing to wait for a clarification.

Request for Motor Vehicle Highway Projection Printout:

President Borries said he would like for Mr. South to prepare a printout in relation to the MVH collections so that we could set up projections about what the funds will look like for the remainder of the year. He said Mr. South provided us with such printouts last year and he would like to get this again this year and then we will set up a meeting with Mr. South and perhaps Mr. Gerard to look at the status of the projects in regards to funding at this point, on Local Roads and Streets.

Mr. South said he has not yet prepared this, but he should be able to have it done by next meeting. He said concerning Local Roads and Streets, we are still on an absence of priorities right now, so that would be pretty rough to do until after a meeting.

It was decided the Commissioners could meet with Mr. South concerning the Local Roads and Streets immediately following this regular meeting. Mr. South said he would try to contact Mr. Gerard and ask for him to attend also.

Request For Weekly Work Sheet From Mr. South and Dale Willis: President Borries said he would like to request that a weekly work sheet for Mr. South and Mr. Willis be submitted on a weekly basis, showing exactly what each one's work consists of on a daily basis.

Mr. South said at least half of that is already on your desk, that he has already compiled the time sheets for Mr. Willis, indicating what he has been doing everyday since the first of the year is on your desk Mr. Borries. Concerning himself, he cannot go back quite that far because frankly with First Avenue stuff he got a little careless therefore he cannot give a day to day report on himself but as of two (2) weeks ago he has every day and he will turn that in.

RE: LAW SUIT ON MANN ROAD

Attorney Ms. Thomas was present and stated she is sure the Commissioners are all aware of the fact there is a law suit pending in Vanderburgh County concerning the drainage situation on Mann Road, in northwestern Vanderburgh County. David Miller has been the County Attorney involved in the suit and she sees he is not present today. She had made a suggestion, by letter, to Mr. Miller, early in March and the letter was referred to the County Surveyor, Bob Brenner and asked that he be prepared to respond to her letter by the next drainage board meeting. She understands this was considered and discussed at the meeting of March 21, 1983, although she has not seen a copy of those particular minutes. If she would have had notice of that meeting she would have tried to give some input as to why they believe the county can help alleviate the problem in such a way that everyone involved can benefit. In August, 1982, we received a proposal from Mr. Miller for an amicable and non-court solution to the drainage problem. In that proposal it was her understanding that the county would take out the bridges, or box culverts immediately to the north of Big Creek and that would result in the elimination of two (2) bridges and bridge maintenance, for the county. The county was to extend a ditch on the north side of Mann Road to the point of the ditch that intersects the Gene Adler and Harold Hartman properties, on the north side of the road. She has drawings of the area and an aerial photograph and at this time she submitted these to the Board and pointed out the different areas on the map, where the Hartman and Adler properties were and where the ditches lie. She understands the county would riprap to cause the two (2) intersecting ditches to flow west, to Big Creek. Mr. Ken Adler (the defendant in the suit) would then dig a ditch along the north side of Mann Road to Big Creek and take the dirt from that ditch and use it to fill the north/south ditch which Ken Adler has constructed and is the basis of this law suit. She said this proposal is acceptable to everyone except Mr. Gene Adler who owns the property on the north side of the road, and he is not a defendant in the law suit. She said on the map she has taken a red pen and drawn roughly the ditch as it existed before it was used by Ken Adler and she pointed out where Ken Adler's property exists. She also pointed out where Big Creek is at and the direction in which it flows. She showed the ditch that Mr. Adler closed in and constructed another ditch and showed which way that ditch is now flowing, on the property line between his property and Mr. Hartman's property. The map showed this ditch is flowing one way into a ditch that is flowing another way, that where it intersects with Big Creek makes a right angle turn and this is where the problem arises, that at the point it intersects with Big Creek, it is flowing almost directly up-stream and overflows and floods the neighboring property, which is causing erosion to that property.
She said there are several remedies for this problem, which the county can initiate, and she proposed these in her letter to Mr. Miller and since she did not attend the meeting of March 21st., she does not know what was relayed to the Commissioners. She understands the statute to say the county can ask the Surveyor for a reconstruction report, which would advise the Commissioners as to alternative ways of alleviating this problem and also the cost for doing that, or you can assess the cost of repairing that damage to be assessed against the landowner that caused the problem.
She said she received a response from Mr. Miller after the March meeting, that there would be a cost of between $15,000.00 to $30,000.00 to follow the suggestion in her letter, but Mr. Miller did not state which suggestion would cost that amount of money. She said at this time all they are suggesting to the county is to construct a ditch along the north side of Mann Road.

Commissioner Willner said what is happening is that the water is draining down both sides of Mann Road, until it reaches Big Creek and then it has to go under two (2) culverts and make a 90 degree angle, making for a very bad situation.

Mr. Guillaum said the biggest part of the figure he sent to Mr. Miller was for the area that had to be excavated.

Commissioner Willner said one ditch is to be closed up by a private individual and one is to be dug by a private individual, so all she is talking about is the ditch on the north side of Mann Road and surely that cannot be $30,000.00.

Commissioner Cox said all the county would have to pay for is the ditch on the north side of Mann Road and she knows we have really had a serious problem out there every time we have a heavy rain it will wash out. She asked if Mr. Bill Jeffers of the County Surveyors office would be Ms. Thomas' contact person and Mr. Guillaum said yes that he is the one who surveyed the entire proposed ditch and compiled the estimates on the project.

Mr. Guillaum said he believes what we are after here is dollar and cents and if he can get the dirt quantities on it and bring them before the Commissioners, then we can talk a little more intelligent on it and he asked Ms. Thomas if it would be possible for her to return to the next Commissioners meeting for further, more informed discussion and she replied certainly she can be present.

President Borries informed Ms. Thomas the next meeting of the Commissioners will be a night meeting and will begin at 7:30 p.m. and that it will be Monday, April 18th.

Ms. Thomas thanked the Commissioners for letting her be heard and stated that her clients merely want to get this problem resolved.

The Commissioners thanked Ms. Thomas for appearing.

RE: LETTER FROM INDIANA DEPT. OF HWYS ON RELINQUISHMENT OF ST. JOE AVENUE

The following letter was received from the Indiana Department of Highway, dated April 5, 1983 and directed to the County Commissioners.

RE: Relinquishment SR 65

This letter is to confirm our viewing of SR 65 (St. Joseph Avenue) Vanderburgh County to which you have agreed on April 4, 1983, to accept under the following conditions:

1) The north drive into Busler's Truck Stop, Busler Enterprises, Inc. is to be removed.
2) Shallow patching of small spall out areas to be completed prior to acceptance.
3) The State is to maintain maintenance of overhead sign south of Diamond Avenue.
4) Area to be relinquished north of Diamond Avenue will begin ten feet north of the north bridge mud wall.

Attached are location sketches identifying the portion to be relinquished to Vanderburgh County. Please sign the attached Road Transfer Memorandum of Agreement Form and indicate the local authority.

Keep one copy for the County's records and return the other to Indiana Department of Highway, Vincennes District Office, Attn: Aden B. Carr, P.O. Box 376, Vincennes, In.

Sincerely,
Aden B. Carr, P.E.
District Engineer

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County Attorney David Jones said in looking at the attached Memorandum of Ageement that they want the Commissioners to sign, he would say the state is not bound to do anything you are asking them to do, that what we need is to have the four (4) things incorporated into the agreement, that they need to say in writing that they will do those things we are asking of them.

Commissioner Willner moved this matter be referred to Mr. Jones, so that he may take further steps on what needs to be done to the agreement before the Commissioners sign it, and that it be taken under advisement until a later date. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM WELBORN HOSPITAL TO USE COUNTY ROADS FOR WGBF FITNESS FESTIVAL

Received from Welborn Baptist Hospital was the following letter, dated March 30, 1983 and directed to the Board of County Commissioners.

Subject: Request for Approval of County Road Use for Welborn Baptist Hospital - WGBF Fitness Festival.

Welborn Baptist Hospital and WGBF are sponsoring a "Fitness Festival" at the Vanderburgh County 4-H Center on May 1 and May 7, 1983. The festival will include various cycling and running events designed to promote physical fitness and preventive health practices.

The cycling activities involves rides of 25, 50 and 100 miles. The running events include a "Fun Run", a 5,000 meter (3.1 miles), and a 10,000 meter (6.2 miles) run. The distances involved require us to seek permission to use the county roads in that area. Attached is a sketch of the cycling and race routes which have been submitted to Sheriff Shepard for his approval. Coordination with the Sheriff will be maintained in connection with traffic control along the cycling and race routes. Maps are enclosed.

Medical coverage will be furnished by the Emergency Department of Welborn Baptist Hospital and a liability insurance rider has been approved to include the County Commissioners and the Vanderburgh County 4-H Center for the May 1 and May 7 events.

It is hopeful that the County Commissioners will favorably endorse this request. Any further questions or concerns will be promptly addressed.

Thank you for your kind consideration.

Larry Bohleber
Fitness Festival Committee

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Letter received and filed.

Commissioner Cox moved the request be approved. Commissioner Willner seconded the motion and ask that a copy of the letter be sent to Darmstadt because it looks to him like most all the roads they are requesting to use is under the jurisdiction of Darmstadt. So ordered.

RE: REQUEST TO TRAVEL....COUNTY ASSESSOR

County Assessor, James Angermeier, requested permission to travel to Indianapolis to attend an instructional meeting - seminar on May 8, 9 and 10, 1983, for all Indiana County Assessor. The letter from Michael Jankovich, President of the Indiana County Assessors Association was also submitted.

Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

RE: REPORT FROM ALEXANDER AMBULANCE SERVICE, INC.

A report was submitted by Alexander Ambulance Service, Inc. for services rendered for the month ending March 31, 1983.....report received and filed.

RE: OFFICIAL BOND ON DEPUTY CORONER SANDEFUR

Submitted was a Public Officials Bond for Deputy Coroner, William Sandefur. Bond to be recieved and properly recorded in the County Recorders office by the Auditor.

RE: RELEASE OF LEVY

Submitted was a release of levy, regarding the St. Joseph Avenue and Lynch Road projects, in regards to Engineer Associates, Inc. Release received and filed.

RE: CLAIMS

A claim was submitted by Torian Agency, Inc. for the public official bond for Deputy Coroner, William Sandefur, in the amount of $30.00.

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by County Attorney David Jones, for legal fees, in the amount of $3,687.99. An itemized statement was attached.

Commissioner Willner moved the claim be approved and given to Ms. Meeks to put on the Council Call. Commissioner Cox seconded the motion. So ordered.

RE: APPOINTMENTS TO BURDETTE PARK ADVISORY BOARD DEFERRED:

President Borries said the Commissioners do not yet have their separate appointments ready for the Burdette Park Advisory Board therefore this matter will be deferred until perhaps next week.

RE: PUBLIC NOTICE FROM U.S. ARMY CORPS OF ENGINEERS

Commissioner Willner said he received a notice from the Corps of Engineers of Louisville, Ky. announcing to us the Evansville Barge and Marine Service, Inc. of Evansville has submitted an application to them wanting to establish a 51-barge fleeting area, that the applicant proposes to install 18-deadmen on 250-foot centers on top of the bank. Each deadman would anchor a 4-foot diameter mooring float. This arrangement would create 17 three-barge wide, one-barge long fleeting areas. Each unit would be secured bow and stern to the inside barge. The location of this is in the Ohio River, right bank, mile 795.5, in Evansville, Indiana.

Commissioner Willner said he has received several calls from boaters in our area requesting that we, as Commissioners, contact the Corps and ask for a public hearing on the matter, so that some of them may protest it. These boaters said they would contact the Corps also but they would still like for the Commissioners to request a hearing, because the last time they ask for a hearing there was none granted to them, so they thought it might help for the Commissioners to ask for one also.

Commissioner Cox said the notice states that any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit. She said the closing date is April 25th.

Commissioner Willner moved the Commissioners contact the Corps of Engineer and request a public hearing. Commissioner Cox seconded the motion with the statement she believes a public hearing is the way to go because a lot of questions can then be answered.

RE: DISCUSSION OF LEGALITY OF UNADVERTISED MEETINGS WITH THE COMMISSIONERS

Mr. Jeremy Harris, news director of WGBF asked to be heard at this time and stated he would like to remind the Commissioners of Public Law #57 which requires open meetings and to file a public objection on record to a meeting held prior to this one now in session. All three (3) Commissioners attended the meeting he is making reference to with members of the Air Board and he believes that was in violation of Public Law #57 inasmuch as the Commissioners failed to give 48 hour notice to the public, as required by statute and he believes this law applys also to the meeting the Commissioners are to have with Mr. South and Mr. Gerard following this regular meeting of the Board. To quote from the statute it says "public notice of any meetings, executive sessions or any rescheduled or reconvened meeting shall be given at least a 48 hour notice before the meeting except to deal with an emergency involving actual or threatening injury to person or property or threatened disruption of governmental activity". He does not think the meeting with the Air Board fell under the stated exception.

President Borries said speaking personally he does not feel it was the intention of this body to hold an improper meeting and if the meeting to follow, with Mr. South and Mr. Gerard, is in any way a violation, and we will refer to the County Attorney for his opinion, it certainly will not be held, that we will reschedule it for a later date.

Mr. Harris said he certainly does not intend to be a nuisance, but the purpose of the law, which he is sure the Commissioners understand, is so the public can be approving of the discussion and debate of public business and that a public body do its business in public.

President Borries said this Board of Commissioners did not call the meeting with the Air Board, which Mr. Harris refers to, and if it have of been, it would have been announced during one of our public meetings. As he understands, there were members of the Air Board requesting time to meet with the Commissioners and we do not, in all instances, ask the other party if they notified the media of such a meeting.

Mr. Harris said he believes the law would still apply to the Commissioners since all three (3) did attend the meeting.

Commissioner Willner said the meeting was not a closed door meeting.

Mr. Harris said he realizes this but the point of notification is, that if we don't know about a meeting, we cannot cover it, and it becomes as much as a closed meeting.

Commissioner Cox said Mr. Harris' points are very well taken and she is always confused about what kind of notification needs to be given, that does it have to be published as a special notice in the paper or can it be announced at this meeting today that perhaps next Tuesday we are going to meet at 2:00 with a certain party or parties.

Mr. Harris said he believes the Commissioners and other public bodies have a list of agencies, which at the beginning of each year request notification of any meetings to be held throughout the year and the secretaries of those bodies should use that list to inform them of such.

President Borries said we need to get clarification on what is considered "public notice" of a meeting.

Commissioner Cox said she went through this same thing some time ago with the Election Board because they had irregular meetings and sometimes could not get answers so they had to meet again the next day, therefore there was not time for a 48 hour notice, but their attorney told them that if the continuation of the meeting is announced during the prior meeting, that they complied with the statute, now maybe that was wrong, but that is how it was interpreted to them, but if the Commissioners have to advertise every little meeting they have, then we will break the county with advertising costs.

Mr. Harris said he is not talking about legal advertising, he is talking about notifying those news agencies that each year request notification. He said it is very difficult for them when they walk into a meeting that is almost over and they have received no notification of it even going on.

The Commissioners thanked Mr. Harris for his comments.

Re: Insurance Meeting. President Borries announced there will be a meeting to discuss insurance proposals recently received and that members of the County Council should also attend this meeting, at 1:30 p.m. Also there will be a County Council finance meeting at 2:30 p.m. on that same day of Monday, April 18, 1983 and then the regular meeting of the County Commissioners will be held at 7:30 p.m.

Re: Meeting Concerning Jail: President Borries announced there is to be a meeting on Monday, April 18, 1983, in room 307, with architects, concerning the jail improvements. This meeting is scheduled for 5:00 p.m.

Re: Meeting with David South and David Gerard: President Borries said since there is some question on the legality of another meeting after this one, and since both Mr. South and Mr. Gerard are now present, he would like to discuss the funding of local projects right now and then if we find we have to set up another meeting later in the week, we can do that.

Mr. Gerard said back in February when the F-82 forms were submitted, applying for federal funding for certain projects, we knew that sometime in the future we would need to sit down together and discuss certain items. His office is not really prepared to go into any kind of a detailed discussion at this point and time because primarily while we have an estimate now, the cost you may be incurring in this year and also 1984, 1985, 1986 and 1987, in terms of projected costs, that there is no possible way, if your sole source is Local Road and Street, will you be able to complete all the active projects. His office is in the process of compiling what the Road and Street commitments would be for the next four (4) or five (5) years, if we proceed with the projects we presently have going. We also want to look at some alternative funding sources to the road projects. He will be preparing not only these cost estimates, but some suggested possibilities that the Commissioners can look at. He said the Emergency Jobs Bill supposedly has provided all this additional money and it should bring some additional money into the city and county, on a competitive basis, but from talking to the Federal Highway, he understands it will not mean one more penny in terms of additional money for our road projects and he has seen articles in the newspaper contrary to that, but he understands it will mean more money for other things, for example, our parks, but not additional money for our roads and streets. He has most of the figures but he at this time does not want to give any wrong information to the Commissioners.

President Borries asked Mr. Gerard if he can be prepared by April 25th and he replied that would be fine.

Commissioner Willner said he is somewhat confused, that a couple of days ago he received a call from a gentleman in Indianapolis saying that if Vanderburgh County wanted an interchange with I-164 and Lynch Road that all we need do is write a letter and tell the State Highway Department that we would exchange the overpass at Oak Grove Road for an interchange at Lynch Road and I-164. He then had Jim Lewis to contact Mr. Gerard and

he was told that no, this is not true, so Mr. Lewis is trying to get in touch with this gentleman in Indianapolis. He personally is confused about what is going on and we need to find a straight answer to this mess.

Mr. Gerard said the environmental is being completed on Lynch Road and he believes it is being addressed to look at the impacts of closing Old Boonville Highway, which presently is proposed to go under the interstate and in essence, swapping the bridge, and then we would avail ourselves of Federal Aid Secondary money for the ramp portions of it and this is in a draft stage right now, being evaluated. We have been following state and federal highway procedures all along to get this interchange on Lynch Road Extension. It is part of the long range transportation plan and they have been to Indianapolis on several occasions concerning this matter. He said the way he understood Mr. Lewis is that all we have to do is ask for it and in his opinion that is totally inaccurate. He said Oak Grove Road has nothing to do with it.

Commissioner Willner said he believes this was the first time that road was mentioned but they will either have to close Oak Grove Road or put a grade separation there.... right?

Mr. Gerard said this is correct, but the discussion all along was Old Boonville Highway, however, he will be happy to call Ed Ames, who is head of the Location and Environmental Department.

Mr. South asked if there is a road separation scheduled for Oak Grove Road and Mr. Gerard said he does not know that he would have to look on the drawings.

Mr. South said the major concern he believes that Mr. Gerard will be addressing this next week or so is whether or not we are going to make a major effort at Lynch Road Extension, because of the amount of money tied up, and if you want to complete that before the interstate. His personal recommendation is that if we are going to do it and tie it together then we want it done before we have to start fighting all the additional traffic from the interstate, which includes the Green River Road improvement, up to the extension, and if that is the Commissioners first choice then there may be som of this smaller stuff that we can't do next year. We need to get the full picture and set up some priorities because we are beginning to steal a little money from Local Road and Streets for other small things, so in making up his projection report for the Commissioners he can do the Highway but he will have to hold up on the Local Roads and Streets until the end of the month.

President Borries said that will be fine. He asked Mr. Gerard if he could meet with the Commissioners on Monday, April 25th. at 2:00 p.m. and he replied yes. The other Commissioners agreed to that time also, as did David South.

Mr. Gerard said he will get some additional information to the Commissioners before that meeting so that they can have a study period.

Commissioner Cox said it is inevitable we are going to have to ask the County General Fund for some money to keep our projects going, because lets face it, interest monies out of the roads and streets funds have gone into the County General fund for some three (3) years now, so the handwriting is on the wall, the council is either going to have to put those funds back into the Roads and Streets or they are going to have to have the guts and fortitude to adopt the vehicle wheel tax.

Mr. Gerard said that is a possibility because all the projects cannot possibly be funded out of a $370,000.00 annual Road and Street budget.

President Borries said isn't there suppose to be some clarification or changes on the wheel tax.

Commissioner Cox said yes, that the reason a lot of people didn't support the tax was because it was based on a percentage and it wasn't worth the time or effort to have it.

President Borries thanked Mr. Gerard for appearing and for his comments on the matter.

RE: DISCUSSION OF UNADVERTISED MEETINGS....CONTINUED

Mr. Jim Lewis said he hates to keep on about the open door meetings but he feels that Margie (Commissioner's Secretary) and himself need more guidelines because they are the two that are most responsible for setting up meetings. For an example, when we have a

road closing, we call the media to report it and it is recorded who we talk to, so he is wondering if this same procedure could be followed concerning these meetings.

County Attorney David Jones said public notice of the date, time and place of any meeting, executive sessions, shall be given at least 48 hours before the meeting. The only exception is this requirement does not apply to reconvened meetings where the announcement of the date, time and place is made at the original meeting, recorded in the minutes and there is no change in the agenda. If it is not a reconvened meeting where you previously announced the date, time and place and the agenda doesn't change and its in the minutes, then you give 48 hours notice. Now the only notice you have to give to the news media, is to the news media that on January 1 filed, with the office of the County Commissioners, a request to be given notice of the meetings. If they did not do that then you don't have to give them notice.

Mr. Lewis said we only had one (1) such request on January 1st and that is from Channel 7. We have had others say this did write us one, so they are going to check and see what office they sent their letters to and notify us.
Mr. Jones said when you do give notice, you post a copy at the principle office of the public agency that is holding the meeting, which means it should be placed right outside on our door to this meeting room, or outside the door on the bulletin board and deposit it in the mail to the media that by January 1st has requested it...and that is it.

Mr. Lewis said Ms. Meeks has a letter from WGBF, but it came in after January 1, 1983.

Mr. Jones said if you have to have an emergency meeting then you have to give the same notice to the media that made their request by January 1st as you give to whatever public officials that attend the meeting, that is, if you call them by phone, then you must call the media that filed written request, that you must give them equivalent notice....its either mail or deliver.

President Borries said perhaps around the first week in December the Commissioners should send out a memorandum to effected media, with a copy of the statute, so that if they wish they can notify us by January 1, 1984.

Mr. Jones said he does not think that is necessary.

Mr. Lewis said anyone wanting a meeting with the Commissioners will have to notify either himself or Ms. Meeks in time for the notifications to be sent out 48 hours in advance.

Mr. Jones said this applies to committees also, that there was a recent case where a screening committee was appointed by the Mayor of the city to interview and recommend an applicant to serve on the School Board and that meeting was subject to the open door law and because it involved personnel they couldn't hold an executive session, but they had to follow the notice required for an executive session.

Mr. Lewis said we have a Parking Lot Committee...does that fall under the law.

Mr. Jones said yes, everyone of these committees are included, that all government business is meant to be open to the public, that there are to be no secret meetings, no secret votes and the committees cannot take any official action in an executive session.

Mr. Lewis said when someone else calls a meeting that involves the Commissioners, then who is responsible for notice to the public, because there is a Paramedic meeting called for 10:00 a.m. tomorrow and it was called by another agency, other than the Commissioners....so who is responsible for that.

Mr. Jones said his opinion would be that whoever called the meeting had better make public notice, but if the Commissioners all attend then they are also responsible to take care of themselves, in other words, you don't rely on someone else, that if two (2) or three (3) bodies gather for a meeting, each one is equally responsible. If its members of a political party and they are meeting to discuss something...that is caucas and that is clearly accepted, but when you cross that political line you are not in a caucas.

Mr. Lewis said then is he correct in understanding that if an agency has not written a "notice request" to us by January 1,1983, then we do not have to honor them until the following January.

Mr. Jones said you do not have to deposit it in U.S. mail, with postage prepaid, nor deliver them a notice if they did not file a written request by January 1, 1983.

Mr. Harris said as a matter of courtesy, they would appreciate a telephone call.

President Borries said he understands the situation from all sides and the Commissioners will certainly make every effort to communicate with the media and perhaps in the future this could be added to our weekly agenda, that is to make special note of all meetings to take place with the Commissioners.

Mr. Lewis said he understands that would not be serving appropriate notice.

Mr. Jones said not unless it is a reconvened meeting and it must have the same agenda, but if you switch the topic of the future meeting then it is not covered. He would get a written form, and keep it simple, and have the media sign off on it, that they receipted notice of that meeting, that if it is announced during the regular meeting then it is public and all you have to do is post it on the door.

Mr. Harris said that would be fine with them.

Mr. Lewis said he will see to it that such a form is drafted.

There being no further business President Borries declared the meeting recessed at 5:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 18, 1983

The meeting of the County Commissioners was held on Monday, April 18, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: SPECIAL USE PERMIT 11-83-APC...FIRST READING

Applicant....Raymond Steinkuhl

President Borries said the request is for a private recreational use of small lake which is not visible from Boonville/New Harmony. This is surrounded by agricultural zoned land and access is by partially graveled dirt farm lane 360' from the water line. Parking for the lake will have to be installed.
He understands this is for a pay fishing lake.

Commissioner Cox moved that Special Use 11-83-APC be approved at first reading and referred to Area Plan. Commissioner Willner seconded the motion. So ordered.

RE: MARK TULEY....BURDETTE PARK

Award Given to West Side Nut Club: President Borries said we have Mr. Marvin Hollerbach, representing the West Side Nut Club, with us today and we would like to present an award to him on behalf of the Commissioners and Burdette Park. He would ask that Mr. Tuley give a brief background of this award.

Mr. Tuley stated a few months ago he and Mr. Willner talked to Mr. Hollerbach, President of the West Side Nut Club and told him we needed some help and they told us to put together several proposals and they would do what they could to help us. They bought the park roughly one hundred (100) pairs of roller skates and some assessory parts. They have been delivered and the kids have been using them for about one and one half weeks now and we are simply delighted over them.

President Borries said on behalf of the Vanderburgh County Commissioners, we would like for Mr. Hollerbach to accept this certificate of appreciation for a very generous effort on the part of the West Side Nut Club.

Mr. Hollerbach accepted the framed certificate and stated when the West Side Nut Club can touch the lives of that many young people...that's what it is all about.

President Borries also gave Mr. Tuley the same award to be displayed at Burdette Park.

Supplement to Park Information Submitted Last Week: Mr. Tuley said last week he submitted a packet to the Commissioners concerning different State Parks and at this time he has a supplement to present, which is additional information on the same parks. Report is as follows:

July 81 - June 82

Mounds State Park	
Expenditure	$169,039.00
Income	85,468.00
Deficit	$-83,571.00

New Harmony State Park	
Expenditure	$210,477.00
Income	53,865.00
Deficit	$-165,612.00

Lincoln State Park	
Expenditure	$245,248.00
Income	151,492.00
Deficit	$-93,756.00

Dunes State Park	
Expenditure	$333,311.00
Income	279,194.00
Deficit	$-54,117.00

Turkey Run State Park	
Expenditure	$354,858.00
Income	374,506.00
Deficit	$+19,648.00

Brown County State Park	
Expenditure	$503,610.00
Income	554,100.00
Deficit	$+50,490.00

(Report Continued)

Total Income and Expenditures for Indiana State Parks including Central Offices. This consists of eighteen (18) parks.

1981 - 1982	Expenditures	$6,555,674.00
	Income	$4,501,705.00
	Deficit	- $2,053,969.00

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Report received and filed.

Commissioner Cox said on the expenditures and income of the parks, do these expenditures include capital improvements and Mr. Tuley said they are set up a little different than what we are, that they have a capital improvement account in which they do preventative maintenance or long range projects. What shows on his report is simply every day operating costs.

Commissioner Cox said she understands the state prison inmates do a lot of work for the park system, which we do not have that luxury.

Mr. Tuley said last week Mrs. Cox asked for a report on the utilities at the park for the period of October 1982 thru February 1983 and at this time he submitted those figures, which was broken down, per month, with totals shown as follows:

Sigeco.....$10,981.86
Evansville Water Dept.....$ 716.42
Fuel-Butane.....$ 7,596.66
Indiana Bell Telephone.....$ 1,904.11

President Borries said the Board would want to thank Mr. Tuley for all the work he has put forth on his reports and he would want to say he has received several calls from the County Council in regards to the county's financial crunch and he would ask Mr. Tuley to again look at his budget and see at this point if there are any possible funds available.

Mr. Tuley said he would examine it and report back.

RE: TOM GOODMAN, CONCERNING EASTLAND ESTATES, SECTION A

Mr. Tom Goodman, resident of Eastland Estates, Section A, was present and stated he would like to discuss a severe drainage problem with the Commissioners and ask for some help in solving the problem. He said on April 8th. they had a drainage problem out there, that the airport reported 1.06 inches of rain that day and he finds that very hard to believe because they had an awfully lot of water that day. He said further to the east of them there is another subdivision called Chickasaw Park and under two (2) roads, those being Chickasaw Drive and Audubon Drive, there are drain tiles, that one (1) is a drain pipe and one (1) is a culvert and they are silted in very bad. At this time he presented several photographs of the area in question and pointed out where each one was taken. He said they are on Kolb Ditch, which is a Vanderburgh County legal drain. He said the ditch is so silted from construction for the past two (2) years and construction materials in the ditch that it is going to create some serious problems if it isn't straightened out real soon and he would like to know what authority he should go to in order to get larger pipes installed in the subdivision, to the east of him, which is Chickasaw Park, because he believes they are way to small to carry the water. He understands a 48" pipe in going in under Bonnie View Court, where he lives, and if this is true then it is going to bring quite a bit more water toward the east and those pipes are not going to be able to handle it, that it will create a damming effect and water will back-up if there is much trying to come through. He submitted a map to the Board showing the flooding area on April 8th.

President Borries said he understands this ditch has been topic of flooding in the past in that area, particularily during a very heavy rain. He asked Mr. Goodman if he had any idea when this ditch was last cleaned and he replied Rob Matthews did the last maintenance on it, that he knows of.

Mr. Matthews was present and stated he and his crews cleaned that particular ditch two (2) times, however, he only did maintenance on it, that it was not dredged either time and where the construction is taking place to the east, considerable fill dirt was pushed into the ditch, so it is filling up rather quickly, that there is a lot of debris in there.

Mr. Goodman said as shown in the photos, the Commissioners can see where the straw from peoples lawns washed down and covered the tops of the inlets.

Also submitted to the Commissioners was a drainage petition from property owners in the Eastland Estates Subdivision, which contained six (6) names.

Commissioner Cox said when we let our bids for ditch maintenance a couple of weeks ago was Kolb Ditch one that is to be dredged and Mr. Guillaum said no.

President Borries asked who recieved the bid for Kolb Ditch maintenance this year and Mr. Guillaum replied Commercial Ditch Cleaners.

Mr. Guillaum was instructed to contact Commercial and have them hold up on the maintenance until after a crew from the Surveyor's office can go out and take a look at it and come back with a recommendation, that perhaps the silt should be removed this year. Mr. Guillaum said he will do this.

Mr. Sam Biggerstaff was present and stated he also has some photographs, but they are just about the same ones as submitted by Mr. Goodman, however, he would leave them with the Commissioners at this time. He said they ran levels out there last Saturday and there is 1'9" of dirt in the pipe. He said these pictures were taken yesterday and you can see where the straw is covering the inlets. He said as far as how much rain we got, Mr. Dick Eiffler informed him of a man living in Plaza Terrace, at Burkhardt and Lincoln had a rain gauge and it read over 4" of rain on the 8th. He would say that 1'9" of dirt in that pipe has been there for a good while, that they used a spade to get in there with, that he owns lots on either side of it and that dirt has been in there for several years.

President Borries said that Mr. Kattman is in our audience and he has indicated to us that he will clean the inlets out and keep them maintained.

RE: LAW SUIT.....MANN ROAD

Ms. Ann Thomas, attorney in the Mann Road law suit was present and stated Mr. Miller was not present at the Commissioners meeting last week when she appeared and she is trying to get a clarification of the figures of $15,000.00 to $30,000.00, stated in his letter to her, which it would take to solve the problem of drainage on Mann Road. Last week she showed the Commissioners the aerial photographs of the properties in question and she has those same maps with her today should anyone want to view them again. She has suggested in a letter to Mr. Miller that the Commissioners ask the Surveyor for a reconstruction report concerning the Big Creek legal drain. Another proposal she made was that the Surveyor be requested to prepare a report concerning repairs to the Big Creek, which would alleviate the drainage problems in the Mann Road area. They have received an estimate from Blankenberger Bros. Inc., which was prepared for Mr. Ken Adler, for constructing a ditch 810' long by 7' deep, which is not as deep as the one the Surveyor had suggested last August. The estimate also included the filling in of the old ditch which was constructed by Ken Adler, which runs north and south and lies to the east of Ken Adler property and to the west of Harold Hartman's property. The amount of the estimate from Blankenberger is $5,410.00. Again they are requesting the Commissioners undertake to construct a ditch along the north side of Mann Road and this would eliminate two (2) bridges for maintenance for the county and it would eliminate a number of right angle turns in the ditch, that she understands there are now seven (7) right angle turns.

Mr. David Miller said this discussion all grows out of a law suit that is pending involving Mr. Hartman and Ken Adler, who owns property immediately to the west of the Hartman's. We have sent a number of our county employees out there to study the situation and see how it might be solved. He recieved a letter, containing a suggestion, from Ms. Thomas, in late February, and he passed the letter on to the Surveyor's office and asked them for their response to this suggestion. The response he gave to Ms. Thomas resulted in the response he received from the Surveyor's office. He asked Mr. Guillaum if he remembered what steps were taken to look into the matter.

Mr. Guillaum said the Surveyor's office did receive the letter and at that time he had Bill Jeffers and a survey crew go out and make a topographical study of the area and try to determine the earth quantities involved and Mr. Jeffers is present tonight to answer any questions on how the figures of between $15,000.00 and $30,000.00 was arrived at.

Mr. Miller said he believes we should be willing to demonstrate to Ms. Thomas and her clients the method by which that conclusion was reached, however, we are in a kind of strange situation here tonight because we are in litigation and while we have been extremely open and wanting to do everything we could to work and try to solve the problem, it has been his position from the beginning that the county doesn't have any substantial liability here and it would be his opinion that Ms. Thomas does not necessarily agree with that. He would advise the Surveyor's office at this time to make disclosure

of the manner in which they reached the conclusion on the expense involved in Ms. Thomas' suggestion in her letter and beyond that information he would ask they contact him before giving out anymore information, since there is a law suit pending.

Ms. Thomas said she would like to point out that Mr. Hartman is not the only plaintiff involved, that there are like eight (8), and it is her client's belief that constructing the two (2) ditches in the westerly direction on either side of Mann Road would benefit all of the land owners in the area, including Gene Adler who's property is on the north side of the road, that one of his complaints has been that the water is washing out Mann Road and we contend the reason for that is there are levee's running perpendicular to Mann Road on the north/south ditch, so that when the water backs up the only place it can go is through the opening of the levee at Mann Road and if these ditches were constructed the levee's would be removed and there would be no necessity of raising the road.

Mr. Bill Jeffers was present from the Surveyor's office and had with him a location map of the area in question. He said he has quite a few notes to be compiled into a printed report but he did not know the nature of the complaint, therefore, he did not know exactly what information to give out. He said the location of this problem is ½ mile north of Nesbit Road, and about ¼ mile east of Bixler on Mann Road. He explained the map shows large figures like 418, 417½, 420, 417½, 421, etc. and that these are the average U.S. Geological Elevation of the properties involved and it is really that flat, that there are no contour lines out there except along the creek. The creek comes out of its bank at approximately 415 above sea level to 417½ above sea level, and that is the top of Big Creek, without a levee. Over the years the levee has been built up by the property owners on both sides of Big Creek, in conjunction with the County's work but also work they did to try to protect their own fields. It is obvious that if the water comes out at 417½ then you immediately have two (2) fields under water. During the summer of 1981 we had a flood where the Big Creek drainage system backed up in three (3) counties, those being Gibson, Posey and then back in Vanderburgh County and when it came back into Vanderburgh County the cause was that it had already backed up in Posey and Gibson County's and we have no control over those two (2) counties. When it backed up into our county it backed all the way up Big Creek and Pond Flat to U.S. 41, went over the road at U.S. 41 and we had about forty (40) phone calls wanting to know why all water could not get out of Vanderburgh County. During that time you could not drive down either Nesbit or Bixler Roads, so there is no doubt about it, they really do have a problem out there, and especially during a flash flooding, but it is a problem shared by several thousand residents of three (3) counties. In our estimation this ditch system in the immediate area that we are talking about, while not text book perfect, is handling the water up to the point that Big Creek reaches 415' above sea level, in other words, up to the point to where it comes out of its banks, at which point none of the other ditches in the same water shed immediately adjacent to the Big Creek, which is several miles long, can handle the water any better then the ditches he shows on his sketch, and he will say they are not text book perfect either. He was not aware until he appeared here tonight of the specific nature of the complaint, that he was aware only of the fact that the Commissioners asked him to determine any need for improvement, the nature of it and the cost of it and what the effect would be if we did the improvement. Naturally, any improvements we would make we would like to make them as inexpensively as possible and he would have to say the figure of $5400.00 presented to the Commissioners tonight from Blankenberger, by counsel for the residents is an extremely good price. He is not sure of the nature of Blankenberger's proposal and exactly how many cubic feet of dirt he'll remove for $5400.00, but he will now explain how the Surveyor's office arrived at the price of between $15,000.00 and $30,000, and at this time he walked over and referred to his location map. He said the ditch, which he has labeled "C", is on the north side of Mann Road and comes to a bridge, which he has labeled "1". He said the ditch along the south side of Mann Road meets that ditch just below bridge "1" and it is in pretty good shape, the ditch that is. After they meet at bridge "1" they go approximately 100' to the ditch he has labeled "A" and "B", which is one and the same ditch, but he labeled it "A" and "B" for a reason. Then it passes under a box culvert, which he labeled "2" and then flows directly south and through a bend in Big Creek, which flows northwest. He pointed out the bridge which was repaired by the county last year. He said it is his understanding that someone wanted an estimate on the cost of a new ditch to match ditch "C" and flow due west, on the north side of Mann Road and join Big Creek at that point, down stream from the bridge and then another ditch, which he has labeled "F", to carry water from "B" on the south side of Mann Road to a point just upstream from Big Creek. Ditch "C" is eroded to the point that the flow line, where it meets with culvert "1" is approximately 10' below what would be the top of the bank. So if you have a ditch 10' deep and you have a 2 to 1 slope, your side slopes will be twenty feet apiece, so that is

forty feet of side slope. Ditch "A" is forty six feet wide and the actual ditch, inside the levee is about thirty feet wide and it is only seven feet deep and it runs due south and is a very good ditch and carries a very large amount of water in a correct manner to the Creek. We could apply riprap along ditch "C" and he estimates that to take at least 320 cubic yards of riprap and he arrived at that by saying 100' on one side and 100' on the other side times 10' of bank is 200 sq. ft. for one side for a total of 400 sq. ft for both sides and you can cover about 25 sq. ft. with one (1) cubic yard of riprap, and cubic yards converted into tons and multiplied by $625.00 per ton is $4,000.00 for that simple application of riprap to keep the erosion from occurring, plus putting in red paint on the head walls of the culverts and putting up guardrail to make it safe to cross, which would make it about $5,000.00 and we aren't talking about digging a new ditch. Also, the desire has been expressed for more extensive improvement, more specifically to construct what appears on his location map in "orange" color. The north side would be 900' long and the south side would be 800' long and if we use the same riprap, say $3,000.00 or $4,000.00 worth, to fill in that ditch and raise the flow line, we could save a little money. He said 8,000 cubic yards will be removed from "E", which is the north side of Mann Road, extension and 8,000 cubic yards of dirt times $3.00 a cubic yard is $24,000.00. He is in no way knocking Mr. Blankenberger's price, because they do superior work and Mr. Blankenberger is an excellent ditch digger. Also there would be one (1) days dozer work, because he knows they will want a levee, at $50.00 per hour, is $400.00, plus to wreck and fill in two (2) culverts would be about $2,000.00. This may be a high figure, but he would give an estimated cost of $29,400.00 for the north ditch. The south ditch is a little bit smaller, so he figures 400 cubic yards, because the south ditch up stream is only about 6' deep and he figures $12,000.00 on that side, plus some riprap, plus constructing a levee and we will have to fill that ditch. He does not know if Blankenberger planned on filling ditch "B" with the dirt he gets out of the other ditches, or not, but it has been our experience that any dirt you dig from a piece of property the farmer wants it quick, that they always have a place for it. So if we have to buy enough dirt to fill "B", which is 600' long and approximately 6' to 9' deep and 46' wide, we are talking 6,000 cubic yards and figuring $5.00 per yard or $60.00 for twelve (12) yards, then we are talking about $30,000.00, if we have to buy the dirt. You are also going to have to build a levee and also grade the dirt out and compress it down into the channel, that you can't just dump it in there and hope it stays. The property is going to have to be left in such a manner where it can continue to be farmed. There is also a field entrance between the two (2) culverts and when we dig that ditch across there, are we suppose to put a culvert under the entrance so that he can continue to move his farm machinery in and out, or what. He will leave it up to someone else to figure the lost acreage involved, but it takes an acre for each ditch, but if we do everything that he anticipates we will eventually be asked to do it could run from the $15,000.00 figure all the way to a maximum of $76,000.00, not including any land purchases. He is not a professional engineer, but if there are any questions about how he arrived at any of his figures, he will be happy to discuss it further, and we can get further estimates and bids and try to run it down real tight.

Ms. Thomas said she would thank Mr. Jeffers for a very creative analysis of the problem and she believes it is safe to say they obviously do not agree with the estimation of costs. She indicated last week that the only ditch that would be constructed by the county would be ditch "E", which is on the north side of Mann Road. She does not know if the proposals just presented were for county employees and county equipment to be constructing this ditch or if its for a contractor to come in and do it, but everything to the south side of Mann Road would be taken care of by Ken Adler, under the proposal, as it now stands. She believes the estimate from Blankenberger is for a somewhat smaller ditch, but it does include filling ditch "B".

Mr. Miller said all he can suggest to Ms. Thomas is that perhaps it might be less expensive for her clients to hire Mr. Blankenberger to do the work, than to proceed with litigation, because first of all, we do not feel the county has a duty in this and that is why we answered the way we did in the pleadings. If we, the county, could help, in a reasonable amount of expense, then he would encourage the Commissioners to do so, but our people whom we must rely on tells us this cannot be done.

Ms. Thomas said they will just have to proceed with the retaining of an expert and try to collect damages.

Commissioner Cox said if, as attorney Miller proposed, and the property owners went ahead and did the "E" and "F" both and filled in "B", then would the county not have some work that we would need to do with both of the small culverts.

Mr. Miller said he believes something would have to be done to the bridges if private work were done on both sides of the road, from what he understands, but we have explored every possibility that he is aware of, in terms of obtaining the cooperation of Mr. Gene Adler, who owns the larger portion labeled "418" and he personally does not see any private agreement coming around, that every time Ms. Thomas or himself proposes a solution, someone interposes an objection and says they aren't going to let any of their property be taken.

Ms. Thomas said this is very true.

Mr. Miller said on several occasions the county has shown a willingness to participate but there have been road blocks thrown up and even though this is an unfortunate situation he does not believe the county has the responsibilities to do the whole thing, and considering our present money crunch, he certainly could not recommend it.

Mr. Jeffers said should "E" and "F" be constructed, there would no longer be a need for culverts "1" and "2".

Ms. Thomas thanked the Commissioners for allowing her to be heard again tonight.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of April 11 thru 15, 1983....report received and filed.

Mr. Guillaim said they are still in the process of doing their clearing work on Old Petersburg and Baseline, which has turned into a little more of a project than what we anticipated and we are trying to be a safe as we can be in taking out some of these larger trees, but nevertheless we are going to try to have them out by the end of this week or the first of next week.

RE: ORDINANCE TO ABOLISH CUMULATIVE CAPITAL IMPROVEMENT FUND

President Borries read aloud the following ordinance to abolish the Cumulative Capital Improvement fund, as prepared by Attorney David Jones.

ORDINANCE ABOLISHING CUMULATIVE CAPITAL IMPROVEMENT FUND

WHEREAS, the Board of County Commissioners (the "Commissioners") and the County Council (the "Council") created and established by ordinance passed August 8, 1977, a Cumulative Cpaital Improvement Fund from the proceeds from the sale of County owned real estate, sections one (1) through three (3) of Chapter 36 of the Code of Ordinances of Vanderburgh County; and

WHEREAS, the Commissioners and Council have been advised by the State Board of Tax Commissioners (the "Board") that the validity of the creation and maintenance of the Cumulative Capital Improvement fund is in question and that no appeals from the frozen levy or for excess levies will be allowed by the Board so long as said Fund is maintained by Vanderburgh County; and,

WHEREAS, the Commissioners and the Council deem it to be in the best interests of Vanderburgh County to repeal said ordinance abolishing the Cumulative Capital Improvement Fund and to transfer all monies and interest earned thereon into the County general fund.

NOW, THEREFORE, BE IT ORDAINED that sections one (1), two (2) and three (3) of Chapter 36 of the Code of Ordinances of Vanderburgh County is hereby repealed and the Cumulative Capital Improvement Fund is abolished and all monies in said fund and any and all interest to be credited thereto be transferred to the County general fund.

Passed this ___ day of ____, 19__, by the Board of County Commissioners.

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Commissioner Willner asked President Borries if we have the assurance of the Council that they will take the $112,000.00 out of this for the phones and also the $5,000.00 out for the jail suit.

President Borries said with the other Commissioners' approval he will direct a letter to the Council requesting $112,000.00 be deposited into the telephone account and that $5,000.00 be deposited into an account for professional services in regards to our jail class action suit, as requested by Attorney Jones .

Commissioner Willner moved the Ordinance be approved.

Commissioner Cox said she will second the motion because of the one condition stated in the Ordinance that we will not be allowed to appeal any of our appealable costs if this action isn't taken. She would think it would behoove the Council to have a little insight and save some of the money along the way for repairs and maintenance on our existing buildings.

Commissioner Willner said he also understands there was a bill to create a Cumulative Capital Improvement Fund for the counties and it also failed the Legislature.

President Borries said our Auditor, Alice McBride is out of town, that Deputy Auditor Pat Tuley is present tonight and he would like for Mr. Tuley to pass along to Mrs. McBride that perhaps as we approach the budget session season for Vanderburgh County that perhaps we could get a list of areas that can be appealed, either for excess levy or that that is listed outside the frozen levy, that with that demise we are going to have to look at every option. He personally would like to know what can be considered outside the frozen levy and literally how much we are going to be able to appeal, particularily in relation to the courts.

Mr. Rob Matthews, Governmental Affairs Director for the Chamber of Commerce said he understands what can happen if this action to abolish the CCI fund is not done and he can go along with that but looking back some twenty (20) months ago it appears the county is following the same guidelines and same road the city took and they ended up in real trouble. He would recommend some funds be put up for the future, as Mrs. Cox suggested, because you are robbing Peter to pay Paul. The city also robbed one account to put it into another account and then they had to float a bond to purchase police cars and purchase batteries for flash lights, so don't let the county get into the same shape if you can help it. He realizes the county is in a fiscal crunch and local option legislation didn't pass and the state didn't give you much, if anything. You now can open NOW accounts, which was passed in House Bill #1164 and signed by the Governor on April 6th, effective immediately. You may make it through this year, but there isn't going to be anything new for next year, that we may see the assessed valuation grow only 3.8%. Last year, state wide assessed valuation went up only 1.8%, so you may get less money next year then you are getting this year and if you aren't careful you are going to dig yourself into a hole. We feel the CCI fund was established for capital improvements and it should be used for such. He realizes the fund has to be abolished but put it in some other capital fund and keep it for a rainy day because if you dig yourself into a deeper hole you won't be able to get out.

President Borries said there have been some very tough decisions that have had to be made this year and they may get tougher before the year is over. He believes the Cumulative Capital fund currently hold about $202,000.00, that some of it was used for the Sheriff's vehicles and also over half ($112,000.00) is going to be set aside for the phone system, which he personally feels is a significant capital improvement and $5,000.00 of it will be used to further our action on the Jail Class Action Suit now pending and then the additional $85,000.00 will be deposited in the General Fund. It is his opinion that when the hotel/motel tax legislation was proposed for this county, it was his feeling that 1¢ of that money could have been set aside in a fund for the kinds of capital improvements such as the improvements we are doing at the Vanderburgh Auditorium and he would regret that legislation wouldn't support this.

Mr. Matthews said also concerning the accrual task force, that the city just recently received their proposal from an accounting firm in Cleveland, Ohio, and the proposal they received to convert their system from the cash to the modified accrual system is in the neighborhood of $200,000.00. He said there has been some discussion of the county contributing to get into that system, that is to merge the city and county data processing, that he realizes the State Board of Accounts says we must go to the accrual system. There has also been some discussion as to contributions from the private sector and business community in helping the city and county pay for this and we will be looking into this aspect. You may want to consider using part of your money for the upgrading of data processing because he believes the Commissioners are all aware of the fact you have pretty well used up the total capacity of your data processing system, and the Courts, Treasurer's office and Auditor's office, etc. are all pretty dependent upon that system.

President Borries said he would like to thank Mr. Matthews and the Chambers efforts in regards to the Local Option Tax because he knows they were very actively involved.

Commissioner Willner said he also appreciates the involvement of the Chamber and Mr. Matthews in this matter but one thing really bothers him and that is the fact you come up with no alternatives. He believes he agrees with everything Mr. Matthews said about the Capital Improvement fund, but we are sitting here with absolutely no alternatives. When you come and ask him to do something....give him an alternative.

Mr. Matthews said they spent $17,000.00 over the past three (3) months trying to come up with an alternative for you and this did not cost the county one red cent. That failed, as of Friday night, and we cannot come up with a list in a couple of days that will satisfy or alleviate the problems of the county. It has been mentioned and they go along with the suggestion of the county employees participation in regards to the health insurance and he realizes this is going to be a very tough decision, but in the private sector he believes the employee contributes on the average of 10% to 15% of the costs. He will continue to work on alternatives for the county.

Commissioner Willner said he realizes what Mr. Matthews is talking about, but when it comes down to paying our bills....we have no other choice. He realizes employees participation in the insurance is going to have to come and we are going to have to make some tough decisions to that end.

Mr. Matthews said yes, and that is going to hurt because of the philosophy of county government throughout the state as to very low pay.

Commissioner Cox said it would seem like anytime the State Legislature comes through with legislation that tells the county "you shall" do this and not "you may" with our existing tax controls, it seems like this would be an appealable course to take. In regards to date processing, we know we have to go to accrual and we can't sit here and talk about whether or not we can afford it or not, that this is a decision we are going to have to say yes to...now where is this funding going to come from? If we can go over the levy and get the funding then that is the answer and she believes at budget time we are going to have to look forward and include those things, because it has to be in your budget or you do not have a ghost of a chance on an appeal. Another thing is the use of Local Option which has been available to Vanderburgh County for some six (6) or seven (7) years now, but we opt not to use it. Had we have put it in at the time it was instituted we would now be reaping the rewards from it and we would not be in this crunch, but it is one of those hard political decisions that we sit here and talk about and we have had options that we chose to ignore. The Paramedic Service and also the boiler at the Auditorium was two (2) things that came from the CCI fund.

Mr. Matthews said already today they are looking at the issues to come up in the 1984 Legislature and some of the things that will be facing us, that the President of the Senate Finance has already said he plans to cut back on the tax increase that we all faced during the last special session because we will be generating too much money if the economy keeps on the upswing. Secondly, there is money put away in the fiscal 1985 budget for the schools. So if you want something done now is the time to begin putting things in order.

President Borries said hindsight may be 20/20 on this issue, that on the Local Option Tax, that for the first two (2) years it would go to further property tax relief, and we would not see immediate relief.

There being no more discussion on the matter, President Borries called for a vote on the ordinance to abolish the CCI fund, which was as follows:

Commissioner Cox....yes Commissioner Willner....yes President Borries....yes.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report for the employees at the county garage for the period of April 11 thru 14, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of April 11 thru 14, 1983....report received and filed.

Mr. Bethel reported they use the gradall on Pruitt Road, Nesbit Station, Nesbit, Bixler, Kramer Road and Kason Road. They had a grader on Fisher Road, Hornby Road, Wendel Road,

Emge Road, Trapp Road, Lynn Road, Old Green River Road, Mann Road, Motz Road, Motz Lane, Goebel Road, Bixler, Seminary Road, Kneer Road and Staub Lane. They had to put up barricades in Union Township and Knight Township and had to close all the gates, however, they have since that time opened some of them back up. They had patch crews on Oak Hill Road, St. Joe Avenue, Coalmine Road, Cemetary Road, St. Wendel Road, Eleventh Avenue, Colonial Lane and Boonville/New Harmony Road. Trash crews were on St. Joe Avenue, South Weinbach, Lynn Road, Old Green River Road and Waterworks Road. Tree crews were on Seven Hills Road, Frey Road, St. Joe Avenue and Schenk Road.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Time Reports Submitted: Mr. South said he submitted a time report for himself and Mr. Willis, attached to President Borries' copy only, however, he will be happy to produce copies for the other two (2) Commissioners' should they want them.

Report on State Board of Accounts Phone Call Concerning Mileage: Mr. South submitted the following memo, directed to the Board of County Commissioners, dated April 15, 1983.

Subject: Mileage Claims

On April 14, 1983, I finally got thru to Mr. Eurate who wrote the letter for M.F. Renner, dated March 30, 1983.

A summary of that conversation is as follows:

1. The County Commissioners determine official duties of its employees.
2. Mr. Eurate says it is written in stone that mileage to and from work is not official duties.
3. Take home cars are not on official business when being used to go to and from the office.
4. Suggested I wait for audit and get a good attorney.

If you will remember I asked about the take home care BEFORE I accepted this position and was told I could drive it to and from the office as long as I lived within the county.

I accepted this job in good faith with a stated salary and a take home car.

The car broke down and you claimed the County could not afford another car so I agreed to go on mileage. Your actions indicate that the mileage has been approved on numerous occasions when you approved the claims.

David L. South
County Highway Enigneer

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Commissioner Willner asked Mr. South if #4 in the above letter is then his answer and he replied he is not volunteering to pay any money back at this point...if this is what you are asking. The report in itself is a little contradictory in a couple of places and that is what the conversation led to and he is only trying to report in items #1 thru #4 basically what the conversation was, that it is not an opinion on his part...any of them.

President Borries said in regards to the paragraph concerning a stated salary and a take home car. He said the car has been repaired and is drivable now.

Mr. South said that is correct.

Claims: Mr. South submitted two (2) claims from Morley and Associates, Inc. for services rendered on the Burkhardt Road project. One claim is in the amount of $1,609.13 for January 1 thru February 28, 1983 and he recommends approval. The second claim is in the amount of $536.38 for August 1 thru December 31, 1982 and he recommends approval.

Commissioner Willner moved the claims be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the appraisal of the W. Harold McCoy property, in relation to the Covert Avenue Extension project, in the amount of $450.00.

Mr. South recommended approval, therefore Commissioner Cox moved the claim be allowed. Commissioner Willner seconded the motion. So ordered.

Income Projections for General Highway Account: Mr. South said he left in the Commissioners office last week the income projections for the General Highway Account, as requested at last week's meeting. The following cover letter was attached to the computer printout he left for the Commissioners, dated April 14, 1983

Subject: Income Projections for General Highway (201) Account

Attached are my current projections based on monies recieved thru April 14, 1983. I have used 4 methods of projections.

Method 1: Assumes that the monthly check will be the same percentage of the total annual receipts as last year. The total annual receipts are based on the estimate by the Indiana State Tax Board as provided by the County Auditor.

Method 2: Same as method 1 except the monthly receipts for 1981 and 1982 has been averaged for determining the monthly percentages.

Method 3: Same as method 1 except I have excluded $44,000 that I feel was probably part of December 1982, but was not distributed. This has the effect of reducing these early months for projection purposes.

Method 4: Compares this years receipts directly with 1982 receipts.

Comments: Method 1 thru 3 projects the latest trend (%over or under) to the end of 1983. Note once the receipts stop then the percent does not change.

Method 4 assumes that all remaining receipts will be exactly the same as they were in the same month last year.

Method 3 is currently being used in the long term projection, therefore 1984 income is estimated to be $44,000.00 less than 1983.

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Mr. South very briefly explained the attached computer printout, which was the General Highway Projected income for 1983, 1984 and 1985. He also has submitted a copy of this document to the County Auditor and to Mr. Bethel at the County Highway Department.

Claim: A claim from Victor L. Funke was submitted for the cost of appraising the Kenneth Adler property, in the amount of $250.00.

The estimate cost of this appraisal was $100.00 and the claim is for $250.00. The stated reason is because of the additional paperwork in doing it according to State guidelines. In light of the claim from the City of Evansville for the McCoy property this claim appears to be reasonable and he recommends approval.

Commissioner Cox asked Mr. South if he is at liberty to give the Commissioners the appraisal on the property and he replied it is in his office, however he can go get it if the Board so chooses but he would recommend that it not be released until a buyer has contacted Mr. Adler. A buyer does need to be appointed because this 4 lot subdivision has grown in 6 lots and has been resubmitted.

Commissioner Cox said under the guidelines Mr. Funke cannot be both the appraiser and the buyer and Mr. South said this is correct.

Commissioner Cox moved the claim be approved. Commissioners Willner seconded the motion. So ordered.

President Borries said perhaps next meeting we can come up with a buyer, that we should do that as soon as possible.

Mr. South said due to various circumstances that have happened around here in the past few months he is trying to put together a document, that if the Commissioners will discuss a date with him, the Board will get his resignation next week, with an effective date on it.

RE: COUNTY ATTORNEY....DAVID MILLER

RE: LETTER FROM RICHARD HAAG OF GEORGE S. OLIVE & CO. ON ALEXANDER AMBULANCE SERVICE

President Borries said the letter referred to from Richard Haag of George S. Olive & Co. concerning Alexander Ambulance Service appeared in the Commissioners minutes of April 4, 1983, therefore he would read only one (1) paragraph in the letter in regards to a question concerning advertising. The paragraph read "the advertising expense is the monthly cost of the yellow page listing for the corporation".

Commissioner Cox said she personally cannot see why we would have to advertise for paramedic service, that all calls come in through the Sheriff's Department and are dispensed through them also and she does not think we should pay for advertising for their corporation.

President Borries said that Attorney David Miller has been, and will continue to be in contact with Alexander in regards to this matter.

Mr. Miller said he has not been able to schedule a meeting to discuss these various items, because of the tax season, but he will do this as soon as possible and report back to the Board with additional information as he receives it.

Transfer of a Portion of St. Joseph Avenue: Mr. Miller submitted a document for the Commisisoners signature which is from the Indiana Department of Highways and is a road transfer memorandum of agreement, to transfer a portion of St. Joseph Avenue, in Vanderburgh County from the State to the County. This includes station 45+44.5 to station 47+20. Also from station 51+82.5 to station 57+38 (there is a relinquishment map attached to the agreement). Mr. Miller said the county's acceptance is subject to the following four (4) conditions:

1. The State of Indiana will cause the north drive into Busler's Truck Stop, Busler Enterprises, Inc. to be removed.

2. The State of Indiana shall patch small spall out areas to the satisfaction of the County prior to acceptance.

3. The State of Indiana shall maintain the overhead sign south of Diamond Avenue.

4. The area to be relinquished north of Diamond Avenue shall commence ten (10) feet north of the north bridge mud wall as more particularly described and depicted on drawing attached hereto and incorporated herein.

Mr. Miller recommended the Commissioners sign the document and transmit it on to the State.

Commissioner Willner moved it be approved and signed. Commissioner Cox seconded the motion. So ordered.

Drainage Problem in Brookshire Estates: Mr. Miller said the Commissioners may recall a couple of weeks ago a Mr. Tubbs and a Mrs. Kempf was before the Commissioners concerning a severe drainage problem in Brookshire Estates. Following that meeting he personally wrote a letter to Mr. Foster informing him of the discussion during that meeting and the problems the home owners are having out there and told him the Commissioners would certainly appreciate him taking some action to alleviate the problem and Mr. Foster did do that, therefore the problem has been solved.

RE: LETTER FROM THE CORPS OF ENGINEERS ON OHIO RIVER BASIN

President Borries read aloud the following letter from the U.S. Army Corps of Engineers, dated April 7, 1983 and directed to the Honorable Richard J. Borries.

There is a very strong possibility that federal funds will be available in the near future to construct the Ohio River Basin, Vanderburgh County, Indiana, Streambank Stabilization Project by the U. S. Army Corps of Engineers' Louisville, District.

Prior to undertaking any construction, it is necessary for the local sponsor to execute an Assurance Agreement and a Resolution stating its willingness to provide the required local cooperation.

Our office is enclosing an original and four (4) copies of the Assurance Agreement and an original and one (1) copy of the Resolution in connection with this project.

Please have the documents signed by the appropriate officials and returned to this office after retaining one copy of the Assurance Agreement and the original Resolution for the County's records. The Assurance Agreement contains the same elements of local cooperation which were in your January 11, 1982, Letter of Intent. A fully executed copy of the Agreement will be provided to you when signed on behalf of the Secretary of the Army.

It is urgent that these documents be executed and returned without delay. If you have any questions, inquiries or problems or simply wish to request meeting with any of our Real Estate or Engineering personnel, do no hesitate to contact Ms. Alicia J. Hollard at (502) 582-5755.

Sincerely,
Robert R. Humphreys
Chief, Real Estate Deivsion

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Commissioner Willner said signing and approving this also approves including buying the right-of-way for this project, so are we prepared to do that.

Commissioner Cox said this certainly needs to be done, therefore she would move it be signed and we can take it from there.

Commissioner Willner said he agrees the project needs to be done but the only place he knows of where we would have the money would be in R&S funds. He seconded the motion. So ordered.

Commissioner Cox said she is the one that originally brought this matter up several months ago, in response to some of the people who live in that area and she would be willing to contact the people living there and tell them okay, you are the ones that wanted this done, so we are going to have to get onto the property to get the work done, however, she is wondering if the people will still have the rights to go over that river bank and into the river if they want to.

RE: LETTER FROM MR. GIL RUSTON OF THE BUILDING AUTHORITY

President Borries said the Commissioners received a letter from Mr. Gil Ruston of the Building Authority informing us that the Board of Directors of the Evansville/Vanderburgh Building Authority has approved his serving as a representative on the Jail Improvement Advisory Committee as outlined in our invitation of April 12, 1983. A copy of the memo was also sent to Sheriff Shepard.

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

Submitted was the monthly report of the Clerk of the Circuit Court for the month ending March 31, 1983.....received and filed.

Commissioner Cox said in looking at Ms. Kuebler's report she sees they have invested $300,000.00 and that she carries a balance in her checking account of some $618,000.00 and she is wondering if this would qualify for the NOW account that was mentioned earlier by Mr. Matthews and if so, she should be so informed.

Mr. Tuley said he would inform her of this information.

RE: LETTER FROM STATE REPRESENTATIVE DENNIS T. AVERY

President Borries said he received the following letter from State Representative Dennis Avery and also he received a follow-up in the mail today. Letter is dated April 12, 1983.

Dear Rick,

During this legislative session there has been a dramatic increase in the level of financial support for community corrections in Indiana. Support has increased from a level of $250,000 during the 1981-83 biennium to a support level of 2.8 billion dollars for the 1983-85 biennium. During this legislative session there have been several other incentives and modifications in the so-called "charge-back" provisions. Enclosed you will find a copy of House Bill 1034, which outlines those changes.

I have written Mr. Vaughn Overstreet, Director of Parole Service, Indiana Department of Corrections, and asked that he forward to you an outline of the requirements and schedule necessary to receive the said funding. It will, of course, be necessary for you to move expeditiously but yet carefully to assure Vanderburgh County's participation in this excellent program.

Again, thank you for your attention and concern regarding this matter. If I may be of service to you in the future, please do not hesitate to call on me.

Sincerely,
Dennis T. Avery
State Representative

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President Borries said today he received the following letter from the Indiana Dept. of Correction, dated April 14, 1983.

Dear Mr. Borries:

This letter is in response to a request from State Representative Dennis T. Avery asking that we send you pertinent information concerning the Community Corrections Grant application process.

I apologize if there has been any confusion over your receipt of the information. The initial contact with Vanderburgh County was through a letter to Mr. Robert Willner, who was listed as the President of the County Commissioners in the latest edition of the Roster of State and Local Officials.

Since the initial letter was sent, we have been contacted by Mr. Ken Hood and Mr. Alan Henson, and applications were sent to them. Each had indicated an interest in developing a program in the Evansville area.

If I may be of any further assistance, please feel free to contact me.

Sincerely,
Alfred R. Bennett
Deputy Commissioner
Programs and Community Services.

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President Borries said he merely wanted the above letters to made a matter of record and wanted the other Commissioners to be aware of the information.

Commissioner Cox asked who is serving as Chairman of that Committee at the present time and President Borries said the Sheriff informed him they are going to elect one at a meeting next Tuesday.

RE: APPOINTMENT TO AREA PLAN COMMISSION

President Borries said Mr. James Schields resigned from the Area Plan Commission and at this time he would like to submit the following name to fill the vacancy.

Commissioner Willner moved the name of Elmer Tornatta, 2001 North Green River Road be appointed to fill the term of James Schields. Commissioner Cox seconded the motion. So ordered.

RE: DISCUSSION OF APPOINTMENTS OF BURDETTE PARK ADVISORY COMMITTEE

President Borries asked if the other two (2) Commissioners were ready to name their appointment choices to the Burdette Park Advisory Committee and Commissioner Willner indicated he was ready to name his.

Commissioner Cox said she is not ready yet, that she would like to have a little information to give to her appointee of what the responsibilities of this board is going to be, how often it is going to meet and also if they will be responsible to us directly or to the park manager.

President Borries said our last Advisory Committee finished its task and he asked the Attorney if we need to have a new Ordinance or Resolution to appoint a new committee.

Mr. Miller said as long at this advisory committee is purely advisory to the Commissioners and is serving without compensation and have no public authority or function other than to give the Commissioners an opinion, then he does not believe there is an Ordinance needed.

President Borries said then we could approve a resolution perhaps next week which will set out in it their length of term, and perhaps how often they will meet. The other Commissioners agreed. President Borries said since Mr. Jones is to be here next week he would like for Mr. Miller to tell him to prepare a short Resolution, if possible, for our next meeting, and to inform him of a few things they would want in it.

RE: LETTERS (3) FROM THE SECRETARY OF THE ELECTION BOARD

President Borries read aloud the following letter, dated April 4, 1983.

Board of County Commissioners: RE: POLLING PLACES

This is to serve as a reminder that April 23, 1983, is the last day before the Primary Election for the Board of County Commissioners to fix voting places in each precinct for the election to be held May 3, 1983, and give ten (10) days notice thereof by one (1) publication in two (2) newspapers of general circulation of opposite politics, printing and published in such county, if there be such. If not, such notice may be published in any two (2) newspapers of general circulation printed and published in such county, or if there is only one (1) newspaper published in such county, then publication in such one (1) newspaper shall be sufficient notice.

If a change is made after the giving of notice, a like notice must be given of the change. No change in voting places can be made within two (2) days of the General Election 3-1-8-5, 3-1-8-6.

Helen L. Kuebler, Secretary
Vanderburgh County Election Board

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Letter received and filed.

The second letter is as follows:

Dear Commissioners: RE: USE OF PORTABLE COPY MACHINE

We respectively request permission to use the portable copy machine from the Auditors office for the counting center on Tuesday, May 3, 1983.

We are again planning to furnish precinct printouts on election night and the above mentioned copier worked out very satisfactorily in the past elections.

Helen L. Kuebler, Secretary
Vanderburgh County Election Board

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

The third letter is as follows:

Vanderburgh County Democrat County Chariman
Attn: Mayor M. Vandeveer

Election is just a few weeks away and in the preparation, we need to identify the problem polling places that will have need of tables and chairs.

We will have people making delivery of the necessary tables and chairs from the County Commissioners office, however, we need to know in advance what is needed and where.

If you will let us know immediately of your problem precincts, this will facilitate this problem. Your cooperation will be appreciated.

Helen L. Kuebler, Clerk

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Letter received and filed.

RE: MEETINGS SCHEDULED

President Borries said the only meeting they have scheduled is one between the Commissioners, Mr. Gerard and Mr. South, on April 25, 1983 at 2:00 p.m. in the Commissioners Hearing Room, concerning Highway funding.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for the Vanderburgh County Democratic Central Committee for rental of the Gold Room on April 23, 1983.

A certificate of insurance was submitted for the Metropolitan Evansville Chamber of Commerce, Inc. for rental of the Gold Room on April 13, 1983.

A certificate of insurance was submitted for Shannon's School of Dance for recital dates of May 26, 27 & 28, 1983.

All certificates received and filed.

RE: CLAIMS

A claim was submitted by Municipal Engineering and Construction Corp. for application #2 for boiler replacement at the Vanderburgh Auditorium, in the amount of $34,669.00. Claim signed by Conrad Cooper.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Dennis Wiechman, for professional services rendered in regards to the Jail Class Action Suit, in the amount of $990.00.

Commissioner Willner moved the claim be approved and submitted to Ms. Meeks to be put on the next County Council Call. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COOPERATIVE EXTENSION SERVICE

Roger C. Kimbrough Jr.	429 Adams Ave.	Part time	$25.00 Day	Eff: 3-28-83

VANDERBURGH COUNTY ELECTION OFFICE

Sylvia Loviscek	632 S. Harlan	Dep. Clerk	$3.75 Hour	Eff: 4-11-83

VOTERS REGISTRATION OFFICE

Charlene J. Wagner	1222 S. Governor	Part time	$30.00 Day	Eff: 4-7-83

SUPERIOR COURT

Fred Haton Jr.		Pro. Officer	$16,678.00 Yr.	Eff: 4-7-83
Tracey L. Statz	3407 Washington	Cler. Assist.	$10,472.00 Yr.	Eff: 4-18-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Sharon Green	2838 W. Penn. St.	Dep. Clerk	$394.61 Pay	Eff: 4-11-83
Jeri Warner	6517 Arla Jane	Dep. Clerk	$197.30	Eff: 4-18-83

SHERIFF

John Ellsworth	2829 Washington	Patrolman	$16,743.00 Yr.	Eff: 4-10-83
Kenneth Mitz	2164 Jefferson	Pro. Patrol.	$15,743.00 Yr.	Eff: 4-1-83
Gilbert Humphrey	719 So. Bennighof	Pro. Patrol.	$15,743.00 Yr.	Eff: 4-11-83
Jeffery Johnson	16040 Valley Ct.	Civ. Jailer	$11,808.00 Yr.	Eff: 4-11-83
John Reutter	2825 Edgewood Dr.	Sergeant	$19,347.00 Yr.	Eff: 4-11-83

RE: EMPLOYMENT CHANGES....RELEASES

HIGHWAY DEPARTMENT

Jack W. Peerman	R.R.2 Box 310	Road Foreman	$14,951.00 Yr.	Eff: 4-7-83

VOTERS REGISTRATION OFFICE

Charlene Wagner	1222 S. Governor	Part time	$30.00 Day	Eff: 4-11-83

PROSECUTOR

Steve Owens	606 S.E. Riverside	Dep. Pros.	$18,000.00 Yr.	Eff: 4-4-83

SUPERIOR COURT

Deborah Goodrid		Cler. Assist.	$10,472.00 Yr.	Eff: 4-8-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Danna Harpole	1300 Marshall	Dep. Clerk	$394.61	Eff: 4-11-83
Linda Webster	4100 Claremont	Dep. Clerk	$197.30	Eff: 4-18-83

SHERIFF

John Ellsworth	2829 Washington	Pro. Patrol.	$15,743.00 Yr.	Eff: 4-10-83
E. Keith Hocker	4612 Cass Ave.	Detective	$17,994.00 Yr.	Eff:3-31-83
Marlin Beck	4408 Clover Dr.	Sergeant	$19,346.00 Yr.	Eff: 4-10-83
G. Douglas Humphrey	719 S. Bennighof	Civ. Jailer	$11,808.00 Yr.	Eff: 4-10-83
John Reutter, Jr.	2825 Edgewood Dr.	Corporal	$17,994.00 Yr.	Eff: 4-10-83

President Borries said all the pink slips were reviewed and approved by the County Council at their 2:30 p.m. meeting today and returned to us for approval tonight.

RE: REQUESTS TO GO TO COUNTY COUNCIL ON MAY 4, 1983

President Borries said there are two (2) requests to be presented to the County Council in May, which are as follows, and Ms. Meeks has already submitted them to the County Auditor for proper advertisement.

130-329...School Transfer Tuition	$2,885.44
130-361...Legal Services	$5,295.79

RE: MEMO FROM VANDERBURGH COUNTY PROSECUTOR

Submitted was the following memo and read aloud by President Borries.

TO: Vanderburgh County Council - Personnel Committee
FROM: Robert J. Pigman, Vanderburgh County Prosecutor
DATE: April 7, 1983
RE: Two Vacated Deputy Prosecutor Positions

In view of the ruling made April 6, 1983, by the County Council advising that all vacant positions must go before the Vanderburgh County Council Personnel Committee, I am advising you of two positions we are hopeful in filling as soon as possible.

Position 102, a full-time deputy prosecutor position to be vacant after April 8, 1983, pay period.

Position 116, a part-time deputy prosecutor position which we have already negotiated with an attorney, to be filled as soon as we can receive the necessary approval from the Council.

These postions are very necessary to the functions of my office and I trust you will see fit to approve these requests. If there are any questions, please feel free to call me.

There being no further business President Borries declared the meeting recessed at 10:10 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Deputy Auditor)	David Miller

SECRETARY: Janice G. Decker

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

250.

COUNTY COMMISSIONERS MEETING
APRIL 25, 1983

FINANCE COMMITTEE MEETING

Shirley Jean Cox, President of the Board of Finance called the meeting to order and asked for a motion on the previous meeting.

Bob Willner moved the minutes of the previous meeting be approved and the reading dispensed with. Rick Borries seconded the motion. So ordered.

President Cox stated we have an enabling legislation that was recently enacted that became effective upon the signature of the Governor, that it is engrossed House Bill 1164, as amended, which refers to the public deposits and investments by Indiana Political Subdivision and other units of governments. The section we are concerned with today involves authorizing our County Treasurer to deposit such access funds as he has available, in addition to the way he is now investing them, in the following manner. Certificates of Deposit issued by depositories, Money Market, Deposit Accounts and Negotiable Order of Withdraw, which is referred to as the NOW Account.

Mr. Willner moved the Treasurer be authorized to deposit such access funds in the accounts as stated by Mrs. Cox. Mr. Borries seconded the motion. So ordered with three (3) affirmative votes.

There being no further business Mrs. Cox declared the meeting of April 25th adjourned.

REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS CALLED TO ORDER

The meeting of the County Commissioners was held on Monday, April 25, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: BOB MORAN, VETERAN'S SERVICE OFFICER.....REQUEST TO TRAVEL

The following letter was submitted by Mr. Bob Moran, Veteran's Service Officer, dated April 21, 1983 and directed to the Board of County Commissioners.

The Vanderburgh County Veterans Service Office is requesting permission for the Service Officer and Assistant Service Officer to attend the 39th Annual Veterans Service Officers Training Conference being held May 8 through 12, 1983, in Indianapolis, Indiana.

I am enclosing a copy of the agenda for your reference showing what is covered through the days of schooling.

All county service officers must meet the standards recommended by the State of Indiana and be certified by successfully completing VA training school and test in accordance with Indiana Code 10-5-1.

Sincerely,
Robert J. Moran
Vanderburgh County Veterans
Service Officer

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Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

RE: SHERIFF SHEPARD...RECOMMENDATION FROM THE JAIL IMPROVEMENT ADVISORY BOARD

Meeting of Jail Expansion Committee: Sheriff Shepard stated the Jail Expansion Committee is going to meet for a breakfast and a meeting at 7:30 a.m. at the Executive Inn, in the dining room called the Garden Room. He would like to invite each of the Commissioners to have breakfast with them and following that, at 8:30, in the International A Room there has been a news conference called and Congressman Frank McCloskey and the U.S. District Marshal, Ralph Morgan will both be attending. At this time he cannot disclose what the news conference is about but they would welcome all the Commissioners attendance.

Meeting with Community Base Corrections Committee: Sheriff Shepard said he met this morning with Judge Miller and the Community Base Corrections Committee on the local level. He turned in a grant for $123,000.00 for expansion for the jail facilities, such as the kitchen, laundry facilities, a recreation area, things of this nature that they will be working with the Community Base Corrections people on. It passed on the local committee level and is now on its way to Indianapolis and in this area we hope to receive about $600,000.00.

Commissioner Cox said she would assume there has been adequate 48 hour notice given of these meetings and the Sheriff told her yes, that has been taken care of.

RE: PRESIDENT BORRIES...STATEMENT CONCERNING COUNTY FINANCES

President Borries read aloud the following prepared statement concerning the county financial situation. He said these are simply proposals and he would like for the other two (2) Commissioners to consider them at this point. He will also forward his statement to the County Council. The statement read as follows:

I'm making these remarks and proposals today because I believe it's time we get on with the unpleasant task ahead - cutting budgets where we are able to do so and raising revenues where we can. When the Legislature adjourned without passing any local-option tax legislation, it truly placed this county in a position without any immediate options. We could engage in partisan debate for the rest of the year blaming the other party for whose fault it was - but the fact remains, there are no options except those currently on the books and they won't give enough immediate aid. And when we don't have any more revenue coming in, we must do all we can to make ends meet. I regret many of these steps - but I can't find other alternatives within our power - and the silence from other county offices as to what can be done doesn't indicate that they have any ideas on what to do.

I'm proposing the following for this commission to review and act upon at it's next meeting. Copies will be forwarded to members of the Vanderburgh County Council. I will welcome input and I will try to incorporate your thinking into what we must do.

First, we have approved a transfer of $85,000.00 into the General Fund from the Cumulative Capital Improvement Fund. $112,000.00 will be placed into the County's phone account....for purchase of a phone system before November. Also, I recommend that the money be placed in an interest bearing note - 30 or 90 day, if possible. $5,000.00 of this fund is to be placed in the Sheriff's budget for the re-activated Jail Study Committee. The abolishing of this illegal fund will enable this county to pursue excessive levies outside the freeze.

Secondly, I propose the following at Burdette Park. I will ask Mark Tuley to repeal $40,000.00 out of his non-salary accounts and place this amount into the County General Fund. By October 1, I will ask Mark to again examine his entire budget and place $60,000.00 into the County General Fund. The park will remain at minimal operations through the remainder of 1983 and beginning of 1984. Exactly how many personnel will be affected will be determined after the park closes it's summer pool operations on Labor Day.

On the revenue side for Burdette Park, I propose to raise swimming fees to $1.50 per person and raise skate rental fees to $1.00 for 1983. There will be no entrance fee charged in 1983. Also, I'm asking Mark to review his catering arrangements to see if increased revenue can result and also to investigate placing rides, batting cages or other revenue producers in the park if they are available for 1983.

Thirdly, on Health Insurance for county employees - I see no way for the unbudgeted portion to be met unless the employees themselves pay a greater share. I propose that the employees pay 15% of the highest health care plan adopted since it must all go into the 160 group insurance account to pay for the entire groups expenses. Every Health Insurance bidder we have heard indicates that employees must pay a greater share of their own plan for one very obvious reason - to cut down on it's use so that the costs of the plan won't continue to skyrocket from over-use. I propose that this percentage be adopted by June 1, so that payments can be sent to whatever Health carrier is chosen, to lower costs. Dental and Eye Benefits would become optional. Several bidders have now indicated that they would carry the county employees Health Insurance with the current dollars in the account and with greater employee contributions for 1983. These changes will eliminate the earlier projected deficit for 1983 and enable the Council to pay other unbudgeted expenses. Union employees will be subject to the re-opening of their contract on the Health Insurance matter in July.

Fourth, I propose the base rate rental for the Auditorium be raised to $750.00 per performance, on any new reservations after June 1, 1983. This increase would apply to all public or private groups except other governmental units - such as schools - and it would not apply to Gold Room rentals. We are currently asking for bids for concessions as another means of raising revenue at that facility.

Fifth, - and very regretfully, - I propose to send a letter to all Township Trustees to find if they intend to appeal on Poor Relief in 1983 or 1984 - and then begin to consider a bond issue to fund Knight and Pigeon's appealed amounts. Other methods of financing poor relief were eliminated with the demise of the local option package. And,I don't see any other method of financing for further poor relief appeals within the existing structure. The bonds would then be retired from an excess levy in those townships.

Sixth, I have already asked the Auditor's office to prepare a list of appeals for items outside the freeze wherever possible - such as Paramedic Services and Southwest Mental Health Services. I hope we can present that list to the Council by budget time for their consideration.

Seventh, we should explore further inter-governmental agreements in areas where costs can be shared, and greater efficiency could result - such as in Data Processing Services with the goal to use the City of Evansville's plan to convert the county to the modified accrual accounting system in 1984.

Eithth, we will again review our phones and monthly charges to see if further cuts can be made before any new system is chosen.

Ninth, I propose to ask for a pre-budget workshop session with the Commissioners, Council, County offices, departments and personnel from the State Board of Accounts. Hopefully, specific questions could be asked as to what is or is not allowable in our budgeting and what, if any, immediate sources of revenue are avialable to our county.

Tenth, I again ask for cooperation - and yes, sacrifices from other County offices, to examine their budgets and repeal monies to the County General Fund. This is a very difficult time - a time not to pass the blame - but to do what has to be done to meet our expenses. By transferring the $185,000.00 into the General Fund and using only our current budgeted amount in the Health Insurance account - the county's overall unbudgeted deficit could drop to under $300,000.00.

I ask for your suggestions so that we can make decisions next week to recommend to Council at their May meeting. We have listened, figured, anguished and re-figured to see if there are any options left within our budgets. Time moves on - it's nearly May - and the expenses haven't disappeared. I hope that these difficult proposals will, at least, provide us with some ways to lower those totals through this year.

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President Borries concluded his statement by asking the Commissioners to take this under advisement, to offer suggestions, and attempt to try to get a handle on exactly what can be done in regards to the county finances.

RE: COUNTY ATTORNEY....DAVID JONES

Brief Discussion on Excavation Ordinance: Mr. Jones said he notes we received response from Mr. Wallace, Chairman of the Public Service Commission, with respect to the Excavation Ordinance, which was forwarded to him and he correctly pointed out in his letter to us that the statute we sought to invoke was recently repealed and the section he referred us to has something to do with the County Surveyor and it didn't make any sense to him what the purpose of that was. He regrets that they would not render any kind of opinion, that he thought at the very least they would simply advise us whether they thought there was some kind of interference with their regulation of utilities. That being the case, it would be his recommendation now that the county proceed to consider adoption and enactment of the Excavation Ordinance as well as the other Obstruction Ordinance, if the Commissioners see fit to do so and put it in place. He understands, in talking with David South, that there may be some technical revisions that need to be made and he would hope to get with David this week and submit any of these changes, and they go forward. He had several additional problems called to his attention, in his capacity as County Attorney, with "cuts" in county roadway, and the problem continues. If Southern Indiana Gas and Electric feels like they have to sue then they will just have to sue us, but this is the only device that he knows of that the county can protect it's roads and with the construction money being at a premium and for units of government to build something and then sit and allow it to be torn up afterwards is not right. Other than the technical changes, he believes it is a proper exercise of county authority. If the county were to attempt to go on utility property and do anything, he knows what kind of procedure we would have to go through.

Commissioner Willner said he met with SIGECO and asked them to go over the proposed ordinance and note some changes they would like to see made, which they did do. At this time he would submit that report to Mr. Jones for his expertise in the matter.

Amendment and Renewal of Lease with Veterans Council: Mr. Jones said today he would submit an Amendment and Renewal of Lease with the Veterans Council in regards to the premises known as the Old Coliseum. In reviewing the situation it appears that the Veterans Council did not give written notice that would be called for, under the lease. That by itself however did not cause the lease to terminate because the original term was let in 1971 and had a three (3) year term, through 1974, and it then required a written notice for successive renewals and in effect that is what has happened, that there has been a continuous series of renewals of the original agreement, whether or not either party realized it or not. What he was concerned about before was that we might not have any discretion with respect to ignoring certain things like that. He finds nothing that would create that situation and he believes the legal expression is that the county chose not to inforce the forfeiture provision. The lease goes forward as it would if this were a private lease. The amendment does one basic primary thing, it does aknowledge it has been renewed, but it simply increases the insurance coverage and makes clear the indemnification. The building is worth more now and the risks are greater then when the building was leased and the Veteran's Council has agreed to these changes, eventhough they have not yet signed it. At this time he would submit it to the Commissioners for approval, then if it is forwarded to him he will see it gets to Laura Kerby for her signature and then a fully executed original will get back to the Auditor..

Commissioner Cox moved the Lease be approved and signed. Commissiner Willner seconded the motion. So ordered.

RE: MARK TULEY....BURDETTE PARK

Mr. Tuley submitted the following letter to the Commissioners, dated April 17, 1983 and directed to the Auditor, Alice McBride.

Dear Alice,

The following is a list of the money that we will repeal back to the General Fund. Please deduct the amounts from the individual accounts as listed below.

145-114 Clerk-Receptionist	$6,000.00
145-116 Security	11,000.00
145-118 Other Employees	10,000.00
145-210 Fuel-Butane	5,000.00
145-260 Office Supplies	1,000.00
145-272 Deposit on Chemicals	500.00
145-273 Sanitary and Misc.	1,000.00
145-320 Utilities	5,000.00
145-331 Dumpsters	2,000.00
Total Returned	$41,500.00

Thank you for your time in completing this matter.

Respectfully
Mark T. Tuley
Burdette Park Manager

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Commissioner Cox said that President Borries asked Mr. Tuley to repeal some $40,000.00 out of non-salaried accounts and Mr. Tuley said sorry, it cannot be done. He said the Council and Commissioners, earlier in the year talked about making the clerk-receptionist a seasonal job after the summer, but after discussing the matter and at the request of some of the Commissioners and Councilmembers it was decided to be made a seasonal job before the summer, causing a savings of $6,000.00. Concerning the #116 account, they revamped their security at the park and they will be returning $11,000.00 from that account, and at this point that will not eliminate any jobs and he does not think it will during the summer either. In regards to #118, this is all of their part time ground crew help. They started a program about six (6) months ago with the court system and this has saved us quite a bit of money. Things will be a little tighter and a little tougher but they intend to see the park is maintained as well as it has been in the past.

Commissioner Cox asked about account #118, is this your total budget for part-time ground crew, or just a portion and Mr. Tuley replied it is just a portion of it, that he will have to keep some funds in there because he pays his life guards and skating rink personnel from that account also.

Mr. Tuley said the 200 accounts pretty well explain themselves, except #272..Deposit on Chemicals, that they will be using the same company they used last year and so this year we aren't required to pay a deposit. They have a little extra money in the Dumpster Account, therefore he is turning in $2,000.00 in that account.

Commissioner Cox asked how much is in the Dumpster account and Mrs. McBride replied she does not have the balance in the account but $4,000.00 was appropriated at budget time for it.

Mr. Tuley said he has more funds in certain accounts, however, he does not want to repeal it until later in the year because he does not know what might come up this summer and we all know he could not go back before the Council and get any money.

Commissioner Willner asked if we should give approval of these repeals today and President Borries said he would rather hold off for a week.

Meeting Concerning Burdette Park on April 27th: Commissioner Willner said there is to be a meeting on April 27th at 7:00 p.m. at the office at Burdette Park with a person who is basically wanting to submit a five (5) year, long range project that he would like to discuss with us and he would like for the media to be aware of that meeting.

President Borries said in view of our obvious budget problems and shortages, that a public/private type of partnership is what we are going to have to look for.

RE: CONRAD COOPER....AUDITORIUM

Discussion of Installation of Boiler: Mr. Cooper said he wrote the County Attorney a letter on the 21st of April, that during that time he felt the contractors and the engineer's working on the new boiler was dragging their feet and in his letter he asked the 5% of the performance bond be impounded and that no further payments be made until two (2) items he thought needed to be attended to was done. On April 22nd he received a letter from Biagi and Associates concerning the matters he was talking about and they are falling over each other to get the items taken care of.

Federal Grant for Elevator for Handicapped at the Auditorium: Mr. Cooper said sometime ago it was discussed the possibility of obtaining a federal grant to alleviate the problems of the elderly and handicapped have in getting to the restrooms, which are upstairs. Over the past several weeks he has been talking with Mr. Quentin Davis, at the Department of Metropolitan Development, with the city and also with Mary Brown, at the Council of Government Department. This new federal jobs money that was released to the state, the $8 million dollars, has them excited in the fact they relaxed the federal guidelines on the grant qualification and it seems at this point that the Auditorium could qualify for federal grants to install an elevator. He is presently working with them in preparing for a grant in the amount of what looks to be about $55,000.00 for the elevator and he is suppose to make a presentation at a NEEDS meeting tomorrow night at 7:00 regarding this matter. He will file a Notice of Intent to the Department of Commerce, in Indianapolis, which is handling the allocation and distribution of these funds.

Commissioner Cox moved that Mr. Cooper be authorized to proceed with this and present it at the NEEDS hearing, conducted by DMD. Commissioner Willner seconded the motion. So ordered.

Discussion Concerning Catering Services: Mr. Cooper said he mailed out about seventeen (17) requests to Catering Services within Vanderburgh County and so far we have had about six (6) written responses and five (5) or six (6) telephone responses indicating they would have proposals forthcoming.

Recommendation on Burning Oil in the New Boiler: Mr. Cooper said he understands the county is in dire financial straights right now and his budget will not allow him to repeal anything back into the General Fund, however, he does have a recommendation that he believes will save the county some money. We have about 10,000 gallons of fuel oil in the ground and the new boiler is fully capable of burning it, so just as soon as we get the feed water pump working to his satisfaction he is going to switch over and burn the oil and this will lower our gas bill drastically, that with the old boiler our bill ran anywhere from $7,000.00 to $10,000.00 per month.

Travel Request: Mr. Cooper said on May 12th. he plans on traveling to Lousiville, at his own expense and while there he is going to speak with the promoter, Mr. William E. Summers III, that we have periodically been in contact with Mr. Summers and he is

interested in setting up a concert series, that he handles a lot of the older rock and roll groups.
Also there is a federal surplus military depot over there which is a parent organization to the type of warehouse that is operated by the State of Indiana in Indiapapolis, and he would like to take a look at some items there. He will not be spending the night, that it will be a one (1) day trip.

Discussion on Parking Lot Mechanisms: Mr. Cooper said in checking the parking lot mechanisms, they can be adjusted to $1.00, and he would recommend the Commissioners increase the parking fee to $1.00 during events at the Auditorium. In checking some other lots around town he found the City Lot is $1.50 and the Park and Shop Lots are $1.25, that he found nothing under $1.00 for all day parking. He even believes we could raise our daily parking to 75¢, without much of a hassle. At this time he would ask permission to send two (2) of the changers off to a company to have them set for $1.00.

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

Discussion of Financial Backing from Convention & Visitor Bureau: Commissioner Willner said at one time we discussed the idea of having the Convention & Visitor's Bureau financially back us for some programs that we initiated on our own. It was requested and approved but it was unfundable for that year and he believes that since the Auditorium is only used less than half the time during the year that we should get back in that program and see if we can't stimulate some usage in the building.

Commissioner Cox asked if he was talking about the $5,000.00 seed money and he said yes. She said they do pay part of the expenses, like dues for Mr. Cooper, and a portion of his travel expense when he goes certain places.

Commissioner Willner said wasn't that in lieu of office space.

Commissioner Cox said she thought we exchanged them some computer items, for office space and Mrs. McBride said that is correct.

Mr. Cooper said currently we are trying to determine a fair rental, because they are going to terminate their computer services and we certainly cannot afford it. As soon as he establishes what he feels is fair rental he will submit it to the Commissioners for approval.

The Commissioners instructed him to continue working on it.

RE: BILL BETHEL....COUNTY HIGHWAY ENGINEER

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of April 18 thru 22, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of April 18 thru 22, 1983...report received and filed.

Mr. Bethel reported during the past week they had the gradall on Upper Mt. Vernon Road and #6 School Road. Our patch crews were on Coalmine Road, Boonville/New Harmony Road, Duesner Road, Eichoff Road, Happe Road and Burkhardt Road. Trash crews were on Bayou Creek, Pollack Avenue, Old Henderson Road, Waterworks Road, River Road and St. Joe Ave. They graded Lyle Road, Folz Road, Old Boonville Road, Buente Road, Green River Road, Cypress Dale Road and Schlissler Road. They pulled the shoulders on Buente Road, West Franklin Road and Martin Station Road. Tree crews were on St. Joe Avenue and Kuebler Road.

Specifications for New Gradall: Mr. Bethel submitted the specifications for the new gradall for the Highway Department, as prepared by the City/County Purchasing Department, and asked for approval of them. The advertisement is to run on May 5 and 12, with bid opening on May 23, 1983. He recommends they be approved as written.

Commissioner Willner moved the specifications be approved and properly advertised. Commissioner Cox seconded the motion, subject to approval of County Attorney. So ordered.

Commissioner Willner asked Mr. Bethel if we are going to be able to put some oil or some calcium chloride on some of our gravel roads and he replied yes, that it will probably be calcium chloride.

Commissioner Cox said she received a call from an Oil Refinery, and she cannot think of the name of it, but in the past we received requests from them to put their excess oil on some of our county roads in Union Township, so if she hears from them again she will refer them to Mr. Bethel and you can direct them where to put it.

Mr. Bethel said that would be fine, that he has several places he would like for it to be dumped.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of April 18 thru 22, 1983. Report received and filed.

Claim: Mr. Guillaum submitted the following claim in regards to Baseline Road project.

> Rosemary Wheeler Shortridge...A parcel of land in the SW¼ SW¼ of section 36, Township 4 South, in Vanderburgh County, and described in an agreement signed by Commissioners on 3/28/83, Re: Exibit "A", parcel contains 0.6 acres, for construction of Baseline Bridge #44. Amount of claim is $5500.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Problem With Deck on Bridge on Red Bank Road: Commissioner Cox said there is a problem with the deck on the bridge on Red Bank Road, between Hogue Road and Upper Mt. Vernon Road, right by the railroad track. She said the asphalt is breaking up and you can see the wood decking, therefore she would like for something to be done to it before it gets too bad.

Mr. Guillaum said he will see that something gets done to it.

Problems With Barnett Bros. and SIGECO on First Avenue Bridge Project: Mr. Guillaum said he would like to get some kind of clarification on a problem concerning the First Avenue Bridge project. We received a letter in the Surveyor's office today from Barnett Brothers stating they were having problems in regards to getting something worked out concerning the location of the electric lines, with SIGECO, on the bridge. A representative of SIGECO, Mr. Bob Gulick is present today and he has discussed this matter somewhat with Mr. Gulick and he understands SIGECO wants some sort of a commitment from the county to assure payment for relocating these poles, that what we are looking at is two (2) moves for the poles and SIGECO won't pay for them being moved once temporarily and then another move back. They met with the contractor, concerning the north end of the bridge and when you are dealing with 48,000 volts in these lines, you obviously cannot get right on top of them with the crane. Where the location of these poles are proposed now, the contractor said there is no way he can set his rig in there, that it would be far to dangerous to work in. Something is going to have to be decided on this immediately so we won't have a delay in the project.

Commissioner Willner said it seems to him that this is not the county's problem, that we aren't going to relocate the water, sewers or the telephone cables and it seems to him this is in the same catagory.

President Borries said there was a series of meetings concerning this project and he never remembers it being said that it would be the responsibility of the county to move the electic poles.

Mr. Bob Gulick said he attended all the meetings concerning First Avenue, therefore he feels he could help clear this matter up. It initially started out that they, SIEGCO, agreed to move their poles within the existing right-of-way, at their own cost. They met with the contractor and the county and everyone agreed to that move. They then met in the field with the contractor and the pole stakes at the edge of the right-of-way and the contractor felt like that will not be enough room.

Mr. David Jones said he believes that SEIGCO believed it to be a one (1) move deal, within the right-of-way and now since the contractor can't live with that one relocation it would necessitate two (2) moves, and out of the right-of-way, which would cost them

some money. They have a right, under law, to use a public right-of-way, unless and until it interfers with the public use of the public right-of-way. His view point of this thing, because of the time-table involved, this thing needs to have an engineering solution and not a legal solution, because if it gets into the legal domain it's going to affect the timing of the project and that just should not happen, therefore it would be his recommendation to get everyone back together again as quickly as possible and attempt again to come up with an alternative.

Mr. Guillaum said he does not believe there is an alternative.

Commissione Cox said why wasn't this brought up before now.

Mr. Guillaum said the contractor wasn't aware that he was going to be that close to the lines, and he doesn't believe that SIGECO wants us that close either.

Commissioner Cox said nothing's moved out there and she looks at it this way.....the contractor knew what the situation was going to be and in his bid if he didn't charge us enough for concrete, etc., then thats his tough luck.

Mr. Gulick said they have never moved out of the right-of-way for the county before but they have many times for the state and the city and they have never had any problems with being reimbursed.

Commissioner Cox asked how much money we are talking about and Mr. Gulick said he would estimate it to be about $10,000.00.

Commissioner Cox said what you would do is move the poles out and then when the project is completed you would move them back into the right-of-way.

Mr. Gulick said that is correct because the property we would be moving onto temporarily is owned by a private individual and he could give us only temporary right-of-way and also the distance we would have to move out is prohibited for maintaining a line in that location.

President Borries said could this be paid from the Cumulative Bridge Fund and Mrs. Cox said yes it could be but the contractor should have anticipated that and included it in his bid.

Mr. Gulick said when this was all agreed to, the contractor thought the right-of-way was from the edge of the bridge and not from the center of it. We really need to get something done quick, because SIGECO also has a deadline to meet, however, that deadline was set before this problem came up.

Commissioner Cox asked who owns the outer right-of-way and Mr. Jones said Greg Kempf.

President Borries asked how soon we could meet with SIGECO to try to resolve this before we end up with a legal situation, that perhpas Mr. Gulick can contact the attorney's for SIGECO and perhaps we could meet with them immediately following this meeting.
Mr. Gulick said he would attempt to contact them right away.

President Borries said in cases like this involving the city and state who paid for the moves and Mr. Gulick said the governmental unit paid for it if it was moved outside of the right-of-way, regardless if it was temporary or permanent.

Commissioner Cox said if our plans are in error then we swallow the cost but if we submitted proper plans for the contractor's to review and bid on then it should be up to the contractor to absorb the cost, that perhaps this is one of the reasons he was low bidder.

Mr. Guillaum said you are looking at only $10,000.00 and Commissioner Cox said yes, this time, but this may be just the first $10,000.00. We haven't even started the project yet and already we are looking at a $10,000.00 change order.

Mr. Jones asked if this particular piece of equipment is the only one that can be used in there to do the job and Mr. Guillaum replied yes, he must use it in there.

Commissioner Willner said some six (6) months ago did we not inform all the utilities that we were going to build a bridge and they were going to have to move their equipment out of our right-of-way and Mr. Guillaum replied that is correct. Mr. Willner said and was that received and approved by SIGECO, as well as everyone else and Mr. Guillaum said that is correct. Mr. Willner said and now they are saying that in order

for them to move them....we have to pay, well, he just does not understand that, and also he does not see it as the contractor's responsibility to have to worry with the utility, because he is sure the contractor, in his mind, was relatively sure that he would not have to worry about his men getting electrocuted while they were woking on that bridge and everyone knows to drive piling you've got to get a scaffold up in the air, and it is steel.
We didn't comtemplate paying to remove the utility obstructions, initially, did we?

Mr. Jones said none of the others are being compensated.

Mr. Gulick said no one else is being asked to move outside of the right-of-way, that the removal of their gas lines will be of no cost to the county because they are not being ask to move those out of the right-of-way.

Commissioner Cox asked if the letter requested you to move out of the right-of-way and Mr. Gulick said he did not see a letter, even six (6) months ago.

Mr. Guillaum said the Surveyor's office sent letters out to utilities along with a set of plans.

Mr. Gulick said he went in and picked up a set of plans.

Commissioner Willner said there was a letter sent out, through the Surveyor's office, to water, telephone and gas and electric. They are using our facilities and now we have to pay for them to use it, and that just doesn't quite add up to him.

Mr. Gulick said are you saying we are on you facilities and Mr. Willner said yes, you are on our right-of-way.
Mr. Gulick said he thought that is a public right-of-way and not a county right-of-way.

Commissioner Willner said lets have another meeting on this as soon as this regular meeting is over and have SIGECO's attorneys here and lets see if we can't work it out right now.

Mr. Gulick said he will try to contact them and if not, perhaps tomorrow.

Commissioner Willner said lets try for today while everyone is together.

Letter From Indiana Department of Highways on Bridge Re-inspection: President Borries said there was a brief meeting with Mr. Gerard and Mr. South in regards to various projects and we received a letter pertaining to bridge reinspection of all bridges 20' and over in Vanderburgh County. He read aloud the following letter, dated April 7, 1983 and directed to the Board of County Commissioners

Your FA-2 for proposed 1984 Fiscal Year Bridge Re-Inspection Funds is approved. If a consultant is to be used, the agreement process can be initiated now, however, authorization to proceed with the work would be after July 1, 1983. Selection of a consultant must follow your approved consultant selection procedures.

If local forces are to be used, a request from you should be submitted after June 1, 1983 for obligation of funds. The request should state the total estimated cost for the work and the amount of federal funds requested for obligation. The amount of federal funds would be 80% of the total estimated cost of the work.

Refer to pages 13-2 to 13-5 of the IDOH-LPA Policy & Procedures Manual for further instructions.

Sincerely yours,
R.E. Woods, Chief
Division of Local Assistance

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Mr. Guillaum said he will speak with Mr. Brenner concerning this matter but he believes the last conversation regarding this, we are going to use our own forces.

Commissioner Cox said you need to convey that to David Gerard so he can get word to Mr. Woods.

Drainage Problem on St. Joe Avenue: Commissioner Willner asked Mr. Guillaum if he checked out the drainage problem with the St. Joe Avenue bridge and he replied he turned the matter over to Gene and he will get to it as soon as possible. Mr. Willner said that is a safety hazard and needs to be attended to very quickly, and he believes we need to put the guardrail back up also because there is some dumping going on out there.

We asked for some dumping to be done there sometime ago, but enough is enough.

RE: JESSE CROOKS...BUILDING COMMISSION

Eyesore at 3606 Hogue Road: Mr. Crooks said we have a situation on the westside, at 3606 Hogue Road, that has been an eyesore for years and something needs to be done about it. There is a lot of junk on the premises and also a partially constructed building that he keeps telling us he is going to finish, but has not done so in the past three (3) or four (4) years and we feel like it is time some action is taken. At this time Mr. Crooks submitted photographs of the premises in question for the Commissioners viewing. The gentleman acquired a building permit for a garage about three (3) years ago and the photo shows what he has done thus far and how it has been for the past two (2) years. He would recommed we give him a citation and give him sixty (60) days to complete it or we will order it torn down.

Commissioner Cox asked what is there reasoning for not completing the garage...is it financial?

Mr. Crooks said no, he just says he does not have time to finish it...he's too busy.

Commissioner Cox moved Mr. Crooks be authorized to do exactly what he recommended to the Commissioners. Commissioner Willner seconded the motion. So ordered.

Complaint Concerning City Auto Parts: Commissioner Cox said she has been receiving complaints again concerning the City Auto Parts.

Mr. Crooks said they also continue to get complaints about the auto parts place and the neighbors took it to the Safety Board.

Commissioner Cox said she also sent a letter to the Safety Board and it should come up at their meeting this week, that here has been mud and debris carried out of the yard and onto Hogue Road. He does not have a dust-free surface in that entire area and it also is not fenced properly and late at night people have been breaking into there and stealing auto parts and when one of the neighbors dogs start barking, they must run off and drop parts as they go.

Mr. Crooks said he will go out there and make a check of it and report back as soon as he can.

Complaint on Hogue Road and Upper Mt. Vernon Road: President Borries said he too received a complaint, in the area of Perry Heights School, that he referred to Jim Lewis and he went out and took some pictures of the area in question. There apparently has been quite a bit of junk hauled in there and he would like some clarification on what he intends to do, that he says he is going to fill it all in.

Commissioner Willner said the neighbors aren't complaining about him going to fill it in, they just want the trash covered as he fills it.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Daily Time Sheets: Mr. South said daily time sheets for Dale and himself are attached to President Borries report.

McBride Drainage Problem: Mr. South said he has talked to County Attorney David Jones and he is working on the situation out at Rode Road and Oak Hill Road, so there is nothing further to report at this time.

License and/or Bond Permit: Mr. South submitted a license and/or bond permit for Jerry David for a cut and to occupy county right-of-way at 1710 Diefenbach.

The document was referred to the County Auditor for proper filing.

County Responsibility on County Line Roads..South and East: Mr. South said there needs to be some clarification on the County Highway's responsibility on county line roads, especially those to the south and east of us, which by definition and lack of agreement are ours to take care of and to what extent that includes...is it just the road or does it include the whole right-of-way. Amax proposes to put a water line up the county line road in the east side, on the Warrick County side of the road and it is his understanding that since we take care of the road then it is within our jurisdiction to take care of anything within that right-of-way. Amax's work is completely outside the county. Physically it is outside the county but within the county road that we maintain.

Commissioner Cox asked Mr. South if he foresees any damage to the roads from their equipment and he replied even if it's out of our right-of-way, they are going to be using our roads.

Commissioner Cox said she certainly feels like Amax should stand liable to any damage to our roads that their equipment or machinery might make.

Mr. South said he just received the plans last week on this and he is trying to push this as far out of the road as he can. He would like to get them out of the flow line of the ditch but he does not know if that is going to be possible because there is a huge drainage ditch in that area, so we will try for about half way between the big ditch and the road. If we're operating in someone else's jurisdiction, tell him or otherwise he will treat it like any other normal permit.

Commissioner Willner said it's ours.

Ditch Along Pollack Avenue: Mr. South said he has discussed this somewhat with Mr. Borries, that out on Pollack Avenue there lives a gentleman that cleaned his own ditch out. This is on Pollack Avenue, east of Green River Road and he understands the city limits run east on Pollack to Hoosier Avenue. The gentleman said when he calls the county they tell him it is in the city and when he calls the city they say it is in the county. He understands if the corp line is in the right-of-way then the county automatically gets money for that road and going out Pollack Avenue it runs down the middle of the road. His suggestion would be to work out something with the city as to who is going to take care of that particular area and let the other one bow out.

Mr. Bethel submitted some photographs of the ditch, which is on the south side of Pollack Avenue and was taken at 9:00 a.m. today and there was an absolutely excellent job done on it.

President Borries said he was a little concerned with the telephone poles along there and Mr. Bethel said he sees no problem with that, that the ditching did not effect them.

Commissioner Willner said he can see a really good job was done but please inform him before he does anything like that again, that he must get advanced approval from the appropriate body and Mr. South said he is well aware of that now.

Utility Permit to Occupy County Limited Access Right-of-Way: Mr. South said there has been a utility permit submitted from one who wants to bury a utility line in a stretch of county highway right-of-way that is limited access, and if you are wondering how the county obtained a limited access right-of-way, well it was one of those reversion deals that came back through the interstate program, went back to the state and the state got it back to us. The chainlink fence is up and the deed indicates the property was purchased for limited access. He knows of no other place in the county that has limited access and one would think on limited access that you would keep the minimal exposure down and that means utilities, etc.....out.

Commissioner Cox asked if someone is wanting to build back there and Mr. South said no, the Telephone Company is wanting to put utilities on this stretch of road.

Commissioner Willner asked if this would be underground and Mr. South replied he would assume yes, however, he just received this today and he didn't have much of a chance to look at the permit, but when he seen where it is located he wanted to bring it to the Commissioners attention today.

Commissioner Willner said he would approve of this.

Mr. Jones asked if the land owner objected to this and Mr. South said only the rights were purchased and the price happened to be the same as he would have received for the property, so they purchased his rights and not his property. They literally bought him out, land locked him and then gave him the property back.

Mr. South said because of the reversion back this is one of the few parcels the county has fee title on.

Mr. Jones said until someone objects there are no problems and to avoid that you can give notice and ask if there are any objections and if not, then go forward.

Commissioner Cox asked if the utility is wanting to go behind the fence and Mr. South said no, they are wanting permission to be on the right-of-way and knowing the phone company they will probably want to go right down the edge of the pavement, which he is going to object to very strongly because of the shoulders, but there is plenty of room

to construct in the area.

Commissioner Willner said there is probably thirty (30) or forty (40) feet there.

Mr. Jones asked if we have the instrument of conveyance to the county and if there were any strings attached it would be in that instrument. If its not recorded, its not effective.

Mr. South said he doesn't remember the statis of what was recorded and what wasn't, in his research package.

The gentleman was given a drive-way permit some two (2) years ago and Mr. South said he understands he now wants to build back there.

Commissioner Willner said issue a permit and see that they do it right.

Summit Place, Section A: Mr. South said he recieved the plans for Summit Place, Section "A" on April 18th and he has not completed his review of them, therefore he has no recommendation at this time.

County Vehicle Needs Repair: Mr. South said county vehicle #51 is either in the garage or on it's way there, that the front end is completely unstable and Mr. Bethel is going to check it over and get back with him.

Resignation: Mr. South said he and Mr. Borries have had a couple of meetings concerning his intent to resign the position of Highway Engineer and it now appears that will be effective June 3, 1983.

President Borries said he and Mr. South have had some discussions this past week and Mr. South has prepared a lengthy project list that he believes each one received a copy of what he believes will be very helpful to us and he would like for the Commissioners to meet with Mr. South in the next couple of weeks and go through the list with him and also if we can find a person to replace Mr. South, perhaps that person could also attend the meeting.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

President Borries said there was a very nice article in the morning Courier about Mr. Lewis and he does not understand how such a well qualified person could have served in this capacity of Superintendent of County Buildings. He feels the Commissioners have been very fortunate to have had Mr. Lewis and would say we are going to really miss him when he leaves. He personally appreciates all the hard work Mr. Lewis has done and he regrets the loss.

Commissioner Cox said she too wants to express her personal thanks to Mr. Lewis for all the help and consideration and fairness he has shown her as a County Commissioners and she shall miss him very much and she wishes him a lot of luck in his future.

Report on Parking Lot Committee: Mr. Lewis said the parking lot committee, at its last meeting, made some decisions, that they are planning on closing down the parking lot on May 27, 28, 29 and 30, which is a Friday, a week-end and a Holiday and at that time we are going to try to get it swept with the city sweeper and move in and do all the painting that will be required. They have asked for metal signs to be put up to mark the new spots and because of the economy he discouraged this and he beleives they will agree if he can get some free stencils made that we will simply paint the new titles on the space. Next week he hopes to have the list of persons to be allowed to park in there for Commissioners approval and the various letters that will have to go out to the news media, other persons involved, etc. Right now we anticipate the new parking to be effective May 31st.

Budget of Superintendent of County Buildings: Mr. Lewis said the budget of the Superintendent of County Buildings is down to approximately $6,000.00 or $7,000.00, with some outstanding bills due and this is going to force him to do only emergency types of things right now until we get all the bills paid and see exactly where we are at and if the Commissioners want him to go before Council.

Discussion of Work Release Program: Mr. Lewis said there are some problems with the Work Release and that is that when the Governor passed the law to establish the Work Release Program, someone at that level failed to do anything about the Workmans Compensation, therefore the county could possibly be liable where these people are working

and we have already had incidents of some accidents happening. He does not know what all the ins and outs are concerning this matter but it was brought to his attention by Mark Tuley, so we should really do some research on it and perhpas get John Hodge involved in it also, because we don't want a law suit.

Mr. Jones said the county's Workmans Comp carrier disclaims that work release and similar projects are in fact covered by the policy because he beleives they are construing it as that is not intent for permanent employment, that these people are there on a one-shot basis by virtue of being incarcerated and they are therefore not under Workmans Compensation Law. If thats the case, it is not our problem and he would ignore the situation because the worse thing that can happen is that if a person gets hurt they file for Workmans Comp and the Board turns them down. If the board accepts them we take that back to the carrier and say yes it does apply. If the person can't get workmans comp they sue the county for negligence and we are covered for that.

Article in Courier Concerning Mr. Lewis: Mr. Lewis said he would like to take this opportunity to thank Kim Jackson for the very nice article she wrote about him in the Evansville Courier. He really appreciated it and received many phone calls from people who did not even know he was in Evansville. He would say that he will give the Commissioners a firm thirty (30) day notice before leaving his post.

RE: CONTINUED DISCUSSION OF THE FIRST AVENUE BRIDGE PROJECT

At this time the Commissioners decided to continue the earlier discussion of the problems with SIGECO lines along the First Avenue Bridge, since Mr. Gulick has returned with Mr. Fred Bamberger and Mr. George Porch, attorneys for Southern Indiana Gas and Electric Company.

Mr. Bamberger, Chief Counselor for SIGECO said he understands the Commissioners have some questions that need to be answered by them and he would be happy to try to do that.

President Borries said there is some question about the county paying a charge for SIGECO's moving their utilities from the present location, out of the right-of-way and then back in and we are most anxious to resolve this as he is sure SIGECO is.

Mr. Porch said their legal position and based upon Mr. Bamberger's years of experience and knowledge of the law, is that when we have facilities in the right-of-way, that we are entitled by law to be there. When we are asked to move those facilities, through no fault of our own, onto private property, as his understanding is in this case, and then to move them back later to facilitate construction, our position has always been that we are entitled to reimbursement for all our cost. If you were telling us to relocate them permanently then there would be no charge.

Mr. Bamberger said that is as long at the permanent move was within the right-of-way.

Commissioner Willner asked Mr. Guillaum how many extra feet will be needed and he replied he believes we could go with another thirty (30) feet.

Mr. Gulick said it is hard to say, that when he talked with Barnett, they asked us to get as far out of the one hundred (100) feet, as we could go.

Commissioner Willner said then if we purchased the ground, the extra fifty five (55) feet along there, then you would move your utilities to the outer limit of that, free of charge, and you leave them there.

Mr. Bamberger said we have to relocate our facilities in order to accomodate the traffic and not the construction.

Mr. Gulick said building our lines like that would not facilitate for it to stay that way very long, that it would have to be temporary construction, or that is the way their engineer's explained it to him.

Mr. Porch said if you are telling us you are going to widen this road and you need our lights to be fifty (50) feet further off and it is a permanent move, then there is no charge, but if you want us to move them and then move them again after the construction then there would be a charge.

Mr. Guillaum said you have about a one hundred (100) foot strip to the center line of the creek and from that point it jogs in to forty five (45) feet, so if you bought another fifty five (55) foot strip to add on the forty five (45) foot, and kept the one hundred (100) feet straight through, then you could have a one (1) permanent move operation as no cost to the county.

Mr. Gulick said he would not want to commit himself to that being true because even-though it sounds good he is not sure their pole line could stand to be in that type of location, from what their engineer's have told them.

Mr. Jones said if we have the right-of-way then that would not be our problem at that point, that you would be back to not moving because of construction but because of the right-of-way.

Mr. Gulick said we were willing to move it to be out of the way of the bridge but now they are telling us to move it further because of construction cranes and it would be too confining.

Mr. Jones said are we certain that the super structure of the bridge isn't a problem in relation to the line, when it is completed, because that juice can jump to the bridge as easily as it can jump to a crane. Has this determination been made for sure.

Mr. Guillaum said there will be no over-head structure.

Commissioner Cox asked where are the utilities lines located along other portions of First Avenue...is there a one hundred (100) foot right-of-way for it.

Mr.Gulick said no it is not that wide, that it is probably forty five (45) feet.

Mr. Jones said there also may be some problems with the Corps of Engineers and if they told you to move then we would not have any control over that.

Mr. Porch said we are moving because the county asked us to do so, out of the forty five (45) foot right-of-way.

Mr. Gulick said he personally has not talked to the Corps of Engineers.

Mr. Bamberger asked if the Commissioners will let them know if additional right-of-way is going to be purchased.

Commissioner Willner said we need to know what is acceptable to SIGECO and if that is then perhaps would could work on it.

Commissioner Cox said she believes that Mr. Gulick has told us that would not be acceptable, engineering wise.

Mr. Jones said this needs an engineering opinion.

President Borries said we need to meet with everyone involved as soon as possible.

Commissioner Cox said getting together with the engineer's and people involved is a very good idea because no one sitting here today knows the answers.

It was decided that Mr. David Guillaum was to contact someone from Deig Brothers because Mr. Jones said they have delt with the Corps many times and the Corp would have briefed them on their requirments.

Everyone agreed with that.

Mr. Guillaum was also instructed to contact Barnett Brothers, Deig Brothers, SIGECO, and Greg Kempf and set up a meeting at the very earliest date and he said he would get on it immediately and try to set it up for tomorrow.

Mr. Jones said to let the engineers get together and thrash it around and when they get close to a decision then call him and he will come to the meeting immediately.

President Borries thanked everyone for attending and that the Commissioners would be in touch.

RE: LETTER FROM MATER DEI HIGH SCHOOL

The following letter was received from Mater Dei High School, dated April 20, 1983 and directed to the Board of County Commissioners.

Our Student Council is preparing for our Spring General Elections. As in the past several years I requested by phone the use of three portable VOTO-MATIC booths. I was asked to submit this request in writing.

Would it be possible to borrow THREE booths to be used on May 10, 11 and 12? I would be able to pick these up at the County Commissioners Office and return them personally. The booths would be set up only during the established times for voting. Our appointed Election Board and I will be present during the time of voting. Therefore I feel certain that there would be no damage to the booths. I will forward a certificate of insurance from our Diocescan Insurance Office regarding this matter.

We appreciate your co-operation in the past and thank you for consideration of our present request.

Sincerely,
Sister Donna Marie Herr
Student Council Sponsor

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Letter received and filed.

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

RE: LETTERS FROM THE BUILDING AUTHORITY

The following memo was sent to President Borries, dated April 21, 1983.

Subject: Update on new telephone system

The Building Authority was unable to put together a satisfactory specification for bidding a new telephone system, as originally planned.

In view of the above, I have received Board approval to engage the services of an engineering firm who can put together a biddable performance specification for a new telephone system in the Civic Center.

Before this contract can be let, however, it will be necessary for the Building Authority to have a signed agreement from the three (3) lessees to the effect that once this job is bid and the successful corporation selected, that there will be no deviation as to future supply or sources.

This agreement should be available soon; at which time, we will forward it to you.

C.G. Ruston
General Manager

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The second letter read as follows, dated April 22, 1983.

Subject: Update on new telephone system

Pursuant to our memo of yesterday, attached you will find the consent agreement referred to.

If you concur, please have the necessary signatures affixed and return to our office. We can then proceed promptly.

C.G. Ruston
General Manager

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The Consent Concerning Telephone System read as follows:

TO: Evansville-Vanderburgh
County Building Authority

April 1983
Evansville, Indiana

Gentlemen:

You have advised us that you have authorized a study by Biagi and Associates of Evansville, Indiana, ("Biagi") to determine the needs of all the tenants for telephone service. Thereafter, Biagi would prepare specifications and bidding documents for telephone equipment.

We acknowledge that under Section 2.04 of the City-County and School Corporation Building Lease of March 21, 1966, you have the authority to make the determination as to the type of telephone system and equipment which may be installed for use in the Civic Center Complex Buildings.

In light of the large expenditure which is involved in such study, we are sending this letter to signify our cooperation in your effort. Further, this letter is our agreement to accept the study by Biagi and the installation of the telephone system determined by public bid.

We understand that you will consult with our executive personnel in your study and give us the opportunity of making suggestions and recommendations. However, we agree to the installation of the system as recommended by Biagi and accepted by you after public bids are received.

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Commissioner Cox said who is going to pay the consultant fees and Commissioner Willner said they, the Building Authority, is going to.

Commissioner Cox moved the Consent Agreement be signed and the request granted. Commissioner Willner seconded the motion. So ordered.

RE: BUYER NAMED FOR THE KENNETH ADLER PROPERTY

President Borries said the Board needs to name a buyer for the Kenneth Adler property on Outer St. Joe Avenue, in connection with the Schenk Road project. It has to be a realtor and not the same person that conducted the appraisal, and he would like to offer the name of Joe Wallace of Citizens Realty.

Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

RE: APPOINTMENTS TO THE PARK ADVISORY BOARD

President Borries said he believes there has been some mistake in regards to the appointments to the Burdette Park Advisory Committee, that last week the Commissioners asked Mr. Miller to have Mr. Jones prepare a brief Resolution and somehow the message did not get to Mr. Jones, therefore the matter will be deferred one more week.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Huber Realty Co., Inc for a Derby Day Party to be held May 7, 1983 at the Auditorium....certificate received and filed.

RE: CLAIMS

The following letter accompanied two (2) claims concerning the Roy A. Tyler case, dated March 18, 1983.

To The Prosecutor, Auditor
and County Council of
Vanderburgh County, Indiana

Gentlepersons:

Attached is my total itemized statement for my services as Special Prosecutor in the Roy A. Tyler and Rosemarie D. Becht cases. This was prepared from our time logs, telephone logs and telephone billings. The original telephone statements were filed with the Daviess County Auditor. The daily and hourly rates were determined as is noted by consultation with the State Auditors Office and the State Board of Accounts. I believe that the daily and monthly time summaries are self-explanatory.

Where the billing was for a full day, the limit was $162.24 for that day regardless of the amount of time spent over 7 hours and none of the hours were carried over.

If you have any questions, please contact me and I shall be happy to attempt to answer them.

Thank you for giving me the honor of serving you. It was a pleasure working with all the people of Vanderburgh County and especially with the Prosecutor's office and with your other county Judges, officials and employees.

Yours truly,
E. Brayton Smoot
Former Special Prosecutor
1st. Judicial Circuit of Indiana

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A claim was submitted by E. Brayton Smoot for charges relating to E. Brayton Smoot, Special Prosecutor, cases of State vs. Ray A. Tyler and State vs. Rosemarie D. Becht:

Salary, see attached list and statement.....	$5,678.73	
Mileage, see attached list and statement.....	$ 611.60	
Meals, see attached list and statement.....	$ 27.91	
Long Distance phone calls, see attached list.....	$ 3.66	Total $6,321.90

A claim was submitted for the Davies County Treasurer for telephone calls charged to Daviess County in regards to Special Prosecutor E. Brayton Smoot case on State of Indiana vs Roy A. Tyler (See attached list and statement) Amount of claim...$314.44

Janice Decker informed President Borries that Gloria Evans, Bookkeeper in the County Auditor's office has been holding the above claims for awhile and thought perhaps she should send them before the Commissioners and see if you have any indications where the money can be paid from or should she continue to hold them for a court order from the Judge.

President Borries asked if this could be paid from the Judgment and Refund account, in the Commissioners budget and Mrs. McBride she does not know what the balance in that account is, however, if there is a judgment that you have to pay, then that account can run in the red.

Commissioner Cox moved the claims be paid from the Commissioners budget account 130-323 subject to review and approval from Judge Randy Shepard and she would also like to know if we are going to be hit with many more bills of this type, if it is at all possible to let us know. Commissioner Willner seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

There is to be a 7:00 p.m. meeting at Burdette Park on Wednesday, April 27, 1983.

There is a Paramedic meeting scheduled for May 26, 1983, at 1:00 p.m. This is a meeting to accept proposals on city/county operated ambulance services.

Mrs. McBride said regardless of what you decide on the services, lets be sure and get it into the 1984 budget request because that is one of the items you can appeal.

A meeting is scheduled with Conrad Cooper for May 2nd to receive an energy saving proposal from Honeywell.

President Borries said he has a meeting with the Metropolitan-Evansville Progress Committee which the President of County Commission and the Mayor will conduct jointly and this is to be Thursday afternoon at St. Mary's Wellness Center.

RE: EMPLOYMENT CHANGES

Mr. Jones said there has been some confusion concerning the pink slips and he could or could not be the source of the confusion and he would suppose the only way he can clear this up is to put it in writing, but he attempted to tell the councilmembers that asked him about it, since he also advises the County Council. At one point some of the council members apparently thought they had some kind of authority to be able to invoke this and at one point he thought there was a possibility where a position was vacated you could repeal funds, if a replacement had not been put in and he believes he told Jean Wilkey

that might be possible, but after doing further research on the matter he went back and said no, you cannot do it. It is his opinion, and apparently it is not accepted by Councilman Owen, that the County Council can only hire or fire one (1) person, and that is himself, because he is the only employee of the County Council, therefore, they cannot effect the number for the compensation of any employee in county government, other than himself, without the application of the person that does the hiring and firing and a 2/3rds vote of the County Council. There is a statute on that and he finds nothing else to cover it. The only time the Council can change that without the application of the officeholder and the 2/3rds vote is at budget time. He understands their desire to pursue that further but he has no other authority or legal opinion to advise them and there is no back door method such as repeals or transfers either, that once they set those dollar amounts in the budget with respect to employees, you don't change it without having the officeholder ask for it to be done, with a 2/3rds vote. He is going to repeat his opinion at the next Council meeting and then they can do what they will. As far as this piece of pink paper is concerned, it is only an administrative function and whether or not you sign it is not going to effect who gets hired or fired.

Mrs. McBride said the pink slip is only paper work, but when she sends up the payroll to be signed by the Commissioners, that is what her office pays from. If the payroll schedule did not get signed, no one gets paid.

Mr. Jones said and that does not mean the person is not entitled to be paid, that you may simply hold up their pay, but if they perform the services, they are entitled to that salary as long as that salary has been appropriated lawfully in that account. The people the Commissioners hire and fire, you can effect. You can invoke a hiring freeze, you can invoke lay-offs and you can change salaries that is not earned already, by asking Council to do it and they do so with a 2/3rds vote.

President Borries said he won't make additional comments to counsel at this time, he only recalls the County Council's position was to review the employment changes to identify where vacancies would exist, in an attempt to ask effective offices to see if those vacancies could not be filled and then perhaps ask the officeholder to repeal the money.

Mr. Jones said he believes what started out as policy ended up as trying to be law, before it was all done.

APPOINTMENTS

TREASURER

Carmen McAtee			$10,798.00 Yr.	Eff: 4-25-83
Evelyn Jean Summers			$10,260.00 Yr.	Eff: 4-25-83

PIGEON TOWNSHIP TRUSTEE

Bette Duggins	406 Reis Avenue	Chief Deputy	$15,500.00 Yr.	Eff: 4-23-83

AUDITOR REASSESSMENT

Joanne Matthews	2000 S. Vann Ave.	Part-time	$30.00 Day	Eff: 4-25-83

AUDITOR

Joanne Matthews	2000 S. Vann Ave.	Real Estate Clk.	$10,260.00 Yr.	Eff: 5-4-83

RELEASES:

PIGEON TOWNSHIP TRUSTEE

Bette Duggins	406 Reis Avenue	Chief Deputy	$13,500.00 Yr.	Eff: 4-22-83

TREASURER

Evelyn J. Summers			$10,798.00 Yr.	Eff: 4-22-83
Carmen McAtee			$10,260.00 Yr.	Eff: 4-22-83

RELEASES CONTINUED

AUDITOR

Bette Carrigan	118 S. Ruston	Real Estate Clerk	$10,781.00	Eff: 5-2-83
Lily LeBlanc	538 VanDusen Ave.	Data Pro. Supervisor	$11,900.00	Eff: 5-6-83

AUDITOR REASSESSMENT

Joanne Matthews	2000 S. Vann Ave.	Part-time	$30.00 Day	Eff: 4-29-83

County Auditor Alice McBride said she would like for the record to state that she is losing three (3) people, due to retirements and she is going to try to get by with the hiring of only this one (1), but there simply was no way she could get by with losing three (3) and hiring none.

RE: DISCUSSION OF RENTAL OF BURDETTE COTTAGES

Commissioner Willner said there has been a point made about renting the Burdette Park Cottages to people attending ISUE during the school terms and perhaps we should think about it, for the winter months.

Commissioner Cox said if we do we better up the price because that is mighty cheap rent.

Commissioner Willner said he believed the figure of $300.00 per month has been tossed around.

President Borries said the idea is worthy to explore, however, we would have to do an intent screening of applications of young adults, college age.

There being no further business President Borries declared the meeting recessed at 5:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice G. Decker

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 2, 1983

The meeting of the County Commissioners was held on Monday, May 2, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

This being the first meeting of the month it was officially opened by Sheriff Shepard.

The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading of them dispensed with, with the following correction being made:

On page nine, under the heading of Drainage Problems on St. Joe Avenue, it states that Commissioner Willner asked Mr. Guillaum if he checked out the drainage problems with the First Avenue Bridge, and it should state the drainage problems with the St. Joseph Avenue Bridge. The correction will be made in the original minutes of April 25, 1983.

RE: SHERIFF SHEPARD....REPORT ON JAIL EXPANSION

Sheriff Shepard said in keeping with the Ordinance he must report to the Commissioners, the progress of the Jail Committee. They met last Tuesday morning at the Executive Inn at which time he was elected Chairman of the committee and they also formed a sub-committee consisting of Captain Moers, Mark Owen, Alan Henson and Gil Ruston. Tomorrow morning at 8:30 he and the rest of the committee will be meeting with the designer of the Civic Center Building, Mr. Edmund Hafer and have their first initial walk-through in the jail to see what facilities can be built for the monies we have allocated for the job. He will report back to the Commissioners the results of this meeting. He said the Commissioners allowed him $5,000.00 for the architects report and they planned on hiring another architect and the Building Authority has underwritten the cost of the architect and they will be paying about $30,000.00 for those fees.

President Borries said then he would assume the $5,000.00 could then be added to the capital improvements and the Sheriff said yes, and this is a big plus for us.

Sheriff Shepard said they also had a Community Base Corrections meeting last week and he put in for a $123,000.00 grant, which will give us a new kitchen, new laundry room, new commissary and a new de-louse room and also some new recreational equipment.

President Borries asked if we received any time table on the grant and the Sheriff replied no, not at this time.

RE: MR. ALFRED BAUER...WANTING TO DEED PROPERTY BACK TO THE COUNTY

Mr. Alfred Bauer, who resides in Center Out, was present with a request to deed some property to the County of Vanderburgh. He stated he was here some nine (9) months ago and submitted a survey of what is actually a road right-of-way and he would like to get rid of it, that is, deed it to the county. He will pay last years and this years taxes up to date. This is a piece of ground 50'X 230' and he understands if the taxes aren't paid then someone could buy it on tax sale and this could cause quite a legal intanglement. The property is located on Bergdolt Road, off of Oak Hill Road and it has been chip and sealed. He submitted a copy of the legal survey, conducted by Sam Biggerstaff last year, which showed the Commissioners the description of the property and a small map of the area. He believes he is correct in saying this has never been county accepted, and is being used as a second access out of the subdivision.

Mr. Miller, County Attorney, said he would recommend we send the County Highway people out to take a look at it this week and if its up to county standards and grades then it will be alright.

Mr. Bauer said he does not know how it will compare to standards, that it is not a concrete street, merely blacktopped and it does not have curbs either.

Mr. Miller said he can prepare the deed this week and have it ready for the Commissioners next week, if they so desire.

Commissioner Willner said we can accept it for a public right-of-way, but we don't have to accept it for county maintenance and Mr. Miller said yes, that is two different things but if you accept a deed to it then it is county property. Commissioner Willner said but we still don't have to maintain it, like putting a new blacktop road on it and Mr. Miller said that is correct.

Commissioner Cox said she believes we should look at the plat of the subdivision and see if it shows an extension of Clover Drive to hook-up to Bergdolt Road.

Mr. Bauer said it does not show that it is to do that, and really, the only alternative he has if the county won't take it is he will have to sell it, and he could probably sell it for between $5,000.00 to $8,000.00, but he would rather deed it to the county.

Commissioner Cox said then the people on Clover Drive are using your property to get onto Bergdolt Road and Mr. Bauer said legally yes, but he has no problem with that, he just is here to deed it to the county....not cause problems.

All the Commissioners agreed to have someone from the Highway look the situation over and report back to the Board. President Borries gave Mr. Bill Bethel a copy of the document submitted by Mr.Bauer today.

RE: COUNTY ATTORNEY.....DAVID MILLER

Matter Concerning Bill Due at Vanderburgh Auditorium: Mr. Miller said in regards to a matter conerning a Ms. Ann Gray, d/b/a the Inner-city reporter, for failure to pay rental at the Vanderburgh Auditorium. At Mr. Cooper's request, we have sent a letter requesting payment on April 11th. Prior to that date Mr. Cooper had sent several letters to the address of the lessee and had not yet received payment, therefore he is requesting further action be initiated by the County Attorney.

Commissioner Willner moved Mr. Miller proceed with further legal action, on behalf of the County. Commissioner Cox seconded the motion. So ordered.

RE: BURDETTE PARK

Construction and Operating Proposal for Burdette Park: Mr. Hugh McGee was present and submitted the following proposals, concerning Burdette Park.

BURDETTE PARK
OPERATING PROPOSAL FOR
CONCESSIONS -- PHASE I

I. Pool Concession
   a.) Demolish and remove present building
   b.) Construct new 20' x 28' building (see drawing)
   c.) Expand menu to include new food items
   d.) Fully equip building
   e.) Expand and improve patio dining areas

II. Devoy Building
   a.) Install fast food type concession in space currently being used as office.(see drawing)
   b.) Fully equip building
   c.) Install access window to pavillion
   d.) Install additional video games to present game area
   e.) Concession to carry full menu

III. Approximate cost of I and II....$30,000.00

IV. Rink Concession
   a.) Remove present kitchen
   b.) Install vending equipment only

V. Concession fees paid to Burdette Park
   a.) 1st year 10%
   2nd year 15%
   3rd year 15%
   Thereafter 20%

VI. Term of contract - 7 years

VII. First right of refusal to cater all Burdette events.

Sincerely,
C.Hugh McGee, President
McGee Enterprises, Inc.

The second proposal submitted by Mr. McGee is as follows:

BURDETTE PARK
CONSTRUCTION OF RECREATIONAL FACILITIES
PHASE II - ~~1984~~

I. Construct 18 hole miniature golf course at shelter #16 area
   a.) Approximate cost $80,000.00
   b.) Fees to Burdette Park 10% of Gross
   c.) Term of land lease 15 years
   d.) Estimated gross income $75,000.00

PHASE III - 1985

I. Construct baseball/softball batting range
   a.) Approximate cost $100,000.00
   b.) Fees to Burdette Park 10% of Gross
   c.) Term of land lease 15 years
   d.) Estimated gross income $50,000.00

Sincerely,
C. Hugh McGee, President
McGee Enterprises, Inc.

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Mr. McGee said concerning the construction of the baseball/softball batting range, an agreement will have to be reached where this will be located and perhaps the Commissioners can study this and come up with a decision and tell him where it should be put. He said he believes there is room by the proposed golf course, around shelter #16, but this is open for discussion.

Commissioner Cox said concerning #7, on the first proposal, it states you have first right of refusal to cater all Burdette events....what percentage would the county receive from that service and he replied he is open for discussion on that percentage.

President Borries said concerning the percentages on the first page under #5, is that on the gross and Mr. McGee replied yes and the scale is to cover construction of the two (2) new restaurant facilities and the change over of the skating rink.

Mr. Miller asked Mr. McGee if he is willing to include as a provision of the lease, that the title to these improvements would revert to the county at the end of the lease term and he replied yes, this would belong to the county at the end of the term and he will agree to keeping it in reasonably good operating condition along the way.

Mr. Miller said obviously there would be other additional terms written into the agreement and Mr. McGee said yes, he understands there would have to be, such as insurance, which he would provide himself.

Commissioner Cox said concerning Phase II and Phase III, she personally is rather disappointed that the baseball/softball batting range will not be available until 1985, that she was hoping we could do something in 1984 concerning this, since we do not have any facility of this nature, in the westside, that we do have some miniature golf courses.

Mr. McGee said he is open to changing those two phases around if the Commissioners desire it, that it is inmaterial to him.

The other two (2) Commissioners said they would have no problem with the two being changed around and put the batting range in 1984.

Commissioner Willner said one thing we need to have our county attorney check out is do we have to bid this lease out or can we take invitational bids because that would really help us if we could.

Mr. Miller said he will check the legal aspect of that out and report it later in the meeting.

Commissioner Willner said the proposals indicate there are drawings on these matters and Mr. McGee said they are the large drawings on cardboard that he showed at the meeting prior to this one and they are available, in the other room, if anyone wants to see them again, he would be happy to show them.

Commissioner Cox asked what would be the proposed time table for this construction of Phase I and he replied if he can get approval of it and get started right away he is going to try for the May 31st. opening, which will require night and day work crews, so we are talking about approximately thirty (30) days.

Commissioner Cox said if we cannot give you an okay because of bidding process, etc. would your work be hindered by the pool operation and he replied he feels sure they could continue their work even after the pool opens.

Commissioner Willner said we need to discuss the first right of refusal to cater all Burdette events. Lets say someone wants to go into the Boesche Building and wanted to bring their own food, would we be allowed to let them do that or would we have to give you first choice at it.

Mr. McGee said he believes he could be contacted because if the county is going to get a percent off of all catered parties in there, then you would want to use the service as often as possible.

Commissioner Willner said then we need to ascertain what percentage of those catering fees would be returned to the county.

Mr. McGee said there again this figure has not been discussed and he is open to whatever is reasonable.

Commissioner Cox said this would exclude those persons wanting to rent a building out there for a family reunion and bring in their own covered dishes, drinks, etc. wouldn't it and Mr. McGee said those things would not be included, that this would be for when you have an outside caterer that comes into the facility to brings trucks and prepare food for numbers of people.

Commissioner Willner asked if 25% would be out of line and Mr. McGee said before giving an answer he would like to consult his attorney because what is involved here would be a third party and with the county getting 25% and him getting a percentage also, then the caterer would not stand still for such a small percentage, so this would have to have some additional work done to it.

This matter was discussed further a little later in the meeting.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report for the employees at the county garage for the period of April 25 thru 29, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report for the employees at the county garage for the period of April 25 thru 29, 1983...report received and filed.

Mr. Bethel said we had the gradall on #6 School Road, Boonville/New Harmony Road, Broadway and Buente Road. We had our grader on Upper Mt.Vernon Road, in Union Township, Happe Road and Oak Grove Road. We pulled the shoulders on Lower Mt. Vernon Road, Broadway Avenue and Hedden Road. The patch crews were out on Happe Road and Old Henderson Road. Tree crews were on Old Petersburg Road, Kuebler Road, St. Joe Avenue, Mill Road and Broadway Avenue. Trash crews were on Bayou Creek Road, Shaeffer Road, King Road, Lynn Road, River Road, Green River Road and Weinbach Avenue. They cut bleeders in the rain on Old Henderson Road, Old Petersburg Road, Baseline Road, St. Joe Avenue, Mill Road and Old Princeton Road. They set barricades up on Mill Road, Millersburg Road, Kansas Road, Old Princeton Road, Owensville Road, Nesbit Station Road, South Weinbach, Waterworks Road, Old River Road, Fry Road, Angel Mounds, Happe Road, Kings Road, West Franklin and most of Union Township and several more he failed to put down.

Commissioner Cox said who takes care of the barricades, that it should be someone that knows if the river comes up ½" that it may come up a mile on the road and Mr. Bethel said he is the one that takes care of that, that the Sheriff calls him and he gets on it immediately.

RE: BOB BRENNER....SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of April 25 thru 29, 1983. Report received and filed.

Mr. Guillaum said the crew spent quite a bit of time on Petersburg and Baseline trying to get the right-of-way cleared up and he believes it should be in good shape within another week and we'll be ready to let the contractor move in.

Hirsch Road: Mr. Guillaum said in regards to the Hirsch Road project, we have started moving the dirt in and we have about 60-70 percent of the dirt in place. Deigs has been doing a really good job out there and we have taken twelve (12) compaction tests and we have 97%. We did go ahead and contract with an independent firm to do the testing, that under the circumstances out there he felt there should be no questions on the compaction or type of soil used.

Problems With Barnett Bros and SIGECO on First Avenue Bridge Project: Mr. Guillaum said there was a rather lengthy discussion with SIGECO last week concerning a problem with the utility lines in the area and as the Commissioners will recall Mr. Fred Bamberger and Mr. George Porch was present at last weeks meeting and since that meeting they have met once with SIGECO and had another meeting this morning with the contractor and SIGECO and it appears everything has been worked out, that SIGECO is going to move the poles back to the ninety (90) foot mark, at their own expense and that was agreeable with the contractor.

Commissioner Willner asked if the temporary right-of-way with Kempf has been resolved.

Mr. Guillaum said they went the other direction, that is, they took the other side of the road.

Commissioner Willner said then you put the guy-wire over the road, with the pole on the other side and Mr. Guillaum said that is correct.

Commissioner Cox said is it correct the guy-wire pole is going to be on the east side of the road, and if so, will it be in the way of the football field that is located there.

Mr. Bob Gulick, representative of SIGECO said they went out on the field and the contractor agreed to a ninety (90) foot set back, from the center line, on the west side, and it is on private property and there will be a guy-wire and pole on the east side of First Avenue.

Commissioner Cox said she was concerned with it being in the way of the football field and Mr. Gulick said they will be within the right-of-way, so it should not bother it, that it will be up close to the sidewalks, or curbs, whichever is there. However, this will be temporary, that they will have to move the poles again for the Corps of Engineers but with the financial crunch the county is in, his company decided to do this at their own expense. However, there is one small problem with the high water, that where they are to locate the pole is now under water, so they will have to wait for that to go down.

Drainage Problem on Crowley Drive: President Borries said he is sure the Highway Department and the Surveyor's office have both received numerous calls, as have the Commissioners, on drainage problems, however, Betty and Neal Whittinghill of 3001 Crowley Avenue contacted the Commissioners office and complained of a problem and he would like for Mr. Guillaum to try to check it out as soon as he finds time to do so.

Drainage Problem on St. Joe Avenue: Commissioner Willner asked if the drainage problem on St. Joe Avenue had been checked out and Mr. Guillaum said he spoke with Gene today on the matter and was informed that the first minute he gets free he will check it out and make a report on it.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Lewis said he has several documents concerning the parking lot and eventhough there are still some things needing to be worked out he would like to submit the following to the Commissioners at this time. He understands the decals are enroute to the county at this time. The first document submitted was as follows:

TO: ALL COUNTY OFFICIALS AND DEPARTMENT HEADS
FROM: BOARD OF VANDERBURGH COUNTY COMMISSIONERS
SUBJECT: COUNTY PARKING LOT ACTIONS

A special committee consisting of Judge William Brune, Surveyor Robert Brenner, Councilman Mark Owen and Building Superintendent Jim Lewis have taken the following actions which have been approved by this Board.

ACTIONS AS LISTED:

I. The County Parking Lot will be closed on May 27, 28, 29 & 30, 1983. New decals for permission to use the lot will be distributed between May 15th and 27th to all persons who will be eligible to park on the lot from May 31st. No old decals will be honored on the lot after May 30, 1983.

II. The attached list denotes the offices that will be allowed space on the lot after May 31, 1983. If your office is not on the list you will have an opportunity to appeal for consideration for a space, when one is available. These appeals will not be accepted by the committee until after June 15, 1983, to allow them to see how the new plan is working. All new applicants for a parking space will require three signatures of the Parking Lot Committee, as approved or not approved, before action will be taken on the application by the Board of Commissioners.

III. Those offices appearing on this list will receive the proper number of applications with this memo. Those applications will be completed and returned to the Commissioners Office, Room 305, to the attention of Margie Meeks.

If you have more than one vehicle that you will be driving to work, you must request additional applications, complete them and be prepared to produce a vehicle registration showing ownership of each vehicle when parking permits are issued.

IV. Please read all of the instructions on your application very carefully as the enforcement on the lot after May 31, 1983, will be very strict including ticketing and tow away of violators.

BOARD OF COUNTY COMMISSIONERS
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Attached to the above memo is a list of the offices that will be allotted space on the county lot from May 31, 1983.

Mr. Lewis said the three (3) spaces for the public will be changed to two (2) hours parking and there will be only three (3) news media spaces and those will be for one (1) television equipment vehicle from channels 7, 14 and 25. We currently have five (5) spaces for them, however, we are trying to arrange, in addition to these three (3) spaces, seven (7) more spaces, which will be in the first row of the metered area, directly across from the School Corporation. This is not final, but it looks good right now, so if this happens, we will have ten (10) spaces for the media instead of the current five (5). The news media covers everything in the Civic Center, including the School, City meetings, courts, etc. and this way the county will not share the full burden of supplying parking spaces for the media covering all the departments within the building.

The second document submitted by Mr. Lewis was as follows:

TO: BUILDING AUTHORITY, SHERIFF AND POLICE CHIEF
FROM: BOARD OF COUNTY COMMISSIONERS
SUBJECT: COUNTY PARKING LOT

A new parking system will be started on the County Parking Lot on May 31, 1983.

The lot will be closed May 27, 28, 29 & 30 for cleaning and painting.
Starting May 31, 1983, the lot will be a strictly enforced tow-away zone for violators of the County Lot Parking Regulations.

The regulation pertaining to your personnel concerns the change in the time the lot is free of restrictions for their use.

The new hours for Non Permit Parking will be from 5:00 p.m. until 7:00 a.m. daily and any time on week-ends and holidays.

Please inform all of your personnel they are welcome to use the lot from 5:00 p.m to 7:00 a.m., week-ends and holidays but that they will be ticketed and towed away if they park there for any reason from 7:00 a.m. to 5:00 p.m. daily.

We thank you in advance for your cooperation.

BOARD OF COUNTY COMMISSIONERS

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Mr. Lewis said originally the police personnel was allowed to park, along with the cleaning people, in the lot from 4:00 p.m., but it has edged up to about 3:10 p.m., and this will now be from 5:00 p.m. to 7:00 a.m., week-ends and holidays and it will be enforced strictly.

The third document submitted was as follows:

TO EVANSVILLE AREA NEWS MEDIA
FROM: BOARD OF VANDERBURGH COUNTY COMMISSIONERS
SUBJECT:COUNTY PARKING LOT LOCATED IN THE CIVIC CENTER AREA

A special Parking Lot Committee appointed by the County Commissioners has made the following changes pertaining to news media parking in the County Parking Lot.

1. The only news media vehicles allowed to park on the County Parking Lot, starting May 31, 1983, will be vehicles carrying television equipment for stations 7, 14 and 25. Those stations will each have one space allotted with a sign signifying their station number. No permit decal will be required but the vehicle will have to be clearly identified as a T.V. vehicle including the T.V. station number. In the event a station requires more than one vehicle at the civic center, all vehicles in excess of the one using the designated space will have to arrange parking at a location other than the county parking lot.

   Starting May 31, 1983, any vehicle violating these rules will be ticketed and towed away at the expense of the vehicle owner.

II. Seven spaces will be provided for the news media in the large lot of the Civic Center Complex. One single space and three double spaces will be reserved in the first row of metered spaces on the metered parking row nearest to Main Street. News vehicles using these spaces will have to be clearly identified on the rear of the vehicle and easily readable by the meter enforcement personnel. Any vehicle not clearly identified will be ticketed and towed away at the owner's expense.

   No Parking Permit Decal will be required, however, we expect the news media personnel using those spaces to be at the Civic Center conducting business on behalf of the news media that employs them.

   We thank you in advance for your cooperation in this new plan and trust you will inform all of your personnel of the new rules prior to May 31, 1983.

THE BOARD OF COUNTY COMMISSIONERS

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Mr. Lewis said the final document is a revised copy of the application, with few changes on it, which read as follows:

RULES AND REGULATIONS

RE: COUNTY PARKING LOT

PLEASE NOTE:
NON COMPLIANCE WITH ANY OF THESE RULES AND REGULATIONS MAY COST YOU THE RIGHT TO PARK IN THE LOT.

These Rules and Regulations will be strictly enforced by the City Clerk in accordance with Ordinance #G-80-25.

1. Your permit is to be affixed to the inside of the rear window directly in back of the driver's position with a good sticky tape.

2. This sticker is intended for your use and in Non-Transferrable. It is for the

space assigned to you. Parking in someone else's spot will get your car ticketed and towed away at your own expense.

3. PLEASE NOTE. If someone is parked in your slot, do not park elsewhere in the county lot, but park out front, in the post office lot or elsewhere, and report to the City Clerk immediately. They should be able to correct the problem within the hour.

4. Please keep this office informed of any change of vehicle and license number, since the Meter Department has been instructed to ticket all vehicles not properly registered with this office.

Thank you for your cooperation.

PRESIDENT, VANDERBURGH COUNTY COMMISSIONERS

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Mr. Lewis said this concludes his presentation and he would be happy to answer any questions the Commissioners might have and if there are none and the Board feels like it wants to go along with the recommendation of the Parking Lot Committee, then he will submit a clean copy of each document for the Commissioners signatures and he will begin distributing them to the proper offices. He will hold off on the letter to the news media until a definite decision is made on the seven (7) slots in the back lot. There will be sixty three (63) slots and sixty three (63) users, and he is not assigned a slot.

Commissioner Willner moved the memos be approved, signed and distributed properly by Mr. Lewis. Commissioner Cox seconded the motion. So ordered.

RE: FINANCIAL REPORT FROM COUNTY TREASURER

The monthly financial statement was submitted by the County Treasurer, dated May 1, 1983. Report recieved and filed.

President Borries said he notes that interest rates are down considerably from what they were one year ago, that according to Mr. Volpe's report it looks like it is mostly at 7.625%.

Commissioner Cox said she wondered if Mr. Volpe utilized the NOW account and Mrs. McBride said she feels certain he did not, at this point, since it does not show on his report, that if he had she is sure it would show on it.

RE: LETTER TO STEVE STOCKER FROM THE BUILDING COMMISSION

President Borries read aloud the following letter from the Building Commission to Mr. Steve Stocker, dated April 26, 1983. Address of Mr. Stocker is 3606 Hogue Road.

Subject: Garage and trash and debris and junk cars

Dear Sir:

The condition of your property was brought to the attention of the County Commissioners on April 25, 1983.

Your case dates back to April 11, 1979 when you were directed to clean up the lot. You obtained a permit to build a garage on July 9, 1980. Since then only the walls have been constructed, and work has stopped on it since July, 1982. Your permit has expired since work has stopped for over six months. You and Dr. Stocker told me last year you had the resources and the garage would be completed right away.

Also there are junk cars all over the lot.

The County Commissioners ordered you cited and to have the garage completed in sixty (60) days or the building will be razed and tax lien filed. Also ordered was the lot cleaned and junk cars removed.

If you work on the garage, a new permit will be required.

Sincerely,
Jesse C. Crooks, P.E.
Building Commissioner

Letter received and filed.

RE: LETTER FROM JOHN HODGE, AGENT OF RECORD ON INSURANCE...HELFRICH INSURANCE AGENCY

President Borries read aloud the following letter from Mr. John Hodge, dated April 26, 1983, and directed to the Board of County Commissioners.

Dear Rick,

I am sorry to see Jom Lewis leave his position as Administrative Assistant to the Commissioner. I believe that he, as well as Mark Tuley made a very conscientious effort to assist the insurance carrier in loss control for the county.

The efforts of the person in this office are extremely important if the county is going to retain liability insurance at a reasonable premium level and with an insurance carrier that is able to provide the services that the county needs.

In order to continue the positive attitude regarding loss control between the insurance companies and the county, I feel that Jim's replacement should be ready to work hard on this job and be willing to work as a watchdog of all county departments regarding loss prevention. The performance of the man in this job could easily influence the pricing structure of the county's insurance coverages. The magnitude of his influence could be very great.

The requirements of this postion regarding the county's insurance program should be a serious consideration as you review potential holders of this position. The county could benefit greatly or realize financial problems as a result of the performance of this office.

Your full consideration of this matter is appreciated, and I would be happy to assist you in whatever manner that you deem appropriate.

Very truly yours,
John D. Hodge

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Letter received and filed.

RE: LETTER FROM IDOH CONCERNING ST. JOE AVE. AND MEIER ROAD

The following letter was received by the Commissioners, dated April 14, 1983.

County Commissioners:

The fiscal year 1984 annual programming request (FA-2) for Federal-aid Hazard Elimination (HES) funds of the following project is being returned unapproved.

Route No: E560
Location: St. Joseph Avenue and Meier Road
Work Phase: CNS

To be eligible for "HES" funds the project must be justified by a justification report submitted to our office for review. This report must be submitted and approved for the funds prior to submitting a FA-2. The procedures for preparing this report and justifying a project for these funds is outlined in Chapter 17 of the IDOH-LPA Policy and Procedure Manual.

A justification report for this project has not been submitted for review. If a report is submitted and approved, reconsideration for accepting a submittal of the FA-2 could be made prior to November 1983.

Sincerely yours,
R.E. Woods, Chief
Division of Local Assistance

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Letter received and referred to David Gerard.

RE: TELEPHONE REQUEST...DEPARTMENT OF PUBLIC WELFARE

The following telephone request was submitted by the Department of Public Welfare, dated April 27, 1983.

> We are asking for permission to replace two inefficient call-directors with line status indicators which would result in a monthly savings yet be more efficient. (See attached letter)
>
> Monthly savings $417.70
> Annual savings $5,012.40

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

RE: ANNUAL REPORT OF THE INDIANA DEPARTMENT OF PUBLIC WELFARE

Submitted was three (3) copies of the annual report of the Indiana Department of Public Welfare.

President Borries distributed a copy to each of the three (3) Commissioners.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted for Metropolitan Evansville Chamber of Commerce, Inc for rental of Civic Auditorium on May 11, 1983 for public forum at 7:00 p.m.

A certificate of insurance was submitted for Jan's School of Dance, Inc.for a dance recital on June 10 and 11, 1983, at the Auditorium.

A certificate of insurance was submitted by The Most Rev. Francis R. Shea, Bishop of the Catholic Diocese , which applies to the voting booths to be used at Mater Dei High School on May 10-11 & 12, 1983.

A certificate of insurance was submitted by Administrative Management Society and Local Chapters of Administrative Management Society for a show on business equipment on April 27 & 28, 1983.

A certificate of insurance was submitted for The Jacees of Evansville, Inc. for extending coverage for Jaycees Convention on May 19 thru 22, 1983 and activities in Gold Room.

All certificates of insurances received and filed.

RE: CLCSING OF COUNTY OFFICES

President Borries announced all county offices will be closed on May 3, 1983 for the City Primary Election.

RE: DISCUSSION CONTINUES CONCERNING PROPOSALS ON BURDETTE PARK FROM HUGH McGEE

County attorney said in looking into the question of whether or not public bidding procedures are required, that it would appear there is no alternative to a public bidding procedure, that I.C. 36-1-11-1 relates to the sale, exchange, transfer or lease of property, all of which are referred to in this chapter as the disposal of property. Section I of that chapter makes the chapter applicable to political subdivisions of the state, and that is us, and it defines "disposal" as meaning any sale, exchange, transfer or lease of property. Section 9 of that chapter relates directly to the leasing of property and requires first that there be an appraisal of the fair market rental value of the property proposed to be leased. It then requires that bids be received in the same manner as prescribed for the sale of property and under the section on the sale of property there is a requirement of public notice and the public notice would have to be two (2) weeks and then the receipt of bids ten days following the second notice. He said this would also have to be approved by the County Council since it is a lease for more than three (3) years. He said he has explained all of this to Mr. McGee and indicated to him that the fastest he believes this could be accomplished would be between 30-45 days. It is impossible for the Commissioners to ignore the requirements of the statute and if you do so it would then subject any agreement made with Mr. McGee to challenge by anyone who might say they wish to compete with him. It does not specify whether the bids must be open for public bidding or invitational but by implication, the requirement that there be a public notice of the bidding procedure indicates the bidding has to be public and he does not think that invitational bids is an acceptable

procedure. He regrets to have to tell everyone this, but that is what the statute tells us about the matter. The reason the city apparently didn't have to go through this is because this statute did not take effect until August of 1981 and his agreement with the city was already in place by that date.

Commissioner Cox asked Mr. McGee that now knowing this, is he still interested.

Mr. McGee said yes, however, he could not open it for this season, but we could initiate it and take it over at the end of this season and prepare for the next season, that is the pool part of the proposal.

Commissioner Willner asked Mr. McGee if he would be willing to take over the concessions in their present form, that is without any changes to the building, for the start of this season and give us time to work this out.

Mr. McGee said do you mean the pool and rink concessions, just as they stand right now and Commissioner Willner said yes and also the catering, just so we don't have to sign a lease.

Mr. Miller said then Mr. McGee could make a separate proposal on the construction aspect, that we could now sign with him an agreement for him to perform certain concessionary services.

Mr. McGee said is he to understand the problem comes with the construction end of it and Mr. Miller said the problem comes with the use by Mr. McGee of land that we must lease to him for a period of fifteen (15) years.

Mr. McGee said the golf course and the batting range would not be until 1984 and 1985.

Mr. Miller said between now and the end of the bidding process there may be other people who would have the right to bid on those proposals. He believes in order to make this legitimate we would have to turn the concessions into a lease situation, beginning the season of 1984, but for right now we would not sign a lease, that Mr. McGee would simply sign an agreement with the county to perform certain services.

Mr. McGee said he is open to all suggestions and to work with everyone to try to get this to work for everyone involved, so what is the next step for him to take.

It was decided that Mr. McGee would meet with Mr. Lewis at 10:00 a.m., Wednesday, May 4th and try to work on a internal agreement on just the concessions. Mr. Mark Tuley was also to be informed of the meeting and could attend if he so desired.

RE: DISCUSSION OF PROPOSALS SUBMITTED ON COUNTY FINANCES BY PRESIDENT BORRIES

President Borries said last week he submitted a rather lengthy proposal concerning the financial statis of the county and asked that the other Commissioners study his comments and that it be open for discussion today, that perhpas there are other items they would want to open for discussion along with what he proposed.

He said the Commissioners approved the abolishment of the Cumulative Capital Improvement fund, that $112,000.00 was to be placed into an account for the new phone system, that $5,000.00 was to go to the Sheriff and the remaining $85,000.00 to be placed into the County General Fund. We also ask the Burdette Park budget be reduced by $40,000.00 and Mr. Tuley did submit a list of accounts that he could repeal monies from, in the amount of $41,500.00 and that be placed in the County General Fund also.

Commissioner Willner moved that Mr. Tuley be allowed to repeal the $41,500.00 into the County General Fund. Commissioner Cox seconded the motion. So ordered with three (3) affirmative votes.

President Borries said we have also ask that Mr. Tuley repeal an additional $60,000.00 from the Burdette Park budget after the summer season, after September 6th.

Fees at Burdette: President Borries said concerning revenue, he made the proposal to raise the swimming fees to $1.50 per person and skate rental fees to $1.00 per person.

Commissioner Willner moved the increases be approved. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

Health Insurance for County Employees: President Borries said in regards to the health insurance for the county employees, we had wrestled with this quite a bit. We have had one health provider tell us if we do not made a decision today regarding his health plan that he will not be able to provide those benefits. We are still receiving modified proposals at this point that deserve study and consideration, however, every provider indicates the employees are going to have to pay some additional money on their premium if we don't intend to ask the council for additional monies. He hopes the 15% figure is high for the remainder of the 1983 budget year, eventhough it may be something we will have to consider as we prepare our 1984 requests. Blue Cross indicated if we would look at fees of $10.00 for single employees and $20.00 for families, then perhaps that would allow us to stay within the budgeted amount we have left in those accounts.
The effective date of the change would be June 1, 1983 for non-union employees and concerning the union employees, their's would have to be re-opened and considered after July 1, 1983. It would also be his recommendation to make the eye and dental benefits an optional item, that the employees could still have the plans but that it would be at their own personal expense.

Commissioner Willner moved the county health insurance, effective June 1, 1983, for non-union employees, would increase to $10.00 for singles and $20.00 for families, that the eye and dental coverage would be optional and the union employees health insurance would be re-opened after July 1, 1983. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

Commissioner Willner said then is it the intent of the Commissioners to change this at the beginning of 1984, that is to raise the employees participation to the 15% that was discussed.

President Borries replied that he would say yes, or at least reconsider it, that we will have to re-examine the whole health insurance situation from the standpoint of what Blue Cross figures will be because they change so often.

Increased fees at the Vanderburgh Auditorium: President Borries said his proposal included the increase of rental fees for the Auditorium, not including the Gold Room, and this would apply to all public or private groups except other governmental units such as schools, that it be raised to $750.00 per performance on any new reservations after June 1, 1983. At the present time it is $650.00 per performance.

Commissioner Cox said she would like to see the private groups and the public groups within Vanderburgh County remain at $650.00, but those outside of Vanderburgh she has no qualms about increasing to $750.00 and of course she too would like for the other governmental units, such as schools, stay as they presently are. Her logic is that this facility was built for the use of the citizens and the citizens groups of Vanderburgh County. This is just like our state institutions wherein you pay less tuition if you are an in-state resident and a higher tuition if you are from outside that state. The YMCA is one that comes to her mind, that they would be effected by the increase to $750.00, as would the Philharmonic and she just hates to see our community groups be subjected to the higher fee this year.

President Borries said he agrees with what Mrs. Cox is saying and perhpas we could delay action for a week to see if there are many of these groups that would be effected after June 1, 1983, that he does not know how far in advance some of their contracts have been agreed upon, because if their contracts were signed before June 1, 1983, they would not be effected this year.

Commissioner Cox said she understands the problem and the necessity of the increase and she has no problems with private businesses being charged the increased fee but she does have reservations about our local community groups.

Mr. Miller said if you are going to delay this for a week then you might want to give some thought to what constitutes the local community group and what doesn't, that there are those kinds of groups that have members only in Vanderburgh County and there may be those who have their offices here and members outside of Vanderburgh County, so you must be careful if you are going to sort out private non-profit local organizations.

Commissioner Willner said he doesn't think we could charge one group one price and one group another price, other than perhaps government units and maybe schools.

Commissioner Cox said she didn't think it would be against the law to do it, that how do our state supported schools get by with charging different fees for tuition, which is basically a use of the facility. She knows there would be some fine lines where decisions would have to be made.

Mr. Miller said as long as it was properly defined he does not think it is a matter of legality, but purely a matter of policy.

President Borries said he will check with Conrad Cooper and see how many contracts this would effect and we will try to reach a decision on this next week.

Letter to Township Trustees: President Borries asked for approval to send a letter to all Township Trustees to find if they intend to appeal on poor relief in 1983 or 1984, and find out what their budget statis is at this point, and after finding that out, we could take any further action necessary in regards to a bond issue. Again he would like to say he very much so regrets considering a bond issue for poor relief but he does not feel like there are any other options available at this point.

Commissioner Willner moved the letter be sent. Commissioner Cox seconded the motion with the comment that there were two (2) other pieces of legislation that were not tied with the Local Option Bill, that did address the fact that township trustees could make a loan at private institutions and she wondered if those two (2) bills also died.

None of the other Commissioners knew if they did or not and Mrs. McBride said she would check with Helen Kuebler, who may have received new legislation by now, and report back to the Commissioners.

List of Items Outside the Freeze: President Borries said the Auditor's office has prepared a list of items that are outside the freeze. There will be additional meetings with the city officials regarding the Paramedic services. Also on the list is Southwest Mental Health Services, along with other health services.

Inter-Governmental Agreements: President Borries said we are exploring further inter-governmental agreements in areas where costs can be shared and greater efficiency could relult, such as in Data Processing services with the goal to use the City of Evansville plan to convert the county to the modified accrual accounting system in 1984.

New Phone System: President Borries asked if it would be the pleasure of the Board to send out a memo to again review their present phones, with the idea of looking for additional savings.

Commissioner Willner said he does not believe a letter would do any good, however, someone going to each office as they did before may help and we are going to have to do this anyhow before we change the phone system. After we take bids on the phone system and before we actually make any changes he thinks we should do it.

President Borries said before budget session is upon us he would like to get a work shop session going with the County Commissioners, the County Council, the County Auditor and people from the State Board of Tax Commissioners. He asked Mrs. McBride to please work and set up such a meeting when possible, for budget preparations for 1984.

President Borries said this concludes the proposals he made last week and ask if either of the other Commissioners had anything they would like to add....they had nothing.

RE: SCHEDULED MEETINGS

President Borries said there is to be a meeting Monday, May 9th at 2:00 p.m. in regards to a matter on St. Joseph Avenue, with Mr. Andy Easley.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDERBURGH SUPERIOR COURT

Michelle A. Link	1900 E. Blackford Ave.	Referee	$34,300.00 Yr.	Eff: 6-6-83
Sarah L. Culley		Riding Bail.	$12,991.00 Yr.	Eff: 5-2-83
Debra M. Meeks		Riding Bail.	$12,991.00 Yr.	Eff: 5-2-83

APPOINTMENTS CONTINUED

VANDERBURGH COUNTY ELECTION OFFICE

Jo Ann Duggins	1024 Jefferson	Dep. Clerk	$3.75 Hour	Eff: 4-25-83
Floyd R. Burnett	2151 E. Gum St.	Bal. Assem.	$3.75 Hour	Eff: 4-18-83
Gilbert C. Kerr	2154 E. Gum St.	Bal. Assem.	$3.75 Hour	Eff: 4-18-83
John Lee Jones	820 S. Governor	Bal. Assem.	$3.75 Hour	Eff: 4-18-83
Dorothy Carey	2051 Conlin Ave.	Dep. Clerk	$3.75 Hour	Eff: 4-25-83

BURDETTE PARK

Tina Coomes	27 W. Maryland St.	Rink Guard	$4.00 Hour	Eff: 4-16-83

SHERIFF

David Ludwig	Corporal	$17,994.00 Yr.	Eff: 4-23-83
Philip Strange	Corporal	$17,994.00 Yr.	Eff: 4-23-83
Wm. R. Coleman	Corporal	$17,994.00 Yr.	Eff: 4-23-83
Wilma G. Kerner	Jail Nurse	$16,076.00 Yr.	Eff: 4-29-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Janet Ward	3306 Igleheart	Bookkeeper	$394.61 Pay	Eff: 4-25-83

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Charles J. Ellspermann		Pro. Officer	$6,600.00	Eff: 5-9-83
Sara K. Willett	1531 Jeanette Ave.	Special Int.	$3.35 Hour	Eff: 5-6-83
Michael K. Peeler	1251 Crossgate Dr.	Special Int.	$3.35 Hour	Eff: 4-22-83
Debra M. Meeks	4500 Tremont Road	Pub.Def. Sec.	$6,188.00	Eff: 4-29-83

VANDERBURGH AUDITORIUM AND CONVENTION CENTER

Floyd Kassel	1600 Uhlhorn	P/T Security	$30.00 Day	Eff: 4-23-83

VANDERBURGH SUPERIOR COURT

O.H Robert, Jr.	Mis. Referee	$17,963.00 Yr.	Eff: 6-3-83
Michael J. Hayden	Mis. Referee	$17,963.00 Yr.	Eff: 6-3-83
Leah R. Dersch	Rid.Bailiff	$12,991.00 Yr.	Eff: 4-22-83

SHERIFF

David Ludwig		Patrolman	$16,743.00 Yr.	Eff: 4-22-83
Philip Strange		Patrolman	$16,743.00 Yr.	Eff: 4-22-83
Wm. R. Coleman		Patrolman	$16,743.00 Yr.	Eff: 4-22-83
Janet L. Thomason	987 Ernest Lane (KY)	Jail Nurse	$16,076.00 Yr.	Eff: 4-22-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Margaret Gresser	3355 w. Franklin	Bookkeeper	$394.61 Pay	Eff: 4-25-83

RE: DISCUSSION CONCERNING SIDEWALKS IN THE PLAZA PARK SCHOOL AREA

President Borries said he has received more letters from Ms. Brill concerning the sidewalks in the Plaza Park School area and he is wondering what the statis of this matter is at this time.

Mr. Miller said the Commissioners need to make the decision on whether or not you want the Barrett Law in the form of an assessment upon all or part of the adjacent subdivision or whether or not the Barrett Law assessment will be upon those properties immediately adjacent to the sidewalks. He understands we are waiting for the engineer's assessment of the costs, so the Commissioners could make a better judgment.

Mr. Guillaum said he believes the Surveyors office submitted a report on this matter and he does not have those figures with him today, however, he will see these amounts get to the Commissioners next week.

There being no further business President Borries declared the meeting recessed at 4:25 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 9, 1983

The meeting of the County Commissioners was held on Monday, May 9, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: CONRAD COOPER....VANDERBURGH AUDITORIUM

Ms. Gayle Pinkston, representing the Auditorium presented the Commissioners with the following request to appear before County Council on June 1, 1983. The letter was dated May 9, 1983 and directed to County Auditor, Alice McBride.

Would you please put us on the County Council Agenda for Wednesday, June 1, 1983, to allow the appropriation of funds into the following accounts here at the Auditorium.

144-130...Overtime	$10,000
144-199...Part-time	10,000
144-230...Uniforms	1,200
144-320...Utilities	88,000
144-352...Equipment Repairs	15,000
144-355...Building and Structures	20,000
144-363...Trash Hauling	3,000
144-370...Dues and Subscriptions	500
TOTAL	$147,700

Insufficient funds were allowed in these accounts at the beginning of the 1983 Budget Year. Our budget was also cut at the beginning of 1983 by the State as well as the County.. We are still paying some 1982 bills out of the 1983 budget. As a result of this, we are operating on less money in 1983 than in 1982.

Thank you for your consideration on this matter.

Sincerest regards,
Conrad Cooper, Manager
VANDERBURGH AUDITORIUM
CONVENTION CENTER

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Ms. Pinkston said the funds being requested are to replenish their 1983 budget.

Commissioner Cox asked Ms.-Pinkston approximately how much of the request would she consider 1982 bills paid from the 1983 budget and she replied approximately $50,000.00.

Ms. Pinkston said they presently have a bill for $6,500.00 due to Barber-Colman for 1982 services, who has a maintenance agreement with the Auditorium and we pay him $2,187.00 four times a year and they have three (3) prior billings we still owe them, which comes out of accout 144-355...Building and Structure.

President Borries said he does not know the statis of the County General Fund at this point, therefore he would ask for a motion.

Commissioner Willner moved the Auditorium be allowed to appear before County Council on June 1st. with their request for $147,700.00. Commissioner Cox seconded the motion. So ordered.

President Borries said last week we discussed a proposal to increase the rental fees on the Auditorium side only, to $750.00. This would hardly make up the difference in the problems we are experiencing but he would urge the Commissioners to consider this increase.

RE: MARK TULEY...BURDETTE PARK

Absentee Report: Mr. Tuley submitted the absentee report for employees at the park for the period of April 6 thru May 9, 1983....report received and filed.

Financial Report: Mr. Tuley submitted the following financial report.

1983 Starting Budget

1983 Budgeted	$509,237.00
1982 Encumbered by P.O.	17,475.92
1982 Encumbered by Contract	67,764.92
1982 Insurance Reimbursement	6,116.44
Total 1983 Budget	$600,594.28

Expenditure and Balance 1/1/83 to 4/30/83

Total Expenditures	$186,652.14
Total Balance	413,942.14

Income 1/1/83 to 4/30/83

Pool	-0-
Rink	$ 15,739.27
Rentals	9,277.10
Miscellaneous	2,413.54
Total	$ 27,429.91

4/30/83

Total Expenditures	$186,652.14
Total Income	27,429.91
Total Deficit for 1983	159,222.23

Also attached to the report was a daily breakdown

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Mr. Tuley said the statement does not reflect the $41,500.00 he recently returned to the General fund, that it will show up on the next monthly statement he submits.

Day Tour at Burdette on May 21, 1983: Mr. Tuley said there is going to be a tour of the park on May 21st and at this time Ms. Jan Thuerback is present to explain it.

Ms. Thuerback submitted the following letter to the Commissioners, dated May 9, 1983.

Greetings:

The Evansville Convention and Visitors Bureau in association with Burdette Park and the Spirit of Evansville Riverboat is sponsoring a Familiarization Tour of Evansville on May 21, 1983. We wish to introduce area Personnel Managers, Company Clubs and business owners to the value of holding your company outings in Evansville. For those of you who have used Burdette Park and/or the Riverboat in the past, we may have some new ideas that you'll enjoy.

This invitation is open to one key representative and his family. Space on the Tour is limited so we are accepting the first 125 people who return the enclosed mail-back card.

If you and your family are one of the first 125 people, you can look forward to touring the Riverside Historic District, enjoying an early morning cruise along the Ohio River, lunch on Southern Indiana barbecue, listen to a country band, play horseshoes, volley ball or maybe even soft ball. While the kids are roller skating, you can take a peaceful train ride through the wooded hills of Burdette Park.

The Tour starts at 8:30 a.m. at the Civic Center parking lot where you will board the coaches to start your day. Following the door prize drawings at 2:00 p.m. you will

board the coaches for return to the Civic Center.

You and your family will have a wonderful day, and we'll show you some exciting alternatives when planning your employee events calendar.

Evansville Convention & Visitors Bureau
Burdette Park
Spirit of Evansville Riverboat

P.S. Fill those cards out and return as soon as possible because there are only 125 seats available.

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Ms. Thuerback said this is Mr. Tuley's brain child and he has worked very hard for the past few weeks to get this organized. She said letters are going out this afternoon to about two hundred (200) companys in southern Indiana, Kentucky and Illinois and they will be sent directly to personnel managers, club presidents, employee organization presidents, etc. She said Mr. Tuley has the catering all donated and there will be organized activities at the park and there will be presentation packages distributed to everyone showing all the advantages and benefits of holding a company picnic at Burdette. She feels this is a really wonderful program and they were very happy to work with Mark on it. Basically what she has done is draft the letter, print the materials and will be doing the mailing for it.
They are presently having their Visitors Guide distributed and in the past Burdette Park was listed in it, but this time an entire page has been devoted to the park, that it is at the printers now and should be ready in about three (3) weeks.

Commissioner Willner said he would like to thank Ms. Thuerback for her time and effort in this venture, that promotion is probably one of the things we lack.

The other two Commissioners expressed their pleasure also.

Mr. Tuley said they will have some cost toward this but it will come out of their advertising account and if they would pick-up even one (1) picnic it would more than pay for itself, but perhaps it will generate more than one (1) for us.

Construction and Operating Proposal for Burdette Park: President Borries said the County Attorney informed us there were some changes regarding a lease with Mr. Hugh McGee, which was presented to the Commissioners at the May 2, 1983 meeting, however, Mr. McGee has continued to show interest in a service agreement for this year, regarding concessions, without making any modifications to the park, per se.

Commissioner Willner moved that Mr. McGee proceed with working with the County Attorney in drafting an agreement for concession services for the remainder of 1983 and that it be submitted next week for final consideration.

President Borries said as a matter of courtesy, any other caterer or person who had an agreement without a contract at this time to provide the services need to be notified as soon as possible.

Commissioner Willner said he would add to his motion to notify the caterers and tentatively approve the contract for catering at Burdette Park.

Commissioner Cox seconded the motion. So ordered.

Mr. Tuley said he will notify them and get a letter to Lee Foods immediately.

Comment Concerning Federal Funding for Burdette: Commissioner Cox said she was recently made aware of the fact that Burdette Park may be eligible for some federal funds for tree replacement and she is wondering if Carolyn McClintock had been contacted.

Mr. Tuley said he has talked to Ms. McClintock and discussed this matter and she is to get back with him and see what we might possibly be eligible for, and he will report his findings to the Commissioners.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report for the employees at the county garage for the period of May 2 thru May 6, 1983. Report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report for the employees at the county garage for the period of May 2 thru 6, 1983....report received and filed.

Mr. Bethel reported the past week they had the gradall on Boonville/New Harmony Road, Upper Mt. Vernon Road, Booker Road and Mann Road. The graders were used on Union Township roads, Outer Darmstadt Road, Nesbit Station Road, County Line Road, Boonville/New Harmony Road, County Line west on Denzer Road, Folz and Schissler Road. They pulled the shoulders on Hedden Road and Southeast Browning Road. They patched Old Henderson Road, Outer Lincoln Avenue, Boehne Camp Road, Heinlein Road, Tupman Road, Barton Road and Arla Jane Drive. The tree crews were on Kuebler Road, Short Mill Road and St. Wendel Road. Trash crews were on Lynn Road, Schrader Road, St. Wendel Road and St. Joe Avenue.

They have almost all of their barricades back down now, except for the river roads and most of those that pertain to Pigeon Creek has also been removed, and they have most of them cleaned off for traffic.

Problem With Silt in Ditch Along Rosenberger: Commissioner Cox said she would like to report a problem with the ditch along Rosenberger, on the west side of the road, and south of the new culvert recently installed on Rosenberger, between Hogue Road and Hwy. 62, that the ditch is almost completely silted to the top and she would like for a crew to clean it out as soon as possible.

Mr. Bethel said we have a lot on them that all this rain has done this to but he will see it is done as soon as possible.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of May 2 thru 6, 1983...report received and filed.

Mr. Guillaum reported they are about to complete the work on the right-of-way on Baseline and Petersburg Road. They are going to rent a small crawler--dozer to finish rubbing it out and getting it cleaned up.

They did some guardrail work on Hogue Road and some weed cutting on Volkman Road, east and also on Broadway Avenue.

Concerning Hirsch Road, the contractor is trying to get back in there, that water got over that section and Deig said they are hoping to get back in there within the next five (5) or six (6) days, depending how fast it dries out in there.

Eastland Estates Section "B": Mr. Guillaum said they are still compiling information on Eastland "B", that during the past rain they took some photographs of the area showing the water did get well up over the road and even over the electrical transformers, but he would like to defer discussion on this until at least one (1) more week until all the facts can be gathered.

Permission granted.

Sidewalks on Plaza School District: President Borries asked if further information has been recieved on the problem concerning the school children and the sidewalks along Lincoln Avenue, in the Plaza Park School area, that he believes the Commissioners are waiting for figures on what the cost would be.

Mr. Bill Jeffers said they submitted a report showing the cost, per square foot for the installation of the sidewalks.

Mr. Jim Lewis said he recalls the report and he believes the figure to be around $9,500.00, but he believes what we are waiting on now is the decision of who all will share in that cost, that will it be the whole subdivision or just the immediate property owners.

Commissioner Cox said she thought they were not only to give us the square footage but also the names of the property owners, that being those in the subdivision as well as the ones immediately adjacent to the sidewalks.

Mr. Jeffers said he could get that information for the Commissioners before this meet- recesses, but he knows if we are talking about only the ones touching the sidewalks then there will be six (6) of them.

Matter deferred until later in the meeting.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Daily Time Sheets: Mr. South submitted the daily time sheets for himself and Mr. Willis, attached to President Borries' original report.

Local Road and Street Report: Mr. South submitted a report on the Local Roads and Streets as requested a couple of weeks ago. He did not get the flow sheet completed but other than that it is current as of May 1, 1983.

Summit Place, Section "A" Mr. South said a few weeks ago Summit Place was mentioned and a letter went out to Sam Biggerstaff concerning this, on May 5, 1983.

Executive Meeting: President Borries said an Executive Meeting will be held today at 3:30 p.m. and asked Mr. South if he would like to briefly outline what this meeting is concerning.

Mr. South said it is basically to discuss our next step in obtaining the right-of-way for the proposed subdivision along St. Joe Avenue at Schenk Road.

President Borries said this regular meeting of the County Commissioners will recess at 3:30 today, have the Executive Session, and then reconvene, with a possible solution to the right-of-way purchase.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Sprinkler System Inspection at Hillcrest Washington Home: Mr. Lewis reported that the company that has been doing the sprinkler inspection at the childrens home has apparently gone out of business and will no longer be able to do the quarterly reports that are necessary under the state law and we have very few companies in town that will do this type of thing that most of them are out of Louisville or Indianapolis, however, he does have a letter from Shambaugh & Sons, Inc, which is a local firm who has offered to take over the same responsibility at approximately the same cost to the county, which is roughly $400.00 per year, or $100.00 for each inspection. We have been paying $97.00 per inspection to the present company.

Commissioner Willner moved we contract with Shambaugh & Sons Inc., in the amount of $400.00 per year, for four (4) inspections, subject to approval of the County Attorney.

Commissioner Cox asked how many inspections have been done to date and Mr. Lewis said he is pretty sure it is two (2), but he will double check it.

Commissioner Willner asked Mr. Lewis if there is sufficient money in his budget to cover this expense and he replied he would assume he would hold back the amount for the contract coverage.

Commissioner Cox seconded the motion. So ordered.

Discussion of County Employees Health Insurance: Mr. Lewis said last week the Commissioners decided to increase the county's non-union employee's contribution on the health insurance to $10.00 for single and $20.00 for family and the eye and dental was to become optional....all effective June 1, 1983, however, since that time the date has been changed to August 1, 1983 and all offices involved have been notified of the change.

President Borries said since the June 1st. date was approved there has been some concern expressed by some members of the County Council and certain other persons, that until the matter was discussed with union employees, that such a decision be delayed so that uniformity could be sought after.

Commissioner Willner moved the date of June 1, 1983, as approved at the meeting of May 2, 1983, be amended to August 1, 1983. Commissioner Cox seconded the motion. So ordered.

Mr. Chuck Whobrey, teamsters representative was present and requested a meeting be set up between the union and the Commissioners very soon so that this matter could be discussed and said he would be in contact with the Board to set up a meeting date.

Carrier to be Used for Remainder of 1983: Mr. Lewis said the Commissioners also need to make the decision on which insurance carrier will be used for the remainder of the year 1983.

President Borries said this has been a very difficult decision on the part of the Commissioners, but from all indications that he has at this point he does not see where the county could save any money by changing carriers and it would be his recommendation to continue with the present carrier for 1983, which could be subject to change in 1984.

Commissioner Willner moved the county stay with the present carrier for the remainder of 1983. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

RE: LETTER FROM EVANSVILLE VANDERBURGH SCHOOL CORPORATION

The following letter was read aloud by President Borries, from the Evansville-Vanderburgh School Corporation concerning the lease agreement for the real estate formerly known as the "West Heights Elementary School". The letter was dated April 20, 1983 and directed to the Board of County Commissioners.

Dear Sirs:

We, the Evansville-Vanderburgh School Corporation, wish to renew our Lease Agreement with the Board of Commissioners for real estate formerly known as the "West Heights Elementary School" at 1430 Harmony Way. We would like to renew this agreement for another fifteen years.

Since the original lease was issued, we have constructed two new buildings, added two portable classrooms, expanded the parking area and removed the old shelter house. Therefore, we are enclosing a copy of the original lease, prints of the new structures and related correspondence.

We wish to thank you for your cooperation in permitting us to provide an educational facility for the Building Trades Industry that has gained recognition throughout the State of Indiana.

We are looking forward to another lease agreement that will let us continue our Building Trades Apprentice Program.

Sincerely,
John Clerk
Director of Practical Arts,
Vocational and Adult Education

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Commissioner Willner said he would concur with the present lease however, he would like for Mr. Lewis to check with the School Corporation and see if that entire building is being utilized, or if there is some free space.

The matter was referred to Mr. Lewis to report back on next week.

RE: LETTER FROM CORPS OF ENGINEERS, LOUISVILLE, KY.

President Borries read aloud the following letter, dated May 5, 1983 and directed to the Honorable Richard J. Borries, President of the Board of Commissioners of Vanderburgh County.

Enclosed you will find a State of Indiana construction permit application form which has been prepared by the U.S. Army Corps of Engineers, Louisville District, in connection with the Vanderburgh County, Indiana, Streambank Stabilization Project.

After reviewing this application, please sign, have it notarized, and forward it to Mr. John Hall, Division of Water, Indiana Department of Natural Resources, 605 State Office Building, Indianapolis, Indiana 46204, for processing.

Your cooperation is deeply appreciated. If you have any questions or inquires, do not hesitate to contact Ms. Alicia J. Holland of this office, at (502) 582-5755.

Sincerely,
Robert R. Humphreys
Chief, Real Estate Division

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

RE: LETTER FROM LEGAL AID - REQUEST TO APPOINT BOARD MEMBER

The following letter was read aloud by President Borries, dated April 25, 1985 and directed to the Board of County Commissioners.

The City/County Agreement of the Legal Aid Society provides that the County Commissioners appoint certain members of our Board of Directors. With the recent resignation of Mr. Tyrone Laster, we have such a Board vacancy. Our Personnel and Nominating Committee recommends to your Board that Alan E. Jones, 318 S.E. 1st. Street, Evansville, Indiana, be selected to fill that post. Mr. Jones is with the Department of Metropolitan Development for the City of Evansville. Our recommendation is, of course, not binding upon you if you feel that another person is more appropriate for the position.

Please advise me of your position in this matter.

Sincerely,
F. Wesley Bowers, President
Board of Directors.

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Commissioner Willner moved that Mr. Alan E. Jones be appointed to fill the vacancy, as recommended by Legal Aid. Commissioner Cox seconded the motion. So ordered.

RE: LETTER AND CHECK FROM EVANSVILLE CABLE T.V., INC.

A check in the amount of $6,707.40 was received from Evansville Cable T.V. Inc. along with the following letter, dated May 4, 1983.

Dear Commissioners:

Enclosed you will find a check in the amount of $6,707.40 which is for the first quarter of 1983. This is a little below the $6,816.63 payment which was sent to you for the fourth quarter of 1982, and there is a reason for that. Because of the early cut off on our computer and the way the dollars are figured, the first quarter would come up a little shorter in length than the fourth quarter of 1982. The fourth quarter of 1982 expands into the first quarter of each year plus the quarter cut-off is early in March.

I have asked the corporate office to give me a comparison for this quarter for 1983 vs. 1982. Once I receive this, I will let you know but it should be considerably greater.

We have now completed Diefenback Road from Koring to Little Schaefer Road, Folz Lane, Detroy Road from 460 to Mesker Park, Cynthiana Road from 460 to St. Wendel Road, including side streets of Wood Haven Drive, Old 65, Kasson Drive, Char Mar Lane, Choise Cut Lane, Temper Trail Court, Mill Road (west of Cynthiana to Happe Road), Henze Road (from Mill Road north part of), #6 School Road (from Cynthiana to Neu), Plainview Drive (from Cynthiana to Neu), Neu Road (between #6 School and Plainview).

We are now in the process of doing make ready for new construction in Darmstadt building from Peerless Road on out to and in the corporate community of Darmstadt. We are looking to expand Old State Road, across Hillsdale,across U.S. 41 to an area of Old State Road to a cluster of homes in that particular area. We are also submitting and hopeful of building in 1983 an extension at the end of Hogue Road taking in the Kirchoff Subdivision.

Again, Evansville Cable would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the county with cable TV service.

If the Commissioners have any questions, please feel free to give me a call.

Best regards,
Robert D. Ossenberg
Vice President & General Manager

P.S. I have asked the corporate office to send a comparison of revenues for April 83 vs. 82, which I will send a copy on to you as soon as I receive it.

Commissioner Willner moved the check be accepted and signed and deposited in the County General Fund. Commissioner Cox seconded the motion and requested a letter of acknowledgement be sent to Cable TV. So ordered.

RE: FURTHER INFORMATION CONCERNING SIDEWALKS NEAR PLAZA PARK SCHOOL

President Borries said Mr. Jeffers had to leave to attend another meeting but he did submit some information concerning the sidewalks in the Plaza Park School district which was discussed earlier in this meeting. He says there are thirty two (32) lots in the East Meade Subdivision, the sidewalk would basically cross six (6) lots, there are thirty (30) lots in the Yorktown-Carrolton Court Subdivision, or in the total lots effect-in the various blocks there is a total of forty six (46). Mr. Jeffers tells us he is going to check with the Knight Township Assessor to seek ownership and see of some of the lots are double lots.

President Borries said he would guess the next procedure would be for the attorneys to look at the Barrett Law and perhaps notify all effected persons in that area.

Commissioner Willner said before going into all of this and holding public hearings, he would like to suggest that since there is only six (6) property owners on who's lots the sidewalks need to be installed and since it would beautify only their home, he would like for thse six (6) to be contacted and ask them if they would be willing to install the sidewalks themselves.

The other Commissioners agreed to this, therefore, Mr. Bethel was instructed to have Mr. Lee Stucki, Road Inspector, contact these six (6) persons directly involved and see if they would install the sidewalks in front of their homes.

Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

RE: ATTORNEY JONES CONCERNING THE LEASE AGREEMENT ON WEST HEIGHTS SCHOOL

Mr. David Jones, County Attorney said he has reviewed the lease agreement, dated September 3, 1968, which provides for a term of fifteen (15) years, which would expire September 2, 1983, also provides for a one (1) time option for renewal of a like term of fifteen (15) years, provided it's exercised ninety (90) days in advance, which he would construe the submitted letter to be, therefore the letter is sufficient to exercise the option to extend it for another fifteen (15) year term, which would then expire on September 3, 1998, however, at that time it will automatically expire at midnight on that date and at that point and time it will take another agreement, but right now, the letter is sufficient.

Commissioner Willner said before approving this he would still like for Mr. Lewis to check and see if all the space out there is being utilized.

RECESS: At this time (3:30 p.m.) the County Commissioners recessed the meeting to have an Executive Session Meeting concerning St. Joe Avenue and Schenk Road right-of-way Purchase.

Meeting reconvened at 4:00 p.m.

President Borries said they have concluded the session in which they discussed the purchase of property along the St. Joe and Schenk Road intersection, on a project that has been approved for rural secondary funds. He would repeat, for the benefit of the news media that the purpose of the Executive Session was simply to discuss the matter of a price, which we are not going to talk about at this time, subject to negotiations with the buyer and the owner of the property, however, he would entertain a motion to approve the one (1) appraisal that we do have and to authorize our buyer to proceed with negotiations with the property owner.

Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

RE: ANNUAL REPORT ON HUMAN RELATIONS COMMISSION

Submitted was the 1982 Annual Report of the City/County Human Relations Commission.

Report recieved and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by The Jaycees of Evansville, Inc. for extending coverage for Jaycees Convention - May 19 thru May 22, 1983 and activities in Gold Room.....certificate received and filed.

RE: LETTER FROM SOUTHERN RAILWAY CONCERNING REMOVAL OF OVERPASS

President Borries read aloud the following letter from Southern Railway, dated May 4, 1983 and directed to the Board of County Commissioners.

I am in receipt of your letter of April 11, 1983 in reference to your request for removal of Southern Rialroad overpass over West Boonville/New Harmony Road (near Bender Road).

Your letter, photographs and petition has been forwarded to our division Superintendent in Louisville, Ky., for his consideration. I will advise you of his reply as soon as possible.

Sincerely,
C.H. Groce
Division Engineer

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Letter recieved and filed.

Commissioner Willner said this has been in litigation for a couple of years and was getting nowhere so Mr. Marlin Grossman, a resident of that particular area took up a petition to the railroad and the County Commissioners for the removal of this structure. He did this on his own, he took the photographs, so perhaps this is a move in the other direction from a law suit, begging the Southern Railway to be lenient with us and hope for an agreement, other than litigation.

RE: SCHEDULED MEETINGS

President Borries said there is a scheduled meeting on Wednesday, May 11th at 1:00 p.m. in room 303, concerning the railroad switch on Lynch Road, which the Commissioners did not approve.
Commissioner Cox said eventhough the road is officially open to the public, that portion of the switch area is still barricaded today.

President Borries said there is a meeting, which he feels certain will be open to the public, and he is sure the media is aware of it also, regarding the Center City Forum, at the Gold Room, on Wednesday, May 11th. at 7:30 p.m.

President Borries said there are suppose to be some State Legislators come to the Vanderburgh County area this week end. He is not sure who all is scheduled to be here, but perhaps we could talk to them about some of our needs and he believes this is to be held at the Executive Inn, however, he has no further information on it.

President Borries said he would like to pass a bit of information on to the Auditor's office, that he has been in contact with Representative Jeff Hayes regarding a meeting that he would like to schedule with some members of the State Board of Tax Commissioners, the Vanderburgh County Council and the effected county offices concerning the whole budgetary process, since it is one in which we are not going to see any additional revenue from any local options, so as a result he feels it is going to be very important for us to know exactly what we are doing. He would like to know if the other Commissioners would approve of him writing a letter to the State Tax Commissioners requesting such a meeting, perhaps sometime in June to discuss certain matters related to our budgets.

Commissioner's Cox and Willner both agreed this should be done.

RE: PROPOSAL TO INCREASE RENTAL FEE AT AUDITORIUM

President Borries said if possible he would like for the Commissioners to consider and make a final decision of increasing the rental on the Auditorium side, at our next meeting.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

AUDITOR

Kathy Lowe	2608 S. Dexter Ave.	Data Pr. Oper.	$10,260.00 Yr.	Eff: 5-9-83
Betty Franklin	1400 N. Kelsey Ave.	Data Pr.Super.	$11,900.00 Yr.	Eff: 5-9-83

VOTERS REGISTRATION OFFICE

Gloria Evans	1369 E.Chandler	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Lucille Musgrave	4304 Pennington	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Deborah Goodrid	401 S. Red Bank Rd.	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Marie Lurker	2100 Schutte Road	Part time Dep.	$30.00 Day	Eff: 5-3-83
Beverly Abell	3417 Austin	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Jon Gugin	417 Schreeder	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Bob Whitehouse Jr.	912 S. Villa Dr.	Part-time Dep.	$30.00 Day	Eff: 5-3-83

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITOR

Kathy Lowe	2608 S. Dexter Ave.	Posting Clerk	$10,260.00 Yr.	Eff: 5-6-83
Betty Franklin	1400 N. Kelsey Ave.	Data Pro. Oper.	$10,260.00 Yr.	Eff: 5-6-83

VOTERS REGISTRATION OFFICE

Gloria Evans	1369 E. Chandler	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Lucille Musgrave	4304 Pennington	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Deborah Goodrid	401 S. Red Bank Rd.	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Marie Lurker	2100 Schutte Road	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Beverly Abell	3417 Austin	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Jon Gugin	417 Schreeder	Part-time Dep.	$30.00 Day	Eff: 5-3-83
Bob Whitehouse Jr.	912 S. Villa Dr.	Part-time Dep.	$30.00 Day	Eff: 5-3-83

There being no further business, President Borries declared the meeting recessed at 4:15 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Deputy Auditor)	David Jones
SECRETARY:	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 16, 1983

The meeting of the County Commissioners was held on Monday, May 16, 1983, at 7.30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: REZONING PETITION...VC-2-83...FIRST READING

Petitioner: Housing and Foundation Corp. 1410 First Avenue, Evansville, Indiana
Owner of Record: SIHE - Southern Indiana c/o 525 Sycamore St., Evansville, Indiana
Lessee: Higher Education Sigma Tau Gamma Fraternity - Gamma Phi Chapter of Evansville Indiana.

Premises affected are situation on the south side of Clark Lane, a distance of 470' west of the corner formed by the intersection of Schutte Road and Clark Lane. The common address is 7601 Clerk Lane. The above described real estate is presently zoned agricultural and the requested change is to R-4. Present land use is vacant and the proposed land use is a fraternity house.

Commissioner Cox moved that rezoning petition VC-2-83 be approved on first reading and referred to Area Plan Commission. Commissioner Willner seconded the motion which carried with three (3) affirmative votes.

RE: REZONING PETITION....VC-1-83...THIRD READING

Petitioner: The Auction Mart, Inc. 13020 N. State Highway 57 and
Kenneth M. Alvey and Helen J. Alvey P.O. Box 225, Evansville, Indiana

Premises affected are situated on the northwest side of State Highway 57, a distance of 1,000' northeast of the corner formed by the intersection of Highway 57 and North Green River Road. The common address is 13020 State Highway 57 (The Auction Mart, Inc) and State Highway 57 (The Alveys). The above described real estate is presently zoned agricultural and the requested change is to C-4. Present existing land use is dormant and the proposed land use is expansion to Sign Shop (Alvey Sign Shop), and expansion to Auction Gallery (The Auction Mart, Inc.)

Mr. Thomas Norton was present, representing the Auction Mart, Inc. and Mr. and Mrs. Kenneth Alvey. At this time he submitted an illustration to each of the Commissioners stating it is not a site plan, merely an illustration showing the location of The Auction Mart and also the Alvey Sign Shop. The strip they are requesting be rezoned is approximately 150 X 300 ft., in the middle, that each of the petitioners own one-half of the property and they have joined in this petition together simply because their desired usages would fall in the C-4 classification for the property. This is presently zoned Agricultural, but they feel it is too small to be A any longer.
He said they have previously submitted to the Area Plan Commission a consent signed by the abutting property owners, those being Leo J. Kutlich and Eleanor S. Kutlich and also Daniel C. Oliver and Linda L. Oliver.

Mr. Norton said he has nothing else to present, other then to say the Area Plan Commission approved the ordinance with seven (7) affirmative votes.

Commissioner Cox asked if there will be any more egress' or ingress' on Highway 57 and Mr. Norton replied no, they intend to use what is already there because it can be tied into the abutting property.

Ms. Barbara Cunningham, Director of the Area Plan Commission was present and stated she would like the petitioners to be aware of the fact that since the building being built for storage, that since the building is planned to be used commercially, the Building Commissioner states that the petitioners will need a Change of Occupancy, from the State Building Commission and will have to comply with commercial construction requirements and apply for a local commercial remodeling permit, because the building was built for an agricultural building, but will now be used commercially. All information may be obtained in the Building Commission office.

President Borries asked if anyone else wished to speak in behalf of this request... there were none.

President Borries asked if there were any remonstrators present....there were none.

Commissioner Willner moved rezoning petition VC-1-83 be approved for final reading. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 12-83-APC....FIRST READING

Owner: Samuel B. Gee
Petitioner: Same
Location: 19900 Highway 41 North.

Present use of the property is a motel, restaurant and service station and the proposed use is a motel, restaurant, service station, mobile home office and guard house.

The Area Plan Commission staff field report states this is a special use #26 for a mobile office for Sun Motel and guard house for Sun Travel Mart. Trailer was placed on property in 1975. According to code this can never be used for living or sleeping as it has been previously.

Commissioner Cox moved special use permit 12-83-APC be approved on first reading and referred to Area Plan Commission. Commissioner Willner seconded the motion which carried unanimously in the affirmative.

RE: ORDINANCE AMENDING COUNTY ZONING CODE FEES

The following Ordinance was presented to the Commissioners, in regards to amending county zoning code fees.

ORDINANCE

AN ORDINANCE AMENDING THE VANDERBURGH COUNTY ZONING CODE, CHAPTER 153 OF TITLE XV OF THE CODE OF ORDINANCES OF VANDERBURGH COUNTY.

BE IT ORDAINED by the Board of Commissioners and the County Council of the County of Vanderburgh, State of Indiana, that the following amendment to the Vanderburgh County Zoning Code of 1980, as amended, is hereby adopted,

Section I. REPEALER

Title XV, Chapter 153.116, Section A (4) (d) of the Code of Ordinances of Vanderburgh County which reads as follows "A fee of $10.00 except in the case of an application from a government body" is hereby deleted in its entirety and Title XV, Chapter 153.116, Section A (4) (e) is hereby relettered accordingly.

Section II. REPLACEMENT

Tital XV, Chapter 153 is amended by the addition of section 153.171 entitled "Fees", which shall be as set forth below:

Chapter 153.171 - FEES

Except in the case of an application from a unit of government, the below described fees shall be paid to the Area Plan Commission by the pttitioner at such time as the petition is filed:

(a) Rezoning.....$50.00
(b) Variance.....$20.00
(c) Special Use.....$20.00
(d) Zoning Use Permit:
1. Light residential (R-1 and R-2).....$10.00
2. Other residential (R-3, R-4, R-5 and R-O), commercial and industrial.....$50.00
3. All others (i.e., home occupation and P.U.D.)..$25.00
4. Temporary portable sign and permanent on premise sign.....$25.00
5. Outdoor advertising sign.....$50.00

Section III.

This amendatory Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, and the Vanderburgh County Council.

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Ms. Cunningham said the Area Plan Commission felt like this increase is something long over due. She said previously a rezoning has been $30.00 in the city and $15.00 in the county. A variance has been $13.00 for the city and $10.00 for the county. Special Use permits have been $10.00 and all other permits have been $10.00. They have already heard from the outdoor sign people and they do not feel the $50.00 fee is too high. She said you will notice the Light Residential (R-1 and R-2) has stayed at the $10.00 fee and that includes garages, single family residents, etc., so most of the increase is in commercial fees and in areas that entail much more work on a fee application. She also submitted a pass-out of the number of fees they have given in the city and county from January to April 30th. of this year and she believes the Commissioners will be very surprised when they see it in black and white.

Commissioner Cox said when we talked about this in the Area Plan meeting, we talked about the special use permit and the zoning use permits being renewable on an annual basis.... what happened to this idea?

Ms. Cunningham replied a zoning use permit is when you build a garage or a house, therefore that would not be renewable, but the special uses could be renewable, however, it depends on what the Legislative body asks for on restrictions. Things like beauty shops and churches are sometimes special use and they are just given and not renewable. A mobile home office would be something that would be renewable and everytime they file they would have to pay the fee at the same time.

Commissioner Cox said we talked about renewing these on an annual basis.

Ms. Cunningham said was that on home occupation and special use that was discussed at that time and Commissioner Cox said she doesn't see home occupation on this Ordinance. Ms. Cunningham said it is under #3, Zoning Use Permit.

Commissioner Cox said she just asked about Zoning Use Permits and Ms. Cunningham said she stands corrected, that it would depend on if the Legislative body puts a time limit on them, then when they refiled, they would pay the fee again.

Commissioner Willner moved the Ordinance be approved, on first reading and the Auditor's office properly advertise it, for final approval, at a later date. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

RE: COUNTY ATTORNEY....DAVID MILLER

Proposed Form Letter Concerning Charges Owed Alexander Ambulance Service by Residents of Vanderburgh County:

Mr. Miller said we have received word from Alexander Ambulance Service, as expected, that there are some delinquent accounts, in regards to services provided by Alexander, through the County subsidized paramedic emergency service program. He has submitted a proposed form of letters to be mailed by Mr. Alexander's company, with it's third billing, which indicates the county will take legal action against these individuals who refuse to make payment for the services rendered to them. It is simply a form letter for Alexander to use, that they would fill in the amount and provide them to Mr. Jones or himself, for signature, and his recommendation would be that the Commissioners approve the document, or something of this type for Alexander's use. If this does not bring in the payment du then it would be assigned to the county and the county attorney would file action in the appropriate court.

Commissioner Willner moved the form letter be approved. Commissioner Cox seconded the motion. So ordered.

Proposed Agreement for Burdette Park Concession: Mr. Miller presented the following agreement for concessions at Burdette, which has been discussed with Mr. Hugh McGee. Mr. Miller briefly explained what each paragraph contained and recommended that Mr. McGee look the agreement over and that the Commissioners also review it and take action possibly at the next Commissioners meeting. The Agreement is as follows:

BURDETTE PARK CONCESSION AGREEMENT
Vanderburgh County, Indiana

THIS AGREEMENT made and entered into this ____ day of _____, 1983, by and between the Board of Commissioners of Vanderburgh County, Indiana, hereinafter referred to as "Board" and McGee Enterprises, Inc., an Indiana corporation, with its principal place of business in Evansville, Vanderburgh County, Indiana, hereinafter referred to as "McGee".

WITNESSETH:

WHEREAS, the Board owns and operates certain real estate and improvements located in Vanderburgh County, Indiana, known as Burdette Park for the recreation and enjoyment of the general public and in particular the residents of Vanderburgh County, Indiana; and

WHEREAS, McGee is in the business of providing services and selling food, candies, nuts, chewing gum, and other assorted items through various means and desires to obtain a concession from the Board to enter upon the premises of Burdette Park for the purposes of doing business with the general public there; and

WHEREAS, the Board deems it advantageous to grant unto Mcgee concession areas and rights, licenses and privileges as herein set forth;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto do hereby agree as follows:

1. The Board hereby grants to McGee the exclusive right and privilege, during the term of this Agreement, to provide services, including, but not limited to, the sale of food, candies, non-alcholic beverages, tobacco products, confections, ice cream, and other refreshments all of which are hereinafter referred to as the "Concession" at locations and areas in Burdette Park, including Burdette Park Swimming Pool, Burdette Park Skating Rink, and the Burdette Park Devoy Building, and agrees to furnish to McGee space at said locations to operate the Concession, such space being hereinafter referred to as the "Concession Area", for a term of one (1) year commencing on the ____ day of _____, 1983, and terminating on the ____ day of _____, 198__, inclusive.

2. The Board shall provide and maintain the utility service for equipment used in conjunction with the operation of the Concession, and McGee agrees to reimburse the Board for any expenses involved in the installation of any additional utility connections for new or relocated equipment. McGee also agrees to reimburse the Board on a monthly basis for the cost of utilities consumed as a result of the Concession operation.

3. McGee shall not make any repairs, do any painting, or cause any alterations or additions to the Concession area without the prior consent of the Board and any and all such repairs, painting, alterations or additions shall, on the termination or expiration of this Agreement, become the property of the Board and McGee shall not be entitled to any compensation, reimbursement or remuneration therefor. The Board reserves the right at any time to make such repairs or alterations to the Concession area as it deems necessary, the expense for such repairs and alterations to be shared by the Board and McGee pursuant to mutual agreement between the Board and McGee.

4. McGee agrees to pay _____ percent (_____%) of the gross receipts derived each month from all sales and services by

McGee in its operation of the Concession, with a minimum guarantee of _____ Dollars ($_____) per calendar year. It will be determined at the close of business on the _____ day of _____ each year of this Agreement if the concessionaire has met the _____ Dollars ($_____) minimum guarantee. When it is determined that the guarantee has not been met, McGee will be notified by the Board as to the amount due, which will be payable upon thirty (30) days after the close of the calendar year. The payment by McGee to the Board shall be monthly and shall accompany the monthly report due on the _____ day of each month of operation during the life of this Agreement as hereinafter provided.

5. On the _____ day of each month of operation during the life of this Agreement, McGee shall submit to the Board a statement, in duplicate, showing for each operating location as designated in this Agreement, the total daily and total gross receipts for the month, accompanied by payment in full of any and all amounts which may be due the Board as provided; said statement shall be in such detail and in such form as may be required by the Board from time to time. Acceptance by the Board of any statement or payment shall not prevent the Board from making a claim for adjustment by reason of errors or omission in such statement or payment.

6. McGee shall pay all license fees and taxes that may be imposed by any city, state or federal authority. Such fees and taxes shall not be deductible from any rentals or fees due the Board.

7. The Board shall have the right at any and all reasonable times to examine the books and records of McGee for the purpose of determining the correctness of each month's computation of said gross receipts.

8. McGee agrees to furnish all of the personnel necessary to operate the Concession, which employees shall be neat and clean in appearance at all times and shall be clothed in neat and attractive attire. McGee shall appoint a resident manager, who shall have full and complete control over the operation of the Concession and who shall be responsible for all pertinent books and records and all payments made to the Board as provided by this Agreement. Said manager shall arrange his daily schedule so that he will be available to agents of the Board during normal business hours on 24-hours' notice. All Concessions shall be operated by McGee's employees. For the purposes of this Agreement, an employee shall be "a person either employed on a salary basis or working on a commission basis, or both, from whose wages are deducted withholding taxes by McGee." From time to time and as soon as practical after the effective date of this Agreement, McGee shall provide the Board with a complete list of employees assigned to work at the Concession. Such list shall include each employee's name and address.

9. McGee shall not permit any lewd or immoral conduct in or about the Concession area. No liquors shall be handled or allowed and no slot machines or gambling devices of any kind shall be allowed in or about the Concession area. All products offered for sale and for consumption by McGee shall be of first-grade quality. All federal, state and local regulations, ordinances and laws pertaining to quality of products offered for sale must be met by McGee.

10. McGee shall be responsible for providing at its own expense all Concession employees, equipment, and supplies required in the operation of the Concession areas, including any mobile equipment. McGee's equipment shall be kept in a good and safe condition of maintenance and repair at all times. In addition, its employees and equipment shall be in sufficient quantities to

properly service the public and shall be available at such times as specified by the Board.

11. McGee shall submit to the Board for its approval, current schedules of prices to be charged by McGee for all services to be provided in the operation of the Concession. The Board shall approve such schedules if the prices are consistent with prices charged for similar services at similar operations in and around Vanderburgh County, Indiana.

12. No advertisements, notices, signs, posters, or other advertising material of any kind or character, excepting schedules of prices for services, shall be placed, affixed, distributed or used in or about any part of the Concession area.

13. Notwithstanding any provision in this Agreement to the contrary, it is understood and agreed that the general public shall have the right to use chairs and tables in and around the Concession area for resting or eating at any time that Burdette Park is open to the members of the general public, whether or not services are purchased from McGee in the operation of the Concession.

14. McGee agrees to indemnify and save the Board harmless from any and all liability for personal injury or death to any person or for damage to any property, which may result from the sale of goods or services or which may in any way result from, or be related to, the activities of McGee, its agents or employees in the operation of the Concession, or on account of any act or omission, and McGee agrees to obtain insurance against any such liability in amounts of not less than _____ Dollars ($_____) per person for injury or death, not less than _____ Dollars ($ _____) for injury or death for each accident, and not less than _____ Dollars ($_____) per accident for property damage. In addition to insuring McGee, said policies of insurance shall name the Board and Vanderburgh County as an additional insured as its interests may appear and a copy of each policy shall be delivered to the Board and kept in force at all times during the term of this Agreement, including extensions and renewals hereof.

15. McGee agrees to waive and it does hereby waive, and hold the Board harmless from any and all claims against the Board for or on account of any personal injury or death sustained by any agent, employee or representative of McGee, and/or any loss or damage to property of McGee caused by fire, water, deluge, overflow or explosion, or any other manner and/or any loss of any property by theft or otherwise from the Concession area.

16. McGee agrees that the Board and any duly appointed officer, agent or employee of the Board shall have the right to free access to the Concession area at any and all times that the Concession is being operated.

17. In the event of default on the part of McGee in any of its obligations or duties hereunder, the Board shall give McGee written notice of any such default by mailing certified mail, return receipt requested, said notice to McGee at the following address: _____

_____

_____,

or at such other address as McGee may provide to the Board from time to time and upon receipt thereof McGee shall have thirty (30) days within which to cure said default. In the event of the failure of McGee to cure the default specified in any said notice within thirty (30) days from the date of the receipt of said notice by McGee, then all of the rights and privileges provided to McGee hereunder shall terminate at the end of such thirty (30) day period; provided, however, that any such termination shall not

serve to relieve McGee from the performance of any duties or obligations required to be performed by it under the terms and provisions of this Agreement or any applicable law. Such termination shall not waive the right of the Board to recover damages from McGee for its failure to comply with the terms of this agreement.

18. It is expressly understood and agreed that this Agreement shall terminate if for any reason McGee shall cease to operate the Concession during the term of this Agreement; provided, however, that any such termination shall not serve to relieve McGee from the performance of any duties or obligations required to be performed by it under the terms and provisions of this Agreement or any applicable law. Such termination shall not waive the right of the Board to recover damages from McGee for its failure to comply with the terms of this agreement.

19. The Board shall permit McGee the exclusive right and privilege during the term of this Agreement to sell food, non-alcholic beverages, tobacco products, confections, ice cream, popcorn, nuts, frozen dainties and other refreshments in Burdette Park, even granting McGee the first right of refusal to cater to or provide catering services for all events held in or upon Burdette Park property by the Board or members of the general public.

20. It is mutually agreed between the Board and McGee that McGee shall have the option to renew this Agreement for _____ additional terms of one (1) year each under all of the same terms and conditions as contained herein, on the serving of written notice by McGee to the Board that it intends to exercise its option to renew, which notice shall be served not less than ninety (90) days prior to the expiration of any term then in effect.

21. Neither this Agreement nor any of the rights granted McGee herein shall be assigned, transferred or sublet, without the prior written consent of the Board being first had and obtained.

22. This Agreement and the terms and provisions hereof shall be binding on the parties hereto, their heirs, successors, personal representatives and assigns.

23. If any provision of this Agreement shall be invalid for any reason, such invalidity shall not effect the remaining provisions hereof, the parties to this Agreement hereby declaring that they would have agreed to the other provisions of this Agreement notwithstanding such invalidity.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this _____ day of _____, 1983.

THE BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

_____
Richard Bories

_____
Shirley Jean Cox

ATTEST:

_____
Robert J. Wilner

_____
Alice McBride, Auditor
Vanderburgh County, Indiana

_____
C. Hugh McGee, President
McGEE ENTERPRISES, INC.

ATTEST:

_____
Secretary/Treasurer

President Borries asked Mr. McGee if he is agreeable to this Agreement being taken under advisement for a one (1) week period and if there are any problems they can be addressed next week....Mr. McGee agreed.

Commissioner Cox moved the Agreement be taken under advisement for a week. Commissioner Willner seconded the motion. So ordered.

RE: BILL BETHEL....COUNTY HIGHWAY SUPERINTENDENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report for the employees of the county garage for the period of May 9 through 13, 1983.....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of May 9 through 13, 1983...report received and filed.

Mr. Bethel reported they had the gradall on Fisher Road and Old Boonville Highway. The grader was on Seminary Road, Sieb Road, Hornby Lane, St. Joe Avenue, Adler Road and Heckle Road. They pulled the shoulders on St. Joe Avenue, Denzer Road and Seib Road. They built and painted about sixty (60) barricades. They had the patch crew out on Hogue Road, Woods Road, Denzer Road, Marlin Drive, Five Dollar Road, Pruitt Road, Tree Top Lane, Pine Place, Martin Lane, Arla Jane Road and Old State Road. Trash crews were on Green River Road and Lynn Road.

Report on Findings Concerning Sidewalks in Plaza Park School Area: Mr. Bethel said last week he was instructed to obtain information for the Commissioners concerning the residents involved with new sidewalks in the Plaza Park School area. He assigned this job to Mr. Lee Stucki and at this time he will submit his findings.

Mr. Stucki submitted the following report:

Facts Relating to Sidewalks at the Following Locations:

Two (2) lots in East Meade Estates
Four (4) lots in Yorktown Section, Carrolton Court.

Names of People Who Live at the Following Addresses:

			Comments
Lot #12	Donald & Karon Destache 540 Audubon Drive	(479-6314 and 479-7150)	O.K. Needs time frame
Lot #13	George M. Royster, Jr. 539 Oriole Drive		Doesn't own home, will contact me.
Lot #24	Charles Bauer & Cheryl 540 Oriole Drive		476-3248 Needs time limit and price of county estimate
Lot #25	James & Ida Adams 539 Martin Lane		477-2495 Will check with husband House is up for sale.
Lot #1	Sara & Carl (Rick) Kingston, Jr. 540 Martin Lane		464-3220 (Citizens Bank) See about who removes light and telephone poles.
Lot #22	Doris & Eugene Coleman 7420 Lincoln Ave.		Lot listed at 541 Meade Dr. Will take care of own - has other contract work to be done.

7500 Lincoln Avenue????????

STANDARD SIZE SIDEWALK: 5ft. wide behind 6" curb X 5" thick.
$45.00 will pour 13 lin.ft. of 5" thick sidewalk.
$45.00 will pour 9 lin.ft. of driveway - 7" thick.

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Mr. Stucki said he contacted personally, or by phone, everyone listed above, and they all seem susceptive to the idea, however, they all wanted a time frame of when this would have to be completed. Also they would want a price comparison of what it would cost the county to do this and what it would cost them, as individuals, to do the work. He personally would recommend we get bids on the job, because we would certainly want them all built the same.

He realizes school will soon be out and that would give them the whole summer months to get the work done.

President Borries said school will resume on September 6th., therefore would it be the feeling of the Commissioners that that date and time frame be given to these residents, if they would agree to installing the walks.

Mr. Miller suggested these people be contacted once again, give this time frame to them, check their reactions, because if they chose not to go ahead with this plan then we would have to have time to advertise and carry it out through the Barrett Law Provision, that we need to get a yes or no answer from them right away, or a firm commitment by June 28th.

Mr. Stucki said he received the specifications for the sidewalks from the city engineer's office and that seems awfully big to him, but we don't have a county code for sidewalks.

Commissioner Cox said it leems awfully large to her also, especially the five foot width.

Mr. Stucki said that Mr. Kingston also wants to know if the city is going to build sidewalks across the street from them.

Mr. Miller said you need sixty (60) days lead time in order to get these sidewalks in under the Barrett Law by September 1st., so you would have to have firm commitments by the last of June.

Mr. Stucki said he told the property owners that the Commissioners would perhaps have a meeting with them, if they so desire.

President Borries said he would be happy to meet with the owners, because we certainly do not intend to persecute them, but he feels there is a safety hazard existing out there, as does the school PTA and the Police Department. He would be happy to arrange a time convenient for everyone to meet. He would like for Mr. Stucki to check further on the size the sidewalks must be, that this does seem very large to him also.

Commissioner Willner said then you are saying the contact with the property owners is favorable on this matter and Mr. Stucki said yes, all but Mr. Kingston. He said he feels like if we use the Barrett Law we need to determine if we will use it only on the ones immediately effected.

Commissioner Willner moved that in the event the Barrett Law is used in these six (6) lots, that we will do it on an individual basis, instead of the entire subdivision. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

Commissioner Willner said he would like for the County Attorney to draft a consent document to be signed by the property owners. The document should be given to Mr. Stucki to have them sign with a firm commitment by June 1st and that the work be done by September 1, 1983. He also would like for Mr. Stucki to check with three (3) contractors and see what their cost would be to install the walks.

Attorney Miller asked Mr. Stucki to get the specifications to him so that he can incorporate them into the consent document.

Commissioner Willner moved the document be drafted, with the specifications incorporated and also the dates of June 28th. and September 1, 1983 incorporated. Commissioner Cox seconded the motion. So ordered.

RE: MONTHLY REPORT OF THE CLERK OF CIRCUIT COURT

The monthly report of the Clerk of Circuit Court was submitted for the month ending April 29, 1983.....report received and filed.

RE: MONTHLY REPORT OF THE SHERIFF'S DEPARTMENT

The monthly report of the Sheriff's Department was submitted for the month of April, 1983....received and filed.

RE: RESOLUTION EXTENDING THE TERM OF THE COUNTY PARKS ADVISORY COMMITTEE

The following resolution, prepared by County Attorney David Jones, was submitted, for Commissioners approval or deferral.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY EXTENDING THE TERM OF THE COUNTY PARKS AND RECREATION ADVISORY COMMITTEE

WHEREAS, Chapter 3 of the 1980 Acts of the Indiana General Assembly, as amended grants to units of local government all the powers that they need for effective operation of government as to local affairs not otherwise expressly denied by the Indiana Constitution or by statute and not expressly granted to another entity; and

WHEREAS, Chapter 2 of the 1980 Acts of the Indiana General Assembly provides that the board of commissioners of a county is the county executive and shall transact the business of the county; and

WHEREAS, pursuant to Section 30 of Chapter 3.5 of said Acts of the Indiana General Assembly the Board of Commissioners of Vanderburgh County (hereinafter the "Commissioners") have by ordinance passed January 11, 1982, assumed the powers and jurisdiction of the former County Park Board established by Indiana Code 17-2-76; and

WHEREAS, the Commissioners desire to provide leisure and recreation opportunities for the residents of Vanderburgh County as effectively, efficiently and economically as possible;

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA:

§1. The term of the County Parks and Recreation Advisory Committee (hereinafter referred to as "Advisory Committee") composed of citizen members appointed by the Commissioners as hereinafter provided is hereby extended to December 31, 1984.

§2. The purpose of the Advisory Committee is to study and to review the operation of Burdette Park; to review and to consider alternatives for the administration of park and recreation services in Vanderburgh County; to receive and to consider citizen recommendations for administration of park and recreation services; to meet with representatives designated by the City of Evansville to study alternatives for joint operation and administration of parks

and recreation services in Vanderburgh County and the City of Evansville (including but not limited to consideration of the adoption of the Park and Recreation Law, Indiana Code 36-10-3, et seq. by both the City and County) and to make reports and recommendations to the Commissioners concerning the findings and conclusions of the Advisory Committee.

§ 3. In order to carry out the express purposes set forth herein, the Advisory Committee should review and consider the following:

1. Current operations of Burdette Park to determine where further economies in administration and operation may be realized.

2. Use of a zero base budget approach in analyzing park programs and service to determine program and service justification on an annual basis.

3. Study the cost effectiveness of year around operation versus peak seasonal operation.

4. Evaluate cost effectiveness of major in-house maintenance and repairs versus contracting for these services.

5. Determine potential savings realized by coordination of administration and support functions between Vanderburgh County and the City of Evansville and any other unit of government.

6. Determine maximum utilization and development of existing County parks and recreation personnel. Further development and maintenance of park and recreation facilities with primary emphasis on Burdette Park.

§ 4. The Advisory Committee shall consist of seven (7) citizen members appointed by the Commissioners as follows: three (3) members appointed by the President of the Board of County Commissioners and two (2) members each appointed by the remaining Commissioners. The citizen members shall be appointed and serve without compensation at the pleasure of the respective appointing Commissioner for the duration of the Advisory Committee as hereinafter provided. Upon the death, resignation or removal of any citizen member of the Advisory Committee, the Commissioner who made such original appointment shall appoint a replacement member.

§ 5. Members of the Advisory Committee within Thirty (30) days after the last appointment made and accepted herein shall meet and elect one member as chairman, one member as vice-chairman and another member as secretary to record and maintain minutes and correspondence of the Advisory Committee. The term of all members and the existence and authority of the Advisory Committee shall expire on December 31, 1984.

§ 6. The Advisory Committee shall meet in the meeting room of the Commissioners at Burdette Park, or such other location provided by the Commissioners and at such times and with such frequency as the members of the Advisory Committee deem necessary to carry out the purposes set forth herein.

§ 7. The Advisory Committee shall have no authority to contractually bond or to incur any expense or indebtedness unless first specifically authorized and approved by the Commissioners in the manner provided by law. Any proposed necessary expenses of the Advisory Committee shall be presented to the Commissioners by the Advisory Committee for authorization.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY on the _____ day of _____, 1983, and upon said day executed by the members of said Board of Commissioners and attested by the Auditor of Vanderburgh County.

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President Borries said he will give each of the other Commissioners a copy of the Resolution, but he does have a question on the number of members this board is to have, that paragraph #4 states the Advisory Committee shall consist of seven (7) citizen members appointed by the Commissioners as follows: three (3) members appointed by the President of the Board of County Commissioners and two (2) members each appointed by the remaining Commissioners, and he believes this is different than what was previously discussed.

Commissioner Cox moved the Resolution be taken under advisement for one (1) week. Commissioner Willner seconded the motion. So ordered.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of May 9 thru 13, 1983....report received and filed.

Mr. Guillaum said as the report indicates, we have had crews the past week on Hogue Road, Cypress Dale Road, Volkman Road North, Baseline and Petersburg Road and Baseline Road.

Commissioner Cox asked Mr. Guillaum, on Hogue Road, did we lose a guardrail, or did the crew take it down and do dome additional riprapping around it, because she noticed one of the new guardrails was lying off to the side.

Mr. Guillaum said they took it down because they wanted to do some work on the shoulder, to widen it out and we are going to install pipe ourselves, so that we can utilize the full width of the bridge and now was the time to do it, so yes, we did take it down.

Claim: Mr. Guillaum submitted the following claim for Commissioners approval:

Deig Brothers Lumber & Construction Co., Inc. for labor and material as per attached itemized statement, in the amount of $30,813.50, in regards to Hogue Road Structure #50. Claim signed by David Guillaum, however, there was no itemized statement attached to the claim.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Claim: The following claim was submitted for Commissioners approval:

Deig Brothers Lumber & Construction Co., Inc. for labor and material to complete items as per attached itemized statement, in the amount of $11,078.28. Claim signed by Robert Brenner, Surveyor.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Drainage Problem on St. Joe Avenue: Mr. Guillaum said concerning the drainage problem that Commissioner Willner had brought up the last couple of meetings, we would have started on it this past week, but because of all the rain it is really a mess out there. It is next on their agenda, but it needs to be dry. There is quite a bit of debris and dirt and mud over the pipe work and he is not certain we can do it all be hand, that if they can get the backhoe down there, he believes that would be a better way of handling it.

Commissioner Willner said we also need to get that shoulder straightened up and put a guardrail up so that nobody can dump on there.

Letter Concerning the First Avenue R.R. Crossing Elevation: President Borries said while Mr. Guillaum is before us he would like to inform him of some communications concerning the First Avenue railroad crossing elevation. President Borries read aloud the following letter from Joe Bolatto, City Engineer's office, Evansville, Indiana. Letter was directed to the Department of Army Corps of Engineer, Louisville, Ky.

Dear Sir:

Please find enclosed a sketch showing the plan and cross section views of the First Avenue Bridge Project (No. 83-02111) where it will coincide with your current project and a letter from the Vanderburgh County Surveyor's Office to verify the requested elevation and fabrication changes to the First Avenue sill plate as shown on sheet 37. If you have any questions please contact me at 425-5454.

Respectfully,
Joe Bolatto
City Engineer's Office

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Letter received and filed.

President Borries asked Mr. Guillaum if he has anything further to report on the First Avenue project and he replied nothing, other than the fact, they are waiting until things dry up out there and they can get things under control.

President Borries said there were some historical plaques on the bridge that have been removed and he would like for Mr. Guillaum to please check with Barnett Brothers and see if they took them off and the whereabouts of them.

Mr. Guillaum said they too, have received numerous calls concerning the plaques and he will try to run them down.

RE: DAVID SOUTH.... COUNTY HIGHWAY ENGINEER

Construction Plan for Removing Median on St. Joe Avenue: Mr. South said since Mr. Andy Easley is present concerning a median on St. Joe Avenue, if it pleases the Commissioners, we will proceed with that first on his agenda.

The following letter was submitted to the Commissioners, dated May 12, 1983 and directed to the Board of County Commissioners.

Re: Median Cut on St. Joseph Avenue
for Commercial Court in
St. Joseph Avenue Business Park

Gentleman:

Enclosed are two copies of the construction plan for removing the existing concrete median on St. Joseph Avenue in front of Commercial Court.

In accordance with our verbal agreement at the conference held May 11, our Partnership will remove the concrete median and construct the taper in the manner shown on the drawings and the County will provide the labor and material to patch the shallow trench remaining in the roadway after the median has been removed.

Sincerely,
MILL ROAD OFFICE BUILDING
Ralph A. Easley, Jr., Partner

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Letter and plans received and filed.

Mr. South said the Commissioners probably have some old plans for this request, however, the plans he is submitted today are current and also show the tracking of a semi-truck coming out, so that we can be sure the opening will suffice. Basically, what Mr. Easley is requesting is to remove the four foot concrete divider strip, which happens to exist in front of Commercial Court. In this same vicinity we have Hobart Avenue, Wyoming Avenue and Nebraska Avenue rather close to this proposed opening. There was earlier discussion that we put a no-left turn sign, coming south on St. Joe, since there is no storage lane for that left traffic. The majority of the traffic will be leaving Commerical Court, turning left and going south, back into Evansville. While this is not the very best solution to the situation out there it will accomplish getting the trucks out of Commercial Court and back into town and remove the probability of them going up the road somewhere, making a U-Turn, and coming back. The cutting of the median could be a potential problem, that as he understands from Dave Gerard, the traffic is not quite as high as was projected, but later in time, we may reach the point where we will need to close the median back up, i.e. Green River Road. If this permit is granted to cut this curb, he would recommend it be some type of a temporary agreement, other words, it may not be open forever. There have been other solutions discussed, but they are all much too costly.

President Borries asked Mr. Easley if he has anything to add to Mr. South's presentation and he replied no, he did not.

Commissioner Willner moved the request be approved, that the partnership will remove the concrete median and construct the taper in the manner shown on the drawings and the county will provide the labor and material to patch the shallow trench remaining in the roadway after the median has been removed.

Commissioner Cox seconded the motion.

President Borries said he is sure that Mr. Easley understands if this change ever presents a traffic hazard, that the Board of Commissioners have the right to make another change on this.

Mr. Easley said yes, he understands this, that if it should ever become a problem he would hope we could go back to the change order that was prepared, but never executed.

Motion carried with three (3) affirmative votes.

Discussion Concerning the First Avenue R.R. Crossing Elevation: President Borries said that Mr. Jim Morley has entered the meeting and he would inform him that correspondence concerning the railroad crossing on First Avenue has been received and made a matter of the minutes, but wondered if there was anything to be added, that there was no motion made on the part of the Commissioners concerning the matter, only that the letters were received and filed.

Mr. Morley said there is a decision involved in the matter, that the changes may cause some costs to be passed on to the county, that they have ordered certain plates and material for thirty feet and it is now going to be forty three feet and the Corps will ask for a change order and if there is a change in price then that will be forwarded to the Levee Authority and they will then forward it on to the County Commissioners. He would say however that this is better than letting them finish the job the way they have

it on the drawing, but what we are doing is changing something that is already under contract and any expenses that is associated with it will be charged locally.

Commissioner Cox said will this be paid from Levee Authority money and Mr. Morley replied no.

Commissioner Willner said he thought we would be asking the Corps for information.

Mr. Morley said what you are doing is authorizing them to change their plans...you are asking them to raise it by two and one half feet and widen it from thirty feet out to forty three feet.

President Borries said the only communication we have received is the letter from Mr. Joe Bolatto, City Engineer's Office, and also the following letter from the County Surveyor's office, dated May 13, 1983 and directed to the Corps of Engineer's.

Dear Sir,

The Vanderburgh County Surveyor concurs with the City Engineers requested elevation and fabrications changes to the First Avenue sill plate. Please incorporate these changes into the Pigeon Creek Levee project.

Respectfully,
Robert W. Brenner
County Surveyor

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Letter received and filed.

Mr. Morley said yes, and now comes the price.

Commissioner Cox said this is the first she has heard anything about this change being requested and since there is a letter from our County Surveyor approving this as being a necessity, perhaps it is, but in all fairness she feels as though Mr. Brenner should have informed the Commissioners of the change.

Mr. Morley said way back before you, Mrs. Cox, was a County Commissioner, he appeared before this board and told them if there are any changes on First Avenue, you need them before it goes under construction, so they can incorporate it, or they will go ahead and build it for the street that is there today and then whenever you get around to changing it, it will be all county expense, because the Corps never comes back and makes changes based on a change of the city's needs...they only do a project, as approved and once they are done, that is it. What we have done on this project, is caught them in the middle.

Commissioner Willner we had to redesign the bridge due to the Department of Natural Resources.

Mr. Morley said this is true.....not because of the Army Corps of Engineers, and their reaction to that is.....So what!

Commissioner Willner asked if there is any estimation of what the increase in costs will be and Mr. Morley replied he would think it would be in the vicinity of a few thousand.

Commissioner Willner said will they notify us before it is too late and give us a chance to appeal their dollar charge.

Mr. Morley said the process is, they have it under contract and they will ask Deig Brothers to make the change and Deig Brothers will probably reply to them and the Corps will send the costs through to us and see if we want to change it or not, and if we don't then they will go ahead as planned and then later on we will have to tear the whole thing out and redo it with local dollars.

Commissioner Willner moved the letter and request for change be approved. Commissioner Cox seconded the motion. So ordered.

Discussion of Flow Chart: Mr. South said he has distributed a Local Road and Street Long Range Flow Chart for 1984 to each of the Commissioners, which he has tried to update from last year's chart, showing all the projects that we have in TIPS plus anything else he is aware of that Local Road and Street funds are being proposed to be used for. He tried to indicate when the work is going to be done and how much is needed and some of the totals at the bottom of the chart indicates when we have to appropriate the money. In some case we appropriate four (4) times as much as we need and we get 75% of it back and in some other cases we don't have to. This chart shows the cost taken from the TIP Program, plus the appropriations, what year they are going to need the money in order to keep the project going, as well as what is already there. This chart is only for 1984 and we can go through it project by project, if the Commissioners so desire, however it would take up quite a bit of time, but he would be happy to answer any questions on it. The column heading are fairly self explanatory, that it shows the calendar years on the top line and the fiscal years on the second line, which is staggered by three (3) months, and is important because it is highway monies. On the extreme right side of the chart it shows the projected reimbursements, which is monies we anticipate getting back because of design and R/W phases, where we are getting Federal Aid and that comes back after the fact.
Going to the bottom of the chart is a summary of what is taking place, that it shows Appropriations Needed, Reimbursements, Projected Income & he also shows Local Option Excise Surtax at 4% and Local Option Wheel Tax at $10.00. If the Commissioners choose to, the amount of 4% and the $10.00 can be changed. He also shows the Projected Interest and in the time he has been employed in Vanderburgh County, none of the interest monies from the Local Road and Street account has gone back into Local Road and Street and this shows what it could possibly be, if it were going back into that fund. Also shown at the very bottom of the chart is Balance at Years End. Mr. South said it would be nice if all balances showed a positive number, but you will notice about 1987 we are about two million dollars in the hole, which means if we do all the listed projects at the costs listed, we are still two million dollars short of being able to pull it all off.

President Borries said he really appreciates Mr. South's work on this flow chart, that it covers all the county's projects included in TIP and it outlines the real needs and what it is going to take to bring these projects to reality. One of the things concerning him is the wheel tax and just this week we have received some communication from the Association of Indiana Counties that he will briefly summarize, that it says the Road and Street revenue potential of County Option Motor Vehicle Taxes has been substantially increased by the General Assembly. The major changes has been in the adoption of Excise Surtax for automobiles, motorcycles and trucks weighing less than 11,000 pounds. County Council's still will impose the Surtax at not less than 2% nor more than 10% of the Surtax collected for any vehicle cannot be less than $7.50. In terms of what each vehicle owner pays, this makes the Surtax rate much more uniform, and for most counties total Surtax revenues would be increased by about 50%. This, and other changes, including a provision to base distribution of Surtax/Wheel Tax money of the Local Road and Street formula are explained in the enclosed brochure. Indiana's price index state motor fuel tax will remain at it's present rate for at least another year and this means that revenue will be reduced as gasoline consumption declines. County officials may want to consider the optional vehicle fees to help offset this loss in gasoline tax funds and as a local source of revenue to match increased federal aid allocations. For the Excise Surtax and Wheel Tax to take effect in 1984, a County Council must adopt the concurrent Ordinances before July 1 of this year. They said if we need more information we can contact the Association of Indiana Counties office. The letter he recieved is from Mr. Edward Ferguson, Executive Director.
President Borries said he wanted this discussed tonight because if our County Council should enact such a tax, they would either have to have a Special Meeting sometime in June or approve it at their official meeting June 1, because this must be done not later than July 1, in order to collect the fees in 1984. He said the revenues would be shared in the county according to the civil units of government within the county, such as, the City of Evansville would receive a share of approximately 66.2%, the Town of Darmstadt would receive a share of 1.07% and the County of Vanderburgh would receive a share of 32.73% and based on the revenue of 10% Excise Surtax charge and an average charge on the Wheel Tax of $20.00 per vehicle, the total amount estimated could be $1,465,000.00 per year revenue and he believes the major thrust of this is obviously designed to help local communities do road projects and maintain their roads.

President Borries said there is another item that he would like to pass along to the Commissioners.....that in a conversation with State Representative Jeff Hayes today, he pointed out to us that there will be a change in one law regarding the State's Distressed Road Fund, that the fund was set up several years ago primarily for counties in dire need of emergency repairs. Part of that Distressed Road Fund however was contingent upon the county adopting the road tax and not many counties did adopt the tax, so as a result there is a sizable amount of money the state has collected and not been disbursed.

Senate Bill 235 that was passed in this current Legislative Session apparently is going to offer to any city, county or town, interest free loans for a two (2) year period, and apparently this will start on June 1st., so he has asked Representative Hayes for a copy of that particular Bill, to see if this would benefit us in any way. Of course the loan would have to be paid back, but if it is interest free, that would be a very attractive element.
He supposes what the Commissioners need to decide today is whether or not we recemmend to the County Council that they adopt the Excise Surtax/Wheel Tax, this year, which would have to be done by July 1st.

Commissioner Cox said she has a question in regards to the flow chart submitted by Mr. South, that he and Mr. Borries both referred to the fact that we are going to be in trouble in 1987, but it looks to her like without incorporating the Surtax/Wheel Tax, we are going to be in trouble before 1987 and Mr. South said that is true.

Mr. South said a couple of more comments is that this looks at only our share of the money, that this does not guarantee that there is federal monies to match this, that that is another study all of it's own. Another negative thing that could happen is should the city annex some of the county, remember these formulas are based on mileage or population or registered vehicles and if an annexation should take place then it is obvious the county's share would change, so the Commissioners should take this into consideration, in looking very far ahead. Also the staffing situation on Local Road and Street budget, near the end of the chart, he would state that construction engineering was included in all the listed projects and at the bottom of the chart he tried to take out what had earlier been projected for CE staffing, so this is a play of numbers to see how the balance is taking place over the years, and these are things that need to be worked out, perhaps some agreement with the city, or then too, you can always go outside, but we have found that to be very expensive compared to what we can do it for in-house.

Commissioner Cox said another thing that concerns her as well as our proposed transportation road needs, is the fact that we have not been able in the past to keep up with the number of miles of resurfacing that we should be doing, based on the established figures of replacing or resurfacing a percentage number of miles each year. At one time we were able to draw from the excess roads and streets funds to use on these projects, but we do not have that luxury at this time and further down the road it does not look like we are going to have it either, so we have incorporated figures here that will be needed to carry on our own transportation plan, but we haven't incorporated to meet the needs of the resurfacing in Vanderburgh County.

Mr. South said he believes it can be safely said that if you had all your roads rated in a nice big massive way, by numbers, that year after year.....you are losing ground, that the roads are getting worse year after year and we are not keeping up, that we are not holding what we had last year or holding what you had two (2) years ago.

Mr. South also submitted a report (attached to the mini-agenda), which is the General Highway Projected Income for 1983, 1984 and 1985, which indicates a more positive trend. We are just about half way through the year, as far as the intake of money through the Highway is concerned and we are running considerably ahead, at the worse projection, 10% ahead of last year, so compared to last year it is looking pretty good, however that could change.

Commissioner Cox said officeholders do not like to impose tax increases and the citizens do not like to have the increases imposed upon them, but she feels as though this is something we are going to have to do. She would hate to impose a tax that would not provide for potholes to be filled and for resurfacing to be done, that this consideration should be kept in mind. Right now we are talking about 400 miles of road, so we should be doing forty (40) miles each year.

Mr. South said that is assuming what we do last ten (10) years and some bad winters could change that in a hurry.

Commissioner Cox said that is true, but to just keep our maintenance program in place we should be doing 10% of the 400 miles, which is forty (40) miles per year, to keep current.

Commissioner Willner said he believes President Borries is asking whether or not this Board of Commissioners should recommend to the County Council, the passage of the wheel tax, he would say that when he talks to such units as the city administration or the Chamber of Commerce or the Town of Darmstadt, everyone is concerned about there being insufficient monies for our roads, but when you talk to John Q Public, on the road, in

front of his own house, we aren't talking about any money for that purpose, that the law well reads maintenance of roads and neither of the other Commissioners can ever remember a penny of R&S monies being spent for the maintenance of county roads, that it is unheard of in the past three (3) or four (4) years. The taxpayer wants to know if the road in front of his house is going to be repaved, that what that person sees is the shortfall and never a gain. Before this new tax gets his vote, this body is going to say we will give 50% of the money for maintenance of present roads and until this is approved it will not be acceptable to him and he will not vote in favor of it.

Commissioner Cox said she does not feel we need to actually gear 50% toward the road maintenance, but we need to go on our projected highway income and see what we are going to have for our resurfacing and then hook on the difference to do at least enough to bring us up to date with those miles we haven't been able to do in the past several years, because she would agree that the taxpayers have a right to have their present roads maintained.

Mr. South said as far as the rates on these taxes are concerned, it was just a figure he put in there because he did not have time to meet with the Commissioners, however, it is not a recommendation on his part.

President Borries said on what information he has received it states that a county, city or town may only use the wheel tax or surtax revenues that it receives, under this section, to construct, reconstruct, repair or maintain streets and roads under it's jurisdiction.

Commissioner Willner said that is the same things we can now do with the R&S funds, but maintenance isn't done.

President Willner's concern is well taken and it is a problem.

Mr. South said he would remind the Commissioners that we presently have a contract being approved in Indianapolis and due back anytime on Eichoff/Koressel, so that will be starting another project from scratch, and will be the first step in a long road and the federal highway administration has changed some of its policies whereby if the job is not completed in four (4) years, regardless of who runs out of money, they will want their money back that they gave us. It use to be if the feds ran out of money they wouldn't come crying to us, but that policy has been changed, so lets keep this in mind when that contract comes back before we commit another $50,000.00 to a project that may not get done.

Commissioner Cox said we could have done a lot of resurfacing with just the interest monies, but that was placed in the County General Fund. She believes funds was transferred to do some repaving in about 1978.

Commissioner Willner said he recalls that they resurfaced forty (40) miles in 1978 or 1979, with R&S monies.

Commissioner Cox said she would like to see some projections for surfacing forty (40) miles per year, because if we can assure the vehicle owners that we have to do this in order to maintain the roads, perhaps we can justify to them putting this tax into operation.

Mr. South said last year he believes he tried to set up a fund to resurface five (5) or six (6) miles of Baseline Road and it was dropped for some reason.

Commissioner Willner said he believes it was because of the price, that he recalls it being about $25,000.00 per mile and that is double what the county could have done it for.

Commissioner Cox said another thing we need to look at is the roads that have been done with cold mix and see how they have held up.

Mr. South said one of the major structural defects in the roads is not necessarily the material put on it, but rather the material that is under it. Granted there is a difference on how cold mix and hot mix will react under heavy loads, but the main carrying capacity of the road is in the sub-grading and the drainage.

President Borries said he feels the emphasis on maintenance is certainly reasonable thing and certainly the Council should consider it, and with the other two Commissioners consent we could target forty (40) miles per year to be resurfaced.

Commissioner Willner said he will agree if we make that a part of a Resolution to submit to the Council for their approval.

Mr. Jim Morley asked to be heard at this time and stated, as an engineer, he would urge this Board of Commissioners to urge the County Council to enact this tax, to get more dollars. Bad roads cost the public and many people don't realize how much, until they have to take their vehicles into the shop for repairs. It is so much cheaper to repair the roads then it is to reconstruct them in total.

Commissioner Willner said in relation to this, there is one small place on Green River Road that needs to be raised and a culvert installed and if this were done, the problem out there would be solved, for a fifty (50) year rain, and it would not take many dollars to do that.

Commissioner Cox said if all it needs is a culvert, we could do that with Bridge Funds.

President Borries said then do we want to recommend to the Council, the passage of this tax and ask for the agreement to actively pursue a maintenance program of a minimum of forty (40) miles per year as a goal for county road maintenance, and also, would we want to suggest a percentage at this point.

Commissioner Cox said do we know what the projected income is. If we are talking about $25,000.00 per mile for hot mix, we need to work on a figure.

Mr. South said if he remembers correctly we talked about the highway would prepare everything and get a stretch completely ready and the contractor would come in...set his paver up...lay the binder down...wedge it up...flatten it out quite a bit and then come back and surface it. The highway would take care of any grading necessary and improve any drainage, install any culverts and have it all ready for the paving contractor. If you can ever get this to the point where the highway can get everything done a year ahead of the contractor/paver, it would be ideal.

President Borries asked for a motion concerning this matter.

Commissioner Willner said if we are going to say that the county is going to do forty (40 miles of repaving roads, per year, that is present roads and not new roads and the money for doing this comes off the top and the remaining money go into the R&S funds,then he will agree with it, but if it isn't done that way, then he does not agree. He wants a definite plan, in black and white, in a Resolution, before he would recommend anything to the Council.

Commissioner Cox said we must remember that part of that forty (40) miles will also be funded out of our present County Highway Fund.

Commissioner Willner said it takes an act of the County Council to transfer monies from R&S funds into the County Highway fund and he wants that down in black and white also.

President Borries said we need to supply the Council with the information we have discussed here tonight because this is a complicated matter and the factors vary, according to whatever percentages we would choose to use, so perhaps we would like to defer this matter for another week and try to come up with a more definite plan and recommendation for the Council at their June 1st meeting.

Commissioner Willner asked if this would have to first be advertised before the County Council could act on the law.

David Miller said the County Council must advertise any proposed Ordinances in the very same fashion as the County Commissioners do. This would be an invocation of the Local Option, therefore, he would say it would have to be advertised.

Commissioner Cox said in Mr. South's preparation for the Council, she would like to see it kept simple, that they are going to want dollar and cent figures and she would like for it to show how much we are going to need for road projects, how much we will need for road resurfacing and how much is our projected income and then we are going to have to come up with a minus figure, and she would be willing to meet with Mr. South and work on the proposed table to present to the Council.

Mr. South said should the County Council pass either of these taxes, what fund will the monies go into, General Highway or Local Road and Street, or will there be a third fund.

The Commissioners all agreed it will go into the Local Road and Street fund, however, this could certainly be checked out.

President Borries said the Commissioners will try to reach a consensus on this matter next week.

Daily Time Sheet: Mr. South said daily time sheets for Dale Willis and himself for the week ending 5-14-83 are attached to original of this report, to President Borries.

Utility and Access Permits: Mr. South said attached to the original of this report is a current listing of all Utility and Access permits. There are copies of three (3) ACCESS & UTILITY STATUS files. Files ACTIVEA and ACTIVEH are classified as active files and need attention. The third file is INACT and needs final field checks on the work done. This file represents approximately 400 locations of activity by the Utility Companies.

RE: REQUEST FROM SEABOARD SYSTEMS RAILROAD

President Borries said the Commissioners' secretary, Mrs. Meeks, has informed the Board that Mr. Jim Glaser of the Seaboard Railroad called and requested that Old State Road, at the crossing below the 4-H Fairgrounds be closed Wednesday, Thursday and Friday, May 18, 19 & 20, 1983, so they can re-work the crossing. Mr. Glaser's phone number is (812) 882-0558. There is also a question of who will put up the barricades.

Commissioner Willner moved the request be granted, that Mrs. Meeks so informs the media of the closing and the county will put up the barricades. Commissioner Cox seconded the motion. So ordered. Mrs. Meeks will also inform the county garage to put up the barricades.

RE: AGREEMENT FOR APPOINTMENT OF A LOCAL JOB TRAINING BOARD

President Borries read aloud the following letter from Job Training, dated May 12, 1983 and directed to Mr. Rick Borries, County Commissioner.

Enclosed is the agreement for appointment of a local Job Training Board. This process was agreed to at a meeting of mayors and county commissioners from our 5-county service area on May 5, 1983.

Please sign one copy and return it to the Job Training Office. On the page for county commissioners, all three will need to sign. Keep the other copy for your records. I appreciate you help in expediting this matter. We are attempting to complete the appointment process this month.

If you have any questions, please call me. I will be happy to schedule a time to meet with you if further explanation is necessary.

Thank you for your help.

Sincerely,
Roy L. Vanderford
Executive Director

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Letter received and filed.

President Borries said this is the whole reorganization of what was previously the old CETA Act and this Job Training Board is in compliance with the Job Training Partnership Act, which is now law.

The initial Job Training Board will consist of thirty (30) members, including the following counties: Vanderburgh, Posey, Warrick, Spencer and Perry.

The following is a copy of the agreement that the Commissioners of Vanderburgh County are being asked to approve.

SOUTHWEST INDIANA SERVICE DELIVERY AREA
AGREEMENT AMONG ELECTED OFFICIALS
FOR IMPLEMENTATION OF THE
JOB TRAINING PARTNERSHIP ACT

This document is mutually agreed to by the signatories for the purpose of establishing a Job Training Board and conducting job training programs under the provisions of the Job Training Partnership Act of 1982 (Public Law 97-300), its amendments, and any rules and regulations issued thereunder. The signatories agree to the following:

I. GEOGRAPHIC AREA. The Service Delivery Area designated by the Governor of Indiana includes the Counties of Vanderburgh, Posey, Warrick, Spencer and Perry.

II. APPOINTMENT OF JOB TRAINING BOARD. A Job Training Board will be appointed in compliance with the requirements for the establishment of a Private Industry Council under the Job Training Partnership Act. The Metropolitan Evansville Chamber of Commerce will contact other local Chambers of Commerce in the 5-county area and will coordinate the nomination process for business members. The elected officials of each county will select the business members from their county from among the nominations received. The initial Job Training Board will consist of thirty (30) members with composition as follows:

. . . Nine (9) business appointments from Vanderburgh County (Seven (7) appointed by the Mayor of the City of Evansville, two (2) appointed by the Vanderburgh County Commissioners);

. . . Two (2) business appointments from Posey County (appointed by the Posey County Commissioners);

. . . Two (2) business appointments from Warrick County (appointed by the Warrick County Commissioners);

. . . Two (2) business appointments from Spencer County (appointed by the Spencer County Commissioners);

. . . Two (2) business appointments from Perry County (appointed by the Perry County Commissioners);

. . . Thirteen (13) "non-business" members including at least one member from each of the following: educational agencies; organized labor; rehabilitation agencies; community-based organizations; economic development agencies; and public employment service.

The "non-business" members will be appointed by the Mayor of the City of Evansville w[redacted] will consider equitable geographic distribution and required membership categories in making the appointments. At least five (5) of the "non-business" members must be from counties other than Vanderburgh. Nominations will be solicited from county commissioners for these appointments. Members of the Job Training Board will be appointed to fixed and staggered terms. The process for future appointments to the Board will be the same as the process prescribed in this section for initial appointments.

III. TERM OF AGREEMENT. The term of this agreement shall begin on May 1, 1983, and shall run through June 30, 1983, and thereafter shall automatically be renewed from program year to program year (as defined by Department of Labor) unless any signatory notifies the other parties of its intention not to renew at least 90 days prior to the expiration of any one year period or upon action taken by the Governor of Indiana to change the service delivery area.

IV. AGREEMENT WITH JOB TRAINING BOARD. Once appointed and certified by the Governor of India the Job Training Board will share decision-making authority with the elected officials of the Service Delivery Area. An agreement between elected officials and the Job Trainin Board will be negotiated and signed and will cover, at a minimum, the following items: establishment of grant recipient; establishment of administrative entity; establishment of planning process; role of Job Training Board; role of elected officials; and staff of program.

V. SIGNATURES: Mayor of Evansville, Mayor of Mt. Vernon, Mayor of Boonville, Mayor of Rockport, Mayor of Tell City, Vanderburgh County Commissioners, Posey County Commissi[redacted]er: Warrick County Commissioners, Spencer County Commissioners, Perry County Commissioner[redacted]

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President Borries said the Vanderburgh County Commissioners are to appoint two (2) out of the nine Vanderburgh County appointments and the Mayor of Evansville will appoint seven (7) members. He said he believes there will be names suggested to us by the Evansville Chamber of Commerce, that they will submit three (3) names to us and we will pick two (2) out of them to serve. He said he attended a meeting concerning this on May 5, 1983.

Commissioner Willner said he has a problem with this because we are letting the Chamber choose the business, but when we come to non-business, we aren't letting the Teamsters choose those, or suggest names to us and he has a problem accepting this.

Commisssioner Cox said she feels as though the Commissioners do not have a choice, that we have to go along with it.

President Borries said he would assume that if these recommendations were unacceptable to us, since we have to make those appointments, that we would have the final say and if we have the power to accept them then we would have the power to reject them.

Commissioner Cox said she would certainly hope that the overall objective of this Job Training Program, that the starting salary of these people would be lower than minimum wage, because she had some problems when she was Clerk and inherited some CETA workers and their salary scale was higher than what her county workers were, so whoever we appoint she would like for them to look very strongly at the salaries, after all, this is a job training.

Commissioner Cox moved the agreement be signed and adopted. Commissioner Willner seconded the motion. So ordered.

RE: REQUESTS TO GO TO COUNTY COUNCIL IN JUNE

County Commissioners: Submitted to the Board was a memo from Margie Meeks informing the Commissioners they need to appear before the County Council at the June 1st. meeting to request the following.

130-305...Patient and Inmate Care.....$61,062.17
130-361...Legal Services.....$ 4,163.00

Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

Data Processing: Data Processing submitted a memo to the Commissioners requesting they be allowed to appear before the County Council on June 1st. with a request for $90,000.00 in their Computer Lease Account.

Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST....LEGAL AID SOCIETY

The Legal Aid Society submitted the following telephone request, in the amount of $96.00.

> Phone in front office moved to other office (200B) - approximately 20 feet. Wiring is already there.

Also attached to the form was the following note of explanation from Margie Meeks.

> The approximate charges would be more but if this work is done at the same time the changes are made in the Welfare Department, which was previously approved, the maximum cost is $96.00, but could be less, depending on how much labor and what materials are required. However, Ms. Ellis (Telephone Company) said the order would have to be in by now to get the work done on 5-23-83, but could be cancelled, so I told her to put it on order and if denied today, I would cancel, but the work was done on 5-13-83. The actual installation was $43.00.

Commissioner Willner asked who is paying the costs and President Borries said he would assume that Legal Aid is.

Mrs. Meeks said yes, Legal Aid has the money to pay for the change.

Commissioner Willner moved the request be approved. Commissioner Cox said she would second the motion, but she doesn't like it. So ordered.

RE: LETTER TO KNOX COUNTY COMMISSIONERS FROM VANDERBURGH COUNTY COMMISSIONERS ON LOAN OF VOTING MACHINE

The following letter was submitted for Board aporoval, dated May 16, 1983 and directed to the Board of County Commissioners of Knox County, Vincennes, Indiana.

Dear Commissioners:

The Vanderburgh County Board of Commissioners approve the loan of Voting Machine, Serial #160012 to Knox County Commissioners for an unspecified period of time.

The Board of Commissioners of
Vanderburgh County

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Preisdent Borries said this is the old voting machine presently at the Auditorium and neither the Democrats or Republicans want it, since this is no longer the system we use in Vanderburgh County for voting, and they still use such machines in Knox County, and they have expressed interest in using it up there. We will only loan it to them and if we ever choose to take it back, we can.

Commissioner Cox said, at what amount and Commissioner Willner said, free of charge. Commissioner Cox said we will probably never have a need for it, so would they be interested in buying it and Mr. Lewis said no, they don't want to purchase it.

Commissioner Willner moved the request be approved. President Borries seconded the motion. So ordered.

Commissioner Cox said it is going to cost them quite a bit to move it up there and she would like for them to furnish us with a certificate of insurance on the machine, that they should be liable to Vanderburgh County for any damages to it.

RE: PETITION CONCERNING "SPEED BUMP" AT PARKING LOT AT AUDITORIUM

President Borries said the Board received a petition, with a total of 120 signatures, concerning the "speed bump" installed at the Auditorium parking lot, and that the petition states the following.

> "We, the undersigned, very strongly oppose the "speed bump" placed in the center of the entrance to the Auditorium Parking Lot. Several cars that sit low to the ground are dragging the underneath, resulting in vehicle damage and future law suits to the county....PLEASE HAVE THE BUMP REMOVED:

President Borries said he understands the speed bump was installed in the entrance to prevent vehicles from "tailgating" into the lot, that one person would deposit money into the meter and one or more additional vehicles would follow that person in and this was installed to stop that practice and have everyone pay their fair share for parking there. We have however requested that Benny Gossar bevel the bump down, so that no individual will drag the underneath of their vehicle.

Commissioner Cox said she believes this is to the wrong body, that she does not recall the Commissioners giving anyone permission to install the speed bump over there...did we?

President Borries said he does not believe so.

Petition received and filed.

RE: LEASE AGREEMENT WITH SCHOOL CORPORATION CONCERNING WEST HEIGHTS ELEMENTARY SCHOOL

President Borries said last week the Commissioners received a request to renew the lease with the Evansville-Vanderburgh School Corporation concerning the West Heights School, and Mr. Willner wanted to know if all the space out there is being utilized, before we approve the lease for another fifteen years, therefore Mr. Lewis checked on this and is ready to report back today.

Mr. Lewis said he went out and checked on the space at West Heights and found it is being used to train various people involved in various trade unions and all of the class rooms are being used daily and also at night. There are also a couple of portable classrooms constructed out there by the trade unions to increase the capacity of the schooling. At the present time they have approximately two hundred, fifty (250) persons in training and they expressed their desire to renew the lease and continue the training for another fifteen (15) years.

Commissioner Willner moved the lease be renewed for another fifteen (15) years, as requested. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner requested a copy of these minutes be sent to the School Corporation to verify approval of the extended lease.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Stereo Liquidators, Inc. 1723 Central Avenue Albany, New York, for a stereo equipment sale to be held at the Auditorium on May 17, 1983.....certificate received and filed.

RE: CLAIMS

Two Claims were submitted by Robert Moran, in regards to attendance at the Veterans School in Indianapolis, Indiana. One claim is in the amount of $387.20, for Mr. Moran and Carl Wallace for the following:

Four (4) nights lodging.....	$211.20	
Twelve (12) meals for Mr. Moran.....	$ 63.00	
Twelve (12) meals for Mr. Wallace.....	$ 63.00	
Registration fees for two (2).....	$ 40.00	
Yearly Dues for two (2).....	$ 10.00	Total $387.20

The second claim is for mileage, in the amount of $95.04.

Commissioner Willner moved the claims be approved. Commissioner Cox seconded the motion provided it meets our county guidelines on travel. So ordered.

A claim was submitted by David Jones, for legal services, per attached statement, in the amount of $3,113.00.

Commissioner Willner moved the claim be approved, subject to the Council approving the funds. Commissioner Cox seconded the motion. So ordered. Claim referred to Mrs. Meeks.

A claim was submitted for Mr. Dennis Wiechman for contractual services, in regards to the Vanderburgh County Inmates vs The County Sheriff class action suit. Claim is in the amount of $60.00.

Commissioner Willner moved the claim be approved, subject to the Council approving the fund. Commissioner Cox seconded the motion. So ordered. Claim referred to Mrs. Meeks.

A claim was submitted by the City of Evansville, for joint county/city departments, for the month of March, 1983. Claims were as follows:

Health Department.....	$12,383.43
Economic Development Commission.....	$ 313.49
Weights and Measures.....	$ 1,119.41
Building Inspection.....	$ 9,423.26
Civil Defense.....	$ 1,071.96
City/County Purchasing Department.....	$ 3,936.88
Traffic Engineer.....	$ 6,341.07

Commissioner Willner moved the claims be approved. Commissioner Cox seconded the motion. So ordered.

A claim in the amount of $199.89 was submitted by Sheryl Lawrence, for attending the County Assessor's meeting, on May 9th and 10th.

After looking the claim over, there was some question on the amount of mileage being requested, therefore it was referred to Pat Tuley, Deputy Auditor, to check out and return it next week, with an explanation.

A claim was submitted by Mr. James Angermeier, County Assessor, for attending the County Assessor's School in Indianapolis, Indiana.

Commissioner Cox said the mileage on this claim she believes in incorrect, therefore the claim was also referred to Mr. Tuley, to seek clarification and report back next week.

A claim was submitted by Monica E. Mindrup, in the amount of $104.65, for attending the County Assessor's meeting on May 9th and 10th, in Indianapolis, Indiana. State certification was attached to claim.

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted for Lewis F. Volpe, County Treasurer, in the amount of $257,117.54, that as of May 1, 1983, Blue Cross has submitted a different payment plan for balance of 1983. The remainder of budget in Account 130-160, Group Insurance, minus $11,200.00 for Life Insurance and $49,600.00 for Maxicare, will be transferred to Insurance Account #211 as per Alice McBride, County Auditor. (For bookkeeping purposes only) Refer to County Commissioners minutes of meeting held on May 9, 1983. Amount figured to remain in 130-160 for Life Insurance is $1,400.00 per month X 8 remaining months for 1983, or $11,200.00 and amount figured to remain in 130-160 for Maxicare is $6,200.00 per month X 8 remaining months for 1983 or $49,600.00, for a total of $60,800.00.

A claim in the amount of $15,800.00 for May 1, 1983 payment to Blue Cross for the County Employees was also submitted by the County Auditor.

Commissioner Cox moved the claims and transfers be approved, in regards to the County's Insurance programs. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by David South, County Highway Engineer, in the amount of $186.56 for a trip to Indianapolis, and also to Road School.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CIRCUIT COURT

Peggy Dillon Kissel	R.R. 1 Box 252	Pub.Def. Sec'y	$6,188.00 Yr.	Eff: 5-1-83
Debra Ann Lutz	R.R. 5 Box 387A	Special Intern	$3.35 Hour	Eff: 5-9-83

BURDETTE PARK

Judy Oberhausen	4218 Tremont Road	Ground Crew	$4.00 Hour	Eff: 5-9-83
Bryan Norman	R.R. 2 Box 63	Ground Crew	$4.00 Hour	Eff: 5-10-83

GERMAN TOWNSHIP ASSESSOR

Ernest Effinger	4600 S. Kentucky	Deputy	$30.00 Day	Eff: 5-9-83
Clemon Effinger	R.R. 7 Box 240B	Deputy	$30.00 Day	Eff: 5-9-83

KNIGHT TOWNSHIP ASSESSOR

Jayne Melchoirs	3307 Bayard Park	Deputy	$10,260.00 Yr.	Eff: 5-16-83

RE: EMPLOYMENT CHANGES....RELEASES

PROSECUTOR

Michael J. Langlois	1151 Diamond Pl.	Deputy Pros.	$18,000.00 Yr.	Eff: 5-17-83

(Also attached was a exit interview information sheet or release form for the Auditor)

GERMAN TOWNSHIP ASSESSOR

James Fehrenbacher	West Mill Road	Deputy	$30.00 Day	Eff: 5-1-83
Melvin Barchet	Big Cynthiana Rd.	Deputy	$30.00 Day	Eff: 5-1-83

BURDETTE PARK

Tim Deller	6300 Broadway	Rink Guard	$4.00 Hour	Eff: 4-15-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Allen Brigham	927 S. Governor St.	Laborer	$6.47 Hour	Eff: 4-15-83

KNIGHT TOWNSHIP ASSESSOR

Joan M. Wills	320 N. Morton	Deputy	$10,260.00 Yr.	Eff: 5-16-83
Jayne Melchoirs	3307 Bayard Park	Per Diem	$30.00 Day	Eff: 5-13-83

RE: SCHEDULED MEETINGS

President Borries informed everyone there is to be a Southwest District meeting, of the Association of Indiana Counties, in Jasper, Indiana, at 5:30 p.m. on Wednesday, May 18, 1983

There is to be a tour day at Burdette Park on May 21, 1983, which has been coordinated with the Convention and Visitor's Bureau, which is to start at 8:30 a.m. on the Civic Center Parking Lot

Also recieved was a notice of an Airport Tour for elected officials on May 21, 1983, at 9:00 a.m.

On May 26, 1983, there is to be a telephone seminar with KLF Electronics concerning the ROLM systems, and perhaps Mr. Jim Lewis can attend this, since it is in regards to the phone system that he has been very involved in. Meeting is to be in the Kavana Room, at the Ramada Inn, Highway 41, North, beginning at 8:00 a.m.

There being no further business, President Borries declared the meeting recessed at 10:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Deputy Auditor)	David Miller

SECRETARY: Janice Decker

R J Borries

Robert L Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 23, 1983

The meeting of the County Commissioners was held on Monday, May 23, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

President Borries called for a motion on approval of minutes of the previous meeting. Commissioner Willner moved the minutes be approved. Commissioner Cox seconded the motion. The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading of them dispensed with.

RE: OPENING OF BIDS FOR GRADEALL -- VANDERBURGH COUNTY HIGHWAY DEPARTMENT, ETC.

President Borries said Ben Evans (City/County Purchasing) is present today to assist County Attorney David Jones in the opening of bids for Gradeall equipment for the Vanderburgh County Highway Department and also specs to be approved for detergents for the Vanderburgh County Jail. If these are approved, then they will go for advertising. Ben Evans said they will go for advertising on the 26th of May, if approved, and we will open the bids in June. Motion was made by Commissioner Willner that County Attorney David Jones open the bids. Motion was seconded by Commissioner Cox and unanimously passed.

Mr. Evans said these were specifications taken out the last time because they were too technical, in that they had some factors that really weren't relevant to everybody who was going to bid. The specs have been re-written and approved by the Sheriff's Department and Board approval is being sought prior to advertising for the bids. (It was noted by President Borries that a copy of the specs have been included in the commissioners' meeting folders.) Commissioner Willner moved the specs be approved. Commissioner Cox seconded the motion. So ordered.

Attorney Jones said the first bid was received from Kitchen Machinery, Inc. of Indianapolis, Indiana . He said there are alternate bids: F.O.B. Vanderburgh County describes machine 66" ditch-cleaning bucket and 36" excavating bucket with trade-in - $113,720. The alternate is F.O.B. Vanderburgh County, above-described machine is 66" ditch-cleaning bucket only and trade-in - $111,500. That bid is in order. It also contains a lease plan per the specs.

The second bid received was from Rudd Construction Equipment Company, Inc.,here in Evansville. This was a bid of $139,855 with a trade-in allowance of $36,872 or a net trade difference of $102,983 even. It also contains lease-purchase information and that bid is in order. In response to question from Commissioner Cox, Mr. Jones said the latter bid from Rudd Construction contains a moded T-46 telescoop and a 36" bucket and a 60" ditch clean-out bucket. The first bid from Kitchen Machinery (alternate bid) had to do with an additional bucket, that being a 66" cleaning bucket and the 36" excavating bucket. This would have been a new Warner-Swasey Model G3-W Telescopic Triangular Hydraulic Excavator mounted on a 6 x 4 rubber-tired carrier with assorted equipment. The alternate bid on that was only a 66" ditch-cleaning bucket -- it did not have that second smaller bucket. Commissioner Willner moved that the bid be taken under advisement by the County Highway Department for a period of one week. Commissioner Cox seconded the motion. So ordered.

RE: POOR RELIEF REQUEST- PIGEON TOWNSHIP

President Borries stated a poor relief appeal request received from Beverly Ann Coons of Pigeon Township is being brought before the commissioners. He then asked Mrs. Coons to come to the microphone and state her name and address, etc.:

Borries: Are you Beverly Coons?

Coons: Yes.

Borries: We have received your request. Would you so state your name and address, please, at our microphone, Mrs. Coons?

(continued)

Coons: Beverly Ann Coons, 29 E. Missouri Street, Evansville, Indiana.

Borries: Would you state the nature of your request?

Coons: I'm here to try to get help to pay my rent.

Borries: Have you applied for any other assistance at this time, such as food stamps or anything of this nature, Mrs. Coons?

Coons: I'm getting food stamps.

Borries: Have you applied for assistance from the Trustee before?

Coons: Yes, I have.

Borries: What was the nature of your previous request?

Coons: For rent -- and one time I asked for medical help. But, I don't know why they put that in there, because it was an out patient and they don't take care of out patients.

Borries: Were you granted the rent at a previous time?

Coons: No, I wasn't.

Borries: Are there questions from the Commissioners?

Willner: How much is your rent?

Coons: $190.00

Willner: Is that the address that you so stated?

Coons: Yes, it is.

Willner: How long have you been living at that address?

Coons: I think about two and a half years.

Willner: Is there anybody else living at that address?

Coons: No, there isn't.

Willner: Is this an apartment?

Coons: Yes, it is.

Willner: How many rooms?

Coons: There are four apartments in the building and three rooms in each apartment.

Willner: Let's hear from the trustee.

Borries: Thank you, Mrs. Coons. Mr. Bill Goff is here from the Pigeon Trustee's office. Mr. Goff?

Goff: Mrs. Coons applied for rent assistance, and we asked her to sign a social security release of information and she refused to do it, so we refused to give her any help at that particular time for failure to cooperate with the office procedure.

Borries: So, assuming that you would receive the information you requested -- the case could be reviewed at that time? Is that correct?

Goff: We had to ascertain what her income level was -- if she was under or over income for assistance from our office.

(continued)

Cox: My question then, Bill, would be that you don't know exactly at this time what her income is?

Goff: That's correct.

Cox: So, you don't know if she would meet the guideline for assistance or not until you get this information?

Goff: We don't know whether she is on social security benefits or S.S.I., or whatever it might be. We don't know if she receives any income or not, And until such time as we have the paperwork back it's hard for us to ascertain whether or not she is eligible.

Borries: There was a request over here for someone to speak in Mrs. Coons' behalf. Would you state your name, please?

D. Coons: Dana L. Coons...I'm her daughter. My mother had to have brain surgery and she hasn't been able to work for almost two (2) months now and she has used all of her money up and I think she deserves to have her rent paid until she gets social security. And, she might not be able to get it.

Borries: Ms. Coons, are you aware that the information that is requested -- I was just conferring with our County Attorney -- is legal? It is important, because the Trustee cannot react to your mother's request unless this information is provided. Would you go and assist your mother in providing that information to the trustee's office so the case can be reviewed? They need to have a release of information regarding her social security at this time...

D. Coons: She doesn't have any....

Borries: Then it would simply be a matter of stating these things so that they can complete their eligibility list to see if she would qualify.

D. Coons: What are you saying?

Borries: What I am saying is...if you would go with Mr. Goff (the Pigeon Township Chief Deputy) -- if you would go with him and he could direct you to the proper people and, again, with your assistance --you would be able to help your mother fill out the proper information so that it could be determined if she is eligible.

D. Coons: O. K.

Coons: The reason I didn't sign this paper is because I've been signing papers and they have been giving false information --and some of it has been put on after I've signed -- and I signed the papers to see what was in my bank account at that time. And another paper turned up with my name on it and I tried to get something done with it and they couldn't help me--and the police officer said why did I sign it? I said I signed it to get help. And now I refuse to sign this paper because I thought it was a discredit to my name -- because I don't lie to the people, I've never lied to the people. I do not have social security coming in -- I do not know if I'll get it. And I thought it was a discredit. Therefore, what is a person going to do? You sign a paper and you get this pulled on you...you don't sign a paper and then you're uncooperative and you go to the police and get no help -- so I thought it was a discredit and that's why I didn't sign the paper to begin with. I've had this pulled at the Welfare office, and I've had it pulled at the Trustee's office, and I've had it pulled at the social security office -- and I think it's about time for this stuff to cease. I'm just a little person, and I know there are other people like me that's had the same thing done to them.

Borries: Thank you, Mrs. Coons. We will try to help you in any way we can. If you will just fill out this paper -- it's in no way a discredit to you. If you will fill out this form that says just what you told us, then they can begin to process your application and, in all probability, you will receive help. O.K.?

(continued)

Coons: Is this on the level?

Borries: It's on the level! Thank you very much for coming. O.K.?

Coons: What I want to know is why you need it.

Borries: We have a long agenda, Mrs. Coons. If you could maybe just step out into the hall, Mr. Goff would be able to tell you everything you need to know. Thank you.

RE: RESOLUTION FOR CONTINUATION OF FEDERAL REVENUE SHARING PROGRAMS

President Borries said he had asked County Attorney David Jones to draft a resolution, which will be explained, and he asked for Mr. Jones' comments. Mr. Jones said he expects to know by Thursday, June 2nd, whether or not the jail suit is going to trial. We hope to be able to report to the Commissioners at that time that we've either reached some kind of a tentative settlement or we're going to go ahead and try the case. We have progressed that far and have made a final offer to settle the case, and have put forth proposals of what the County would be willing to do, but that is as far as we're willing to go at this time and I expect, and have been advised, that we will receive some response by that time. There being no questions concerning this matter, President Borries directed the group's attention to the Resolution.

It was reported that President Borries, Deputy Auditor Pat Tuley, County Engineer David South, and Mr. Dale Willis from the Engineering Department attended a very informative session in the Southwest District Spring Meeting of the Indiana Association of Counties in Jasper last Wednesday (May 18th). The major purpose of the meeting was a legislative wrap-up by Ed Ferguson, who is the Executive Director of that group, regarding a number of different items that the legislature did or did not do. One item that he suggested we take action on immediately was a matter that the Association for Indiana Counties is studying carefully -- that there is at this time some controversey regarding the future of General Federal Revenue Sharing in the Congress. As President Borries understands it, there have been some provisions made that a specific portion of the Federal Budget (let's say a 4% of the Federal Budget) be allocated for general revenue sharing and there is some controversey between the White House and Congress at this time as to that percentage and also as to whether or not how much would be put into general revenue sharing. But as I would certainly feel the Commissioners would be fully aware, Vanderburgh County (in view of its current financial situation) desperately needs a continuation of federal revenue sharing. So, Mr. Ferguson suggested that the Commissioners prepare a resolution -- which County Attorney David Jones has done. President Borries then read the resolution:

> "WHEREAS, the return of federal tax dollars to local communities throughout the United States by means of general revenue sharing with the federal government has become a vital and necessary source of funding for local government operations; and
> WHEREAS, any cessation or termination of the general revenue sharing program would result in extreme and irreparable harm to the operations of local units of government including Vanderburgh County, Indiana; and
> WHEREAS, the Board of Commissioners of Vanderburgh County, Indiana, support the continuation of general revenue sharing for local units of government; be it, therefore, RESOLVED that the Board of County Commissioners of Vanderburgh County, Indiana, declare their support for the continuation of general revenue sharing by local units of government with the federal government and do hereby request their United States Senators and Congressmen to actively support legislation to continue general revenue sharing for local units of government including Vanderburgh County, Indiana. Dated this 23rd day of May, 1983."

President Borries said Mr. Ferguson suggested that these be forwarded to our Congressman, Frank McCloskey, and Senators Lugar and Quayle in an effort to clearly state our position concerning the continuation of revenue sharing. If action is not completed during current budgetary session, I understand it could be halted. We definitely do not need that. Commissioner Borries then entertained a motion for approval of the resolution. Motion to approve the resolution was made by Commissioner Willner. Commissioner Cox seconded the motion. So ordered.

(continued)

The meeting continued with Commissioner Borries indicating a number of other bills were summarized by Mr. Ferguson --too numerous to be summarized at this time -- but some 155 bills were passed in the current session that would be of interest or applicable to local units of government, specifically counties. Copies of some of these bills were made. Cited as an example was the bill indicating counties can at this time amend codes concerning investment in incentives in the county. Grants, for example, could be awarded according to economic need in various counties in an effort, of course, to assist with jobs and economic development. This will deserve careful study on the part of the commissioners.

...Act 1848 -- concerned with road and street contracts. In some contracts there has been delay of payment. This bill, in particular, deals with charging interest if there is delay in payment. This tends to speed up the process on payment. This bill, however, does not apply to contracts which are in dispute.

There was also legislation regarding the investment of public funds, which will now allow electronic transfer of funds. This could be used if interest were going to be lost over a weekend. But it does allow counties to use an electronic funds transfer.

Other bills concerned amendments to the Indiana Code regarding tort claims and application for interest-free loans over the next two years from the Distressed Road Fund set up by the State of Indiana. Commissioner Borries said Dave Gerard may want to make copies of this bill for his information and possible future use. Numerous bills will, hopefully, apply to Vanderburgh County and local participation is encouraged in many cases.

RE: E. U. T. S. FEDERAL AID URBAN FUNDS

President Borries then turned the discussion to a letter from E.U.T.S. regarding federal aid urban funds for the Covert Avenue extension and he asked David Gerard to summarize it for the commissioners.

Mr. Gerard said the commissioners discussed the McCoy property at the January 24th meeting and, at that time, we did not have the federal authorization to go ahead and acquire the property. The State Highway and Federal Highway Departments indicated if we followed their procedures they would attempt to help us get federal funding on this. Because of the deadline, we had to go ahead and make an offer. Mr. Gerard sent a letter to the Federal Highway Commission requesting federal participation, explaining basically in writing what has been discussed for many months.

On Senate Enrolled Act #235, Mr. Gerard says he has looked at it and he doesn't know if all the changes from previous distressed road funds will help or not. There was previously a requirement that all the money had to be used within two years. This particular bill states that money from a loan made under this section may be used only for the purposes of matching state highway funds. With the previous condition that it be used within two years, as we were discussing, to meet all the environmental requirements when you use federal money, unless you had a project where you had already completed all of those preliminary steps, you could never complete it within a two year period. He said he will check on that to determine if that requirement has been relaxed.

The meeting continued with Commissioner Borries stating he had one final comment concerning the meeting with Mr. Ferguson. As pointed out, the defeat of the local option legislation which was introduced in this past session, it means that counties will receive no new sources of revenue or income for 1984. Mr. Ferguson stressed that if this particular legislation is not re-introduced in 1984, that could be effective in 1985, (if it were not re-introduced perhaps because of its being an election year -- and perhaps some members of the legislature may be reluctant to get into such a discussion during an election year) that could well mean that there would be no new local sources of income for counties until 1986. If nothing is passed in 1984 (effective in 1985) then the earliest we could hope for would be 1985 (effective 1986). Said President Borries, "That's a long ways down the pike!"

Commissioner Borries says he has alluded to the letter from Jeff Hays that will introduce Senate Enrolled Act #235.

(continued)

RE: COUNTY HIGHWAY DEPARTMENT

Commissioner Borries called on Bill Bethel for a report from the County Highway Department. Mr. Bethel reported as follows work for the past week:

a) Gradeall equipment was out on Old Boonville Highway and St. Joe Avenue.
b) Patch crews were on Nolan Road, Seib Road, Westlake Drive and Boonville-New Harmony Road.
c) Trash crews were on Old Green River Road, Lynn Road and Old Henderson Road.
d) Graders were out on Waterworks Road, Old Henderson Road, Wedeking Drive, County Line Road, Hillside Road and Schmitt Road.
e) Tree crews were on Old Green River Road and Old Henderson Road.
f) Shoulders were pulled on Telephone Road.
g) Cave-ins were repaired on Meadow Lark and O'Hara Drive.

In response to President Borries' queries on the water situation, Mr. Bethel said the water has fallen and he's hoping some of the barricades can be moved tomorrow. Most of the main roads are now o.k.

RE: BURDETTE PARK/CONCESSING AGREEMENT WITH MCGEE ENTERPRISES

President Borries commended Mark Tuley on the fine job he did in contacting a number of firms and corporate people, who attended a boat ride and a tour of Burdette Park this past Saturday. The tour also included an excellent lunch -- all of which will, hopefully, be of benefit to the park in the future.

Mr. Tuley asked for postponement on the concession agreement with McGee until next week, explaining that McGee's attorney is still looking at the agreement. Mr. Tuley should have it back tomorrow and will be ready to present it to the board next week.

On the matter of the grant for the landscaping, etc., Mr. Tuley reported he has sent it in and should hear from that by the middle of June. He will get with the commissioners as soon as he has a response. He said we initially applied for $70,000 but will only receive $30,000. The city has asked us to give $5,000 of that money to Mesker Zoo. He sees no problem with this, having discussed it with Rick Borries. Without their legwork -- it is doubtful we would have received as much as we're getting.

Despite the recent heavy rains, Burdette Park is in better shape than anticipated. Preparation is being made for Memorial Day weekend. The pool will open on Saturday, May 29th, and remain open through Labor Day. Continuing, Mr. Tuley said there had been discussion last year regarding the County Highway personnel doing some work on the park roads. The advisory board has recommended paving of a short strip up to the campground. With the commissioners' permission, Mr. Tuley would like to get with Bill Bethel to make arrangements to complete the necessary work. He said it was the opinion of attorney David Miller that the park is county property, county-owned, and the county could, indeed, do the necessary road work out there.

Continuing, Mr. Tuley noted the park will have several promotions during the summer. May 26th is scueduled as Safety Patrol Day at the park. Kids from all over Vanderburgh County will be out there swimming, etc., (a free-bie). The BMX National Race (over a 1,000 riders already entered) is scheduled for June 12th. Despite the Thunder on the Ohio activities, it is anticipated this will be a very successful event.

In response to Commissioner Cox's query regarding concessions during Memorial Day weekend, Mr. Tuley said there is no problem. We are basically in agreement and what it amounts to is simply a matter of formality on the part of the commissioners next week. Lea Foods pulled out as of May 18th. McGee was in this past Friday night. He's already moved in over at the skating rink and is in the process of moving into the pool area. The park will open Saturday and McGee will be ready to go with the concession areas.

Commissioner Borries said there was some confusion concerning how many people were to be placed on the County Park and Recreation Advisory Committee. He stressed that we want to get that group operational now that the busy season is starting. The cmmissioners will discuss this and try to finalize the matter next week.

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RE: NEW FLAG DEDICATION AT COUNTY GARAGE

Bill Bethel interjected that he extends an invitation to the commissioners to attend the New Flag Dedication at the County Garage on Friday, May 27th, at 1:00 p.m., which includes refreshments. The employees made their own flag pole -- everybody at the garage worked on this project (some even on their own time) and they're proud of it. The flag was donated by the Kiwanis Club. The employees hope the commissioners will attend the dedication.

RE: STREET IMPROVEMENT PLAN FOR CHATODD COURT IN UNIVERSITY HEIGHTS NO. 3 SUBDIVISION

Discussion turned to the street improvment plans for Chatodd Court. A tracing of the plans have been reviewed by the county surveyor's office and approval is recommended. Andy Easley of Andy Easley Engineering brought the original tracing for the commissioners' signature, after which they will receive a copy of the actual signed plat. A milar reproduceable will be kept in the vault in the event additional copies are required in the future. David Guillaum said this is something he would like to see followed in the future -- if this procedure is followed, copies can be made in-house when needed and eliminate the necessity of having to go back to the engineer, etc., for extra copies.

Commissioner Cox asked what county roads are involved. She cited the road put into I.S.U.E. from Schuette Road back to the university. Schuette Road was very narrow and the commissioners questioned whether it would hold the heavy dquipment, etc., and it was required that a bond be put up for any damage done. It was determined that Middle Mount Vernon Road would be used to get to Chatodd Court and it should be in fairly good shape since it was resurfaced a couple of years ago.

Mr. Easley stressed that what is being approved at this meeting is merely the road plans. Acceptance of the project will come after it is completed. David South pointed out that Mr. Easley has provided a letter to the commissioners indicating he will perform the necessary inspection of the project to assure that it is in accordance with the Plans and Specifications as released for construction by the Vanderburgh County Commissioners. Mr. South said he feels the plans should be approved. Commissioner Cox made a motion to approve the plans as presented. Commissioner Willner seconded the motion. So ordered.

RE: WHEEL TAX

Mr. South reported that Mr. Ferguson has said we should have a complete breakdown on the 1979 figures by Wednesday. This will provide information sufficient to make an in-depth study prior to reaching a decision on the matter. A recommendation must be made by May 31st. It was the concensus of the group that a special joint meeting should be held with the following in attendance: City Council members, County Council members, Mayor Vandeveer, a member of the Board of Works, a representative from the Darmstadt area, representatives of the Chamber of Commerce, David Gerard, David South, etc. At that meeting the entire wheel tax matter could be clearly explained to all so a decision could be made. President Borries said he will endeavor to set up such a meeting this week.

Commissioner Cox remarked that the group will have to make a recommendation to the County Council, because passage of the wheel tax would require a County Countil Ordinance. The ordinance would have to be advertised for ten (10) days and a meeting held in June to pass the tax. She indicated a presentation or recommendation should be made to the Countil at their June 1st meeting, so they could come to a decision concerning the variables which need to be addressed.

Continuing, Commissioner Cox said she has received a call from a local trucking firm which has its headquarters in Evansville. They have questioned whether trucking firm vehicles can be exempted from the tax if they do not use Vanderburgh County Roads. Commissioner Cox said the exemptions are spelled out in the statutes. She noted that many trucks are registered in the location city of firm's headquarters -- they register them this way to avoid taxes in other states.

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Commissioner Cox stated she received a letter from Mrs. Janet E. Dunn of Dunn Building Services, Inc., here in Evansville. Mrs. Dunn's questions concerning out-of-state vehicles and non-resident employees merit consideration. It was requested by Commissioner Cox that Mrs. Dunn's letter be included as a part of the minutes from this meeting:

"Mrs. Shirley Jean Cox
County Commission
305 Civic Center Complex
Evansville, IN 47708

Dear Mrs. Cox:

A recent article in the Evansville Press concerned the possible enactment of a wheel tax to provide money 'to maintain and expand the county's road system.'

In the above article interviews were reported with County Commissioners, County Council members, and Mayor Vandeveer. A statement by you suggested: 'It is a user fee and it's fair to everybody.' I would like for you to consider this statement as it affects Vanderburgh County residents.

I agree that the proper approach to raising additional revenues is to enact new methods of taxation, and that both the proposed wheel tax and a possible local income tax appear to be good ways to raise the needed money without increasing property taxes. The part which seems to be missing if we consider the 'fairness' concept, is that it appears only residents of the county would be paying these taxes. The wheel tax is supposed to be a user's fee, and many of the users are people who work here but reside in surrounding areas outside of Vanderburgh County. Is it not fair for these users to pay their share for the road maintenance? Can a wheel tax be imposed on those who work in this county as well as the residents of our county?

We live in Evansville and have a small remodeling business here as well. As employers we have already been given greatly increased tax rates for employment taxes (state, federal and FICA) as well as increased telephone, utility and insurance costs. If you add to those employer costs the new licenses required, higher permit fees, and the personal property and gross income taxes, you will see that the cost of operating such a business is now extremely high for companies in an industry that has been greatly depressed by the 'recession'. Therefore, to increase taxes to employers - especially for non-residents' usage of county services and facilities - would not be in the best interests of the community. (A closed business brings in no revenue.) That brings us back to a true user's fee on all residents, and on non-resident employees. Can it be done??

Yours truly,

Janet E. Dunn

p.s. Does Henderson still require 'our people' to purchase a work permit?"

Commissioner Cox says she feels the commissioners should give some consideration to initiating a "delivery" fee. As an example, she cited Ziedler Floral Company which pays $5.00 delivery fee for each delivery made in Henderson, Kentucky. All out-of-state vehicles making deliveries locally would require a delivery permit. Revenues from these permits would enable us to do ongoing work on our roads. There was a comment that this would perhaps require state legislation. However, Commissioner Cox said this may not be a state statute in Kentucky, but a city/county ordinance. She noted that permits enacted for the Plan Commission did not require an act of state legislature. It was the concensus that a "delivery permit" merits consideration.

David South continued by saying it is his understanting on the wheel tax that currently any one of the vehicles that are broken down by weight; i.e., trucks 11,000#, 16,000#, 26,000#, etc., -- any one of those breakdowns can have a separate rate and the rate can be anything from $5.00 to $40.00, including $6.50, $6.25, etc. Any rate can be selected between $5.00 and $40.00. Shirley Cox questioned the comparison of road deterioration to regular motor vehicle to vehicles weighing in excess of 11,000 pounds. Is there a percentage there of more wear and tear on the road? Such as it would take 200 passenger cars making trips over a section of a road as compared to one 18-wheel semi-trailer.

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Mr. South said Commissioner Cox's facts are fairly close. There are tables available but he doesn't have any with him at this time. A car could easily operate over a 4-inch concrete street, assuming we build one with modern equipment, An 18-wheeler would break that up on the first pass. Once you pass certain minimum standards (the interstates, for instance, are built with close to 10-12 inch concrete -- the last 8-inches are for the trucks)..the cars could get by if the trucks weren't there. Mr. South said he could have a chart available next week if the commissioners would like to see it. Commissioner Cox said if we're thinking of a user tax, in trying to be as fair as possible, it would seem unfair to charge a passenger car owner the same rate as a large heavy weight truck.

President Borries said from a time standpoint, we need to make a definite decision by the 31st. County Attorney David Jones has confirmed the county ordinance would have to be advertised for ten days and another June meeting held to pass the tax. It was remarked that both Posey County and Warrick County have ordinances. It was felt that the local citizenry will not object as strongly to the tax if they are made aware that the money is not only going into projects(although they are important) but that it will provide us with funds for an ongoing road improvement system..... a portion of the monies should be designated for this purpose. President Borries suggested aan accompanying letter should be sent, together with wheel tax breakdown figures, to all County Council members so they can study the available information prior to their June 1st meeting. President Borries will provide Margie Meeks with a list of individuals to whom this information should be sent.

RE: VANDERBURGH COUNTY HIGHWAY ENGINEER MINI-AGENDA

David South directed the commissioners' attention to the Mini-Agenda, indicating Items 1, 2 and 3 are routine regarding attached data for review.

Item #4 was a request from SEBREE, CRAIG & MCKNEIGHT regarding to the contract on Lynch Road extension. We have a contract on Lynch Road extension very similar to what we're used to reviewing in Engineering Associates. It's a cost-plus contract. This says if their overhead goes up or down, so do our bills. They had a recent audit and it revealed their overhead has better than doubled. By contract, we would be liable for a big increase in overhead, which would increase all the hourly rates. What they are proposing to do is freezing their overhead at what it was last year. To do that, we have to make a modification to the contract. (That is Item #2 on the letter -- copy attached to minutes). Mr. South said he would like to personally commend Jim McKneight for making this sacrifice and offering to freeze his rate at the old rate, knowing the crunch the County is in, and we have been riding herd on this contract. The firm signed the contract before they formed. Both Mr. Craig and Mr. McKneight have their own individual firms which do work for Sebree, Craig & McKneight. So, in effect, we have two corporations sub-contracting the principal working for us. There have been no audits made on the two minor firms and they have agreed to keep the rate without adding overhead, which is $17.00 per hour for the people without adding the overhead of 134%. A projected savings page has been included with the letter. Now that the overhead has been frozen, Mr. South says he cannot see a disadvantage to the county in approving the changes. Mr. South also recommended the Commissioners commend Sebree, Craig & McKneight for following the spirit of the contract and not the letter of the contract.

President Borries called for a motion to approve the frozen fee throughout this contract and extend a letter of appreciation from the Commission regarding their choosing to do so. Motion was made by Commissioner Cox. Commissioner Willner seconded the motion. So ordered.

Mr. South said a second motion will be required to approve the two sub-contracts, in other words, Craig's work and McKneight's work for Sebree, Craig & McKneight, keeping the paperwork straight and for the final audit. Motion to this effect was made by Commissioner Cox with a second from Commissioner Willner. So ordered.

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Mr. South noted that while the time has been showing up on the bills after the first or second month, they haven't been paid, so we'll probably be seeing a bill coming through in the next month or so playing catch-up.

Item #6 pertained to claim from D. E. McGillem & Associates for Covert Avenue Extension project in the sum of $850.00. President Borries asked for a motion for approval of this claim. Motion was made by Commissioner Cox with a second from Commissioner Willner. So ordered.

RE: JOINT MEETING

President Borries returned to the subject of the joint meeting regarding the wheel tax matter. He suggested the meeting be held at 1:00 p.m. on June 1, just prior to the County Council's scheduled 2:30 p.m. meeting.

RE: SCHEDULED VACATION - DAVID SOUTH

Mr. South said that for the record, four (4) days of vacation prior to his departure will be taken after June 3rd, so technically, he believes he is still on the payroll up until the Thursday after June 3rd -- if this is proper. Commissioner Cox said this can be handled via the pink slip when it comes in.

President Borries said the commissioners want to get with Mr. South to discuss some matters concerning Engineering Associates, prior to his departure. It was determined that this can be handled at the Commissioners meeting scheduled for Tuesday, May 31st at 5:30 p.m. Mrs. Cox suggested that the meeting be held at 4:30 p.m., because she has a 7:00 p.m. meeting.

RE: VANDERBURGH AUDITORIUM/RESIGNATION OF CONRAD COOPER

President Borries said Conrad Cooper is present for the meeting today, and after reading two letters into the minutes, one of which he accepts with much regret, discussion will be held regarding problems with Vanderburgh Auditorium.

Letters read by President Borries follow herewith:

"Mr. Richard Borries, President
Mr. Robert Willner, Vice President
Mrs. Shirley Jean Cox, Member
Vanderburgh County Commission
Civic Center Complex
Room #305
Evansville, Indiana 47708

Dear Commissioners:

It is with great reluctance that I must inform you of my intended resignation effective Friday, May 27, 1983.

I will be happy to assist in any way possible to make the transition for the new manager as easy as possible. I will also make myself available to the new manager as much as time will allow to acquaint them with the building and its operation.

It has been a pleasure serving the Commission as Auditorium and convention Center Manager, and I will carry many fond memories with me from this job.

Sincerely,

Conrad Cooper
Manager"

(continued)

"Mr. Conrad Cooper, Manager
Vanderburgh County Auditorium
and Convention Center
715 Locust Street
Evansville, Indiana 47708

Dear Conrad:

This is to inform you that I am giving formal resignation as the Secretary here for the Vanderburgh Auditorium and Convention Center.

My last working day at the Auditorium will be on Friday, June 3, 1983, and I will be assuming my new secretarial position at Mead Johnson on Monday, June 6, 1983.

It has been a pleasure to work with you and the County Commissioners. Best of luck in your new position as News Director at Channel 14.

Sincerely,

Gail A. Pinkston
Secretary"

President Borries said he regretted receiving both of these resignations and commended Mr. Cooper on the fine job he has done during a difficult period. Commissioner Willner said this is one of the problems in hiring good people -- Mr. Cooper will be hard to replace. Mr. Cooper said he knew how difficult it was for him to get started, therefore he will offer every possible assistance to the new manager.

RE: HONEYWELL PROPOSAL

Mr. Cooper said Honeywell has a proposal which he feels will be invaluable. The commissioners are already somewhat familiar with same. They have made a presentation to the County Council, but received no committment or approval. Commissioner Willner stated that other than for media informational purposes, there is no reason to go over the presentation at this meeting. Rather, he suggests approval subject to the funds being available. Commissioners Willner and Cox asked what the County Council's response was to Honeywell's appearing on their June meeting agenda. Mr. Cooper said he assumed it was favorable. He does not know whether the Council will appropriate the requested funds, but all he asked for was what is necessary to keep the doors of the Vanderburgh Auditorium open -- and this was pointed out in great detail. To that extent and to the extent the Council is able to understand that without these funds there are going to be serious problems -- that's all he knows to do. What they do with that information he cannot predict. President Borries questioned whether the $85,000 was ever transferred from the capital improvement fund to the cumulative fund. Commissioner Cox stated that now they know that Data Processing and Vanderburgh Auditorium need funds, they may very well transfer monies from the capital improvement fund to go to these two departments. It was noted that another $112,000 was to come from the capital improvement funds for telephone project. President Borries said his concern is that we have agreed to enter into specs developed by the Building Commission and he hates to see the county reach a situation where bids are let and does not have the money to do anything.

Commissioner Willner said he feels this proposal is in the right vein but is not sure the dollars are there. He suggested verbal approval subject to availability of funds. However, County Attorney David Jones urged the commissioners not to sign an agreement or contract unless the funds are available. Commissioner Cox said the County Council is simply either going to have to appropriate money for the auditorium or we will have to close the doors. As she sees it, the Honeywell proposal gives the county an opportunity to cut down on the energy costs and provides a 2-year locked-in clause on

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equipment maintenance, etc. This way, we know we won't be hit with a big repair bill on numerous items.

Mr. Cooper pointed out that as indicated to the council, if the county doesn't get an arrangement like this, at some future point in time they're looking at replacing the cooling unit. With Honeywell's proposal, you stave that off for at least two years. Where you're talking about a ¼ million now, God knows what it will be two years from now. From a budgetary standpoint, knowing that dollars are strained, at least we'd be protected for two years while we figure out how Vanderburgh County could eventually do it.

President Borries advised that the commissioners are having a special meeting in June to consider the wheel tax. Perhaps they can obtain a decision from the County Council on the Honeywell proposal at that time. Commissioner Cox pointed out that this program would replace some of our existing costs, such as maintenance, repairs, etc. A portion of Mr. Cooper's request for additional funds for the remainder of the year would be reflected in this new proposal. The monies allocated for those items could be applied to this new proposal.

Commissioner Willner said this proposal indicates there would be less energy consumption. Our utility bills are horrendous. Honeywell is guaranteeing a $13,000 energy savings the first year. Last year, utilities at Vanderburgh Auditorium ran in excess of $100,000. During the hot summer months, it is not uncommon to get a $10,000 utility bill. Commissioner Cox advised that unless County Council grants some of Mr. Cooper's requests, existing contracts could be jeopardized and the council must be made aware of that. Mr. Cooper interjected that if the council does not appropriate funds, then a deadline must be given so proper notice can be given to those who have contracts. For instance, a week-long children's production is scheduled at the auditorium in August. It is going to be very difficult to tell the producers that they are not going to be able to use the facility. Deposits on contracts have to be segregated and returned, etc. Commissioner Cox noted that the closing of the facility would have a very bad impact on future use of the auditorium. If we close it now, there's no assurance to anybody that wants to use it that we will not do the same at some future date. It was noted that to keep the facility open will require about $34,000 during the next 6-7 months, and the old unpaid 1982 bills will have to be paid.

President Borries pointed out that we need the auditorium. Perhaps a committee could be formed of individuals who utilize the facility and they can make it a viable building. It was financed through a commitment of the taxpayers in the county and, hopefully, they will support improving the facility. The county does not have funds for necessary repairs, etc., to a 16-year old facility. Mr. Cooper stated the facility is viable now. There's no reason why Vanderburgh Auditorium cannot put dollars into the general fund instead of taking them out. However, four things are going to have to happen to make it viable:

a) Rates are going to have to be brought into line with the rates across the country
b) The manager -- or someone-- is going to have to get out of the office and on the road to sell the facility
c) Programs similar to the Honeywell proposal will have to be devised to reduce the overall operating costs
d) Food and beverage are going to have to be brought inside that building. (We could realize an additional $50,000 to $100,000 annually just off the in-house food and beverage)

Mr. Cooper stressed the facility has definite attractive selling points and can be sold. People just don't know it is here. One of the attractions is that the facility is within such easy driving range of surrounding metropolitan areas, such as St. Louis, Nashville, Louisville, etc.

Concluding, Mr. Cooper said the American flag at the auditorium was badly tattered. He contacted Frank McCloskey's office last week. They have provided one (received today) at no cost to Vanderburgh County. Commissioner Cox moved that a thank-you letter be written to Representative McCloskey. Commissioner Borries seconded the motion. So ordered.

(continued)

RE: BRIDGE & GUARDRAIL REPAIR

President Borries asked David Guillaum to report on the bridge and guardrail repair to date. Mr. Guillaum said the weekly report is self-explanatory. Insofar as First Avenue is concerned, they are trying to move along with the contractor and the phone company insofar as getting the piling ready to drive. If conditions work out, some of the piling may be driven yet this week. Mr. Guillaum now feels it is time to put the survey together on the Redbank/Nurrenbern Road project. They plan to raise Nurrenbern Road and widen the bridge, etc. Not much progress has been made with the railroad concerning the underpass; in fact, it is doubtful whether it will even be feasible.

With regard to guardrail work on Pollack Avenue, it was deemed important due to the rapid growth of this area and the increased traffic. Some has already gone up, and as to how much more is to be put up, he does not know at this time. It was recommended that if we're a long way from completion of this project, perhaps it could be delayed somewhat until other improvements could be brought about. Mr. Guillaum said he had met with Dave Gerard and it seems the city engineering staff will be able to do some of the design work.

RE: TEAMSTER EMPLOYEES RETROACTIVE PAY

President Borries advised the commissioners that, inadvertently, two teamster employees at the local dog pound are receiving 2¢ less per hour in wages than their counterparts at other facilities. Commissioner Borries said he had assured Chuck Whobrey, representative of the Local #215 Teamsters Union that this was certainly not the intention of the commissioners and, in fact, cannot be explained, with the exception of the possibility of confusion because there are two separate agreements with the Teamsters. In any event, the error will be corrected as soon as possible and the employees will receive their 2¢ wage differential retroactive to January 1, 1982. (This amounts to about 90¢ per week.) Following a brief discussion, it was determined that this money is to come from the judgments and refunds budget. Motion to approve payment of these retroactive wages was made by Commissioner Cox and seconded by Commissioner Willner. So ordered.

Later this summer, Commissioner Borries said he intends to look into this whole matter of teamster employees at the various facilities. Some work for the city and some for the county and this causes confusion. There is a difference in lunch hours, etc. It was suggested that perhaps we could have a trade-off, whereby all teamster employees at a given facility are either city or county employees, as opposed to a mixture of the two.

RE: CONTRACT ON SOCIAL SERVICES BLOCK GRANT

President Borries turned the discussion to a letter from the Association of Indiana Counties, Inc., regarding the Social Services Block Grant Contract prepared by the Social Services Fiscal Office. It needs to be executed and returned to the IOSS no later than June 15, 1983. County Attorney David Jones reviewed the contract. Commissioner Cox moved the contract be approved. The motion was seconded by Commissioner Willner. So ordered. (It was subsequently remarked that we will receive $31,680 from this grant.)

RE: APPLICATION FOR CONSTRUCTION IN THE FLOODWAY FOR BANK PROTECTION ON OHIO RIVER IN VANDERBURGH COUNTY (Docket No. G-7657)

Commissioner Borries requested that the acknowledgment letter from the Department of Natural Resources acknowledging Vanderburgh County's application on the foregoing be made a part of the record.

RE: BUILDING COMMISSION REPORTS - March, 1983

At the request of President Borries, the March, 1983 Building Commission Report was received for the files.

(continued)

RE: LEASE AGREEMENT WITH SCHOOL CORPORATION/WEST HEIGHTS SCHOOL

Commissioner Borries read the following letter to the commissioners, prior to asking for a motion to continue the lease agreement and execute same.

"Mr. John Clerk
Evansville-Vanderburgh School Corporation
1 S.E. Ninth Street
Evansville, Indiana 47708

Dear Mr. Clerk:

We have reviewed the September 3, 1968 Lease Agreement between the Board of Commissioners of Vanderburgh County and the Evansville-Vanderburgh School Corporation on the real estate formerly known as the 'West Heights Elementary School' located at 1430 Harmony Way.

At our meeting of May 16, 1983, we unanimously agreed to extend your Lease Agreement, under terms of original lease, which shall remain in full force and effect for fifteen (15) years from lease renewal date of September 3, 1983. (Copy of minutes enclosed.)

Sincerely,

The Board of Commissioners of
the County of Vanderburgh

Dated this 23rd day of May, 1983"

Motion to approve lease agreement continuation letter was made by Commissioner Cox and seconded by Commissioner Willner. So ordered.

RE: AGREEMENT BETWEEN SHAMBAUGH & SONS/COUNTY BUILDING SUPERINTENDENT

The commieeioners' attention was directed to the agreement between Shambaugh & Sons, Inc. and the County Building Superintendent regarding a wet system at Hillcrest Washington Home, whereby Shambaugh, Inc., shall inspect and test said installation four (4) times per year and report on the needed items of repairs, replacements, etc.

Motion to approve the agreement with Shambaugh was made by Commissioner Cox, with a second from Commissioner Willner. So ordered.

RE: VANDERBURGH COUNTY HEALTH DEPARTMENT ANNUAL REPORT

President Borries advised that he is providing each commissioner with a copy of the Vanderburgh County Health Department Annual Report. (No copy was provided to the secretary.)

RE: BOND ISSUE FOR POOR RELIEF

It was noted that the commissioners will contact the trustees, by letter, to determine the required funding for poor relief. After brief discussion, President Borries read the following draft for the letter to the trustees:

"Because we are considering issuing a bond, we would appreciate having an accurate picture of your poor relief accounts for this year, how much you currently owe and an estimate of what you will need for the next six (6) months. This information should be provided to the Vanderburgh County Commissioners no later than June 9, 1983."

Motion to approve the foregoing letter to the trustees was provided by Commissioner Cox. Commissioner Willner seconded the motion. So ordered.

(continued)

RE: JAIL EXPANSION BREAKFAST

President Borries announced that a Jail Expansion Breakfast will be held in the Walnut Room of the Executive Inn this coming Thursday morning.

RE: MEMORIAL HOLIDAY

It was announced by Commissioner Borries that a Notice to News Media and Other Interested Persons is being issued advising that county offices will be closed next Monday, May 30, which will be observed as Memorial Day, and our County Commissioners Meeting will be held on May 31 at 2:30 p.m.

RE: PARAMEDIC BID PROPOSAL/TELEPHONE SYSTEM

President Borries announced that a paramedic pre-bid proposal meeting is scheduled for Thursday in Room 303 at 1:00 p.m. This meeting is for any interested providers of that service with an agreement with the City of Evansville and the County of Vanderburgh.

On Thursday, bidder KLF Rohm Company is sponsoring an activity at the Ramada Inn for interestered users or interested purchasers of the phone system.

The Commissioners have received invitations to both of the foregoing functions.

RE: CLAIMS

The meeting continued with President Borries presenting the following claims to the commissioners for approval:

1) Alexander Ambulance Service - $12,672.41
Confusion existed concerning this bill. For some reason, throughout our intense negotiations with Alexander, an agreement was hammered out, but it developed they did not know what a "blue claim" was and that was part of the problem. Because they had not been paid, they thought they were going to discontinue the service. The matter has now been resolved.

Motion to approve payment was made by Commissioner Willner with a second from Commissioner Cox. So ordered.

2) City Of Evansville - Economic Development - $334.26

Motion to approve bill for 50% of Economic Development costs for April, 1983 was made by Commissioner Cox with a second from Commissioner Willner. So ordered.

3) City of Evansville - Health Department - $3,332.96

Motion to approve bill for 17.8% of health expenses for April, 1983 was made by Commissioner Willner with a second from Commissioner Cox. So ordered.

4) City of Evansville - Building Inspection - $5,592.21

Motion to approve bill for 40% of Building Inspection costs for April, 1983, was made by Commissioner Willner with a second from Commissioner Cox. So ordered.

5) City of Evansville - Weights & Measures - $686.21

Motion to approve bill for 42% of Weights & Measures for April, 1983, was made by Commissioner Willner with a second from Commissioner Cox. So ordered.

(continued)

6) City of Evansville - Purchasing - $204.29

Motion to approve payment of bill for 50% of purchasing for April, 1983, was made by Commissioner Willner with a second from Commissioner Cox. So ordered.

7) City of Evansville - Traffic Engineer - $3,332.96

Motion to approve payment of 14% of Traffic Engineer's cost for April, 1983, was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

8) Claim to Superior Court in the amount of $185.40 was put on hold. This was for a rental fee for the Gold Room at the Vanderburgh Auditorium on August 27, 1982. Individual was Ann Gray of the Inter-City Reporter. There has been some confusion on this -- and request has been received to hold this up for a period of one week.

9) Claims for Jim Angermeier & Cheryl Lawrence of the County Assessor's Office

There was brief discussion on these two claims, most specifically with regard to the additional mileage money. Commissioner Cox said it used to be the ruling that if three people, for example, traveled outside the office to a single function, then only one of the three could claim mileage.

Motion to approve payment of these two claims was made by Commissioner Willner, with a second from Commissioner Cox -- SUBJECT HOWEVER, to Alice McBride's checking to see what the correct amount is that we can pay on such claims. So ordered.

RE: EMPLOYEE CHANGES

Commissioner Borries advised the group concerning employee changes as follows:

Vanderburgh County Election Office - Releases (Eff. 5/5/83)

Jo Ann Duggins	$3.75/hr.
Dorothy Carey	$3.75/hr.
Sylvia Loviscek	$3.75/hr
Carol Jean Primm	$3.75/hr.
John Lee Jones	$3.75/hr
Casey Randolph, Sr.	$3.75/hr.
Fred C. Roeder	$4.37/hr.
Clara L. Berry	$3.75/hr.
Edna L. Henry	$3.75/h4.
Floyd Ralph Burnett	$3.75/hr.
Gilbert C. Kerr	$3.75/hr.

Vanderburgh County--Knight Township Assessor - Appointment (Eff. 5/18/83)

Janet Zeller	$30.00 (Per Diem Dep.)

Vanderburgh County - Data Processing - Release (Eff. 5/21/83)

Steven D. Schuetz	$3.35/hr.

Vanderburgh County - Auditor's Office - Releases (Eff. 5/23/83)

Sylvia Williams	$11,900/yr. (Bookkeeper)
Theresa Woodward	$10,781/yr. (Transfer Supervisor)
Terri Pace	$10,260/yr. (Transfer Clerk)
	- Appointments (Eff. 5/24/83)
Theresa Woodward	$11,900/yr. (Bookkeeper)
Terri Pace	$10,781 (Transfer Supervisor)

(continued)

RE: SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Jim Lewis, superintendent of county buildings, advised the commissioners he feels confusion will continue in the commissioners' budget if the "catch-all" nature continues. We have no clear-cut line of delineation concerning responsibility in many areas. Cited as examples were the county jail, the orphanage, and the county garage. Depending upon the nature of the problem, they may call him to provide the maintenance or call upon someone else to do it such as the building authority. Mr. Lewis expects to have a breakdown next Monday of what has been spent this year at the aforementioned three facilities. He strongly feels that before the 1984 Budget is prepared, some decision has to be made as to who is responsible for what -- so they will know what should be included in the budget.

With regard to the orphanage, the commissioners authorized Mr. Lewis to contact the new administrator to obtain complete information; i.e., how many children are in the facility, anticipated maintenance and repairs, etc. Mr. Lewis also remarked that the facility has funds in their budget for a maintenance employee. This position, however, has not been filled. Mr. Lewis will make a complete study and report to the commissioners concerning this facility. It was commented that the facility is old and is going to require extensive repairs. The boiler will probably have to be completely replaced in the not too distant future, etc. Extensive repairs will have to be made if the facility meets State codes.

There being no further business, President Borries declared the meeting recessed at 5:25 p.m.

PRESENT: COUNTY COMMISSIONERS

Richard "Rick" Borries
Robert L. Willner
Shirley Jean Cox

COUNTY AUDITOR

Alice McBride

COUNTY ATTORNEY

David Jones

OTHERS

Jim Lewis
David Guillaum
Honeywell Representatives
Bill Bethel
David South
David Gerard
Mark Tuley
Conrad Cooper
Andy Easley
Media Personnel
Bill Goff

SECRETARY: Joanne A. Matthews

Richard "Rick" Borries
Robert L. Willner
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 31, 1983

The meeting of the County Commissioners was held on Monday, May 31, 1983, at 2:30 p.m. in the Commissioners Hearing Room, with President Borries presiding.

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

RE: SHERIFF SHEPARD - JAIL EXPANSION COMMITTEE REPORT

Sheriff Shepard was present and presented the following report, as submitted by Edmund L. Hafer, Architect, concerning the expansion of the jail.

EVANSVILLE-VANDERBURGH COUNTY BUILDING AUTHORITY
CIVIC CENTER JAIL EXPANSION
MAY 19, 1983

PROJECT BUDGET:

1. EXERCISE YARD

Scheme "A"	General Construction.....	$107,000.00
	Mechanical/Electrical.....	22,000.00
	TOTAL	$129,000.00
Scheme "B"	General Construction.....	$131,700.00
	Mechanical/Electrical.....	62,200.00
	TOTAL	$193,900.00
Scheme "C"	General Construction.....	$144,600.00
	Mechanical/Electrical.....	62,200.00
	TOTAL	$206,800.00

2. VISITATION WINDOWS (65 UNITS)

	Communication System.....	$ 10,800.00
	Enlarge Windows.....	45,000.00
	TOTAL	$ 55,800.00

3. SMOKE REMOVAL..... $ 16,000.00

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Sheriff Shepard said at this time he is asking the Commissioners approval of Scheme "C" which consists of closing the opened end of the north wall and making a 1700 sq. ft. multi purpose room, which will be used summer and winter, will be heated and air conditioned and be used for recreation and training, religious services, meetings, etc. Also, to the center of the building will be a 3200 square foot exercise yard, which will be contained within the confines of the 15 ft. wall, with a 12 ft. security fence, with a three (3) strand ribbon wire at the top for more security. As stated on the report, the cost of Scheme "C" is $144,600.00 for general construction and $62,200.00 for the mechanical and electrical, for a total of approximately $206,800.00, and they would recommend this plan be adopted. They would like to see immediately, if possible, the installation of the smoke removal system on the second floor, on the north wall, which will cost approximately $16,000.00. He feels very strongly about this system, that should we have a fire or a smoke situation, there is no way to get the smoke out of the building in that area, therefore he would very strongly urge the smoke removal system be installed immediately. Mr. Hafer is presently drawing up the specifications, so we can advertise for bids and get it underway as soon as possible, if the Commissioners agree to it.

Commissioner Cox asked where the $16,000.00 will be paid from and he replied from the $250,000.00 grant for the jail expansion, that it will cost the county no money whatsoever, that this is a no strings attached grant, however, we do have to have something in place by September 1st. to present to the Marshal's office and County Attorney Jones has contacted Washington and they said the plan we have is sufficient to lock the money up for us.

President Borries said assuming this plan is approved, what is the time-line on this, as far as construction is concerned.

The Sheriff said there is no guideline, that once the money is locked up, we need something in motion by September 1st., that the construction does not have to be underway, but we have to present something to the government showing that we are making a step forward, and these plans are enough to do just that. Ed Hafer is presently refining Scheme "C", hoping the Commissioners will approve it.

David Jones said he might add that not all of the $250,000.00 is accounted for in Plan "C" and the Smoke Removal System, however, the total amount will be used eventually, that there is a meeting set for this coming Thursday, with the attorneys for the jail inmates named in the class action suit, and the part that is left open is being negotiated, that we have made a proposal to settle the case and we are to get a response on Thursday. What the recommendation will be to the Commissioners for the remainder of this money depends upon the outcome of that meeting, and he is hoping that at the next Board of Commissioners meeting he can come forth with a recommendation and have a tentative agreement to settle the case. He has talked to the Sheriff and we feel that we have gone as far as we can go toward making changes in an effort to settle the case and if they insist upon anymore then we will go ahead and try the case, but that these efforts will go forward because use of that grant money is separate from the law suit, that this is to comply with the U.S. Marshal's rules to house the federal prisoners and not just to take care of the law suit.

RE: MARVALINE PRINCE...LEGAL SERVICES - COMPLAINT ON KNIGHT TRUSTEE'S ACTIONS

Ms. Prince, representing the Legal Services, was present and stated they are having a serious problem with the Knight Township Trustee, in regards to issuing Trustee assistance to poeple who qualify for help. The problem is that there are people calling the Legal Services office and also other social services offices when they have a utility shut-off notice or their utilities have already been shut-off and they are having trouble getting Knight Township to provide assistance, eventhough they qualify for it. The Trustee has been referring these people to other agencies, after they perhaps pay a small portion of the bill for them and she believes there should be some clarification as to what Knight Township should be providing for these people that need emergency assistance. Another problem is that the Trustee is not paying enough to prevent shut-offs and they are being asked to go elsewhere to seek assistance and Knight Township also is not supplying recipients with denials. She received a request from a lady this past Friday, whereby the Knight Trustee provided only $41.00 out of a $317.17 utility bill and the client was asked to go elsewhere for assistance. She feels like the Commissioners need to speak to Mr. Saulman about these problems and see why written denials are not being issued.

Commissioner Cox asked Ms. Prince if she has a copy of Knight Township's guidelines and she replied yes, but it does specify how much they will pay. Pigeon Trustee's guidelines state they will not pay over $250.00 per year, and they do not object to that, its just that they would like to know some sort of a guideline from Knight, regardless of what it might be, then there would be no misunderstandings, because it is sometimes hard to explain these things to clients.

RE: KATHY ROBERTS - COMPLAINT IN REGARD TO HER DOG BEING KILLED AT BURDETTE PARK

Mr. Roberts was present, stating that his wife intended to come today, however, he is going to present their complaint today. His dog was killed at 5:00 a.m. according to Greg Smith, employee at Burdette Park, who killed the animal. He would like to get some answers pertaining to the incident, that he would like to know why the Dog Pound was not contacted after his dog was killed. Also, why was the Sheriff not contacted, that he was told the Sheriff received reports on his dog before, but he contacted the Sheriff personally and there was no report on his dog to the Sheriff...ever. Also, the Humane Society was not contacted on his dog and he would also say there has never been complaints of his dog submitted to that Society either. He also would like to know why his dog was allowed to lay until Friday afternoon, when the grounds crew picked him up. He also believes it is against the law to dispose of any animal in the park's dumpster, especially the one located by the pool. He believes there should be another method of controlling the dogs the county is having trouble with at the park, that he understands there are tranquilizer guns that could be used. People have admitted they chase these dogs down with park vehicles and he just does not understand this method and he would like to have some answers as to why nothing was done for his dog.

Commissioner Willner asked Mr. Roberts if he does understand it is against the state law to let animals run loose at any time and that each offense is a separate offense and subject to a $500.00 fine each and he replied yes, he is aware of that law.

Commissioner Willner said he will certainly admit that the way this particular incident was handled certainly leaves something to be desired, however, the law does state that no owner or person responsible for any domestic animal shall permit such animal to run at large.

Mr. Roberts said this is true, but he would say that 5:00 a.m. is a little to the extreme. He lives right next to Burdette Park and he let his dog out early, but the way this was all handled after the fact is the thing that really bothers him.

President Borries said he has talked to Mr. Mark Tuley concerning this matter and Mr. Tuley is present here today and he believes he also has a report or some remarks to make concerning the incident. He too would state the manner in which this was handled is a regretable thing. He said the Commissioners also have a report from the Sheriff's Department in regards to the handling of dogs at Burdette and he asked Mr. Roberts if he has seen such a report and he replied no he had not.

Park Manager, Mark Tuley, was present and came forth at this time and stated on the night this incident happened he personally was not working, however, he would not debate this issue with Mr. Roberts, however, he believes there are some discrepancies in regards to what happened. He would state in the past he has been informed by the Sheriff's Department and his own security staff at the park of this particular dog along with other dogs running loose in the park and sometimes in packs of two (2) or three(3), some of which are killing wild life in the park. Mr. Roberts' dog was run out of the park numerous times by Officer Crider, as was other dogs, which is so stated in the Sheriff's report. Officer Crider informed him that one other night two (2) dogs, and Mr. Roberts' dog was one of them, killed three (3) ducks in the park, and the one dog was destroyed that night and had Mr. Roberts' dog been caught that night, it too would have been destroyed. The problems we encounter at the park is not that the dogs are only killing wild life, but they are chasing joggers and bikers also, and when there are two (2), three (3) or more dogs in a pack, we do not know what they might do. A lot of these dogs are strays and we have no way of knowing the owners of them and the park has no alternative but to try to protect the users of the park against them. He spoke to Greg Smith about the incident and he said he did not deliberately run the dog down, that he did run the dog away from the lake on three (3) or four (4) different occasions and the last time the dog bolted in front of him and he hit and killed it, and there were other employees at the park that testified to that being the way it happened. He personally believes had Mr. Smith intended to kill the dog he would have done it the first or second time, but he run it out of the park approximately four (4) times earlier, so he really believes it was an accident, and an unfortunate one at that. He would say that he does not agree with the way the dog was disposed of, however, we were not aware of the fact that the Dog Pound would come out and pick the animals up, that we have had the Sheriff's Department to come into the park and had to kill a dog, but none of the park employees have ever killed an animal before in the park, so he would agree that perhaps it was not handled as proper as it could have been. He would like to submit the following rules concerning animals in the park and would ask that the Commissioners adopt the policy for the future.

PROCEDURES FOR HANDLING STRAY DOGS IN BURDETTE PARK

1. Any individual bringing a pet into this park shall have said animal on a leash at all times.

2. Any individual who violates this rule will be escorted from the park.

PROCEDURE FOR HANDLING FRIENDLY STRAYS

1. During normal hours call the dog pound immediately.

2. If you can catch this animal, confine said animal in the fenced in area next to the Pavillion.

3. If after hours, keep animal fenced in till the next morning and then call the Dog Pound.

(continued)

IF THE ANIMAL IS VIOLENT ACTING OR HAS BITTEN SOMEONE, YOU SHOULD DO THE FOLLOWING

1. Call the Sheriff's Department immediately.

2. Try to keep said animal under surveillance until the Sheriff arrives.

3. If the Sheriff has to destroy the animal, call the Dog Pound and have the animal picked up.

Mark Tuley

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Mr. Tuley said again he is sorry Mr. Roberts dog was killed and he's sorry about the unfortunate circumstances involved in it, but something must be done to prevent these animals from running loose in the park, that the summer season is upon us and something simply must be done toward solving the many problems.

President Borries said he would want every attempt to be made to locate the owner of any dogs found in the park, that if any employee knows who the animal belongs to, he would certainly want every effort made to contact them.

Mr. Tuley said it is not the policy of the park to kill these animals, in fact, this is the first time something like this has happened and he really believes it was an accident but normally they call the Dog Pound or the Sheriff, but this has been a problem since the existance of Burdette Park and he would hope it doesn't happen again, however, he is afraid it is going to if they continue to run free in there.

County Attorney David Jones said the statute reads that the dog owner is to have control over the dog and not the county, that it is not our responsibility to control them, and the way we get to that is to inforce the statute against the owners and that is the vehicle the legislature has given us to control this.

Mr. Tuley said he would like to discuss another matter with the Commissioners, that he presently has a complaint filed with the Sheriff, that sometime Wednesday night, on his personal owned van, parked in front of his own home, it was shot up with pellets and also a sharp object was used to run down the side of it. He is not saying the matters are related, but in the year and a half he has been at Burdette he has never had anything like this to happen. This is on county property and he has filed a full report with the County Sheriff's Department. His insurance will cover the damages but he is really upset that something like this happened, that it is a very expensive van. Also, he would like to report he has an unlisted phone number, however, in the past few days, they have been receiving crank calls and harassing calls and he does not understand how people are getting his personal home phone number.

Commissioner Cox said her only comment would be that we do have a lot of dog lovers in and around Vanderburgh County and she personally does not think the county residents are aware of the statute, that we do have a city ordinance on animal nuisance and a leash law, but no county ordinance and she really does not believe the people in the county are that aware of the law forbidding an animal to run loose. This did, to her, seem like a cruel and inhuman way to handle the situation, and she realizes accidents do happen and perhaps the only good thing that can now come out of this now is that there be a written procedure adopted by the Commissioners and she would also like to see the fact that we do have a state statute covering such, more widely publicized.

Mr. Tuley said he would also like the statutes checked into concerning the dumping of live animals and also dead animals, at the park, that there are a lot of both happening. The reason we no longer bury animals at the park is that in the past we have done so and the raccoons and opossums dig them up and scatter the remains all over the place.

Sheriff Shepard said he would like to inform the commissioners that within thirty (30) days they will have dog sticks (a stick with a noose at the end) in all county sheriff's cars.

President Borries said perhaps the procedures for domestic animals should be posted at the park so that everyone will be well aware of the rules.

Mr. Tuley said he understands it is very easy to let your pet run loose if you live in the country, but if people who are missing their pets would come to the park and give him a description of them, he would be very happy to post it on his bulletin board for all of his employees to see and if they find such animal they will try to contact the owner instead of the Dog Pound.

President Borries said he would express his regrets to the incident and he would hope some of the things discussed today would help in the future.

Mr. Roberts said he knows of no employee in the park that said other dogs was with his and he feels the incident was handled very improper and there is neglect on the Manager's part concerning the matter and the hiring of this employee, because he is being arrested today on drug charges and evidently he was so high at 5:00 in the morning on drugs that he did not know what he was doing and he feels this is a reflection on the county's part that people aren't screened more thoroughly before they are hired.

President Borries said it will be made plain to all employees that disciplinary action will be taken when incidents occur due to negligence on the employees part and Mr. Tuley will be asked to further investigate the matter.

Commissioner Cox moved a sign be prepared and posted at the entrance to the park in regards to the procedures for handling ALL domestic animals at the park, attended and unattended. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF GRADALL FOR COUNTY HIGHWAY DEPARTMENT

Mr. Ben Evans of the City/County Purchasing Department was present and stated there were only two (2) bids received on the purchasing of the gradall, those being from Rudd Construction Equipment Company, Inc. and from Kitchen Machinery, Inc. He said Rudd is a local firm and Kitchen is out of Indianapolis. It is the recommendation of the Purchasing Department, based upon twenty nine (29) selected items from the bid document that it be awarded to Kitchen Machinery, Inc., that the bid from Rudd did not meet the specifications in at least eight (8) of the twenty nine (29) areas. He said this has been discussed with Mr. Bethel of the Highway Department and he is in agreement with the recommendation.

Mr. Bethel stated that he and Mr. Willner both looked at the gradalls and at first Kitchen Machinery was going to supply only one (1) shovel but he met with them and today they agreed to give us two (2) shovels for the price of one (1), therefore he too would recommend they receive the bid.

Commissioner Cox asked if they were low bidder and Mr. Evans replied no.

Commissioner Willner said he operated both gradalls and his recommendation is also the bid of Kitchen Machinery, Inc., therefore he would move they be awarded the bid. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: BURDETTE PARK CONCESSION AGREEMENT

President Borries said we have before us today the agreement between Mr. Hugh McGee and Vanderburgh County, concerning the concessions at Burdette Park.

Mr. Tuley said County Attorney David Miller has been working on this with them and he is sure the Agreement presented today is what both the Commissioners and Mr. McGee agreed to and the only change in it concerns the utilities, that the County always pays the utilities, but in this case they will be paid by Mr. McGee, but other than that change it is the same as the Commissioners agreed to prior to this meeting, subject to Mr. McGee's approval.

Commissioner Willner moved the Agreement be approved, as presented. Commissioner Cox seconded the motion. So ordered.

RE: RESOLUTION ON THE COUNTY PARKS AND RECREATION ADVISORY COMMITTEE

President Borries said we have before us the resolution concerning the advisory committee at Burdette Park, however, it states this will be a seven (7) member board and he understands that it will only be a three (3) member board, therefore Paragraph 4 is amended to read as follows.

"The Advisory Committee shall consist of three (3) citizen members appointed by the Commissioners as follows: One (1) member appointed by each member of the Board of County Commissioners. The citizen members shall be appointed and serve without compensation at the pleasure of the respective appointing Commissioner for the duration of the Advisory Committee, the Commissioner who made such original appointment shall appoint a replacement member."

Commissioner Willner moved the Resolution be approved, as amended. Commissioner Cox seconded the motion. So ordered.

Appointments for the Advisory Board:

The following persons were named as the three (3) member advisory board:

Commissioner Willner named Mr. Les Lantaff, R.R. 8 Old Petersburg Road.

Commissioner Cox named Don Henry, 815 Schutte Road.

President Borries named Lisa Bennett, 717 Agathon Drive.

RE: BURDETTE PARK....REQUEST TO APPEAR BEFORE COUNTY COUNCIL ON JUNE 1, 1983

Mr. Mark Tuley submitted the following written request to appear before the County Council at their regular meeting in June. The letter was directed to Alice McBride, Auditor and dated May 31, 1983.

The following transfer is needed to pay the two (2) work release people we have for 16 weeks this summer. They are paid $55.00 per week each. They cannot be paid from our payroll account because taxes would have to be deducted. Work Release people will help us to decrease our payroll cost. This will be a new account for us.

FROM		TO		AMOUNT
145-118	Other EMployees	145-393	Contractural Services	$1,760.00

The next transfer is to cover the cost to replace an office supply cabinet which was damaged during a move to another office and an answering machine which broke.

FROM		TO		AMOUNT
145-260	Office Supplies	145-421	Fur. and Fixtures	$350.00

We are not asking for any additional money on the above transfers. We are going to cover the cost of the expenses with funds already in our current budget.

Thank you for your time and efforts on the above.

Respectfully,
Mark T. Tuley
Burdette Park Manager

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Commissioner Cox asked what they do with the $55.00 they earn and Mr. Tuley replied some of the people pay rent and this helps them to pay it and if some of them have restitution to make, some of the money goes toward that, that some of them get paid nothing because working out there is part of their jail sentence.

Commissioner Willner moved the request to go to County Council be approved. Commissioner Cox seconded the motion. So ordered.

RE: SPECIFICATIONS FOR FOOD AND BEVERAGES AT VANDERBURGH AUDITORIUM

Specifications for food and beverages to be catered at the Vanderburgh Auditorium were submitted for the Commissioners approval or deferral at this time. The specifications were referred to the County Attorney for reviewing and clarification of some of the language in it, with approval or disapproval coming at a later meeting of the Commissioners.

RE: DAVID JONES...COUNTY ATTORNEY

Wheel Tax and Surtax Ordinance:
Mr. Jones distributed two (2) Ordinances to each of the Commissioners, one (1) concerning the Wheel Tax and one (1) concerning the Excise Surtax, and stated he will be appearing before the County Council with these Ordinances tomorrow, June 1st., for perhaps actions by them. There are a number of blanks in the ordinances and the catagories in the individual amounts can vary, except for the minimum amounts. The Council must approve both Ordinances, as they must repeal both, if and when they decide to do so, and it must be approved by July 1st. in order to put these taxes in place for 1984 collection.

Law Suit Against the Sheriff Settled: Mr. Jones said if the Commissioners will recall, there was a law suit against the County and the Sheriff from an inmate who fell out of his bunk, after being arrested and jailed for being drunk. Last week we received a judgment against him from Vanderburgh Superior Court, without having to go to trial, so this has been successfully disposed of.

Commissioner Cox asked if the inmate will have to pay the attorney fees.

Mr. Jones said the only way we can get attorney fees is if we can convince the Judge that it was maliciously or wrecklessly filed. In the event he attempts to file it again then his personal opinion is that perhaps we could recover the attorney fees.

He said the reason we received this judgment so quickly is based upon a very recent Supreme Court Case called Seymour Bank vs. State. The Legislature had recently amended the Tort Claims Act and the Supreme Court finally gave a defendative interpretation which says, in essence, Law Enforcement Officers, even though they may be negligent, are not liable for any damages or injuries, so long as their conduct is within the scope of their duties. The only exceptions are where there is a claim for a false arrest or false imprisonment, but the whole thing has been set at rest in the State of Indiana and he believes this is a good tool for us in the future.

President Borries said regarding the Wheel tax, he has worked with David South, who has prepared a very lengthy report of all the various options for the County Council to consider, looking at everything from the 2% to 10% Excise Surtax, and what that would mean on all classes of vehicles, that the class of the vehicle is specifically related to the price of the vehicle and the year it was purchased. Mr. South also did the same thing on a study worked out on the Wheel Tax that ranges from $5.00 to $40.00 on the trucks over 11,000 pounds. This report will be submitted to the County Council for their viewing and study.

RE: BILL BETHEL....COUNTY HIGHWAY SUPERINTENDENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of May 23 thru 27, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of May 23, thru 27, 1983...report received and filed.

Mr. Bethel reported this past week they had the gradall on Henze Road, Boonville/New Harmony Road, Streuh-HendricksRoad and St. Joe Avenue. The patch crews were on Nolan Road, Seib Road, Green River Road, O'Hara Drive, Woodland Hills, James Avenue, Wildwood Drive, Millersburg Road, Heddon Road, New Harmony Road, Sheridan Drive and Streuh-Hendricks Road. We mowed weeds on St. Joe Avenue, Darmstadt Road, Old Princeton Road, Red Bank Road, Nurrenbern Road, Pollack Avenue, Lynn Road, Old Petersburg Road, Green River Road, Oak Hill Road, Heckel Road, Millersburg Road, Old Henderson Road and Broadway. Graders were on Ridgetop, Myrtle Avenue, Little Schmuck, Wallemeier Road, Old Henderson Road, Green River Road and Baumgart Road. Tree crews were on Old Green River Road all week. Trash crews were on Old Henderson Road, St. Joe Avenue, Old Green River Road and Lynn Road.

Commissioner Cox said she very much enjoyed the flag presentation this past Friday at the Garage and she would also like to compliment Mr. Bethel on the way the grounds are being kept and also the ditch areas around the grounds at the garage, that this is a very good image for the entire county and she is very pleased with it.

Commissioner Willner said he too would like to thank Mr. Bethel and asked him if he would be sending letters to the Kiwanis Club and he replied that yes, he would be.

Commissioner Willner asked Mr. Bethel if he has yet a plan for the coming paving season and he replied he does have and will try to have it completed for submission next week.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Daily Time Sheets: Mr. South submitted the daily time sheets for himself and Dale Willis for the week ending 5-28-83, which was attached to the original report given President Borries.

Summit Place, Section "A": Received on April 18, 1983 and a letter went to Mr. Sam Biggerstaff on May 5, 1983 and his office has received no response as of May 27, 1983.

Approval to Advance Purchase of One Parcel of Land: Commissioner Willner said prior to this meeting the Commissioners did approve the purchase of one (1) parcel of property on the St. Joe Avenue/Schenk Road project. This is on the west side of the road where Mr. Ken Adler is comtemplating a six (6) lot subdivision, and we are purchasing the right-of-way for our St. Joe/Schenk Road intersection in advance of the subdivision going in there and the Area Plan's rezoning of it.

RE: BOB BRENNER.....SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of May 23 thru 27, 1983....report received and filed.

Mr. Guillaum said they have had crews on Hogue Road, Upper Mt. Vernon Road, Orchard Road at Bromm Road, Red Bank Road, Cypress Dale Road, Hillsdale Road, Hitch-Peters Road, Old Henderson Road, Green River Rd, Heckel Road and Oak Hill Road, that these are all shown on the weekly report.

Mr. Guillaum said today they have a crew on St. Joe Avenue, at the fill section that Mr. Willner had discussed with us earlier. We have quite a bit of dirt in that pipe, so they are going to dam it up a little and pump it out and then try to get inside of it.

Mr. Guillaum reported to Mrs. Cox, concerning Crestmont, that they took another look at it and they do have plans to take care of the problem, and they will try to get to it either next week or perhaps the week after.

Employment Changes in the Surveyors Office: Mr. Guillaum said while he is before the Commissioners he would like to explain there are some employment changes to come before us today concering some changes in the Surveyor's office, which includes Surveyor...106 and also Cumulative Bridge...203. These changes are due to the First Avenue Bridge project and the only one of any significant concern would be they did put Gene Kautzman on as Project Engineer because they felt they needed someone full-time out there with full responsibility to take care of what needs to be done. There is only one (1) new employee and that is Jeffrey Mitchell, who will be a Rodman. What it amounts to is everyone has been stepped up one (1) notch, since Mr. Kautzman stepped into the new slot created for a Project Engineer, in the amount of $18,000.00.

Commissioner Cox asked Mr. Guillaum how many people out of his office will be assigned to the first Avenue Bridge project and he replied probably all of them....eventually, that we will be working double shifts so that we will be out there when the contractors are out there. Mr. Kautzman will be the Project Engineer in charge and he will have one (1) or possibly two (2) Inspectors helping him.

Commissioner Willner asked if we have a firm time on when Barnett will be closing the road and Mr. Guillaum said we have nothing definite, but it looks like around the 10th or 13th of June. SIGECO is off the bridge, the water company is moving their lines and the phone company is the big thing right now, but things are progressing.

RE: ORDINANCE AMENDING COUNTY ZONING CODE - THIRD READING

An Ordinance amending the Vanderburgh County Zoning Code, Chapter 153 of Title XV of the Code of Ordinances of Vanderburgh County came before the Board of County Commissioners on May 16, 1983 for First Reading and was approved for advertisement in the Evansville Courier and Evansville Press on May 19 and 26, 1983 and is now back for final hearing. The Ordinance has gone before and been approved by City Council.

Commissioner Cox moved the Ordinance Amending the Vanderburgh County Zoning Code, be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM SOUTHERN RAILWAY SYSTEM

The following letter was received from the Southern Railway System, dated May 23, 1983 and directed to the Board of County Commissioners.

Dear Mr. Borries:

Reference to your letter of April 11, 1983, to Southern Railway's Division Engineer, Mr. Craig H. Groce, concerning request for removal of Southern Railway overpasses over West Boonville - New Harmony Road, near Southern Railway Milepost - 150.5-PC and Milepost 150.9-PC.

It pleases me to advise you that Southern Railway, in the interest of improving public safety of the motorists using West Boonville - New Harmony Road, is agreeable to the removal of these structures, provided expense of removal is borne by those other than Southern Railway.

Please contact Mr. David E. Gray, with our State of Indiana Division Counsel in Evansville, to work out the details of the removal.

Sincerely,
O.G. Mills
Superintendent

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Letter received and filed.

RE: DISCUSSION OF WHEEL TAX AND EXCISE SURTAX

Mr. David South distributed to each of the Commissioners a report of approximately forty (40) pages concerning the Wheel Tax and the Excise Surtax, and stated he intends to present this same document to the County Council tomorrow at their meeting. He would like some direction from the Commissioners as to how many more copies he should make available. Also presented was the following document by Mr. South.

WHEEL TAX AND EXCISE SURTAX...LOCAL ROAD AND STREETS...Projects vs. Projected Income

In order to make projections and recommendations one must make assumptions. The basic assumptions used in this report are:

1. Part of total highway revenue must be used to make long lasting improvements.

In the past this has generally been done by using Local Road and Street Funds for major projects, usually matching Federal Aid Funds.

2. There will be no increase in Highway revenue at the local level in the near future.

The only way for highway revenue to increase, at present, is for the cost of gasoline to raise high enough to trigger a higher gas tax at the pump. The County would then receive a part of this. I doubt that the increase in gas tax will offset the increase of cost due to inflation over the next year or so.

3. The State "Will Not" pass any new tax laws to aid local highway departments.

The wheel tax and excise tax passed in 1980 gave the local people the power to tax vehicles to raise funds for their highway system. It is unlikely that any new tax will be added in the near future with States election next year.

4. All interest earned from the funds in LRS account will be returned to LRS account.

Presently the account has a cash balance of approximately $2 million dollars and has not received any money for the past two years.

The county highway share of the new tax could be approximately $410,000.00. See Appendix "A" for recommended tax rates. How does this relate to existing and future Local Road and Street project: To answer this question I have made a series of computer runs starting with all current LRS projects with their projected cost. It is also assumed that necessary Federal Funds will be available when needed. (This report does not cover the status of Federal Funds).

The summary of the results are:

1. All new funds (100%) will go for LRS Projects.

Using the $4 million free loan to balance out 1986 and 1987 there would be a shortfall of some $600,000.00 in 1988. This projection includes all current projects as shown in the current TIP report.

2. Cancelling Eichoff Road Project.

Cancel (or not starting) this project would allow all other projects to continue and the annual balances to remain in the black.

3. If the new funds were to go 50/50 (50% for maintenance, 50% LRS)

In addition to above, the following projects would have to be dropped to keep the account in the black:

Pollack Avenue Improvement
Burkhardt Road Improvement

4. If no wheel tax and surtax is added?

The result of Step 3 would be over $2.3 million in the red by the end of 1986.

5. Cancel all LRS projects except Lynch Road Extension and Covert Avenue.

The projection still indicates a shortage at the end of 1986 of 1.1 million dollars.

CONCLUSION: The bottom line appears to be that without added highway funding either Lynch Road Extension or Covert Avenue Extension cannot be completed.

The order in which projects were dropped was the judgement of this office. If you prefer to see projects dropped in a different order, please advise. However, the bottom line still remains the same.

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Mr. South said attached to the above report is his recommended rates.

President Borries complimented Mr. South on all the hard work involved in getting these reports together and he told him he really appreciated everything done on it.

It was decided Mr. South should run copies of the reports for each of the seven (7) County Councilmembers, one (1) for the Town of Darmstadt, one (1) for the City of Evansville and two (2) for the news media to review, at their pleasure.

Meeting Concerning Matters With Engineer Associates: President Borries said in looking back into last weeks minutes he thought the understanding was that there was to be an Executive Session at 4:30 this evening, but the minutes do not state that it is to be an Executive Session and such Session was not properly advertised.

It was decided that since the meeting was set for 4:30 today to meet with Mr. South and it was done so at a regular meeting of the County Commissioners, that the meeting will take place, as planned, that the news media is aware that it concerns Engineer Associates.

President Borries said he would like to thank Mr. South once again for his hard work and wishes him success in his future endeavors, that he appreciates the work done for Vanderburgh County.

Mr. South said it looks like this is going to be an exciting week to try to wrap things u so perhaps he could get on the top of the agenda next Monday, since he will be in town, getting moved, so that if anything develops this week, he can report on it next week on his way out.

President Borries said concerning a replacement for Mr. South, several persons have expressed interest, however, one individual would be unable to start until the fall, so that may cause us to alter some plans or at least seek a temporary replacement to continue the ongoing activities and perhaps Mr. South could give this person a brief update on the statis of where things stand right now.

RE: LETTER FROM BONNIE BRILL OF PLAZA PARK SCHOOL P.T.A.

President Borries read aloud the following letter from Bonnie Brill, dated May 19, 1983 and directed to President Richard Borries.

RE: Sidewalks on Outer Lincoln - Plaza Park School

Dear Mr. Borries:

Your return letter of April 22nd and enclosed minutes certainly helped my concerns on the sidewalk situation at Plaza. I hope by this time Mr. David South has ascertained how much it will indeed cost and the Commissioners are nearing a decision.

I know you are aware of the continued hazard for our children crossing at Martin Lane and Lincoln. This problem will take care of itself as school lets out next month and hopefully the sidewalks will be in place for next year. I hope this is a realistic assumption? In any case I do urge you to make the sidewalks a reality before school starts up again in the fall and before any mishap should occur.

I would like to thank each of you in advance for taking the time on this matter. Also, please feel free to call on me at any time if there is anything at all I personally could do to expedite construction of the sidewalks. As pertinent information develops please keep me informed.

Sincerely,
Bonnie Brill (Mrs)
Health and Safety Chairman
Plaza Park P.T.A.

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President Borries said that Mr. Lee Stucki, from the County Highway Department has contacted each of the effected property owners, that he has talked to them personally or by phone contact.

Commissioner Willner said the property owners did want some firm figures and Mr. Stucki has contacted three (3) contractors and he was last informed that one (1) of those contractors have submitted a price and we are presently waiting for the other two (2) to submit prices.

RE: MONTHLY REPORT FROM BUILDING COMMISSION

Received and filed was the monthly report of the Building Commission on permits issued for the month of April, 1983.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was received for Joe Louis Gladney for a closed circuit television broadcast of Holmes vs. Witherspoon, on May 20, 1983.

A certificate of insurance was received for Evansville Black Expo for a beauty pageant on June 19, 1983.

Certificates received and filed.

RE: PLANS AND SPECIFICATIONS FOR BANK PROTECTION ON OHIO RIVER

Submitted by the Department of the Army Corps of Engineers was the following letter dated May 23, 1983 and directed to the Board of County Commissioners of Vanderburgh County.

Dear Mr. Borries:

Enclosed are two sets of plans and specifications for the Bank Protection Project located on the Ohio River along Old Henderson Road in Vanderburgh County, Indiana. The plans and specifications are scheduled to be issued for bids as soon as right-of-entry has been obtained.

Should you have any questions concerning the project, please contact me at (502) 582-5702.

Sincerely,
Noah M. Whittle
Chief, Engineering Division

President Borries said he understands there is a meeting set up but he does not know when or where.
Commissioner Willner said concerning this letter we received totay on Old Henderson Road he believes Mrs. Cox has talked to all the effected property owners.

Commissioner Cox said she contacted Blakely, who owns the majority of the property in the area down there, and she also talked to several of the farmers who live in the area but some of the owners have deceased and the property is in the hands of relatives that she could not contact, but from all indications there will be no problems whatsoever because this will only improve and keep their land from eroding, so there is no anticipated problems with obtaining the right-of-ways. Mr. Blakely told her he also received a letter from the Corps, so she would imagine everyone else has also. She also informed him that if the county had to purchase this right-of-way that we had absolutely no funds to do it with.

RE: CLAIMS

A claim was submitted for the Vanderburgh County Soil and Water Conservation District for the second half of the 1983 budget, in the amount of $970.00.

Commissioner Willner moved it be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency for comprehensive general liability for the County Highway, in the amount of $30,114.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for the Clerk of Circuit Court for filing fees in regards to the law suit concerning Ann Gray for failing to pay rental fee to the Vanderburgh County Auditorium and the amount she failed to pay is $185.40.

The claim was referred to Commissioner Cox for further clarification, that she said she would check it out and report back.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PROSECUTOR

Mark Anthony Foster		Dep. Pros.	$16,000.00 Yr.	Eff: 6-6-83

PIGEON TOWNSHIP TRUSTEE

Carol Robbins	1249 E. Illinois St.	Clerk	$11,000.00 Yr.	Eff: 5-26-83

LEGAL AID SOCIETY

Barton A. Bates	1171 Lincoln Pk.Dr.	Exec. Director	$15,083.00 Yr.	Eff: 6-1-83

CUMULATIVE BRIDGE FUND

Gene Kautzman	118 E. Chandler	Proj. Engineer	$18,000.00 Yr.	Eff: 5-21-83
Jeffrey Mitchell	1928 S. Bosse Ave.	Proj. Engineer	$13,692.00 Yr.	Eff: 5-18-83
Tom Goodman	1918 Eastland Drive	Superintendent	$15,293.00 Yr.	Eff: 5-21-83
Dan Tuley	1524 S. St. James	Laborer	$13,692.00 Yr.	Eff: 5-21-83

BURDETTE PARK

Lynn Meyer	917 Varsity Drive	Part-time	$30.00 Day	Eff: 5-19-83
Jennifer Oberhausen	4218 Tremont Road	Ground Crew	$4.00 Hour	Eff: 5-16-83
Jane Hutchinson	2026 W. Michigan St.	Ground Crew	$4.00 Hour	Eff: 5-19-83
Laura Hutchinson	2026 W. Michigan St.	Ground Crew	$3.50 Hour	Eff: 5-23-83

SURVEYOR

Jerry Oshner	706 Court Street	Instrument Man	$14,905.00 Yr.	Eff: 5-21-83
Jeffrey Mitchell	1928 S. Bosse Ave.	Rodman	$13,692.00 Yr.	Eff: 5-21-83

APPOINTMENTS CONTINUED:

CIRCUIT COURT

Stephen A. Markey	3514 Bellemeade Ave.	Spec. Intern	$3.35 Hour	Eff: 5-23-83
Shawn E. DeVoy	1400 S. Grand Ave.	Spec. Intern	$3.35 Hour	Eff: 5-23-83
Paul N. Aarstad	626 S. Norman Ave.	Spec. Intern	$140.00 Week	Eff: 5-23-83

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH COUNTY AUDITORIUM AND CONVENTION CENTER

Gail A. Pinkston	4586 Spring Valley	Sec/Bookkeeper	$10,210.00 Yr.	Eff: 6-10-83
A. Conrad Cooper	1000 E. Blackford	Manager	$21,844.00 Yr.	Eff: 6-10-83

PIGEON TOWNSHIP TRUSTEE

Marie C. Evans	714 Jefferson	Clerk	$11,000.00 Yr.	Eff: 5-21-83

SURVEYOR

Dan Tuley	1524 S. St. James	Rodman	$13,692.00 Yr.	Eff: 5-20-83
Tom Goodman	1918 Eastland Dr.	Inst. Man	$14,905.00 Yr.	Eff: 5-20-83

BURDETTE PARK

Cynthia Lilly	2601 Magnolia Dr.	Reg. Guard	$3.50 Hour	Eff: 5-24-83
Janice Dixon	920 Harmony Way	Reg. Guard	$3.50 Hour	Eff: 5-24-83
Lori Sinclair	613 Waldon Lane	Reg. Guard	$3.50 Hour	Eff: 5-24-83

CUMULATIVE BRIDGE FUND

Gene Kautzman	118 E. Chandler	Superintendent	$15,293.00 Yr.	Eff: 5-20-83
Jeffrey Mitchell	1928 S. Bosse Ave.	Proj. Engineer	$13,692.00 Yr.	Eff: 5-21-83
Jerry Oshner	706 Court Street	Laborer	$13,692.00 Yr.	Eff: 5-21-83

LEGAL AID SOCIETY

Autumn Newsome	24 Oak Meadows	Staff Attorney	$11,474.00 Yr.	Eff: 5-20-83
Michelle A. Link	1900 E. Blackford	Executive Dir.	$15,083.00 Yr.	Eff: 6-1-83

CIRCUIT COURT

Paul N. Aarstad	626 S. Norman	Spec. Intern	$3.35 Hour	Eff: 5-20-83
Geroge Morgan	309 Springhaven Dr.	Spec. Intern	$3.35 Hour	Eff: 5-20-83
Tamara M. Jones	2210 Sunburst Blvd.	Spec. Intern	$3.35 Hour	Eff: 5-20-83
Laura A. Schmitt	R.R. 2 Wadesville, In.	Spec. Intern	$3.35 Hour	Eff: 5-20-83

RE: PROBLEM CONCERNING THE OLD UNION TOWNSHIP ELEMENTARY SCHOOL AREA

Commissioner Cox said she has expressed concern on this matter before and she would like to bring it up again and get something done in the old Union Township Elementary School area at the corner of Graff Road and Cypress Dale Road. The last time she brought the matter up she asked if there was something we could do to declare it a public nuisance and there was a question on whether or not we could do that. She has received several telephone calls concerning this and just this morning she went out there and looked it over again and there was a dead animal (a hog) out there with live animals eating from it. There are abandoned cars out there and trash and debris all over and it is a terrible eyesore to the entire area and she feels it also creates a health hazard and it definitely should be cleaned up. She said at one time there was a bus there and it looked like people were living in it but she could not detect anyone being there this morning.

Commissioner Willner asked if this is owned by the School Corporation and Commissioner Cox said they never did own it, that it was seminary land, but the property has been sold and she is not certain who owns it right now.

Ms. Bev Behme, from the Area Plan Commission, was present and stated they have a file on it and it still belongs to a Mr. Biggerstaff.

Commissioner Willner said he would like for Jim Lewis to contact Mr. Jesse Crooks and move with all haste on it because the last time he was out there it was really pitiful.

RE: SCHEDULED MEETINGS

President Borries said we definitely need to meet with Mr. South in regards to matters with Engineers Associates and if there is any misunderstanding he will take full responsibility for it, so the Commissioners will be meeting with him immediately following this regular meeting.

Mr. Jones said he believes in view of the fact that David South is leaving, we don't have many opportunities to work on a settlement, therefore he would consider this an emergency.

President Borries said there will also be a meeting with the County Council tomorrow at 1:00 p.m. to discuss the Wheel Tax and Excise Surtax proposed legislation. This will be before the Council's regular meeting at 2:30 p.m.

There being no further business, President Borries declared the meeting recessed at 4:20 p.m.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 6, 1983

The meeting of the County Commissioners was held on Monday, June 6, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding. This being the first meeting of the month it was officiall opened by Sheriff Shepard.
The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading of them dispensed with.

RE: BROWNING-FERRIS - REQUEST TO INSTALL GATE ON LAUBSCHER ROAD

Mr. Berl Mayfield, landfill superintendent at the Browning-Ferris Landfill was present and stated they would like to install a gate at Laubscher Road because of several reasons, that they are having a lot of thefts, vandalism, and illegal dumping. They have also had a lot of shooting to go on in the area on the week ends and late in the afternoon hours. They recently had a twelve gauge shot gun slug shot into their scale house, which contains thousands of dollars worth of scale equipment. Last summer they had a large amount of tools stolen and they feel like a little more security might help the situation. They personally maintain the road, however, the county does maintain the ditches along side the road. There is no other business or any homes along the road, only farm land. They have talked to everyone, except one (1) who owns land along there and they have no objections to a gate going up out there, if the county will give permission.

Commissioner Cox asked where the gate would be located and Mr. Mayfield said it would be somewhere close to St. Joe Avenue..on Laubscher Road. She asked Mr. Mayfield who would be paying for the gate and the installation and he replied Browning-Ferris would.

Commissioner Willner moved the Commissioner ask the County Attorney to check into the legal aspect of this, that it would constitute a road closing and he does not know if this can legally be done this way, and report back next week.

County Attorney Miller asked Mr. Mayfield if there is anything, other than the landfill, beyond where they propose to intall the gate and he replied no other businesses or homes, only farm land.

The matter was referred to Mr. Miller to report back on next week.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

CLAIMS: Mr. South submitted the following claims for the Commissioner's approval:

A claim for Sebree, Craig & McKneight, Inc. for engineering and environmental services on the Lynch Road Extension, in the amount of $7,155.04.

A claim for Morley and Associates for services rendered on the Burkhardt Road Improvement project, in the amount of $2,145.52.

Mr. South said both of the above claims are in order and he would recommend payment and claims will have to be filed in order to get reimbursement to the county on them.

Commissioner Cox moved both of the above claims be approved for payment. Commissioner Willner seconded the motion. So ordered.

A claim was submitted for the State of Indiana, in the amount of $102.62 for interest due to Deig Brothers Lumber and Construction Company, with the following letter attached, from the State, dated March 10, 1983.

RE: Project M-E185(2), Contract R-12628,
Invoice #6967

Dear Commissioners:

Please find enclosed a copy of a claim voucher submitted by Deig Brothers Lumber and Construction Co., Inc. This claim is for the payment of interest in the amount of $102.62, on the contract referenced above. Also, enclosed is an Indiana Department of Highways' claim submitted to your county for payment of said interest.

Pursuant to the conditions of the agreement between the State of Indiana and Vanderburgh County, the county is responsible for the payment of this interest. Therefore, I respectfully request that the enclosed Indiana Department of Highway's claim be placed in line for payment.

Sincerely,
Steven L. Springston
Accounts Receivable Supervisor

Mr. South said this claim is in regards to Lynch Road and the days for which the interest is due is from May 4, 1982 thru May 19, 1982, and is 6% for those fifteen (15) days. He would say the claim is legitimate and should be paid, that one of the things in our contract with the state was that if they incur any extra expenses, we have to pick it up. We did not receive this claim until March of 1983. We did this same thing on St. Joe and it was for about $600.00, so at least this one isn't that high.

Commissioner Cox said since the claim was so late will we owe interest for that period and Mr. South said not to the State, but the state paid Deig off on May 19, 1982, and this is reimbursing the state for that payment to Deig.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the Indiana Department of Highways for final payment for Project RRP-9982(2), in accordance with the agreement between the State of Indiana and Vanderburgh County, signed and dated October 10, 1979, computes as follows:

Total Project Cost.....	$30,157.56
Less: Fed. Participation....	27,141.79
Balance Due	$ 3,015.77

Mr. South said the above claim is our share of the improvements of the railroad crossing, project RRP-9982(2), and it amounts to 10% of the bill. He said this claim needs to be paid by the county and at the same time a claim should be filed to the Public Service Commission for reimbursement to Vanderburgh County.

Commissioner Cox asked who should file this claim with the Public Service Commission and Mr. South said in the past he has done all these filings.
Commissioner Cox said this then would be one of the first things for the County Engineer taking Mr. South's place, to do.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Mr. South said this wraps up any new items and once again he will extend the same offer to the Commissioners as he has said in the past, that if in the near future there are any problems, he will be happy to talk about coming back to help out on a daily basis, or whatever is necessary, that he is not leaving with the intent of leaving any work undone and he will do everything he can to see that things continue to function very smoothly.

President Borries thanked Mr. South for all his hard work for Vanderburgh County and for all the charts and the help concerning the wheel tax and surtax. He also appreciates Mr. Souths' offer to come back and help out, as needed.

President Borries said he would also like to announce that the Commissioners have asked, and Mr. Andy Easley has agreed, to serve as acting County Highway Engineer, on a full time basis, until the position can be filled with a permanent Engineer. Mr. South still has a week of vacation coming from the county and Mr. Easley cannot be put on the payroll until the time period allows it.

RE: TREASURER'S FINANCIAL REPORT

Submitted by the County Treasurer, Lewis F. Volpe, dated June 1, 1983, was the following financial report.

TO: COUNTY COUNCIL
COUNTY COMMISSIONERS

Interest has been receipted as follows:

COUNTY REVENUE	$220,365.10
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	3,897.54
CONGRESSIONAL SCHOOL	11.00
	$226,621.56

Treasurer's Report Continues

Outstanding investments are:

1. Certificate of Deposit, $500,000, dated December 29, 1982, due July 6, 1983. Estimated income $22,500.00. Rate 8.65%.

2. Investments, $8,000,000, dated April 12, 1983, due June 28, 1983. Estimated income $137,000.00. Rate 8.05%.

3. Investments $8,000,000, dated May 11, 1983, due June 28, 1983. Estimated income $83,700.00. Rate 7.85%.

4. Repo, $900,000, dated May 11, 1983, due June 6, 1983. Estimated income $5,037.50. Rate 7.75%.

5. Repo, $900,000, dated May 11, 1983, due June 13, 1983. Estimated income $6,476.25. Rate 7.85%.

6. Repo, $900,000, dated May 11, 1983, due June 20, 1983. Estimated income $7,850.00. Rate 7.85%.

7. Investments, $3,000,000, dated May 16, 1983, due June 28, 1983. Estimated income $28,400.00. Rate 7.95%.

8. Repo, $900,000, dated May 16, 1983, due June 16, 1983. Estimated income $6,161.25. Rate 7.95%.

9. Repo, $900,000, dated May 17, 1983, due June 13, 1983. Estimated income $5,366.25. Rate 7.95%.

10. Repo, $900,000, dated May 20, 1983, due June 13, 1983. Estimated income $4,740.00. Rate 7.90%.

11. Repo, $900,000, dated May 23, 1983, due June 13, 1983. Estimated income $3,937.50. Rate 7.50%.

12. Investments $3,000,000, dated May 25, 1983, due June 28, 1983. Estimated income $22,800.00. Rate 8.05%.

Total estimated income: $333,968.75

It appears that receipts into the County Revenue Fund will produce a surplus of at least $200,000 during the current year if the Council and Commissioners decide to use it for that purpose.

Yours truly,
Lewis F. Volpe
Vanderburgh County Treasurer

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RE: COUNTY ATTORNEY - DAVID MILLER

Mr. Miller submitted the following form letter, concerning the sidewalks on Lincoln Avenue, which has been a topic of discussion for several months, and asked for the Commissioners approval that each involved person receive one from Mr. Lee Stucki, who is doing the leg work on the project.

LETTER OF INTENT

The undersigned, _____ and _____being the owners of real estate at the following address: _____, hereby acknowlege that the said real estate is immediately adjacent to a portion of Lincoln Avenue in Vanderburgh County, Indiana, upon which no pedestrian sidewalks presently exist.

In consideration for the County of Vanderburgh, Indiana, withholding the assessment of the undersigned owners under the Indiana Barrett Law, said owners hereby agree and commit themselves to cause the construction of a pedestrian sidewalk along the south

Letter of Intent Continues:

boundary of their above-specified property immediately adjacent to Lincoln Avenue, which pedestrian sidewalk shall be five feet (5') wide, including the curb which is presently in place, and which sidewalk shall be constructed of concrete which is at least five inches (5") in thickness.

The undersigned agree to initiate such construction on or before July 1, 1983, and to cause the completion of such construction on or before August 13, 1983. In the making of this agreement, the undersigned acknowledge that they are personally bound to Vanderburgh County, Indiana, for any damages or costs incurred by Vanderburgh County, Indiana, by reason of the failure of the undersinged to comply with this agreement, and that in the event the undersigned causes the real estate which is the subject of this agreement to be sold or transferred, a condition of such sale of transfer will be the agreement by the new owners to comply with the provisions of this letter of intent.

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Commissioner Willner moved the Letter of Intent be approved, as presented. Commissioner Cox seconded the motion. So ordered.

RE: DISCUSSION CONCERNING THE FINANCIAL STATEMENT SUBMITTED BY THE TREASURER

County Auditor, Alice McBride, informed the Commissioners that concerning the $200,000.00, as stated in Mr. Volpe's financial statement, that she believes he is waiting for some direction from this Board as to what he can do with it, and she is certain the County Council is waiting for an answer, before their June 20th special meeting.

Commissioner Cox asked when this $200,000.00 will be available and Mrs. McBride said it is an estimate and she will add it to the General Fund, if the Commissioners approve it, that this is just like the $900,000.00, that we don't have it yet either, but she puts it in the General Fund also, at budget time.

Commissioner Cox said why do we have to decide that now and Mrs. McBride said if you decide to do this before the next council meeting, then she can go ahead and put it in the General Fund.

Commissioner Cox said you mean you add it before we get it and Mrs. McBride said yes, that is how she did the $900,000.00 also, that we have to estimate for the year, but you estimate low.

Commissioner Cox asked Mrs. McBride about some new information she was to receive on revenue on other things she had estimated low on and she replied yes, however she will not receive this information until the first of July.

Commissioner Cox said then could we not wait to make a decision on this because we are concerned about our Roads and Streets Fund and maintenance program, etc.

Mrs. McBride said the General Fund is nearly depleted and you would not have to put the entire $200,000.00 in there, however, the Council needs a little to work with.

Commissioner Willner said since the Council isn't meeting until June 20th, he would like the decision be deferred for one (1) week and give the Commissioners a little time to discuss the matter.

President Borries said before the Council meets again, he would also like for the Commissioners to give thought to any proposal that needs to be sent to the Council in regards to the proposed wheel tax, so that the Council could consider any recommendation the Commissioners might have.

RE: REVISED SPECIFICATIONS FOR CATERING SERVICE AT VANDERBURGH AUDITORIUM

Mr. Miller said he has a transmittal from David Jones, proposing the revised specifications for bids for catering services at the Vanderburgh Auditorium and he would suggest they be referred to the Auditorium Manager, for their evaluation and letting of bids.

The specifications were taken under advisement for a period of study for a couple of weeks.

President Borries said the Auditorium, at the present time, does not have a Manager or a Secretary, that Mr. Conrad Cooper and Ms. Gail Pinkston still have vacation time coming, therefore those positions cannot be filled until their paid time is up. He would also report that the Commissioners have contacted Mr. Carl Wallace, who has worked in the Veterans Service Office, and asked him if he would spend the week over at the Auditorium and he agreed to serve in that capacity. We hope to be able to make announcement of replacements at the Auditorium at our next weekly meeting.

President Borries said also concerning the Auditorium, he would report the Council has been supplied with a rather lengthy list of depleted accounts, and there are going to have to be some serious decisions made in regards to the Auditorium. He was pleased to see that a $50,000.00 grant was approved through the Department of Metropolitan Development, through the city, and it could be used to either install an elevator or a rest room facility for the handicapped at the Auditorium.

Commissioner Cox said she would like to recommend the Commissioners form a study committee of community leaders and perhaps representatives of the Chamber of Commerce, people who are active in development, and have them study and make recommendations to this Board for capital improvements.

Commissioner Willner said he will agree that such a committee could be formed, however, he would ask that it be deferred for a couple of weeks, because he is making certain studies on the Auditorium and he would like to have time to complete them.

RE: BILL BETHEL.....COUNTY HIGHWAY GARAGE

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report for the employees at the county garage for the period of May 30 thru June 3, 1983.

President Borries questioned the following names that showed them as being merely off.

J. Crawford.....Off on Tuesday May 31, 1983
H. Steckler.....Off on Thursday June 2, 1983
B. Boring.....Off on Friday June 3, 1983

Mr. Bethel amended the report to read as follows:

J. Crawford.....Personal
H. Steckler.....Sick
B. Boring.....Sick

Report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of May 30 thru June 3, 1983....received and filed.

Mr. Bethel reported during the past week he had the gradall working on Ward Road and Eichoff Road. Patch crews were on Smith-Diamond, Volkman Road, Baseline Road, Schroeder Road and West Franklin. They mowed Old State Road, Boonville/New Harmony Road, Upper Mt. Vernon, Hogue Road, Koressel Road, Old Boonville Highway, Telephone Road and Baseline Road. Trash crews were on Burkhardt Road, Green River Road, South Weinbach Avenue and Lynn Road. Our graders were on Hickory Ridge, Seminary Road, South Weinbach, Cypress-Dale Road, Old Green River Road, River Road and Waterworks Road. They had the backhoe out at the orphanage doing some work also. The tree crew worked on Denzer Road.

Bids on Sidewalks on Lincoln Avenue: Mr. Bethel submitted the following three (3) bids in regards to the sidewalks on Lincoln Avenue, as requested by the Commissioners and Mr. Lee Stucki.

BID #1) KEY CONSTRUCTION COMPANY, INC.

For the sum of $5,100.00 we propose to furnish all labor and material to install approximately 568 lineal feet of city sidewalk on outer Lincoln Avenue, between the streets of Audubon and Mead, across from Plaza School on the north side of Lincoln Ave.

Walks include necessary excavation and grading of disturbed areas after installation of new walks. All walks to be installed as per City of Evansville specifications.

Robert Loehrlein
KEY CONSTRUCTION CO. INC.

BID #2) DEIG BROTHERS LUMBER AND CONSTRUCTION CO., INC.

We propose to furnish the necessary labor and materials to install 5 ft. wide, 5 inches thick concrete walks along the north side of Outer Lincoln Avenue, from Audubon Drive to the west side of Meade.

We will remove the necessary dirt and haul from the site.

For this work, we ask the sum of $4,685.00

Dick Hartmann
DEIG BROS. LUMBER & CONSTRUCTION CO., INC.

BID #3 INDUSTRIAL CONTRACTORS, INC.

We appreciate the opportunity to quote on the sidewalk between Audubon Drive and Meade.

We have figured the cost to excavate for the sidewalk, place the walk per city standards, backfill and seed any disturbed areas along the walk.

This walk will run along the north side of Lincoln Ave. from the east side of Audubon Drive to the west side of Meade. This walk would be constructed 5' wide.

Our price for this work complete is.....$16,200.00.

Rocky May
INDUSTRIAL CONTRACTORS, INC.

Commissioner Cox asked if the above bids would cover the sidewalks for the entire area and Mr. Bethel replied yes.

The bids were taken under advisement and Mr. Bethel was instructed to continue working on the matter and keep the Board informed of any changes, after Mr. Stucki has talked to the property owners.

RE: BARBARA CUNNINGHAM...AREA PLAN COMMISSION WITH 1983 COMPREHENSIVE DEV. PLAN

Mrs. Barbara Cunningham, director of the Area Plan Commission was present and stated she has with her today, Ms. Kathy Spiegel, a free intern working in her office, who at this time distributed copies of the 1983 Comprehensive Plan to each of the Board members. Also present today is Mr. Chris Forny and Mr. Joe Ballard, both who have worked very hard on this plan. She said today the APC is presenting a draft of the 1983 Comprehensive Plan, for the Commissioners review over the next month. This will serve as an update of the 1979 Comprehensive Plan that was adopted by both the Board of County Commissioners and the City Council. Federal, State and local regulations require the existance of this plan. The Comprehensive Plan is the statement of goals and policies revolving around development issues. It deals with both the city and county and it addresses all functional components of development, transportation, housing, land uses, etc. It serves as a guide for growth and development in both public and private sector. It recommends how and where growth development should occur. As a reflection of public opinion it should be a coordinating document that serves as a guide for all other plans. It presents the unified picture of local government's long and short range policies to persons concerned with development of the community. It is a reflection of what the community desires to be and it is a basis for orderly growth. The Comprehensive Plan is a policy development that reflects the changing needs of the community. Its statement of policy establishes a community position in advance of conflict or controversy. It demands involvement of public officials and this statement of policy aids them in decision making. This plan is an ongoing plan and therefore should not become obsolete. It is the concensus of what is best for the community to enable a plan for the future. It is a long range physical development plan and we don't want it to be confused with the other type plans, it should not be a social service delivery plan, but a long range physical development plan and revolve around how, why, when and where, to rebuild, build or preserve areas of the city or county. It is anticipated by the Area Plan Commission staff that the ten (10) township public hearings will be completed in June. They start tomorrow at Cynthia Heights School and then on June 8th. they will be at Hebron School, and these hearings will continue throughout the month of June and she sees no reason why the hearings cannot all be completed by the end of June. After that time, revisions from these public hearings, if there are any to be made, will be made at that time and the Comprehensive Plan will then return to the Area Plan Commission, where it was last Wednesday, City Council and County Commissioners, for further discussion, input, public hearing, and adoption or further revision. After the Commissioners have had an opportunity to review the contents of this plan the Area Plan Commission looks forward to your valued input and they hope this plan will become a useful tool for both the community and the legislative body. They will be willing to meet with the Commissioners anytime after the township hearings to discuss any input in the plan.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Chief Deputy Surveyor David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of May 30 thru June 3, 1983.....report received and filed.

Mr. Guillaum said as reflected on the weekly report their crews have been on Marx Road, St. Joe Road, Hitch and Peters Road and Hillview Drive.

Claim: Mr. Guillaum submitted the following blue claim for approval from the Board of Commissioners:

Barnett Brothers, Inc., in the amount of $150,583.38 which is billing #1 in the amount of $167,314.87, less 10% retainage in the amount of $16,731.49, for the amount shown due of $150,583.38. The claim is signed by Robert Brenner, County Surveyor, who recommends approval.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner asked if there is any indication of a closing date yet and Mr. Guillaum said they are shooting for the 13th. of June, however, he would not want to come right out and say absolutely that is the day, because something could occur. They had a meeting this morning with Deig Brothers and the Corps of Engineers and he believes any coordination problems was worked out, in regards to the closing of the road.

Historical Placques From Old Bridge: President Borries said he has received several calls concerning the old plates taken from the old structure on First Avenue and we now have two (2) of them in our possession, and hopefully there is another set. One of the people who contacted him has a family members name on one of the plates and they requested permission to take the plaque, however, he has a problem with that because he assumes if it came from the old bridge then it is county property. He also checked with the Vanderburgh Historical Society and they suggested these two (2) plates plus the other set be put on the new bridge when construction is complete. He asked Mr. Guillaum to please keep this set of plates in the possession of the Surveyor's office and to contact Barnett Brothers and see if they have the other ones.

Mr. Guillaum said he would check into the other plates and if the Commissioners so desire he will see they are all placed on the new bridge.

All the Commissioners agreed.

Contractor's Bond For Construction (Barnett Brothers) Mr. Guillaum said his office received a contractor's bond for Barnett Brothers in regards to the construction and completion of the First Avenue Bridge and at this time he submitted it to the County Auditor to be properly filed with Barnett's bid.

Baseline and Petersburg Road Project: Mr. Guillaum reported the contractor is moving on the Baseline and Petersburg Road project, however, he is not sure when the road will be closed, that he will keep the Board informed of changes as they occur.

Hirsch Road Project: Mr. Guillaum reported the last word he received, which was about a week ago was that Deig Brothers was going to begin the dirt work on it this week, weather permitting.

Commissioner Willner asked Mr. Guillaum to please contact Deig and tell them we would like to get that completed at the earliest date possible.

Crestmont Road Project: Mr. Guillaum reported that in regards to Crestmont, that they have started on it, that work started last Friday, that they have riprapped the end, that he believes one of the property owners wants a poured headwall.

Commissioner Cox said she understands that when the new culvert was installed out there that they tore down the headwall and they have had many problems since that time and they feel like the only solution is to put the concrete back in there, because the water really rushes down there and continues to wash away.

Mr. Guillaum stated they have attempted to try to solve the problem the cheapest way possible by putting in the riprap and pouring some concrete around it and if this does not work then we can pour the headwall, that it will be rather expensive, however, he does understand there is quite a bit of rushing water, so they will continue to work on the problem.

St. Joe Avenue Project: Commissioner Willner said he sees where work has been started on the problem out on St. Joe Avenue, that guardrail has been installed.

Mr. Guillaum said there are some problems out there, that there are a couple hundred feet of pipe altogether and one of our men crawled in there some 100' and found it is totally packed with mud and debris, so they feel like the best solution would be to open it on the west end and then come in with a jet flusher truck, which belongs to the city, and clean it completely out, and they will try to borrow that truck this week or next.

Complaint Received Concerning Improper Barricades on Marx Road/New Harmony Road:
Commissioner Cox said she has received a call from a concerned resident out in the Marx Road, Church Road, New Harmony Road area, that they felt like the roads were not properly marked while work was being done out there, in order to keep traffic out of the area. They said the piece of machinery was parked across the road and since it is rather curvy in the area they were afraid someone would go by the barricades, which have no lights on them, and run into the equipment.

Mr. Bethel said they received a call from the Sheriff and his department went out and barricaded the end of it, however, he would say there is absolutely no way they could keep lights on the barricades, that they are expensive and they would be stolen or torn up the first night, that they have tried and tried and there is no way.

Commissioner Cox said if we have documentation that lights were installed on there in the beginning and barricades were placed to completely close the road then she feels like the county would not be liable for an accident, but if we do not have this then she is not sure we wouldn't be.

Mr. Bethel said you are talking about $35.00 for a light and Commissioner Cox said if we should have an accident and a law suit on our hands we could be talking about $3,500.00 or even $350,000.00, but she is merely reporting a complaint and she did contact the Sheriff about this and she was informed they were going to take additional barricades out there with some type of aluminous materials to help it.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS
Problem Concerning the Old Union Township Elementary School Area:
Mr. Lewis said he has only one item to report on, that being the problem at the old Union Township Elementary School, that was topic of discussion last week, located at the corner of Graff Road and Cypress Dale Road. Mr. Biggerstaff is still the owner of this property and he did go out and observe the property from a distance, that Mr. Biggerstaff has his property very well posted as private property with no trespassing posted. He did observe the following animals: Cows, hogs, sheep, rabbits, ducks, chickens and dogs and he would think any odors complained about would certainly come from this great variety of animals, however, that is an agricultural area therefore he would doubt anything could be done concerning the animals he keeps on his property. He also has an abundance of vehicles, junk, etc. on the property that something could be done about. He checked the file at the Area Plan Commission and they have been contacting him for the past year and a half concerning the conditions of the property and there is a letter in their files as of February stating that he has sixty (60) days to do something about it or face court action.
He would suggest that since that much has been done toward this, that the next step would be to have whoever has the power to proceed with court action. Area Plan informed him they had not done anything on court action but that they were going to try to correc the situation.
Also, while he was in the area he took the liberty of looking at other properties in the area and first of all, Mr. Biggerstaff's property is quite a far distance from any other property, that it is quite rural. There were two (2) or three (3) very immaculate farms near the area, however, there were other areas that had run down buildings and old vehicles, etc. in the premises. On Old Henderson Road he observed several old abandoned buildings and one of those had quite a few old vehicles around it. Also near the boat ramp there were several buildings that had a number of old vehicles, junk, etc. around them and then when he crossed over the railroad he noticed that within sight of the road they had a number of old railroad cars, barrels, old materials, etc. on the premises.

He felt like it would not have been proper to talk to Mr. Biggerstaff since he has been approached at least seven (7) times, but he would suggest the Commissioners ask Area Plan why they don't proceed with court action.
He believes the Health Department is also involved in this situation.

President Borries said he will contact the Area Plan Commission and see what steps should be taken next on the issue.

RE: LETTER FROM EVANSVILLE CABLE T.V. INC.

President Borries read aloud the following letter from Evansville Cable T.V. Inc. dated May 27, 1983 and directed to the Board of County Commissioners of Vanderburgh County.

As promised in our payment to you for the last quarter of 1982, revenues for April '83 vs. April '82 are as follows:

'82 was $1,889.17 and '83 will be $2,703.00

I will ask New York to give me a May '83 vs. May '82 to see a comparison for the first two months of the second quarter.

If you have any questions, please give me a call.

Robert D. Ossenberg
Vice President and
General Manager

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Letter received and filed.

Commissioner Cox said her cable television bill increased from $18.90 per month to $19.43 per month and she would like to know why, that the Commissioners, that she can recall, was not informed of any increases.

President Borries instructed Ms. Meeks to draft a letter requesting clarification of the increase.

RE: LETTER FROM BARNETT BROTHERS

President Borries read aloud the following letter received from Barnett Brothers, dated May 26, 1983 and directed to the Vanderburgh County Commissioners, with attention Dan Hartman.
RE: First Avenue Bridge Project

Dear Mr. Hartman:

At the time we submitted our bid on the above referenced project, we did not list any sub-contractors. I have listed below the sub-contractors that we intend to utilize on this project, along with the percent of work each shall perform to the total contract amount.

NAME	PERCENT
James H. Drew Corporation	1.55%
Eagle Iron Installation, Inc.	2.73%
Latshaw Line Striping of Evansville	.10%
Midwest Construction Materials	3.82%

We will await your approval. If you have any questions concerning this matter, please do not hesitate to give me a call.

Very truly yours,
Charles W. Ruston
Construction Manager

****

Letter received and filed.

Commissioner Willner moved the sub-contractors be approved. Commissioner Cox seconded

the motion with the statement that one (1) of the twenty five (25) questions she asked the contractor's who bid on this project, if they would handle the entire job themselves or would they sub-contract, and Barnett Brothers told her they would handle the job themselves.

Commissioner Willner said the comment is well taken but some of these things are a specialty item, like to stripe, it takes special equipment and rather then buy the equipment it would be cheaper to sub-contract it out. The same would apply to the iron, which would be a specialized item.

RE: LETTER FROM SOUTH CENTRAL BROADCASTING CORPORATION

President Borries read aloud the following letter received from WIKY/WROZ, dated May 31, 1983 and directed to the Board of County Commissioners of Vanderburgh County.

Your advisory on news media parking, dated May 2, 1983, has just reached my desk. While WIKY does appreciate being included among those media who will be able to park free in the large Civic Center parking lot, we must object to being discriminated against in favor of television.

To allow three spaces, one each for the three TV stations in the county parking lot and not allow a space each for radio and newspapers strikes us as discriminatory.

As I understand the plan, the vehicles using the spaces must be properly marked as company cars. Had this been the policy previously, some of the problems in the county lot might not have occurred. WIKY news people use a marked vehicle. Our reporters also have heavy equipment to carry. Why should we and other radio stations and the newspapers be discriminated against.

Perhaps it would be better, and while I am not privy to what your committee discussed regarding the parking issue, we believe you should either designate one parking space in the county lot for each of the radio and TV stations plus the newspapers or forbid parking in the lot by all media.

I look forward to your answer at your earliest convenience.

Sincerely,
Joe L. Halburnt, Jr.
News Director
WIKY/WROZ

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Letter received and forwarded to the parking lot committee for viewing and changes, if they deem any necessary.

RE: NOTICE OF PUBLIC HEARING FROM U.S. ARMY CORPS OF ENGINEERS

President Borries said there is to be a public hearing held in regards to the establishment of a 51 barge fleeting area on the right bank of the Ohio River, in Evansville, Indiana...that the hearing will be held at Reitz High School on June 28, 1983 at 7:00 p.m.

RE: CHECK RECEIVED FROM INDIANA INSURANCE CO.,INC.

Received was a check from Indiana Insurance Co. Inc. in the amount of $1,755.00, for lightning loss of April 28, 1983 in regards to radio antenna at the county garage.

Mr. Bethel said this covers everything except the $100.00 deductible.

Commissioner Willner moved the check be endorsed and put into the Highway Fund. Commissioner Cox seconded the motion. So ordered.

RE: OFFER TO PURCHASE - KENNETH T. ADLER

President Borries said in regards to the purchase of right-of-way by the county, from Kenneth T. Adler in regards to a county road improvement the county is involved in, we have before us today an offer to purchase, from Citizens Realty and Insurance Inc., that Mr. Adler has already agreed to and signed and is now ready, that the Commissioners signed it prior to this meeting, but it should now be made a matter of record.

Commissioner Willner said there is a section of the document that has been blacked out, that the property buyer wanted deleted and Mr. Adler also wanted it deleted and this deletion is initialed by both himself and Mr. Adler.

The amount of the purchase is $4,962.00 and Commissioner Willner asked Mrs. McBride if the money is available for this purchase, that he believes $5,000.00 was set for it.

Mrs. McBride said she is not certain but she will check it out and see if the money has been appropriated and she will also see that a blue claim is sent to Mr. Adler for his signature.

RE: APPOINTMENTS TO JOB TRAINING BOARD

President Borries said he would like to submit the names of Mr. Gilbert Betulius, of Chem-farm and also Mr. Jack Buttrum of Swanson-Nunn, Inc. to serve in the capacities of the Commissioners appointments to the Job Training Board, which is the newly formed board which replaces CETA. It will be the function of these gentlemen to assist in the hiring, particularly in the private sector, concerning this job training.

Commissioner Willner moved Mr. Betulius and Mr.Buttrum be appointed, as recemmended. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

AUDITOR....REASSESSMENT

Margaret Blaxton	8209 Old State Rd.	Part time	$30.00 Day	Eff: 6-2-83
June Hallenberger	1409 Fountain Ave.	Part time	$30.00 Day	Eff: 6-3-83
Geraldine Gass	4524 Cass Avenue	Part time	$30.00 Day	Eff: 6-2-83
Georgia Wilson	212 E. Riverside	Part time	$30.00 Day	Eff: 6-2-83

CENTER ASSESSOR

Jeffrey A. Toon	11051 Kahre Court	Part time	$30.00 Day	Eff: 6-6-83

VANDERBURGH COUNTY BOARD OF REVIEW

Dorothy Grubb	1121 W. Heerdink	Clerk	$30.00 Day	Eff: 5-31-83
Janice E. Lindauer	1415 John Street	Clerk	$30.00 Day	Eff: 6-1-83

COUNTY HIGHWAY DEPARTMENT

Andy Easley	9000 Petersburg Rd.	Acting Highway Engineer	$26,294.00 Yr.	Eff: 6-13-83

VANDERBURGH COUNTY DATA PROCESSING

Teresa Allison	R.R.2 Washington,In.	Part time	$3.35 Hour	Eff: 6-6-83

BURDETTE PARK

Kelli Richardt	4012 W. Columbia	p/t guard	$3.25 Hour	Eff: 5-26-83
Tracy VanZant	101 S. Peerless Rd.	p/t guard	$3.25 Hour	Eff: 5-26-83
Rick Murray	3915 W. Maryland St.	p/t guard	$3.25 Hour	Eff: 5-26-83
Tim Ruff	6504 Raintree Dr.	p/t guard	$3.25 Hour	Eff: 5-26-83
Angela Brown	2837 Egmont Street	p/t guard	$3.25 Hour	Eff: 5-26-83
Connie Chamberlain	520 Windsor	p/t guard	$3.25 Hour	Eff: 5-26-83
Sally Behme	3196 Droll Ave.	p/t guard	$3.25 Hour	Eff: 5-26-83
Sondra Spindler	R.R.1 Poseyville,In.	Cashier	$3.50 Hour	Eff: 5-26-83
Linda Owens	2852 Pennsylvania	Cashier	$3.50 Hour	Eff: 5-26-83
Michael Gerard	7601 Hogue Road	p/t guard	$3.25 Hour	Eff: 5-26-83
Susan Cobb	400 N. Boehne Camp	p/t guard	$3.25 Hour	Eff: 5-26-83
Eric Yocum	6613 E. Chestnut	p/t guard	$3.25 Hour	Eff: 5-26-83
Amy Oberhausen	6118 Hogue Rd.	p/t guard	$3.25 Hour	Eff: 5-26-83
Michael Johnson	12650 Apache Pass	p/t guard	$3.25 Hour	Eff: 5-26-83
Kim Hankins	2908 Lakeview Blvd.	Reg guard	$3.50 Hour	Eff: 5-26-83
Sarah Rexing	7600 Marx Road	Reg guard	$3.50 Hour	Eff: 5-26-83
A. Christian Branham	6000 Apple Grove	Reg guard	$3.50 Hour	Eff: 5-26-83
Robb Bumb	3225 Lemcar Lane	Reg guard	$3.50 Hour	Eff: 5-26-83

Appointments Continued/Burdette Park

Sharon Jankowski	6912 Cliftwood Dr.	Reg guard	$3.50 Hour	Eff: 5-26-83
Beth Minton	10515 Olivia St.	Reg guard	$3.50 Hour	Eff: 5-26-83
Perry Gostley	R.R. 1 Box 40	Reg guard	$3.50 Hour	Eff: 5-26-83
Jenifer Vescovi	3525 Laurel Lane	Reg guard	$3.50 Hour	Eff: 5-26-83
Mary Hartman	5103 Cynthiana Rd.	p/t guard	$3.25 Hour	Eff: 5-25-83
Katie Welsh	2004 Lincoln Ave.	p/t guard	$3.25 Hour	Eff: 5-25-83
Kristy Schmitz	6790 Henze Road	p/t guard	$3.25 Hour	Eff: 5-25-83
Greg Franklin	2154 E. Monroe	p/t guard	$3.25 Hour	Eff: 5-25-83
Wayne Ellis	6800 Rosser Drive	p/t guard	$3.25 Hour	Eff: 5-25-83
Melissa Eberhard	7516 E. Chandler	p/t guard	$3.25 Hour	Eff: 5-25-83
Tracey Rough	7610 E. Mulberry St.	p/t guard	$3.25 Hour	Eff: 5-25-83
Brooke Heathcotte	3512 Koring Road	p/t guard	$3.25 Hour	Eff: 5-25-83
Leisa Good	11540 Village Lane	p/t guard	$3.25 Hour	Eff: 5-25-83
Brad Norman	R.R.2 Box 63	p/t guard	$3.25 Hour	Eff: 5-25-83
Kathy Bullock	1311 Genesta Drive	Rink Guard	$4.00 Hour	Eff: 5-29-83
Douglas Wilcox	3065 Cottage Drive	Ground Crew	$4.00 Hour	Eff: 5-28-83
John Winiger	2308 N. Heidelbach	Reg guard	$3.50 Hour	Eff: 5-30-83
Rian Turpin	505 S. Ruston Ave.	Ground Crew	$4.00 Hour	Eff: 5-28-83
Jennifer Oberhausen	4218 Tremont Road	Pool Manager	$46.00 Day	Eff: 5-25-83
Jane Hutchinson	2026 W. Michigan	Head Guard	$35.00 Day	Eff: 5-25-83
Judy Oberhausen	4218 Tremont Road	Asst. Pool Man.	$35.00 Day	Eff: 5-25-83
Bryan Norman	R.R. 2 Box 63	Asst. Head Guard	$35.00 Day	Eff: 5-25-83

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Jennifer Oberhausen	4218 Tremont Road	Ground Crew	$4.00 Hour	Eff: 5-25-83
Jane Hutchinson	2026 W. Michigan	Ground Crew	$4.00 Hour	Eff: 5-25-83
Judy Oberhausen	4218 Tremont Road	Ground Crew	$4.00 Hour	Eff: 5-25-83
Bryan Norman	R.R. 2 Box 63	Ground Crew	$4.00 Hour	Eff: 5-25-83
Barbara Nunning	R.R. 2 Graff Road	Receptionist	$10,798.00 Yr.	Eff: 6-3-83
Perry Gostley	R.R. 1 Nurrenbern Rd.	Rink Guard	$4.00 Hour	Eff: 5-26-83

VANDERBURGH COUNTY ELECTION OFFICE

Susan Kirk	8302 Spry Road	Supervisor	$4.68 Hour	Eff: 6-3-83

VANDERBURGH COUNTY DATA PROCESSING

Sarah J. Read	753 Douglas Drive	Part time	$3.35 Hour	Eff: 6-6-83

COUNTY HIGHWAY DEPARTMENT

David L. South	2843-B Washington Ave.	Co. Hwy Eng.	$26,294.00 Yr.	Eff: 6-10-83

RE: CLAIMS

A claim was submitted for a state warrant for collection of sales tax on the Vanderburgh Auditorium.

Sheriff Shepard said he received this in the week end mail and opened it just this morning, that there are eighteen (18) tax warrants, dating back to January 1981, from items either collected or sold at the Vanderburgh County Auditorium and sales tax is due on them and not paid to date. He has sixty (60) days to hold them.

Alice McBride said attorney Paul Wallace is researching this matter, that it was first indicated the county did not owe this tax.

The matter was referred to David Miller to give to Paul Wallace, who is a member of his law firm.

A claim was submitted by David L. Jones, County Attorney in the amount of $2,803.41, for legal services rendered. Also attached was an itemized statement.

Commissioner Willner moved the claim be approved and placed on the July Council Call. Commissioner Cox seconded the motion. So ordered.

Two Claims was before the Commissioners on April 25, 1983 concerning the cases of the State vs. Roy Tyler and the State vs. Rosemarie D. Becht. One claim was submitted by E. Brayton Smoot, special prosecutor, in the amount of $6,321.90 and the second claim was to be payable to the Daviess County Treasurer for phone bills in the amount of $314.44. At that time the claims were referred to Judge Randy Shepard for his review and approval and they are before the Commissioners again today, with that approval which states "As the Commissioners may know, Mrs. Becht's case was handled in circuit court, however, a great majority of time and expenses billed were associated with the case against Roy Tyler. It is my opinion that the number of hours recorded is quite reasonable and that the hourly rate charged is less than 1/3rd of the prevailing rate. I recommend these claims be approved and paid and I have recorded my recommendation on the face of each claim form....Judge Randy Shepard".
President Borries said there is also a note attached stating that Judge Dietsch said these claims can be paid on a court order, if approved by the County Commissioners, from unappropriated funds and he will issue the court order.

Mrs. McBride said the reason they wanted to know about a court order is that it would speed the paying up, that it has been hanging for several weeks.

Commissioner Willner said even with a court order, it will still have to go before the Council...won't it?

Mrs. McBride said no, it can come from unappropriated funds, however, it all really comes from the same pot.

Janice Decker stated the claims were approved in April, subject to written approval from the Judge.

Commissioner Willner said he believes that was correct, provided the money was available.

Commissioner Willner moved the claims be approved and placed on the Council Call for July. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the National City Bank of Evansville, Trustee for the county of Vanderburgh's fixed rental due June 30, 1983, in the amount of $338,189.00.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for county of Vanderburgh's additional rental due June 30, 1983, in the amount of $494,950.50.

Mrs. McBride said this money was approved at budget time.

Commissioner Willner moved the claims be approved. Commissioner Cox seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

President Borries said there is to be a meeting of the Civil Defence Emergency Management Team on June 8th at 3:00 p.m. in room 18 of the Civic Center.

There being no further business, President Borries declared the meeting recessed at 4:15 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	ALice McBride	David Miller
SECRETARY:	Janice Decker		

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 13, 1983

The meeting of the County Commissioners was held on Monday, June 13, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: POOR RELIEF....GEORGE LEE LOFTIS...PIGEON TOWNSHIP

Applicant: George Lee Loftis, 803 Line Street, Evansville, Indiana.
Case Worker: Mrs. Dorothea MacGregor, Pigeon Township Trustee was present.

Mrs. Lois Loftis was present and stated her husband has not been feeling well, that he has high blood pressure, therefore, she is here in his behalf. She said there has been a cease of assistance toward her rent on Line Street, and was told since Mr. Loftis is a Reverend, they can no longer pay anything toward the rent, that they have been paying $75.00 per month. Last year the Trustee also helped with their rent at 705 Division Street.

Commissioner Cox asked why Mr. Loftis could not be present today and Mrs. Loftis replied he hasn't been too well, that he has high blood and he has also been trying to do odd and end jobs like mowing, etc. Commissioner Cox said she believes since Mr. Loftis is the applicant, we cannot do anything unless he is present.

Mrs. MacGregor said Mr. Loftis is the head of household and he should be present and if he is able to work then she sees no reason why he is not.

President Borries instructed Mrs. Loftis to talk to her husband, then contact the Commissioners office again and set up another Monday when her husband can be present.

RE: OPENING OF BIDS ON LAUNDRY AND DISHWASHING DETERGENTS FOR COUNTY JAIL

Commissioner Willner moved the County Attroney proceed with the opening of the bids. Commissioner Cox seconded the motion. So ordered.

Mr. Ben Evans, Director of the City/County Purchasing Department was present and stated there were four (4) bids received.

RE: DOCTOR DAVID WILSON, COUNTY CORONER - PLANS FOR PATHOLOGY

Doctor David Wilson said he is present to explain to the Commissioners why he has doubled his autopsy budget request for 1984. He realizes this is a budgetary matter and the County Council allows the budgets, however, he felt like he should explain his actions to the Commissioners also. He submitted the following information to the Board. At the present time the Forensic Pathology for the Coroner's office is inadequate. It is humanly impossible for one (1) person to do any responsible job twenty four (24) hours a day, seven days a week on a continuous basis for an extended period of time and this is exactly what we have asked Dr. Tom Teller to do for us here in Vanderburgh County.
He said last year his budget was cut from $22,000.00 to $20,000.00 and he is very rapidly running out of funds. In an effort to get some solutions to our problem he met in conference with the Deaconess Hospital Pathologists. Two (2) of the four (4) pathologists expressed an interest in doing some of the Coroner's post mortem examinations. The other two (2) agreed to do back-up duty at the hospital for the two (2) doing the Coroner's autopsies. This sounds like 100% cooperation from the pathologists at Deaconess. After quite a long discussion it was agreed that $300.00 is a reasonable and equitable pathologist's fee for doing each of the Coroner's autopsies. He would say that the schedule for private autopsies in Vanderburgh County is presently $500.00, per post, and that is a recognized fee. It was further stipulated by these hospital pathologist's, and agreed to by the Coroner that a fee of from $100.00 to $150.00 is a reasonable and equitable fee for the hospital to charge for the use of its morgue for each autopsy done there. In other words, we would be renting their morgue. These hospital-based pathologists understandably will not leave the hospital premises to do the Coroner's autopsies. The post mortem exams that they do must be done at the hospital morgue.

He said it was further suggested and agreed that other pathologists in the community should be invited to participate in doing the Coroner's autopsies on this basis. He has not made any firm commitments, however, he has agreed that what he has presented today is a reasonable and equitable way to go. He does not consider this plan as presented, a permanent substitute for the County Forensic Pathology lab that he suggested last summer, but it may very well provide a temporary solution, which we can afford.

This would raise our payment schedule for autopsies from $200.00 to $300.00, per post mortem, however, in the cases where Dr. Teller performs the autopsy there will not be an additional morgue fee.
Even with a conservative estimate, this will double his autopsy budget for 1984. He made his calculation on the bases of 100 posts per year and they have been doing closer to 140 per year.
He would like for the Commissioners to share his problems with him and he would ask support from the Commissioners on his recommendations, concerning the autopsies.

Commissioner Cox said at one time we had Dr. Venables doing the autopsies, on contract, for $20,000.00 per year and she knows from past experiences that sometimes the pathologists performing the autopsies are called in as a witness in court trials so would this be included in the agreement also and Dr. Wilson said no, that the pathologists did specifically state that for any court appearances they would file for additional charges, and that is the way it really should be, because it is not within the Coroner's budget to provide witnesses in a court of law.
Commissioner Cox said she wondered about that because Dr. Venables did not charge for court appearances.

Dr. Wilson said yes, the past two (2) or three (3) years that Dr. Venables was with us, he did charge additional for court appearances.

Commissioner Cox said it was mentioned at one time that people from other states who are here when they expire, that we could perhaps collect reimbursements on autopsies that are performed on them here in Vanderburgh County. She certainly would like to see this investigated and followed through because it is unfair for our taxpayers to assume the total responsiblilty for the costs of these autopsies. When accidents happen in other counties or other states and the injured person is brought to Evansville and dies here, then we have to pay for the autopsies and she does not think this is fair.

County Attorney David Jones said the results of the autopsy should not be rendered until it is agreed they will pay Vanderburgh County for the examination performed, because we are performing services for another county or state and they should pay for it. He would get a form letter to use in all instances and when this happens send one of the letters to their Prosecutor and their County Commission, requesting the approval of payment, before we release the autopsy report to them.

Commissioner Cox asked if that would hold effective for Posey or Warrick County also and Mr. Jones said it wouldn't be on something that our Prosecutor is refusing to report that we are talking about something that was simply done here and it is being used in another jurisdiction and in those situation he believes we can request reimbursement for services rendered.

Dr. Wilson said he is wondering if we should get the Attorney General's opinion on this and Commissioner Cox said let's just do it and then if we are wrong the Attorney General will let us know about it.

Commissioner Cox asked approximately how many of the autopsies performed would fall under this catagory and Dr. Wilson said probably about 25%.

Commissioner Willner asked who requests the autopsies be performed.

Dr. Wilson said the Coroner who is officiating in the county where the death occurred is responsible for performing the post mortem.

Commissioner Willner said all county government offices are in a bind and we have asked other offices to hold the line and to give back dollars and he does not know where the answer lies, but there is no way we can do all of this. Everyone passing away are eventually taken to a funeral home and if autopsies are performed there, free of charge, then to him, it is ridiculous to pay a hospital $150.00 to do it, so we need to work on getting more pathologists to go to the funeral homes.

Dr. Wilson said he has gone through this for years and there is no way, that he cannot interest anyone to do that.

Commissioner Willner said why do the pathologists say they cannot leave the hospitals to perform the autopsies.

Dr. Wilson said they are saying "they will not".

Commissioner Willner said he would like to set up a meeting with Dr. Wilson, that he has too many questions about this matter.

Commissioner Cox asked Dr. Wilson if he is going to be able to get through 1983 without too much difficulty.

Dr. Wilson said he can manage for 1983, that the plan he submitted is for 1984, however, he will probably be going before the Council before the end of this year for additional funds.

It was decided a meeting will be set up with Dr. Wilson, at a later date for further discussion.

RE: READING ALOUD OF THE BIDS FOR LAUNDRY AND DISHWASHING DETERGENTS FOR JAIL

County Attorney David Jones read aloud the following bids received for the laundry and dishwashing detergents for the County Jail.

1.) Economics Laboratory, Inc. St. Paul, MN.				Unit Price	Amount
1	200	gal	Tri-Star L-2,000, 5 gallon pail *	$13.33	$2,666.00
2	45	gal	Lanudri Destainer, 5 gallon pail *	4.19	188.55
3	90	gal	Aqua soft, 5 gallon pail *	9.59	863.10
4	2400	lbs	Solid Power, 6-8# Capsules/case **	1.15	2,760.00
5	90	gal	Jet Dry, 4-1 gallon jugs/case **	16.08	1,447.20
6	120	gal	Liquid Pan Dandy, 5 gallon pails**	6.42	770.40

* Recommended usage per washload, medium soil:
Washmaster 760

Item 1 4oz. = $.4166 load
Item 2 2oz. = $.0655 load
Item 3 2oz. = $.1498 load

Cost per load $.6319

** Recommended usages and use costs:
Item 4-1.1 oz/10 gal. water = $.007906/1 gal water
Item 5- 75 ppm (.0096 oz/1 gal.water) = $.001206/1 gal. water
Item 6- 1.25 oz/10 gal. water = $.006269/1 gal. water

Mr. Jones said the bid is in order:

2. Diversey Wyandotte Corporation, Wyandotte, MI.			Unit Price	Amount
1)	5 gal.	Liquid or Emission Built Laundry Detergent Diversey Wyandotte RESPECT PLUS	$63.14	$2,525.60
2)	5 gal.	Liquid Laundry Bleach Diversey Wyandotte SUPER IMPEDE	21.84	196.56
3)	5 gal.	Liquid Laundry Sour/Soft Combination Diversey Wyandotte NEUTROLSOFT	62.29	1,121.22
4)	59#	Machine Dishwashing Detergent Diversey Wyandotte HYDROPOSDER	61.06	2,503.46
5)	125# 20/2	Chlorinated Machine Dishwashing Detergent Diversey Wyandotte SALUTE	103.27	1,962.13
6)		Machine Dishwashing Rinse Additive Diversey Wyandotte W201 L	82.46	1,484.28
7)		Liquid Hand Washing Detergent Diversey Wyandotte PAGEANT	37.80	907.20
		TOTAL		$10,700.45

Mr. Jones said the bid is in order:

3) Pro-Tex-All Co. Evansville, Indiana

Mr. Jones said the bid of Pro-Tex-All is not in order, that there is no bond or check enclosed, therefore the bid will be thrown out.

4) Tri-State School Supply, Evansville, Indiana				Unit Price	Amount
1)	200 gl.	1 gl.	Carroll Liquid Laundry #242 (5gl. pail)	$5.18	$1,036.00
	"	"	" "	5.08	1,016.00
2)	45 gl.	1cs.	Parsons Liquid Bleach (6 gal. per cs)	6.56	49.05
3)	90 gl.	1 gl.	Carroll #243 (5 gal Pail)	5.58	502.20
	"	"	(55 Gal drum)	5.08	457.20
4)	2400lbs.	1lb.	Carroll #922 (50 lb. ctn)	.50	1,200.00
5)	90 gal.	1 gal.	Carroll #225 (1gal)	8.43	758.70
	"	"	(5 gal)	8.30	747.00
6)	120 gal	1 gal	Hurrah Liquid Hand Washing Detergent	3.90	468.00

Mr. Jones said the bid is in order.

Mr. Evans requested the bids all be referred to the Purchasing Department for a period of two (2) weeks. Commissioner Willner so moved and Commissioner Cox seconded the motion. So ordered.

RE: INTEREST MONIES PUT INTO COUNTY GENERAL FUND

President Borries said we have County Council President Kathy Mann present today and he asked her if she was present in regards to the $200,000.00 that the County Treasurer has indicated will be earned as additional interest, and she replied that yes she was, that everyone is well aware of the money situation and the General Fund and the needs of the Auditorium, Coroner, Legal Services, Sheriff, etc.

Commissioner Willner moved the extra interest monies, earned by the Treasurer, be placed in the County General Fund, however, he would like to point out this is distasteful to him, as he is sure it is to the other Commissioners, that they all feel the interest earned should go back into the account from which it originally came from, but he sees no other choice right now.
Commissioner Cox seconded the motion, commenting we are also in desperate need, as far as the county is concerned, for maintaining our intra-structure of roads that we have and our transportation proposed roads. She knows Ms. Mann has been quoted in the media as being supportive of the adoption of the local excise surtax and wheel tax and it is going to have to take some type of move to keep our roads and streets going and in the future include the interest from R&S Funds to keep us going.

Motion carried with three (3) affirmative votes.

RE: DAVID GERARD....EVANSVILLE URBAN TRANSPORTATION STUDY

Claim: Mr. Gerard submitted the following claim for the Commissioners to sign and return to the City of Evansville, on the Covert Avenue Extension Project M-E 220(1)

Reimbursement received from ISHC
Vand. Col portion $91,488.00 X 97% X 90% X 75% =$59,901.77

Partial Payment 8-7-81	$27,698.41
Partial Payment 2-11-82	$ 9,354.23
Partial Payment 2-17-83	$21,058.25
	$58,110.89

Amount Due $1,790.88

Mr. Gerard said this money will go into the R&S fund.

Commissioner Willner moved the claim be signed. Commissioner Cox seconded the motion. So ordered.

Mr. Gerard said back in February the Commissioners submitted several projects to the Federal Highway for funding and he would like to bring the Board up to date on where those projects are and what we can now do with them.

St. Joe Avenue and Meier Road: Not approved, that is, hazard elimination money, which is 90% federal and 10% local and the competition for this money, state wide, is very severe. The same type of funds was requested for St. Joe Avenue and Schenk Road and that project was also not approved for those funds. He said both of these are in the rural secondary system and there are a considerable amount of federal rural secondary money available, so if the Commissioners feel that we will be able to go into construction sometime next spring on either of these projects we can go ahead and re-submit for rural secondary, which is 75%-25%.

Burkhardt Road at Southern Railroad between Hwy 62 & Grove Road: Approved. (PE,CN)

Burkhardt Road from the Evansville Corporate Limits North: Approved. (CN)

Green River Rd between S.R. 62/Morgan Ave. & Lynch Road: Not approved. (PE)

Pollack Ave. from Green River Rd. to Vanderburgh/Warrick County line inside the Corporate Limits of Evansville: Not approved (PE)

26 miles of Federal Aid Secondary roads in Vanderburgh County: Not approved. (CN). Mr. Gerard said there has been some rural secondary money approved for engineering work and we were trying to tie up the construction money. The primary reason they turned it down was not because there was not enough money, but rather because we have not done anything with the engineering part of it. This is for signage and if there is anyway we can put the signs out, we can reapply for federal funds, at least for the rural secondary part.

Urban Routes throughout Vanderburgh County: Not approved (PE,CN). Mr. Gerard said the same thing applys to this one as in the last one.

Vanderburgh County Bridge Reinspection: (PE) Not approved. Mr. Gerard said this was approved for the current fiscal year and he has sent some correspondence to the County Surveyor's office on this, in terms of putting a contract together. In the event that money was not allocated this fiscal year, we went ahead and reprogrammed it for next year.

Covert Ave. Ext. from Green River Rd. to Vanderburgh/Warrick County line in Evansville:

(CN) Not approved. Mr. Gerard said construction was turned down and we had submitted using Federal Aid Urban money for construction and we should be starting the right-of-way acquisition sometime this summer.

There is another catagory of money that is available, which is called the Minimum Allocation Money and what essentially means is that the gas tax bill guaranteed that every state receive 85¢ on the $1.00, and this brought in an additional 48 million dollars to the State of Indiana.

Mr. Gerard said concerning St.Joe/Meier and St. Joe/Schenk, do the Commissioners want him to preceed with putting an application together for rural secondary funds for construction for 1984.
Commissioner Cox moved that Mr. Gerard proceed. Commissioner Willner seconded the motion. So ordered.

Mr. Gerard said in regards to the signage, he feels this is another good one to resubmit. Commissioner Cox moved Mr. Gerard proceed. Commissioner Willner seconded the motion. So ordered.

Distribution of Vanderburgh County Bridges Reports: Mr. Gerard distributed to each of the Commissioners three (3) reports on county bridges, which shows the Indiana Department of Highway's rating system. The three (3) lists are simply one (1) big list that lists all the bridges, alphabetically, by location, with a sufficiency rating, which means it is related to the particular condition of the bridge and the need for repair or replacement and the other list which is labeled "Eligible for Replacement", has a sufficiency rating of between 20 and 50 and the list labeled "Eligible for Rehabilitation" has a sufficiency rating of between 50 and 80. One aspect of the Federal Gas Tax was that it made a considerable amount of money available for bridge rehab and replacement. He said some of these numbers may change as a result of your own bridge reinspection program, when that gets going, but he wanted to point out they did not submit any requests for preliminary engineering using these types of funds, that they are funded on a local basis. He does not think we should even try for 1984, but perhaps in 1985 we will be in a better position to submit for the federal aid for these projects.

He said all along there has been some debate about using federal funds for the brige projects, and First Avenue is on the Federal Aid Urban System, but we aren't using federal aid urban funds for that.

Commissioner Cox said she assumes there is a master list because in looking through the list she seen one on Orchard Road, and perhaps it is so small it is classified as a culvert.

Mr. Gerard said he will have to check this out, that when the list came down from the State Highway, it showed simply a structure number and we had to go back to the old bridge report and find out where they were located.

Commissioner Cox said on these replacement bridges, can we get federal money to help us and Mr. Gerard said yes, that all the bridges on that list are eligible for federal funds for replacement and all the ones on the other list are eligible for rehabilitation.

Mr. Gerard submitted the following list of active projects in Vanderburgh County:

Project	County R&S Share	Total Cost
Burkhardt Road	$ 455,356	$1,761,421
Lynch Road Extension	3,165,465	17,595,325
Covert Avenue Extension	390,785	3,731,666
Eichoff-Koressel Road	965,833	3,903,004
Green River Rd from S.R.62 to Lynch Rd.	548,684	2,198,000
Pollack Avenue	1,572,000	1,572,000
St. Joseph Avenue at Schenk Road	104,441	357,765
St. Joseph Avenue at Meier Road	104,750	329,000
Baseline Road	133,716	414,862
Virginia and Vogel Extension	1,600,000	1,600,000
Other*	226,606	514,072
TOTAL	$ 9,167,236	$ 33,877,125

*Includes miscellaneous railroad projects, signage, and payment of final bills on completed projects.

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Mr. Gerard said concerning the Pollack Avenue project, he put the county share and the total cost in at the same, in other words, he made the assumption of no federal funds, which he took from the flow of federal funds coming into the area at the present time.

Concerning the Virginia and Vogel Extension, he made the assumption, for the sake of this discussion that those will be funded 100% local. However, we have been able to get Virginia extended through private developers and he believes a portion of Vogel will be extended through private developers also and hopefully we can continue with that kind of success story.

Next Mr. Gerard submitted to each of the Commissioners a sheet labeled Road and Street Balances (In 1983 Dollars). Mr. Gerard stated there are several options shown for 1983 through 1988 and what he tried to do is basically take these active projects, estimate when the expenditures are going to occur and see what happens with the cash balance. He explained the Annual Revenue, and how he arrived at the stated figures from 1983 through 1988.
He said assuming all the projects are going to occur in the year we think they are going to that none of them are going to be able to result in a positive balance in the Roads and streets account, that with R&S money plus interest we would need an additional $690,650.00 per year to have a "0" balance in 1988.

Commissioner Cox said don't we have a commitment to continue with these project within a certain period of time or we might have to pay back a certain amount of federal money

Mr. Gerard said to be honest, he does not believe the Commissioners need to worry about that, because he believes the albatross will be on the federal funding as opposed to the county.

Commissioner Cox said then it would be an acceptable delay and Mr. Gerard said yes, definitely.

Mr. Jones said it could be more than a delay, that if we don't have the money for a project wouldn't that trigger a back payment and Mr. Gerard said yes. Mr. Jones said there is a possibility we might have to repay something right now, to Engineer Associates, if we cannot agree upon some settlement.

Mr. Gerard said other things could happen, and he doesn't believe we are wishing upon a star, but for example....Virginia & Vogel, that we may not have to incur that full cost. When we met many months ago we discussed ways that development's that are creating the need for road improvements could infact bear some of that burden and he believes Pollack Avenue is a good example of that. If we could have the bridge projects ready to go, it would really help, that this is where we have been hurt in the past, by not having the design ready to go, that several years we have had the funds available to us and we haven't had the project ready to go, that we may have had the money at one time, and simply lost it. Certainly a conservative approach would be to not ever commit to any more than we absolutely are sure you have the money to do.

Mr. Jones said no, what he means is that we not commit to anything more than we could get stuck paying back, that we couldn't carry out.

Commissioner Cox said and also these figures are based on 1983 dollars and Mr. Gerard said this is correct, and based on a lot of assumptions.

President Borries thanked Mr. Gerard for the useful information he has submitted today, that there are a lot of figures to be studied to see if we can move forward on all the projects.

RE: DISCUSSION & RECOMMENDATION TO COUNTY COUNCIL ON WHEEL TAX AND EXCISE SURTAX

President Borries said they have received some lengthy information from the Indiana Association of County Commissioners, through Gene Hittle's office, regarding a sample Ordinance to impose, or at least make a recommendation to the County Council for their consideration. Also, in a June 9th, Indiana Highway for Progress newsletter, there has been further information that Howard County, in Indiana, will adopt this fee package when it's county council meets in June and it also mentions that Vanderburgh County has been considering it. He has attempted to poll the other two (2) Commissioners to look at a way to recommend to the Council, as specific as possible, regarding this particular tax and he would ask them if they have anything they would like to comment on at this time.

Commissioner Willner said his concern from the very start was that there was very little mentioned on continued dollars to upgrade our present roads, that everthing was on new construction and again on charts submitted today, it concerns new construction. He has absolutely nothing against new construction but when we see that our hard surfaced roads are turning back to gravel, something has to be done. Being the Commissioner from the second district, he has probably 75% of the rural roads in his district that perhaps he is more aware of what is happening to them. We have some 400 miles of rural roads in the County and we should be doing some 40 miles per year to repave them every ten years and we are doing more like six (6) or seven (7) per year. It is very distasteful to him to always talk about new construction when we are letting our present roads go to pot, therefore he is still going to base his support on the option tax with the agreement that 50% of revenues derived is spent for the repair of our present roads, otherwise he cannot support this tax.

Commissioner Willner moved the Commissioners adopt a Resolution to present to the County Council, recommending the passage of the Wheel Tax and Excise Surtax, with the stipulation that 50% of the revenues go toward the repair of the existing roads.

Commissioner Cox commented the city will also receive a portion of these monies and she does not know how they will be spending theirs, but she would like for this to be a combined effort as far as a Resolution is concerned. She too expressed concern, that if this tax is approved that a portion of it be alloted to our existing roads because we are falling behind, however, she has trouble in supporting 50% of it be used for that, when we don't want to be crippled in regards to transportation projects.

President Borries said he would assume that in some years it may be 100% percent all to the infra-structure, that as the other Commissioners have expressed in the past, we are not keeping up, that is, we are not able to maintain what we have as well as planning for the future. He said our EUTS director and also David Jones and David South pointed out in the past that if there are years when we won't receive certain federal funding, that monies could not be used for any construction purposes.

Commissioner Cox said if a Resolution is presented to the County Council from the Commissioners, could it be for an annual basis, that is, for one (1) year only and then after that one (1) year it could be subject to change. She could support a one (1) year Resolution for the 50% that Commissioner Willner made the motion on.

David Jones said sure, it could be done this way because it is an annual budget.

Commissioner Cox asked Commissioner Willner if he would agree on the one (1) year Resolution and he replied yes he would.

Commissioner Cox seconded the motion, with a distribution at a 50/50% for 1984 only. Motion carried unanimously in the affirmative.

President Borries said he has attempted to poll each Commissioner individually so that we could get our thinking together as to what would be an acceptable proposal in regards to the fee schedule. We agreed on the Excise Surtax that we would recommend the minimum percentage, which would be a 2% rate, or $7.50, whichever is lower. In regards to the Wheel tax which is a good deal more detailed and involved because there are weight classes of vehicles, we would recommend vehicles above 11,000 pounds....$10.00 per vehicle, on trailers under 3,000 pounds we recommend $5.00 and for every class of vehicle from that point up we simply add $1.00 per vehicle. This is only a recommendation and it will be up to the council to make the final decision.

Commissioner Cox moved the recommended figures, as stated by President Borries, be presented to the Council. Commissioner Willner seconded the motion which carried with three (3) affirmative votes.

RE: BOB FORTUNE....DATA PROCESSING

Mr. Fortune was present and distributed to each of the board members a twenty six (26) page document, which is a request for proposal for computer hardware and software and he requested the notice to bidders be properly advertised by the County Auditor. He would like for the bidders to propose at least three (3) alternatives, which are as follows:

1. Replace the Current Equipment
2. Replace the Current Equipment in the NCR, which is the county's equipment.
3. Replace the county's and city's equipment in some joint agreement.

He said it is his impression that there is a good opportunity to save money by consolidating, but we need them to come down and study everything and see what exactly is involved and give us something in writing.

Commissioner Willner asked Mr. Fortune if he has the money for this and he replied we should be able to do it for the amount of money we are paying now.

Commissioner Cox said it isn't going to cost us anything other than the advertising fees to find out about this.

Mr. Jones said is it intended that all the existing equipment be replaced with the same company and same manufacturer and Mr. Fortune said they could award separate contracts for each individual item or a single contract for all items.

Kathy Mann asked the Commissioner if this could be considered Capital Improvement and President Borries said he would think that it would be.

Mr. Jones said we would probably want to compare a bond issue to a long term least/purchase, because in looking recently in regards to the gradall for the Highway, there was a 10.99% interest rate over a term and there is no way you are going to sell a bond at 10.99%. He recently sent an article to the Commissioners that was in the Wall Street Journal, stating the federal government put unbelivable strings on local government bond issues, which requires, among other things, that the County Auditor keep track of it,

keep list of all names and addresses of bond purchasers. The way we use to sell bonds is that the person who bought it would clip the coupons and take them to any bank and turn it in....you can't do it like that any longer. We've got to do all the in-house stuff, so the cost of these things are going to go sky high.

President Borries said the county and city have entered into a lot of inter-governmental agreements and it seems as though we continue to expand. He would like for Mr. Fortune to give the Commissioners a percentage, based on a users fee, as to how much county government would have to pay into such an agreement.

Mr. Fortune said as the work load presently exists, the county is doing twice what the city is doing, however, there are many other things the city is interested in doing, so that would change the percentage.

President Borries said after this is advertised that perhaps a meeting could be set up between Mr. Fortune and the County Attorney to begin to maybe set up a structure so that city government could also look at it, in terms of a inter-governmental agreement.

Commissioner Willner said the primary reason for considering a bond issue is to stay out of the tax freeze.

Mr. Jones said until we get into that accrual system, he does not know if the county will get a rating in order to be able to sell bonds, that he has very serious reservations about this. The only other snag that he recalls is the sequence of contracts, that we did not have a problem, but the city did. He asked Mr. Fortune if this will leave us some excess capacities and he replied it depends on what is bid upon.

Commissioner Willner moved Mr. Fortune be authorized to advertise for bids. Commissioner Cox seconded the motion. So ordered. Commissioner Willner suggested David Jones get with the city attorney to discuss the matter of the inter-governmental agreement.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Chief Deputy Surveyor David Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of June 6 thru June 10, 1983....received and filed.

Request From City to Borrow Gradall: Mr. Guillaum said Mr. Dick Eiffler is present today with a request from the city to borrow our gradall for six (6) days, beginning June 27th, to do some ditch work in the city. We have made arrangements to borrow their jet flusher machine to do some work in the county and he would recommend we let them borrow our gradall.

Commissioner Willner moved permission be granted, as long as they keep a county operator on the gradall, keep track of their hours and either payment in-kind or dollars for that equipment.

Mr. Eiffler nodded agreement to the motion. Commissioner Cox seconded the motion. So ordered.

Closing of First Avenue Bridge: Mr. Guillaum reported the closing of the First Avenue Bridge did occur this morning and there have been no problems, to speak of.

President Borries said he traveled the route, or at least the two (2) alternatives, Heidelbach Avenue and also 5th. Avenue, around 1:00 p.m. and there did not seem to be too much congestion at that point, infact, travel was really thin on Heidelbach.

Commissioner Willner said he noticed two (2) bottlenecks, that on 5th Avenue traffic was good until he got to the four-way stop at Florida Street and that was really backed-up there. Also on Heidelbach and Louisiana the same thing was happening and he is wondering what will happen on the 3:30-4:00 traffic of an evening, therefore he would like for Mr. Guillaum to have the city look at those two intersections and perhaps put a temporary thru at both places.

Commissioner Cox said that Officer Taylor, of the City Police Department, said they are trying to get motorists to avoid using 5th Avenue.

President Borries said while traveling Diamond Avenue he sees the state is doing some bridge work along the particular area over Pigeon Creek and perhaps we had better seek clarification as to how long they will be there because that would sure ease the flow of traffic, since Diamond is going to be traveled heavy by the east/west traffic.

Mr. Guillaum said he will seek clarification on this.

RE: APPOINTMENT OF NEW MANAGER OF VANDERBURGH COUNTY AUDITORIUM

President Borries introduced Mr. Kim Bitz, new Manager of the Vanderburgh County Auditorium and welcomed him to the new position. Mr. Bitz is a graduate of the University of Evansville and has a very strong background in the Arts, particularly in the use of the Auditorium, which we have been very concerned about. We have received letters of recommendation from the Evansville Civic Theatre.

RE: MARK TULEY....MANAGER OF BURDETTE PARK

Letter From Dept. of Natural Resources Concerning $30,000.00 Grant Approved: President Borries read aloud the following letter from the Department of Natural Resources, dated June 7, 1983 and directed to the President of County Commissioners.

Dear Mr. Borries:

I am pleased to inform you that your $30,000 application for federal assistance through the U.S. Small Business Administration for landscaping public open spaces will be funded.

As you know, all project activities must be completed by October 1, 1983. In order to meet this deadline work on detailed plans and specifications should begin immediately, particularly for projects over $10,000.00 which must be bid competitively. Guidelines for project administration will be sent to you by June 17th. They will contain the special federal contract provisions which must be included in all bid specifications. Actual construction may not begin until the Department completes the historic/archeological review of the project.

I am looking forward to the successful completion of your project. It is my sincerest hope that it will add to the beauty of your public open spaces as well as create job opportunities of the unemployed.

Sincerely,
James M. Ridenour, Director
Department of Natural Resources

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Letter received and filed.

President Borries stated the Commissioners are very pleased with the work Mr. Tuley and the city parks department have done on obtaining this grant.

Mr. Tuley said he too is very pleased with this and he will be meeting with Carolyn McClintock to study up the guidelines, as of next Monday.

Commissioner Cox said she too would like to give her personal thanks to Carolyn McClintock for her efforts in working with Mark in getting this application made.

Mr. Tuley said Ms. McClintock did an outstanding job.

Directional Signs for Burdette Park: Mr. Tuley said one of the agreements they had with the State Highway is that if they would put up the directional signs on S.R. 62, for Burdette Park, that we would put up the trailblazers signs, to lead the people in, therefore he would like some approval from the Commissioners.

President Borries instructed Mr. Tuley to work with Margie Meeks in drafting a memo to this effect.

Revenue from the Pool: Mr. Tuley said last week was terrific in regards to the pool, that they took in approximately $9,000.00, so if this weather stays as is it should really help.

Flag Day Festivities: Mr. Tuley said with tomorrow being flag day, they are going to be having patients from sixteen (16) nursing homes at the park for festivities. The Congressman's office is sending flags to everyone present, and it should be a real fun day for everyone and this is another way of trying to improve our image and working with the community.
There are a lot of things to be going on at the park in the next few weeks and he will be presenting a calendar of these events as soon it is completed.

Sign Concerning Domestic Animals at Burdette: Mr. Tuley reported they are constructing a sign concerning domestic animals at the park, that there will be one big sign at the entrance and it will have all of the park rules on it. They hope to have that up within a couple of weeks.

RE: BILL BETHEL....SUPERINTENDENT OF COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of June 6 thru 10, 1983...report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of June 6 thru 10, 1983...report received and filed.

Mr. Bethel reported they had the gradall on Buente Road, Green River Road and Old Boonville Highway. Patch crews were on Telephone Road, Roth Road, St. Joe Avenue, Old Henderson Road, Big Scheafer Road and Marx Road. They mowed weeds on Buente Road, Big Schaefer Road, Fisher Road, Bromm Road, Fry Road, West Terrace, Deffenbach Road, Frontage Road, Nesbit Station Road, Heckel Road, Fuquay Road, Outer Lincoln Avenue, Green River Road, Hornby Road, Huebner Road, Mt. Pleasant Road, McCutchanville Road, Browning Road, Kansas Road, Hillsdale, Volkman and Seven Hills. The trash crews were on Weinbach AVenue, River Road, Lynn Road and South Weinbach and St. Joe Avenue. They graded River Road, Armstrong County Line and Weinbach Avenue. They cut the intersections on Church, Marx, Koressel, Middle Mt. Vernon/County Line, Middle Mt.Vernon/McDowell, Baseline/St. Joe Avenue and Baseline/Volkman Road, Lincoln Avenue and Burkhardt Road, Mt. Pleasant/Darmstadt Road and Red Bank/Mt. Vernon Road. The graded and shot calcium chloride on River Road.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

President Borries said we have Acting County Highway Engineer, Andy Easley with us today and asked if he has anything to report.

Old Henderson Road Project: Commissioner Willner said he recieved a call from the Corps of Engineers in regards to the Old Henderson Road project and they want to get this completed as early as possible, and get the agreement for right-of-way.

President Borries explained the county has a project with the Corps of Engineers and Commissioner Cox has contacted the property owners in regards to whether or not they would be willing to give up their right-of-way, for a much needed riprap project, along Old Henderson Road.

Commissioner Willner said there is a packet containing information on this project, in the Commissioners office and he asked Mr. Easley if he had seen it yet and he replied no, he knows nothing about the project.

The Commissioners briefed Mr. Easley on the project and he said if he can use Mr. Willis on this also, he will proceed on it.

Commissioner Cox said she also was contacted by SIGECO, who has lines in the area of Old Henderson Road we are talking about and they would like to be made aware when the work is to start and about how long it will take and if they are going to have to do any relocations.

RE: COUNTY ATTORNEY...DAVID JONES

Mr. Jones reported that one of the suits the county has underway has been with the Indiana Department of Revenue, concerning collection of back sales tax from the Vanderburgh Auditorium. Unless he is asked to, he does not want to go through the long and twisted history of this thing, but he will say this, that there was a gap in the statutes and we have researched this thing to the point where he has recommended to the

Auditor that we pay the monies that have been collected and that would allow the County Attorney to then, on the amounts that have not been placed for collection, to negotiate. We have the money, that it has been collected, but not paid, because of legal disputes around the state and he is convinced that we are liable for it. For amounts that have not been placed for collection, then we can do some negotiating on that amount and hopefully offer them something less than the full amount owed. The total tax warrants outstanding since 1979 through the end of 1982 is $3,080.44 and there is a difference of $614.58 between the amount assessed and the amounts collected and that difference results in interest and penalties.

Commissioner Cox asked how we could negotiate that difference and Mr. Jones replied when it gets to the Sheriff we can't, because it is locked in, but under the statute it doesn't say a thing about it before it gets placed for collection, in other words, we will go back and say it's disputed and in getting into the cost, etc. they can make us an offer.

Mr. Lewis said the Sheriff received the warrants, but he stated he could hold them for a period of sixty (60) days.

The Commissioners agreed that Mr. Jones should proceed to negotiate a settlement.

Revised Wheel Tax/Excise Tax Ordinance: Mr. Jones said he has supplied each of the Commissioners with a copy of the revised Ordinance on Wheel tax/Excise tax, so all you will have to do is fill in the blanks.

New Statute on Investment Incentive Program: Mr. Jones said in meeting with some people from the Chamber of Commerce, it called to his attention that he had the occasion to review a new statute on investment incentive program, that he understands to be monies to be available to counties and municipalities, which they can then in turn lend to new or expanding businesses, for purchase or construction of real or personal property. The money is then repaid, with interest, but when the money is repaid, the county gets to keep it and can roll it over again. Mr. Rob Matthews, with the Evansville Chamber of Commerce, has already sent a letter inquiring about the procedure to do this, so right now, we are waiting for a reply to that, and as soon as Mr. Matthews gets that, we will prepare whatever legal documents necessary, so hopefully we can be standing in line when the door first opens. He will keep the Commissioners informed of anything that comes through on it.

Closed Door Executive Session: Mr. Jones said we have a proposed settlement on the table in the Class Action Jail Suit and he has asked for an Executive Session for June 20th, immediately prior to the hearing on the wheel tax/surtax. This would include the County Commissioners, County Council and the Sheriff and at that time he will put forth a settlement proposal for consideration and if they see fit at their next public meeting, they could then vote on that proposal. If he does not get the majority approval from both the Commissioners and the Council, then we will go to trial on July 25th.

Mr. Jones said in connection with that and also apart from that, there will be a meeting of the Jail Expansion Committee, tomorrow morning at 7:30 at the Executive Inn. The committee will, at that time, be presented with a proposal for the utilization of the balance of the grant money. The committee previously made recommendation before the Commissioners of the multi-use facility, but that did not encumber the full $250,000.00 of the grant. He has a proposal along with some estimates from the architect to utilize the grant and if the Committee approves that, then it will come back to the Commissioners and then after the Executive Session we will submit this grant. As soon as the grant has all been approved we will have to enter into an agreement with the Building Authority because they do own this building and they will have to authorize the construction.

Discussion on Flooding of Portions of Pigeon Creek:

Mr. Jones said at the request of Mr. Willner and Mr. Borries he has met with representatives of Congressman McCloskey's office concerning looking into funding for flooding problems and obtaining some funding for that, of Pigeon Creek, as it effects not only that immediate area but it ties into the drainage problems of the East Side Urban area of Evansville. There is presently a Corps of Engineer's project on a portion of Pigeon Creek and there has also been severe problems in Gibson and Warrick counties in the flooding of Pigeon Creek and they have undertaken projects to alleviate that problem.

It is rather involved to get into the Corps area but with the assistance of Congressman McCloskey, who has prepared a draft of a "Letter of Intent" which would go to the district engineer of the Army Corps of Engineer, in Louisville. This is the first step in requesting a feasibility study to be done by the Corps for that portion of Pigeon Creek, roughly from Stringtown Road to the County Line. There is a cap of $250,000.00 and this would be under the snagging and clearing, or Section 208, of the Flood Control Act. This is a very serious problem and it has a great impact on our community and not just the immediate part, but it also ties into some problems out on the east side. He said the letter of intent is not a commitment, and it says so in the letter, that it simply says we are interested in asking them to go forward. It does say that the county has the authority to tax property with assessed valuation and if the revenue derived does generate a surplus, it can be applied to the non-federal financing of any considered project. He has modified that by saying "upon appropriation of the county council".
He said he has a rough draft of the letter and it will have to be retyped, but he has prepared it for signature of the President of Commissioners.

Commissioner Willner moved it be approved and sent to the Corps. Commissioner Cox seconded the motion. So ordered.

RE: LEASE AGREEMENT WITH THE SCHOOL CORPORATION FOR WEST HEIGHTS SCHOOL

President Borries said before the Commissioners today is the lease agreement between the Board of Commissioners of Vanderburgh County and the Evansville-Vanderburgh School Corporation, regarding the use of West Heights School, for trade school. We have previously discussed this and approved it, therefore we need to sign the agreement.

Commissioner Cox moved the agreement be signed and approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM CLERK OF CIRCUIT AND SUPERIOR COURTS

President Borries read aloud the following letter received from Helen Kuebler, County Clerk, dated June 6, 1983 and directed to the Board of County Commissioners.

Re: Concerning the Division of Knight, Pct. 2

I, Helen L. Kuebler, respectively request the division of Precinct Knight 2.

At present this precinct has 1,490 registered voters and will probably be more in 1984, the next county election.

With this number of voters, it would be almost impossible to vote them in one twelve hour period.

Your attention to this matter, I feel, is urgent. Trusting this action will be taken, I need to figure the 1984 budget with this in mind.

Sincerely,
Helen L. Kuebler
Clerk of Circuit & Superior Courts

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Commissioner Willner moved the request be approved and referred to Jim Lewis to give to the County Surveyor's office for proper procedures by them, and then it will come back to the Commissioners and then to the state election board. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO TRAVEL...PERRY TOWNSHIP ASSESSOR

President Borries read aloud the following letter of request to travel, dated June 6, 1983 and directed to the Board of County Commissioners.

Dear Commissioners:

I respectfully request your permission for myself and Chief Deputy, Glen Koob, to attend the eighth annual seminar of Indiana Assessor's Association which will be held in

Ft. Wayne, Indiana, on July 11,12 and 13, 1983.

The State Baord of Tax Commissioners will certify per diem and mileage.

Sincerely,
Harry A. Tornatta
Perry Township Assessor

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Letter received and filed, with State Board of Tax Commissioners' memorandum attached.

Commissioner Cox moved the request be approved. Commissioner Willner seconded the motion with the comment that all other Assessors submitting their State letter also be approved. Commissioner Cox agreed, as long as their State letter is attached to their request. So ordered.

RE: LETTER FROM CONGRESSMAN FRANK McCLOSKEY

President Borries read aloud the following letter, directed to the Board of County Commissioners and dated June 3, 1983.

I have received your petition urging support for general revenue sharing.

Let me assure you of my intention to support the continuation of general revenue sharing and to work with my colleagues to be sure that it receives adequate funding.

I am attaching a summary of the status of revenue sharing as it moves through the committees and Houses of Congress. Please let me know if you have any questions about this process.

Now we are awaiting a figure from the House/Senate Compromise Committee, as well as the assignment of revenue sharing to an appropriations bill.

Again, I share your interest and support for General Revenue Sharing, and I am grateful for your petition. Such communications are helpful in persuading Congressional colleagues of the popular support for this program.

Sincerely,
Frank McCloskey, M.C.

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Letter received and filed.

RE: ANNUAL REPORT OF THE BUILDING COMMISSION

Ordered received and filed was the annual report of the Building Commission for 1982.

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

Ordered received and filed was the monthly report of the Clerk of the Circuit Court, for the month of May, 1983.

RE: LETTER FROM BARBER COLMAN, CO. CONCERNING THREE (3) UNPAID BILLS

Received was the following letter, addressed to the Board of County Commissioners, dated June 7, 1983. The letter was sent certified mail and received by the Commissioners on June 9, 1983., and read as follows:

Dear Mr. Borries:

Attached are copies of 1982 billings which remain open and unpaid. These invoices represent our billings for the Maintenance contract that we have with the Evansville Vanderburgh County Convention Center. Although we have made numerous requests for payment we still have not received settlement.

Letter from Barber Colman Continues

It is most important that arrangements be made in the immediate future to clear these old items from the account as further delay will leave us no alternative but to consider discontinuing further services to your organization and to take legal action to collect the money that is owed to us.

We request that you give this matter your prompt attention and look forward to hearing from you very soon.

Yours very truly,
Barber-Colman Company
Controls Division
D.R. Hanson
Credit Department

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Letter received and filed.

President Borries said there is a note attached, from Margie Meeks, which states "there is a contract between Barber-Colman Co. and the Auditorium, that there was no money in the budget to pay these three (3) bills in 1982 and Conrad Cooper appeared before the County Council for funds and the request was denied by them. I am having someone at the Auditorium look for the blue claims and see what can be found on them".

President Borries said he would recommend it be put back on the Council Call.

Commissioner Willner moved the amounts be put on the Council Call as early as possible.

Commissioner Cox said this was a commitment, and it should have been paid and let some of the other things go, that these are 1982 bill. She seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by County Attorney, David Miller, in the amount of $3,241.00, for legal services rendered, with attached itemized statement.

Commissioner Willner moved the claim be approved and placed on the Council Call for approval of funds. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Biagi and Associates, in the amount of $1,854.50, for engineer fees due in regards to the boiler replacement at the Vanderburgh Auditorium.

Commissioner Cox said whatever happened to the claims that Mr. Cooper was holding from Municipal Engineering in regards to the boiler and Commissioner Willner said yes, we paid them a couple of weeks ago. Commissioner Cox asked if the system is now working and Commissioner Willner said the new equipment is working, but what is not working is the supply line to the new equipment and in his opinion the mistake was made with the engineer, therefore he would recommend this claim from Biagi be held for awhile and see what can be worked out.

Commissioner Willner said he believes the claim should be given to Mr. Bitz, the new Auditorium Manager for a follow up investigation.

A claim was submitted by Fred Nenneker, in the amount of $75.00 for a refund on a permit from the Building Commission. Claim signed by Jesse Crooks.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

President Borries said the only meetings he is aware of is the Executive Session that Mr. Jones has called for June 20th.

President Borries said in regards to the Commissioners regular meetings, he will be on vacation the day of June 20th. Also on June 27th. he and Commissioner Willner will both be out of town, therefore there will be no Commissioners meeting the week of June 27th. Also, all county offices will be closed Monday, July 4th, for that respected holiday.

RE: SETTING OF RATE FOR CUMULATIVE BRIDGE FUND

County Auditor, Alice McBride, reminded the Commissioners that every five (5) years they have to set the rate for the Cumulative Bridge Fund and now is the year it has to be done, that the present rate is 15¢.

Commissioner Willner moved the rate stay the same, at 15¢, for the Cumulative Bridge Fund, for the next five (5) years. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Cletus Muensterman	6025 Broadway Ave.	Road Foremen	$14,951.00 Yr.	Eff: 6-7-83

VANDERBURGH COUNTY BOARD OF REVIEW

Frank W. Zaieck	1508 Greenfield Rd.	Lay Member	$40.00 Day	Eff: 6-6-83
Robert Kollker	545 Lodge Avenue	Lay Member	$40.00 Day	Eff: 6-6-83

LEGAL AID SOCIETY OF EVANSVILLE

Katherine VanOst	2126 Lincoln Avenue	Staff Attorney	$11,474.00 Yr.	Eff: 6-6-83

BURDETTE PARK

David Weiss	1018 N. Third Ave.	Security Guard	$6.00 Hour	Eff: 6-1-83
Mike Powless	5816 Ashbrook	P/T Guard	$3.25 Hour	Eff: 6-8-83

VANDERBURGH COUNTY AUDITORIUM

Kim Patrick Bitz	864 Lincoln Ave.	Manager	$16,800.00 Yr.	Eff: 6-13-83
Thea Patterson	811 E. Gum St.	Sec/Bookkeeper	$10,210.00 Yr.	Eff: 6-13-83

CIRCUIT COURT

David L. Farnbauch	623 S. Harlan #6	Law Clerk	$4.00 Hour	Eff: 5-23-83
Stephen M. Caine	1470 Audubon Dr.	Special Intern	$140.00 Week	Eff: 6-20-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Linda Webster	4100 Claremont Ave.	Sup. Court Clk.	$415.30 Pay	Eff: 6-13-83

SHERIFF

David Ludwig		Lieutenant	$20,806.00 Yr.	Eff: 6-4-83
Thomas Rademacher		Corporal	$17,994.00 Yr.	Eff: 6-4-83
Otto Schnakenburg	3500 Koring Rd.	Merit Board	$720.00	Eff: 6-4-83
Glenn A. Grampp	833 S. Hebron	Merit Board	$720.00	Eff: 6-4-84
Mike Ellenstein	861 Blue Ridge Rd.	Merit Board	$720.00	Eff: 6-4-83
Jim Embry	1519 Fuquay Rd.	Merit Board	$720.00	Eff: 6-4-83
Billie S. Goff	2500 Anthony Dr.	Merit Board	$720.00	Eff: 6-4-83

COOPERATIVE EXTENSION SERVICE

Sandra K. Carroll	6611 Rosser Dr.	Part time	$22.00 Day	Eff: 6-1-83
Dwayne D. Brazelton	5100 Happe Road	Part time	$28.00 Day	Eff: 6-1-83
Anne E. Buthod	703 S. Willow Rd.	Part time	$22.00 Day	Eff: 6-1-83
Daniel R. Miller	1616 E. Indiana St.	Part time	$22.00 Day	Eff: 6-1-83
Christine Wagner	5315 Millersburg Rd.	Part time	$25.00 Day	Eff: 6-1-83

RE: EMPLOYMENT CHANGES....RELEASES

SHERIFF

David Lugwig	Corporal	$17,994.00 Yr.	Eff: 6-3-83
Thomas Rademacher	Patrolman	$16,743.00 Yr.	Eff: 6-3-83

COOPERATIVE EXTENSION SERVICE

Robert Kimbrough Jr.	429 Adams Ave.	Part time	$25.00 Day	Eff: 6-1-83

Releases Continued:

CLERK OF CIRCUIT AND SUPERIOR COURTS

Kathleen Powers	6305 Jamestown Pl.	Sup. Court Clk.	$415.30 Pay	Eff: 6-13-83

VANDERBURGH COUNTY AUDITORIUM

Conrad Cooper	1000 E. Blackford Ave.	Manager	$21,844.00 Yr.	Eff: 6-10-83
Gail Pinkston	4586 Spring Valley	Sec/Bookkeeper	$10,210.00 Yr.	Eff: 6-10-83

CIRCUIT COURT

David Lee Farnbauch	623 S. Harlan #6	P/T Bailiff	$3.35 Hour	Eff: 5-20-83

BURDETTE PARK

Greg Smith	1313 Grand Ave.	Security Grd.	$6.00 Hour	Eff: 6-9-83

PIGEON TOWNSHIP ASSESSOR

June Hallenberger		Part time	$30.00 Day	Eff: 6-2-83

There being no further business, President Borries declared the meeting recessed at 5:15 p.m.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries	Alice McBride	David Jones
	Robert L. Willner		
	Shirley Jean Cox		
SECRETARY	Janice Decker		

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 20, 1983

The meeting of the County Commissioners was held on Monday, June 20, 1983, at 2:30 p.m. in the Commissioners Hearing Room with Vice President Robert Willner presiding, since President Borries was on vacation.
The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading dispensed with.

RE: COMMENT BY COMMISSIONER WILLNER ON REZONINGS

Commissioner Willner stated since we are short one (1) Commissioner, it will take a yes vote from both himself and Mrs. Cox to pass the rezonings here for a third reading tonight, and if anyone does not like those odds, they may hold their petition for another month.

RE: REZONING PETITION VC-3-83...FIRST READING

Petitioner: Homer A. and Julia M. Bacon. 3624 Upper Mt. Vernon Road
Owner of Record: Same

Premises affected are situated on the S.E. side of Upper Mt. Vernon Road, at the corner formed by Woods Avenue. The common address is 3624 Upper Mt. Vernon Road. The above described real estate is presently zoned R-1 and the requested change is to C-1. Present existing land use is residential and the proposed land use is residential - commercial sale of small tools.

Commissioner Willner said the APC Staff Field Report states the number of parking spaces required is five (5) and that is the number that has been provided. It says the property has mixed zonings surrounding it. This is a low volume use with no employees other than Mr. Bacon. C-1 does not allow outside storage. Parking area shown on plat is in the right-of-way.

Commissioner Willner asked if there was anyone in the audience to speak for or against this petition....there were none.

Commissioner Cox moved rezoning petition VC-3-83 be approved on first reading and referred to Area Plan. Commissioner Willner seconded the motion which carried with two (2) affirmative votes.

RE: REZONING PETITION VC2-83...THIRD READING

Petitioner: Housing and Foundation Corp. 1410 First Avenue, Evansville, Indiana
Owner of Record: SIHE - Southern Indiana Higher Education. 525 Sycamore St. Evansville, Indiana.
Lessee: Sigma Tau Gamma Fraternity. 1410 First Avenue, Evansville, Indiana.

Premises affected are situated on the south side of Clark Lane a distance of 470 feet west of the corner formed by the intersection of Schutte Road and Clark Lane. The common address is 7601 Clark Lane. The above described real estate is presently zoned Agricultural and the requested change is to R-4. The present existing land use is vacant and the proposed land use is fraternity house.

Mr. Cole Banks, attorney, was present to represent the petitioner and stated they are requesting a location at 7601 Clark Lane be rezoned from Agricultural to R-4 for a fraternity house. This, historically, would be the very first housing for Indiana State University of Evansville. The present land is vacant and was approved by the Area Plan Commission at their last meeting. We feel the land is particularly suitable for a fraternity house, that it is away from other residential property and it is very close to Indiana State University Evansville and therefore he would ask the Commissioners to look favorably upon this request.
Also present with the group tonight was their financial advisor, Judge Bill Brune.

Judge Brune said in checking around the community that all persons he spoke with concerning this rezoning and building of the fraternity house, they all seem to be totally in favor of this, that they view it as an aid to the community, as a whole. He can assure the Commissioners that the Sigma Tau Gamma Fraternity consists of very fine young men who are going to be tomorrows leaders and they would like to be the first to have their fraternity house on ISUE campus. He would thank the Commissioners for any support given to them.

Commissioner Cox said she would hope Judge Brune would have stated they were financially stable and he replied....they are that.
Commissioner Willner called for any remonstrators....there were none.
Commissioner Cox moved rezoning petition VC-2-83 be approved on third reading.
Commissioner Willner seconded the motion which carried with two (2) affirmative votes.

RE: SPECIAL USE PERMIT 14-83-APC...FIRST READING

Petitioner: Faith Carol Jones, 9948 ST. Wendel Road, Evansville, Indiana.
Owner: Faith Carol Jones, same address

Present use of the property is a single family residence and the proposed use of the property is single family residence and beauty shop. The property is surrounded by agricultural zoning. Petitioner shows adequate parking.

Commissioner Willner asked if anyone was present to speak for or against the special use and there were none.

Commissioner Cox moved Special Use permit 14-83-APC be approved on first reading and referred to Area Plan Commission. Commissioner Willner seconded the motion which carried with two (2) affirmative votes.

RE: SPECIAL USE PERMIT 12-83-APC....THIRD READING

Petitioner: Samuel B. Gee, 19900 Highway 41 North, Evansville, Indiana
Owner: Same as above.

Present use of the property is a motel, restaurant and service station and the proposed use of the property is a motel, restaurant, service station, mobile home office and guard house. The parking spaces are complied with and the APC staff field report states this is a special use #26 for a mobile office for Sun Motel and guard house for Sun Travel Mart. Trailer was placed on property in 1975. According to code this can never be used for living or sleeping as it has been previously.

Attorney Toby Shaw was present to represent the petition, Samuel B. Gee and stated they have submitted an application for a special use, for the location at Highway 41 north and I-64. The purpose of the request is for a mobile home for an office and guard house. The complex is south of the Busler Complex and it houses a motel, restaurant and convenient store and also a Sunoco Service Station. APC recommended approval 11-1, however, they did put a stipulation of three (3) years on the permit, which they have no objection to, because by then Mr. Gee will either extend the motel unit, which presently has twenty four (24) units, and build another twenty four (24) units, in the place where this mobile home presently sits, or use the land for different purposes and leave the motel as it presently is. The mobile home has been located on this site since 1975 and Mr. Gee purchased this in March of 1983, under the assumption it was in legal conformance with the ordinance, but was informed by the APC that it did not comply.
The prior owner resided in the mobile home, in fact, he had his family living in there with him, however, we have no intentions of anyone living in it, that we want it strickly for an office and guard house. The complex is open from 6:00 a.m. to 11:00 p.m., so at night, they do need some protection, that there have been some problems in the past, therefore someone would be on guard, in the mobile home during the night hours, when the complex is closed.
Mr. Shaw submitted a location map to the Board and pointed out where everything is situated and he also submitted some photos of the property in question.

Commissioner Cox said usually on special use permits if there is a limit put on it, it us almost automatically for two (2) years, so why was this set for three (3) years.

Mr. Shaw said there was a motion made and carried for the three (3) years, by the Area Plan Commission.
Commissioner Willner called for any remonstrators....there were none present.
Commissioner Cox moved that Special Use Permit 12-83-APC be approved on third reading with the restrictions that the mobile home will not be used for living or sleeping quarters and that a three (3) year time limit placed on the permit. Commissioner Willner seconded the motion which carried with two affirmative votes.

RE: SHERIFF SHEPARD - JAIL EXPANSION REPORT

Commissioner Willner said after the Sheriff makes his presentation today, the Board should make a motion for County Attorney David Jones to continue his dealings with the LSO, on the jail expansion and law suit. The Commissioners, the County Council, the Sheriff and the County Attorney had an executive session at 1:30 today, heard all the pros and cons and the Council did vote to accept, and the Commissioners will have to tonight, the details of the law suit and the subsequent agreement between the two (2) parties will be made available tomorrow morning at 10:00 a.m., at the jail, at which time all interested parties, including the news media, are invited to be present.

Sheriff Shepard said he is before the Commissioners tonight asking for approval to get started on the jail expansion program, so that after Commissioners approval, it can be forwarded on to the Building Authority for their approval and the proceeding of letting of bids. He thought Mr. Jones would be present tonight with the final figures, however, it is the package presented today, in its entirety of $250,000.00 and he respectfully requests the Commissioners consider this tonight in a vote of approval of "Plan C". There is no physical impact on the county whatsoever, that this is all grant money.

Commissioner Cox moved that "Plan C", as proposed and recommended by Sheriff Shepard be adopted and forwarded to the Building Authority. Commissioner Willner seconded the motion, which carried with two (2) affirmative votes.

Commissioner Cox moved the matters discussed in the Executive Session today, that received the endorsement of the County Council, also receive approval of the County Commissioners. Commissioner Willner seconded the motion which carried with two (2) affirmative votes.

RE: COUNTY ATTORNEY

Commissioner Willner said in the absense of both of our county attorneys, we have a member of their law firm present tonight to answer any legal questions that might arise. Present with us is Mr. Jim Casey.

Tort claim...Rockwell and Kathy Roberts vs Vanderburgh County

Mr. Casey said on Friday, June 17, 1983, there was received a notice of tort claim, filed by Rockwell and Kathy Roberts, of Evansville, Indiana. The cause of the action is against the county and two (2) individuals. Specifically, it states that Greg Smith, a Burdette Park employee deprived the Roberts of their property by destroying a pedigreed blue chow dog and in disposing of the dogs' remains by placing it in a trash container while working in his capacity as an employee of the park. The tort claim notice was filed by local attorney Jim Corbett and it also states the action was caused by negligence and in the alternative, it was done intentionally. Damages claimed by the Roberts is in the amount of $15,000.00 and if in fact the action was found to be intentional, the Roberts would contend that such action constituted a violation of criminal statute which by Indiana law would entitle them to three (3) times their actual damage, plus attorney fees. Mr. Casey said the matter is under invistigation by the county and the county has ninety (90) days to respond.

RE: BILL BETHEL...COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of June 13 thru 17, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of June 13 thru 17, 1983....report received and filed.

Mr. Bethel reported they had the gradall out on South Weinbach, Daylight and Wildwood Drive. They finished paving Seven Hills Road. They mowed Big Schaefer, Bayou Creek, West Franklin, Frontage Road, Nesbit Station, Mesker Park, Marx Road, Denzer Road, Schutte Road, Stacer Road, Maasberg Road, Owensville Road, Outer St. Joe Avenue, Emge Road, Schmidt Road, Lake Shore Road, Weiss Road, Vienna Road, Lynch Road, Petersburg Road, Baumgart Road and Southeast Browning Road. They trimmed the intersections on Evergreen, Darmstadt Road, Orchard and St. Joe, Nesbit and Owensville Road, Schlensker Road, Petersburgh Road, Hillsdale and Angel Mounds. They had the patch crews out on Upper Mt. Vernon Road (They did the shoulders on Upper Mt. Vernon Road), and the crews were on Bayou Creek, Seminary Road, Outer Broadway. Trash crews were on Bayou Creek, Streuh-Hendricks Road, Burkhardt Road and Lynn Road.

Mr. Bethel reported they received their new gradall last week and they are certainly happy to have that on the job. The company put it on the road for them for the first time.

Report on Sidewalks along Outer Lincoln Avenue: Mr. Lee Stuckey reported that in regards to the project he has been working on with the sidewalk installation on Outer Lincoln Avenue, that up until about two (2) hours ago everything seemed to be working out very well, then he was informed by Mr. Bob Gulick, representative of Southern Indiana Gas and Electric, that there will be a charge to move electric poles in the vicinity. We have been under the impression until this point...that there would be no charge for the moving of the poles, boxes, telephone boxes, etc., for either the county or the property owners. Mr.Gulick contacted him about two (2) hours ago and informed him that the minimum charge for moving the off-sets on the poles would be about $700.00. We first started out with about $8,000.00, however, we now have it down to $700.00 and that is still too much.

Mr. Stuckey said instead of moving the poles he decided to move the stand-offs around to the side, where people cannot trip over them, and then build the sidewalks right around the poles, as is done all over Evansville. He would like for the Commissioners to contact SIGECO and see if perhaps something could be worked out because the people out there are already disgruntled and they simply would not pay another $700.00 to have the poles moved. He has already received three (3) signed "Letter of Intent", as drafted by Attorney Miller. He understands there are two (2) more already in the mail and on their way to us and he can pick up Mr. Bauers' either Thursday or Friday, that he has been on vacation.

He would report that Indiana Bell is going to do their work, as is Evansville Cable T.V. at NO charge to the county or to the property owners.
Also, one of the property owners, Mr. Kingston, has one (1) contractor, who is going to try to do all the work, that way it would all be uniform and done at one time, and every one has agreed to that except for two (2) owners and we will continue to work on that. He talked the people out of a law suit, that some of the property owners wanted to sue the county, but everything has been worked out in all aspects.....except for the extra charge from SIGECO.

Commissioner Cox said what we have done is save the county doing the project by the Barrett Law. She personally thinks it is wonderful these few property owners have come forth and agreed to install the sidewalks without going through all these hearings as it pertains to the Barrett Law. She cannot see where there would be a hang-up at all, because if it had gone under the Barrett Law it would have been a county project and SIEGCO would have done it for nothing. She certainly feels like the property owners should not be subjected to additional costs from SIGECO. She asked Mr. Stuckey if SIGECO fully understands how this came about and he replied yes, that he explained it fully to them but they say since the Plaza School PTA is the one pushing for this, it is a private matter, therefore there will be additional charges.

Commissioner Cox said regardless of who is pushing for it to be done she does not think it is right and she will be happy to contact SIGECO and see if she can do something to try to resolve the problem.

Commissioner Willner said he agrees with Mrs. Cox and perhaps a meeting could be set up between SIGECO, Mr. Stuckey, Andy Easley and Jim Lewis and see if the problem could be resolved and Mr. Stuckey could report back at the next Commission meeting.

Mr. Lewis was instructed to contact SIGECO the first thing in the morning, set up a meeting and contact the other persons involved and inform them when and where the meeting will be.

RE: LETTER FROM STATE OF INDIANA IN REGARDS TO PARCELS ON S.R. 66

Commissioner Willner said recieved was the following letter from the State of Indiana, Indiana Department of Highway, dated June 15, 1983, and directed to the County Auditor.

Transmitted herewith are copies of the legal descriptions and plats which were submitted to the Attorney General's office for use in condemning the above parcels. This submission is for information only.

A Certification of Transfer will be forwarded later by the office of the Attorney General.

Very truly yours,
Suzanne Carroll
Supervisor, Administrative Services Unit
Division of Land Acquisition

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The information was referred to Mrs. McBride to forward on to the city, since the parcels listed are in the city and not in the county.

RE: FINANCIAL REPORT....BURDETTE PARK

Commissioner Willner said Mr. Tuley could not be present tonight, however, he has submitted his financial report through May 31, 1983. Received and filed.

Also submitted was the absentee report through June 16, 1983....report received and filed.

RE: CONTRACT FOR BOVINE, BRUCELLOSIS AND T.B. TO BE APPROVED:

Received was the following letter from the Board of Animal Health, directed to the Auditor.

Please find enclosed the contracts for Bovine Brucellosis and Tuberculosis Eradication Programs in your county.

The contracts are in the amount of $1,000.00, which includes the Brucellosis and Tuberculosis Programs. In the event all or any part of the appropriation is not used in the year for which is is a located, such appropriation or any part thereof shall be available for the use in the following year.

The contracts are to be signed by at least two members of the Board of County Commissioners and County Auditor and returned to this office immediately after the Board of County Commissioners meet for their first session in July, after which the Secretary of the State Board of Animal Health will sign the contracts. One copy of the contract will be returned for your file. (INDIANA CODE, Title 15, Article 2.1, (ANIMAL HEALTH) Chapters 7 and 8).

If any questions should arise in regard to this matter or if this office can be of assistance to you, please feel free to contact us.

Sincerely,
Dr. Lowell W. Hinchman
Indiana State Veterinarian

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Letter received and filed.

Commissioner Cox moved the contracts be approved, signed and forwarded to the Board of Animal Health. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT FOR UNDERPASS LOCATED ON BNVL/NEW HARMONY AND BENDER ROAD

Commissioner Willner said the Commissioners have the agreement for the underpasses located on Boonville/New Harmony Road and Bender Road, from the Southern Railway, and the law office of Bowers, Harrison and Kent, which states the following:

Enclosed is the original and one copy of the agreement being proposed for the removal of the above underpasses. I will also be forwarding a copy of this agreement to Mr. Pat Shoulders, of Kahn, Dees, Donovan and Kahn.

Please review the proposed agreement and if it is acceptable to the Board of County Commissioners, have the Board execute both the original and copy and return both to me and I will send both of them to the proper representatives of the railroad for execution and return the signed original to you for your files.

If you or Mr. Shoulders have any questions, comments or suggestions please call.

Very truly
David E. Gray
BOWERS, HARRISON, KENT & MILLER

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Commissioner Willner asked Mrs. Cox if she would like for Mr. Easley to look the documents over and report back on the 5th. of July and she acknowledged she would.

Commissioner Willner informed Mr. Easley that Mr. Pat Shoulders is the attorney represent- the county in this project, that the county attorney's law firm represents the railroad, therefore it would be a conflict of interest. He informed Mr. Easley that our verbal agreement with Southern Railway is that we tear it down with our own personnel, at no cost to the railroad, however, if they are ever rebuilt, the railroad would have to do that at no cost to the county.

Mr. Easley asked if this would be done with the county force or would it be contracted out and Commissioner Willner said....county work force, and for him to work on a set of plans and to check with the Surveyor and Mr.Guillaum to get something we can live with.

RE: LETTER FROM STATE CONCERNING ENVIRONMENTAL STUDY ON LYNCH ROAD EXTENSION

Commissioner Willner read aloud the following letter from the State of Indiana, dated June 13, 1983 and directed to the Board of County Commissioners.

RE: M-E185, RS-6882, RS-6687

Dear Sirs:

Attached herewith are comments concerning the environmental impact study for your review on the above referenced subject. Please address the comments and return them to our office for further processing.

By copy of this letter, I am informing D.E. McGillem & Associates, Inc., of this matter. If there are any questions, please let me know.

Very truly yours,
Stephen M. Dilk, Area Engineer
Division of Local Assistance

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Commissioner Willner said he would entertain a motion to refer this to the County Engineer for further contact with the state and to return the attached comment letters to them also.

Commissioner Cox so moved. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST....PIGEON TOWNSHIP ASSESSOR

Commissioner Willner read aloud the following letter received from Robert T. Dorsey, Pigeon Township Assessor, dated June 16, 1983.

I, Robert T. Dorsey, Pigeon Township Assessor request permission and approval for myself, Chief Deputy and Real Estate Deputy to attend the 8th Annual Assessor's Seminar, to be held on July 11,12 and 13, 1983, at the Marriott Inn in Fort Wayne, Indiana, and be paid mileage and per diem.

Sincerely yours,
Robert T. Dorsey
Pigeon Township Assessor

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Attached to the letter of request was the State memorandum.

Commissioner Cox moved the request be granted with the understanding only one (1) person receive mileage. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACTS FROM VANDERBURGH AUDITORIUM:

Commissioner Willner said the Commissioners have before them today, contracts from the Vanderburgh Auditorium with the Church of Christ, R.R. 1, Providence, Kentucky. for the Reverend Ray Stillwell, Thursday, July 28, Friday 29th and Saturday, the 30th, for both a.m. and p.m.

Commissioner Willner said he believes these came from the new Manager, Kim Bitz, probably with the understanding they have to be approved by the Commissioners, however, Mr. Bitz has the authority to sign the contract, therefore they were referred to Mr. Jim Lewis to return to Mr. Bitz at his earliest convenience.

RE: ANDY EASLEY....ACTING COUNTY HIGHWAY ENGINEER

Old Henderson Road Riprap Project: Mr. Easley said he has a question concerning the Old Henderson Road Project, with the Corps of Engineers, that he understands some deeds were looked up by the County Surveyor's office and he is trying to locate that file at the present time, so if the Commissioners are aware of this information, he would appreciate the help, because he does not want to redo what has already been done on the project.

Commissioner Cox informed Mr. Easley she has copies of all parcel numbers, names and addresses and he replied he already has that data, but what the Corps wants is legal descriptions of each parcel, taken from the deeds, and he understands Bill Jeffers has this information.

Commissioner Willner said what happened is that the County Assessor finally had to do this and we got the parcel numbers and names and we sent this information to Louisville and that was to come back to us in a purchase agreement form.

Mr. Easley said he spoke with the lady representative in Louisville and she is to send him another packet of information, but she said we may have to do some surveying and we do have to write legal descriptions for the easements.

Commissioner Willner said they wanted this information by the 29th of June, therefore he would like for this to be top priority this coming week because we certainly do want to get this started, that the finances will come from the Jobs Bill. They want to start the project in October and have it completed in November of this year.

Mr. Easley said he will stay on it and complete it as soon as possible that the lady said they could live with getting it a little past the June 29th date, but they would like it as soon as possible.

RE: CLAIMS

A claim was submitted for Edwin Smith.
Commissioner Willner said he supposes this is for a deposition, that it concerns the Indiana Supreme Court of Appeals and he would like for Jim Casey to have a look at it.

Mr. Casey said this apparently is a matter that went to the Indiana Supreme Court of Appeals relating to a drainage board action and this is a payment that had been received apparently addressed to Mr. Smith, former County Attorney, for court costs for the Court of Appeals. There is a note attached that Helen Kuebler, County Clerk, has already checked on this and is due and payable to the Court of Appeals. If the Commissioners wish, he will be happy to check further into the matter and have a report back to the Board.

Commissioner Cox said she believes this matter was brought up a few weeks ago and we will probably have to pay it, therefore she would move the claim be approved and referred to Mr. Casey for further checking. Commissioner Willner seconded the motion.

Claim was given to Mr. Casey and he is to see it is forwarded to the County Auditor for payment, after his research of the matter.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH SUPERIOR COURT....PROBATE DIVISION

Virginia N. Lomas	900 N. Kelsey	Clerical Assist.	$10,472.00 Yr.	Eff: 6-20-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Billy W. Downing	R.R.1 Box 197	Laborer	$6.47 Hour	Eff: 6-15-83

BURDETTE PARK

Jenny Oberhausen	4218 Tremont	Pool Manager	$48.00 Day	Eff: 5-25-83
Tom Mitsdarffer	823 First Avenue	Ground Crew	$4.00 Hour	Eff: 6-4-83

VANDERBURGH COUNTY RECORDER

Vonna Wagner	3208 Folz Lane	Rel. Deputy	$10,260.00 Yr.	Eff: 6-20-83

RE: EMPLOYMENT CHANGES....RELEASES

BURDETTE PARK

Jenny Oberhausen	4218 Tremont	Pool Manager	$46.00 Day	Eff: 5-25-83

VANDERBURGH SUPERIOR COURT...JUVENILE DIVISION

Karen S. Markham	813 Washington Ave.	Child in Place Supervisor	$16,678.00 Yr.	Eff: 5-20-83

Releases Continued:

VANDERBURGH COUNTY RECORDER

Georgetta Wilcox 3065 Cottage Real Deputy $10,260.00 (L/A) Eff: 6-20-83

Attached to the pick slip, for Ms. Wilcox, was the following doctors statement:

June 15, 1983

To Whom it May Concern:

This is to certify that Mrs. Wilcox is a patient of mine. She underwent surgery (total abdominal hysterectomy) on June 7, 1983. She will be physically unable to perform normal working duties for approximately 8 weeks from surgery date.

Frank L. Hilton, MD

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Commissioner Cox moved the Leave of Absence request be approved. Commissioner Willner seconded the motion. So ordered.

RE: RANDY BECK...AMAX COAL COMPANY

Mr. Randy Beck, Ayrshire Engineering Manager, AMAX Coal Company was present and stated he spoke with county attorney Jones last week and he indicated he should make an appearance before the Commissioners tonight concerning an application to occupy county right-of-way concerning the relocation of the Elberfeld/Chandler water line. An application was sub- on April 20, 1983. Mr. Jones recommended to him that he obtain an intergovernmental agreement between Elberfeld and Vanderburgh County, which he has in his posession tonight and at this time he submitted it to Mr. Jim Casey for his expertise.
Mr. Beck presented a map of the area to the Board at this time and stated as the pit advances to the west they find it necessary to relocate the water lines in the town of Elberfeld and Chandler. He pointed out on the map where the water line currently lies and also where they propose to relocate them. Portions of the relocation falls within Vanderburgh County, that approximately 2.4 miles of pipeline construction along County Line Road (1200W) and Baseline Road (600N) will be required to circumvent the mining area. Two locations were noted in which easements from landowners would be required due to culverts extending to the edge of the right of way. These easements have been obtained. He said Mr. David South requested that an Application To Cut and Occupy County Right-of-Way be submitted for review by the Commissioners, which he did submit, on April 20th. In a phone conversatinon with Mr. South on June 1, 1983 he indicated that an Intergovernmental Agreement between Elberfeld and Vanderburgh County would be required in addition to posting a $10,000 construction bond.

Commissioner Willner said then you are going to excavate, by backhoe, bury the line three (3) feet, fill and tamp and Mr. Beck said this is all correct.

Mr. Casey said you will need the approval of the Board of Trustees, of the Town of Elberfeld also and Mr. Beck said yes, but Mr. Jones recommended he get the Vanderburgh Commissioner's approval first.

Mr. Easley asked how far off of the road shoulder will this be and Mr. Beck replied it will be in the bottom of the ditch. Mr. Easley said then he would see no objections, because it would pose no problems for the automotive traffic.

Commissioner Willner asked if traffic warnings and flagmen would be used and Mr. Beck replied yes, that they will be contracting this out, that the mine will not be doing the actual labor.

Mr. Casey said he understands Mr. Jones has seen and approved the intergovernmental agreement and Mr. Beck replied yes. Mr. Casey said he will note, for the benefit of the Commissioners that Paragraph #4 of the Agreement states "Elberfeld shall hold the County harmless on account of any claim, including but not limited to reasonable attorney fees, made for injuries to or death of any person or persons or damage to any property arising out of or resulting from the exercise by Elberfeld of the rights, franchises or privileges herein granted to Elberfeld by the County".

Commissioner Willner asked Mr. Beck if he intended to attend the County Council meeting at 3:00 p.m. tomorrow, to submit this request to them, since it also requires their approval and signatures and he replied yes, he would attend.

Mr. Beck said he would also like to leave the map and the applications with the Commissioners, which he submitted at this time.

Commissioner Willner presented Mr. Easley with the application and the map for his review, and asked if possible that he have a recommendation ready for the Council tomorrow.

Commissioner Cox moved the Intergovernmental Agreement by and between the Board of Trustees, Town of Elberfeld, Indiana and the Board of Commissioners of Vanderburgh County, in regards to the relocation of the waterlines, be approved and signed. Commissioner Willner seconded the motion which carried with two (2) affirmative votes.

Both Agreements were signed by the Commissioners and presented to Janice Decker, secretary to the County Auditor, to see that they were properly submitted to the County Council at their meeting to be held at 3:00 p.m. on June 21st.

RE: HOLIDAY CLOSING

All county offices are to be closed Monday, July 4th. The next regular meeting of the County Commissioners will be held on July 5th. at 2:30 p.m. There will be no County Commissioners meeting the week of June 27th, due to a lack of a quorum.

There being no further business, Commissioner Willner declared the meeting recessed at 8:50 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Shirley Jean Cox	Alice McBride	Jim Casey (Representing the County Attorneys)

SECRETARY: Janice Decker

Richard L. Bain

Robert D. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 5, 1983

The meeting of the County Commissioners was held on Monday, July 5, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

This being the first meeting of the month, it was officially opened by Sheriff Shepard.

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

RE: RESOLUTION TO ESTABLISH A CUMULATIVE BRIDGE FUND

The following resolution was submitted by the County Auditor's office, for approval of the Commissioners:

RESOLUTION TO ESTABLISH A CUMULATIVE BRIDGE FUND

BE IT RESOLVED by the Board of County Commissioners of Vanderburgh County, Indiana, that it is desired and deemed necessary to proceed with the proposed plan to establish a Cumulative Bridge Fund for the following purpose or purposes:

> To provide the counties with a supplemental means of financing the construction of county bridges which span major obstructions and which are larger than bridges ordinarily required to make a county highway system functional.

And the levying of an additional tax of fifteen cents ($.15) on each one hundred dollars ($100.00) of taxable real and personal property within the taxing district to provide monies for said fund, said tax to be first levied in 1983, payable in 1984 and annually thereafter until reduced or recinded as provided for in Indiana Code 8-16-3.1-2.

BE IT FURTHER RESOLVED that proofs of publication and posting of notices of the public hearing held on this ___ day of _____, 1983, and a certified copy of this Resolution and such proposed plan be submitted to the State Board of Tax Commissioners of the State of Indiana, as provided by law.

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President Borries said the Commissioners have previously approved keeping the Cumulative Bridge Fund at 15¢ and the County Auditor has now legally advertised that amount and the Resolution requires the signature of the Commissioners.

Commissioner Willner moved the Resolution be signed. Commissioner Borries seconded the motion. So ordered.

RE: POOR RELIEF...DALLAS RAY SMITH...PIGEON TOWNSHIP

Applicant: Dallas Ray Smith
Address: 107 Madison Avenue, Evansville, Indiana
Caseworker: Mrs. MacGregor.....Pigeon Township Trustee.

Mr. Smith was present and asked that his guardian, Rita Nellis, be allowed to speak in his behalf.

Ms. Nellis explained she was appointed Mr. Smiths' guardian as of June 14, 1983 and he has not been receiving his checks as he should have, that one (1) of his SSI checks went to Alabama and one (1) of his social security checks went to Chicago and when she tried to set up an account for Mr. Smith, there was trouble with it, that they tried to send it back to Permanent Federal, where his prior guardian had his account. Perhaps when Mr. Smith went to the Trustee's office, he did not properly explain this situation to them, but things are really in a bind for him.

President Borries suggested that Ms. Nellis meet with Mrs.MacGregor, or a representative of her office, that this sounds like merely a lack of communication, to him.

Mrs. MacGregor was present and stated she was not aware of the fact that Mr. Smith had a new guardian appointed for him, and she will see that this is reviewed and reconsidered.

The matter was referred back to Pigeon Trustee.

RE: POOR RELIEF....GEORGE LEE LOFTIS....PIGEON TOWNSHIP

Applicant: George Lee Loftis
Address: 803 Line Street, Evansville, Indiana
Caseworker: Ms. Lancaster, of the Pigeon Township Trustee's office

Mr. Loftis was present and stated he requested rent assistance from the trustee, but he was denied because they told him his landlord is a preacher and has a church organization, therefore, they would not pay his rent.
He stated he is presently layed off from Ohio Valley Homes and has been for approximately six (6) months, that they keep telling him he will be called back soon.

Ms. Lancaster stated Mr. Loftis was not denied for the reason he stated, that the Commissioners have a copy of the letter she sent along with the denial to Mr. Loftis.

President Borries read aloud the following notation, from Ms. Lancaster:

To Whom it May Concern:
From May, 1982 to May of 1983, Pigeon Township Trustee's office has paid $334.46 in utility bills and $525.00 in rent for Mr. and Mrs. George Loftis.
This is an emergency office and we feel as though the emergency has ceased.

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Ms. Lancaster said she discussed this matter with her supervisor and also spoke with the Trustee, Mrs. MacGregor, concerning the Loftis' situation and they both approved the letter that was just read into the minutes. We feel that Mr. Loftis is able bodied and can work, and also they do have two (2) fairly nice vehicles, one (1) of which was acquired after we started helping them with utilities and rent.
When Mr. Loftis first came to the Trustee's office he told us he had received $500.00 moving money and that he was also to receive another $3,000.00, however, he has not paid any rent since that time, that he has been coming into our office and to other agencies for the balance we did not pay for them. She spoke with the other agencies that have been helping him and they say they are not going to assist him any longer, and she feels like the Trustee's office should deny further assistance also, because we can only pay so much, when a person is able to work, that he should be doing so to help himself.

Mrs. Lois Loftis was present and requested to be heard at this time. She stated she and her husband was told they would not get help with their rent because their landlord was a preacher and Ms. Lancaster replied no, the denial was not given because of that.

President Borries said the appeal, at this point, is addressed to the Commissioners and we can only go on what the Trustee has written into their records and if there are disagreements between the Loftis' and the Trustee's office, then those matters must be settled outside of this Commissioners meeting.

Mr. Loftis said Ms. Lancaster told them the Trustee would not pay the rent because Toby (the landlord) was a preacher, and he heard her say that himself, but he has no church members and he don't think Toby is any more of a preacher than what he is.

Ms. Lancaster said the landlord is a minister and he does own the house, however, it is not in a minister's name. She called the Assessor's office and Toby is buying the house on a contract, but it is not listed under any organization, however, she did not issue a denial to that effect.

President Borries said he does not understand why this would make a difference and Ms. Lancaster replied...Separation from State and Church.

Commissioner Willner asked when was the last time Mr. Loftis worked and Ms. Lancaster said her records show that when Mr. Loftis came to their office on February 1, 1983, he informed them he was layed off from Ohio Valley Homes.
Commissioner Willner asked Mr. Loftis how long he worked for Ohio Valley and he replied about four (4) months. Also, he would like to clear the record on the two (2) automobiles, that they have only one (1) vehicle and he does not understand where the Trustee got the word he has two (2) of them.

Commissioner Willner asked Mr. Loftis where he worked at before Ohio Valley and he replied at Deaconess Hospital, that he got layed off from there also.
Commissioner Willner asked Mr. Loftis if he has collected any unemployment from any of those postions he held and he replied no, because they said he didn't work long enough during a certain period, to be eligible, and he gave Ms. Lancaster a copy of the letter stating such, from the Unemployment office.
Commissioner Willner asked Mr. Loftis if he is able to work and is he registered with the unemployment office and he replied yes to both questions.
Commissioner Willner asked Mr. Loftis is he is presently receiving food stamps and he replied yes.....$139.00 per month.

Mr. Loftis said he talked to his boss a couple of days ago and was told as soon as things pick up a little that he will be getting called back to work, however, they have been telling him that for two (2) months.

Commissioner Willner asked if the Trustee's office has checked with either of the two places of employment and Ms. Lancaster no, they have not checked with Deaconess, however, they checked with Ohio Valley Homes, and yes, he was layed off from there.

Mr. Loftis said he was wrong about Deaconess, that the place he last worked before he worked for Ohio Valley, was Dumes Brothers, and he worked for them for about two (2) months and then got layed off.

Commissioner Willner asked Mr. Loftis how long he worked at Deaconess and he replied about four years.

At this time Ms. Lancaster submitted three (3) letters from the Loftis' landlord, concerning the rent and the Commissioners looked them over.

Mr. Loftis said he has received several letters like those from Toby, that one time he was only a day late on the rent and they received an eviction notice.

Commissioner Willner said it needs to be clarified as to why Mr. Loftis was layed off from several jobs and also, is he trying to support his household or is he trying to stay on poor relief, that poor relief is a short time assistance to help a person over the hump, but a person must help himself. He would like for the Trustee to send letters to Ohio Valley Homes, Deaconess Hospital and Dumes Brothers and request information on Mr. Loftis, that was he a good employee and to bring that information back to us, when it is received.

Ms. Lancaster said the Loftis' gas was shut off on 5-31-83 and his electric was shut off on 5-5-83, that he owes a total balance of $1,155.16 to SIGECO, and she verified it this morning, that the service is not on yet.

President Borries said when the information is received the Trustee and the County Commissioners can look at the prior employment statis and perhaps a decision can be made at that time.

The matter was referred back to the Trustee's office.

RE: POOR RELIEF.....DALE ROBINSON & TINA RUPRIGHT

Applicant: Dale Robinson and Tina Rupright
Address: Civic Plaza Hotel
Caseworker: Louise Hall

Ms. Nancy Glickman, from Legal Services, was present and stated she would like to make a brief statement concerning the request of Mr. Robinson and Miss Rupright, who at the present time is living together at the Civic Plaza Hotel and they are unable to pay their rent. They went to the Trustee for assistance and was denied because of alternative sources of income. The manager at the Civic Plaza has agreed not to evict them until a decision is reached today by the Board of Commissioners. Her opinion is that they are eligible for Trustee assistance, that they have no income, that it is to safe shelter, which is also in the statutory guidelines. They have sought out all other sources of funds and there is none other available to them. They are both seeking employment, and Miss Rupright has set up a work shop at the Good Will Industries, which is to begin in the next three (3) or four (4) weeks, which might bring in some money.

Ms. Glickman stated that Mr. Robinson is listed with the unemployment office and is daily making job attempts and both of these people have indicated they would be willing to work off the help, with the Trustee's office, in whatever manner deemed necessary.

Commissioner Willner asked where Mr. Robinson and Miss Rupright lived before moving into the Civic Plaza and Mr. Robinson replied they lived with Miss Rupright's parents for awhile and also with his ex-wife for awhile.

Mr. Robinson came forth and stated the Catholic Charity paid for their first week's rent at the Hotel and then he went to the Pigeon Trustee's office and ask for additional rent money and told them he would be happy to work it off, but they told him they did not have the funds available for him. He said he has been everywhere that he knows of to try to seek employment, that he even tried to get back on at Evansville Dry Wall, where he used to work.

Commissioner Willner asked what was his reason for leaving Evansville Dry Wall and Mr. Robinson replied he was fired because of family problems and he did not know where he was going to stay.

President Borries asked how long Mr. Robinson was employed at Evansville Dry Wall and he replied, this last time, for about four (4) months, that he worked there for about one and a half years, then found another job that did not work out, then he got into a little trouble and was sent to a Correctional Center for a period of time and after he was released from there he was hired back at Evansville Dry Wall and worked for about four (4) months before being fired.

Miss Rupright came forth and stated she is to start training with the Good Will Industries, which when she is through the eight (8) weeks training period, they can either hire her or not hire her at the Industry.

Ms. Louise Hall, caseworker, stated on June 30, 1983, Mr. Robinson came into their office and applied for rent, and informed them he had been living with Miss Rupright at her parents home. She explained to him that P.T.T. funds were low, that he was a single, able bodied person, and should be able to find odd jobs to support himself. We do not pay rent in advance, nor do we pay weekly rent. She spoke with her supervisor concerning this case and with their budget being very limited they are trying to discontinue as many single, able bodied persons, as possible. She asked if there was a possibility they could move back in with Mr. Rupright's mother and was told that was not possible.

Ms. Glickman said first, the fact of being an able bodied male, in view of the economy, that in itself is not sufficient, that he testified he has applied for a number of jobs. Secondly, the reason they could not go back to Miss Rupright's home is that they are barely making it themselves and thirdly, since they are not married to each other, that seems to be another reason for denial, but she went on to explain it is the Trustee's duty to provide the most economical shelter and both of them, individually, are eligible, however, it would be cheaper for the Trustee to pay for one (1) room, rather then two (2) separate rooms and deep down, she feels like this was the reason for the denial, and this decision is one that should not be made by the Trustee, that is, whether they are married to each other, or not.

Commissioner Willner asked Mr. Robinson if he has a driver's license and he replied they are expired at the present time, however, he can get them.

President Borries said he does not understand the reason Mr. Robinson was fired, just because of marital problems and him looking for a place to live.

County Attorney David Miller said he just talked, by phone, to Mr. David Dye, at Evansville Dry Wall and was informed that why Mr. Robinson was fired was because he sent word he was going to the doctor on a particular day and he was required to submit a doctor's statement the next day, which he did not do, and he simply did not show up for work again.

Mr. Robinson said that is not true, that when he went in on that last Friday he told them he was having family problems and they (his foreman) told him to just not come back.

Mr. Miller asked Mr. Robinson if he told them he had a doctor's appointment on a certain day, when in fact, he did not and he replied, no, he did not.

Commissioner Willner moved Mr. Robinson and Miss Rupright be granted a thirty (30) day rent payment to the Civic Plaza Hotel, however, he would install in Mr. Robinson that the Trustee's office is a short period problem solver and he is expected to get out and find employment and stay with it.

Mr. Robinson said he understands this and he is more than willing to work for the Trustee's office for assistance return.

Commissioner Cox seconded the motion for one (1) months rent. So ordered.

RE: BEN EVANS, PURCHASING DEPARTMENT...LETTER CONCERNING PRO-TEX-ALL BID

Mr. Evans said he has a letter from County Attorney David Miller stating the Pro-Tex-All Company, who was one (1) of the bidders on the chemicals for the Jail, did in fact, have a check in this building and in checking this matter out, he now shows the Commissioners the check and stated they should be considered in the bidding process, instead of being thrown out, as stated in the Commissioners minutes of June 13, 1983.
Secondly, the bid of Tri-State School Supply was not in order, that the non-collusion affidavit had not been notarized.

The bids have not been analized and at this time he would ask for a one (1) week extension to compare all the prices of the bids.

Commissioner Willner moved the one (1) week extension be granted and that the bid of Pro-Tex-All be considered and that the bid of Tri-State School Supply be taken off. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY.....DAVID MILLER

Check Received From Inner City Enterprises, Inc: Mr. Miller submitted a check to the Commissioners, in the amount of $100.00, from Inner City Enterprises, Inc., which is paid to the order of the Vanderburgh Audtiorium and is the first payment for a delinquent rental and the second payment was to be made by today, however, he did not receive it in today's mail, but we have received assurances the balance will be paid.

Commissioner Willner moved the check be received and signed. Commissioner Cox seconded the motion. So ordered.

Claim: Mr. Miller submitted a blue claim for County Attorney David Jones, in the amount of $3,146.46, for Legal Services rendered to the County, with an itemized statement attached.

Since none of the Commissioners had yet had a chance to reveiw the claim, it was referred to Mrs. Meeks to be resubmitted at the next Commissioners meeting.

Notice of Claim on Behalf of Rockwell and Kathy Roberts: Mr. Miller submitted a copy of a notice received in behalf of Rockwell and Kathy Roberts who assert a claim against Vanderburgh County, Mark Tuley and Greg Smith arising out of the destroying of their pedigree blue chow dog and in disposing of the dogs' remains by placing it in trash container while working as a park employee at Burdette, that the event took place on or about May 20, 1983.
He has not had time to fully investigate the circumstances of this matter, but if we don't respond to the claim it is automaticlly denied anyway, so we will show the claim as received and filed and he will commence to investigate it.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee reports for the periods of June 20 thru 24th, 1983 and also June 27 thru July 1, 1983.....reports received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work reports for the periods of June 20 thru 24, 1983 and also June 27 thru July 1, 1983....reports received and filed.

Mr. Bethel then reported where the crews worked for that two (2) week period, as indicated on the weekly report submitted to each of the Commissioners for their viewing.

Report on Sidewalks Along Outer Lincoln Avenue: Mr. Lee Stuckey reported, concerning the sidewalks to be installed on Outer Lincoln Avenue, that he has submitted six (6) "Letter of Intent" to the Commissioners and on the one from D.J.Destache, that he has changed the wording on it to read September 1, 1983 instead of July 1, 1983 and changed August 13, 1983 to read October 13, 1983 and he informed Mr. Destache this is not acceptable to the county.
Construction was to begin Friday, however, he gave them permission to wait until after July 4th. so that their yards would not be tore up for the Holiday weekend. Also, SIGECO could not move their poles or stand-offs until this week. Bell Telephone moved their lines last week and Evansville Cable T.V. said they would move their lines at the same time that SIGECO moves theirs, because they are all on the same pole.

David Miller said he has been in contact with Mr. Destache and he will contact him again in regards to the change of dates.

Mr. Stuckey said also Mr. Bauer was concerned that he might not be able to complete his in that length of time.
Also we can thank Rick Kingston for getting this matter so far along so fast, that he got the contractor and everyone has agree to let the same contractor do all the walks. We will start with the Coleman property first, work on down the street with the last one being Mr. Destache.

Mr. Miller asked what was Mr. Destache's reason for wanting not to begin work until September and Mr. Stuckey said because he put his home up for sale that next day after we approached him about the sidewalks.

Mr. Miller said he will contact Mr. Destache and if he will not cooperate, then he would recommend the Commissioners begin Barrett Law proceedings at the next Commissioners meeting.

All three (3) of the Commissioners thanked Mr. Stuckey for the many hours he put in trying to get this together, that it is really appreciated.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. Brenner submitted the weekly bridge and guardrail report for the period of June 20 thru June 24 and also for June 27 thru July 1, 1983. Reports received and filed.

Request from Barnett Brothers for Two (2) Day Extension: Mr. Brenner said he received a letter from Barnett Brothers and since we started on June 13th, it puts the completion date past Labor Day, so they asked for an extra day. To get the extra day the completion day would fall on a Sunday, therefore they are asking for two (2) days. The contract says ninety (90) days and he would recommend we keep it at ninety (90) days and not approve the two (2) day extension request. If they have to work on a Holiday or a Sunday....that is not our problem, because they agreed to ninety (90) days.

Commissioner Cox said once you start allowing these things, where does it stop.

Mr. Miller asked how many hours per day are they working and Mr. Brenner replied they are working from 5:00 a.m. to 10:00 p.m., from five (5) to six (6) days per week. He would recommend the Commissioners, since the contract is with them, to draft a letter of denial to Barnett Brothers.

Letter To and From Barnett Brothers Concerning the Shifting of the Bridge: Mr. Brenner submitted the following letters to the Commissioners concerning the First Avenue Bridge.

June 23, 1983

Subject: First Avenue and Pigeon Creek Bridge Structure III

Barnett Brothers Construction Company,

In order to facilitate the Telephone cable on the above mentioned structure, it was deemed necessary to "move" the entire bridge structure a maximum distance of 1 foot east. This change to the center line will not alter the sationing or elevations as shown on plans. This change will not effect the cost or the time schedule for the project.

The above change has been approved verbally by the Telephone Company, Jim Morley, Dick Eifler, the Barnett Construction Company and myself.

Sincerely,
Dan Hartman
Design Engineer

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The following letter was received in reply to Mr. Hartman's letter, from Barnett Bros.

June 29, 1983

Subject: First Avenue Bridge Project

Dear Mr. Hartman,

In reference to your letter of June 23, 1983, we acknowledge that you have shifted the center line a total distance of one (1) foot and parallel to the east. We do not agree with your sentence which reads, "this change will not affect the cost or the time schedule for the project."

If, at any time, until completion of said project, this change in alignment causes any additional cost or delays to the contractor, we will certainly have the right to file claim for reimbursement and time extension.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,
Owen Barnett
President

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Commissioner Cox said does the city agree with this, that it will cause no problems with their widening project and Mr. Brenner said there are no problems along that line, that it will fit right in with everything the city is doing and it will fit through the levee.

Claim: Mr. Brenner submitted a blue claim from Barnett Brothers for the following amount, and recommended payment.

Billing #2 (Attached)	$526,009.31
Less 10% Retainage	52,600.93
Less previous payment	150,583.38
AMOUNT DUE	$322,825.00

Mr. Brenner stated the large item on the itemized statement is the $95,000.00 for the removal of the present structure.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Interference Problem with the Corps of Engineer: Mr. Brenner said they have run into an interference problem with the Corps, that the Corps has a temporary outfall pipe and our plans show it being covered up and a pipe coming out and the Corps doesn't like that, so we want to back our riprap off from a 2-1 slope to a 1-1 slope and this will stay in about fifteen (15) months, and then we will come back with our original slope. This will probably result in a reduction of cost.

Commissioner Willner said we will need a written change order.

Uhlhorn Avenue Closing: President Borries asked if a decision was ever made with the city on the closing of Uhlhorn Avenue.

Mr. Brenner said he made a request to close it, to the Safety Board, and they did not act on it, which is the same as denying it, so it will remain open and it should be an exciting intersection.

Hirsch Road Project: Mr. Brenner said he imagines the Commissioners have received some complaints on the Hirsch Road Project, that they came to within six inches (6") of having the road the height to put the blacktop on and it started raining again.

We waited another week and of course, everyone is aware of what it did last night. We are preparing ourselves for the law suit that is coming on this project also. The problem was with compaction and we've made sure Deig Brothers is using the dirt exactly where it was specified and we have hired a private consultant and every test they have taken have been above the 95% specified, so we should be in excellent shape.

Hogue Road Project: Mr. Brenner reported the Hogue Road project has now been completed and it came out a pretty nice job, however, one thing that really needs to be done is the railroad tracks down stream from it, because the tracks raise two (2) or three (3) inches.

Commissioner Willner asked if this is the Seaboard System and Mr. Brenner replied yes. Commissioner Willner moved that the Surveyor write a letter to Seaboard advising them of the problem and ask them to please fix them. Commissioner Cox seconded the motion. So ordered.

Baseline and Petersburg Road Project: Mr. Brenner reported the Baseline and Petersburg Road project appears to be going according to plans, that we did all the right-of-way clearance. One of the items we deleted from the bid was the ditching and he would now like to declare this an emergency and put it out for contract. This will be for about 800' of ditching and will run into the thousands.

Commissioner Willner moved the ditching be declared an emergency and for the Surveyor to contact at least three (3) diggers and ask for invitational bids. Commissioner Cox seconded the motion. So ordered.

RE: KIM BITZ....VANDERBURGH COUNTY AUDITORIUM

President Borries asked Mr. Bitz if he is prepared to appear before the County Council at tomorrow's meeting and he replied yes, that he will be presenting proposals for the remainder of this year to them. He does not have those figures with him right now, but he based them on the figures spent the first six (6) months and requested that same amount.

Commissioner Cox asked if the requests will include the 1982 bills owed and Mr. Bitz said he understands those will be taken care of from the last $40,000.00 appropriation they allowed for the Auditorium, that we are still waiting for state approval on.

President Borries gave a brief summary of what expired at a 10:00 a.m. meeting at the Auditorium, between the Commissioners, the County Council and a sixteen (16) member task force committee.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Agreement for Removal of Underpasses on Boonville/New Harmony Roads and Bender Road:

President Borries read aloud the following letter addressed to himself, from Mr. Easley concerning the underpasses on Boonville/New Harmony Road and Bender Road.

The enclosed agreement has been reviewed by the undersigned and the agreement requires the county prepare detailed plans and specifications for the proposed removal or demolition work and submit them to the railroad before work is started. If the agreement satifys, Mr.Pat Shoulders has recommended that it be executed.

Mr. Andy Easley

****

Commissioner Willner moved the Commissioners ask the County Surveyor to prepare specifications and submit to the railroad, for their approval. Commissioner Cox seconded the motion. So ordered.

St. Joe Avenue and Schenk Road Project: The following letter was received from the state, dated June 10, 1983 and directed to the Board of County Commissioners.

The fiscal year 1984 annual programming request (FA-2) for Federal-aid Rural Secondary funds for the construction phase of the following projects are being returned unapproved.

Letter Continued:

Project No.	Route and Location
RS-7182 DES: 10880 RS-000C(92) DES: 09720	St. Joe Ave. & Schenk Road Signs

The present status of the project development does not indicate all applicable required activities will be completed by April 1, 1984. This date is the last date to complete activities for a construction letting in fiscal year 1984.

Sincerely yours,
R.E. Woods, Chief
Division of Local Assistance

****

Also attached to the above letter was a memo from David Gerard, which was as follows:

Rick,
If all the documentation can be completed I am confident that the Federal funding will be approved. Please send me copies.

David Gerard

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Mr. Easley said he has a copy of the letter from the state on the St. Joe Avenue and Schenk Road project, and he will re-apply for the federal funding.

Burkhardt Road Project: Mr. Easley said he does not have any correspondance on the Burkhardt Road project, as stated to be discussed on today's agenda.

Old Henderson Road Riprap Project: Mr. Easley said concerning an easement for the Old Henderson Road riprapping project, that he had a small conference with Attorney David Miller and he is to insert a clause concerning Mr. Blakely, that he holds a life estate and we need to contact his eight (8) children and get their signatures.

Commissioner Cox said those children will all be here on August 14th., for a family reunion, at shelter #12 at Burdette Park.

RE: APPOINTMENT TO LEVEE AUTHORITY DISTRICT BOARD

Commissioner Willner moved that Mr. Marsh VanDusen be appointed to the republican appointment to the Levee Authority District Board, for a three (3) year term, to expire June 30, 1986. Commissioner Cox seconded the motion. So ordered.

RE: FINANCIAL REPORT FROM THE COUNTY TREASURER

Submitted was the following financial report of the county treasurer, dated July 5, 1983.

TO: COUNTY COUNCIL
COUNTY COMMISSIONERS

Interest has been receipted as follows:

COUNTY REVENUE	$539,316.71
FEDERAL REVENUE SHARING	2,347,92
REASSESSMENT	8,636.64
CONGRESSIONAL SCHOOL	211.24
TOTAL	$550,239.51

Treasurer's Report Continued:

Outstanding Investments are:

1) Certificate of Deposit, $500,000.00, dated December 29, 1982, due July 6, 1983. Estimated income $22,500.00. Rate 8.65%.

2) Repo, $300,000.00 dated June 9, 1983, due July 20, 1983. Estimated income $2,856.40. Rate 8.25%.

3) Investments, $200,000.00, dated June 13, 1983, due July 13, 1983. Estimated income $13,900.00. Rate 8.375%.

4) Repo $500,000.00, dated June 15, 1983, due July 6, 1983. Estimated income $2,406.25. Rate 8.25%.

5) Repo $500,000.00, dated June 17, 1983, due July 11, 1983. Estimated income $2,791.67. Rate 8.375%.

6) Repo $900,000.00, dated June 20, 1983, due July 7, 1983. Estimated income $3,559.38. Rate 8.375%.

7) Repo $500,000.00, dated June 20, 1983, due July 18, 1983. Estimated income $1,000.00. Rate 8%.

8) Investments $3,000,000.00, dated June 29, 1983, due August 28, 1983. Estimated income $45,400.00. Rate 8.8%.

9) Repo $900,000.00, dated July 1,1983, due July 18, 1983. Estimated income $3,612.50. Rate 8.50%.

10) Repo $900,000.00, dated July 1, 1983, due July 25, 1983. Estimated income $5,220.00. Rate 8.70%.

TOTAL ESTIMATED INCOME $103,246.20.

Yours truly
Lewis F. Volpe, Treasurer
Vanderburgh County, Indiana

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Report received and filed.

RE: LETTER FROM SOCIAL SERVICES FISCAL OFFICE, STATE OF INDIANA

Received was the following letter from the State of Indiana, social services fiscal office, dated June 23, 1983. Letter was read aloud by President Borries.

TO: All Title XX Social Service Block Grant Providers
REFERENCE: 83-25
SUBJECT: Reporting Requirements on Applicants Denied Service

Effective July 1, 1983, all persons who have signed an SSFO form 804, Title XX Social Services Block Grant Application and Services Registration Form, and are subsequently denied service must be reported to the Social Services Fiscal Office.

Reporting is to be accomplished by writing DENIED in bold letters across a copy of the applicant's 804, stapling to it a copy of the Form 813, Title XX- Notice of Service Action, given to the applicant and mailing both to:

Social Services Fiscal Office
Attn: Quality Control
115 North Pennsylvania Street
Indianapolis, Indiana 46204

This requirement is made to facilitate data collection for enforcing Title VI of the Civil Rights Act of 1964

Sincerely,
Jean Merritt, Director

County Auditor, Alice McBride said that Mr. Roger Nelson, representative of David M. Griffith and Associates is to be in her office and she will review it with him and then if it has to come back to the Commissioners, she will see that it is done.

RE: LETTER FROM DEPARTMENT OF NATURAL RESOURCES ON FLOOD CONTROL ACT

President Borries read aloud the following letter received from the State of Indiana, Department of Natural Resources, dated June 23, 1983 and directed to the Board of County Commissioners.

RE: Docket No. S-7657

Pursuant to Chapter 318, 1945 Flood Control Act, as amended (IC 1971, 13-2-22), enclosed is a Certificate of Approval for Construction in a Floodway, granted by the Natural Resources Commission for the above referenced docket.

Special attention should be given to the Limitations and Conditions under which the approval was granted.

Also enclosed is a copy of the Engineer's Report pertaining to said docket.

Very truly yours,
Robert F. Jackson, P.E.
Chief, Division of Water

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President Borries said this has to do with the bank protection along the Ohio River in Evansville, Indiana.

The limitations and conditions are as follows:

"This approval granted with the conditions that (1) no felled trees, brush or other debris be left in the floodway of the stream, (2) all disturbed areas be effectively protected from erosion during the construction period and (3) disturbed areas be suitably revegetated or otherwise provided with permanent protection upon completion."

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The matter was referred to Mr. Andy Easley.

RE: LETTER FROM DEPARTMENT OF NATURAL RESOURCES ON HISTORIC PLACES

Recieved was a letter from the Department of Natural Resources concerning the property at Culver Historic District, Evansville, Indiana, that an application for the property is to be considered by the State Review Board for nomination to the National Register of Historic Places.

Letter received and filed.

RE: LETTER FROM STATE OF INDIANA, INDIANA DEPARTMENT OF HIGHWAYS ON 1984 SAFETY PLAN

President Borries read aloud the following letter from the Indiana Department of Highways, dated July 1, 1983 and directed to the Board of County Commissioners.

ATTN: Chief Deputy Donald R. Humston
Vanderburgh County Sheriff's Department RE: PT-84-02, Task 6

Subject to federal reviews and approvals, and the allocation of federal traffic safety funds, the project request received from your agency has been included in Indiana's 1984 Highway Safety Plan. Application forms for your use in requesting a grant are enclosed. Please carefully note the instructions for submittal of the grant request.

For your use in preparing the submittal, the project, as included in the proposed Highway Safety Plan is for the purpose of supporting continuation of training for one Sheriff's Deputy at the Northwestern University Traffic Institute.

The maximum federal aid funds available for the project will be $11,212.00. The proposed grant period is January 1, 1984 thru December 31, 1984.

Please contact our office if assistance is needed in the preparation of your grant request.

Your grant request must be received in our office six weeks prior to the beginning of the grant period to allow the time necessary for any needed consultations, modifications, reviews and approval. Please mail all applications to the Division of Traffic Safety, Room 801, State Office Building, Indianapolis, Indiana, 46204.

Walter H. Frick
Chief of Division of Traffic Safety.

County Auditor Alice McBride said the Sheriff's office is aware of this and we have already set up an account for this.

President Borries asked that a copy of this letter be forwarded to Sheriff Shepard and Janice Decker said she will see that he gets one.

RE: CHECK RECEIVED FOR RENT FOR WEST HEIGHTS SCHOOL

Received was a check in the amount of $1.00 for the rent for West Heights School, from the Evansville-Vanderburgh School Corporation, for the period of 9-2-83 thru 9-1-84.

Commissioner Willner moved the check be signed. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM EVANSVILLE CABLE T.V. CONCERNING RATE INCREASE

President Borries read aloud the following letter, dated June 16, 1983 and directed to the Board of County Commissioners.

Thank you for your letter dated June 7, 1983, in regard to the $.50 raise for pay service starting June 1, 1983. You are asking what procedure is followed in obtaining approval of such a raise.

Please be advised that under the county permit granted to Evansville Cable T.V. it does not require approval for any rate increase by the Board of Commissioners. As far as the pay tv rate increase is concerned, the Federal Communications Commission supercedes local authority in the event local authority has the right of regulation of rates for that particular service.

In the June billing, we advised the pay subscribers that the pay services had raised their rates, therefore we were raising our rates on pay services. Actually, we only raised our rate to a subscriber which had only one pay service. For example: If you had HBO or Cinemax or Showtime alone, we raised the rate from $9.50 to $10.00. If you had a combination of 2 or 3 pay services the rates remained the same. On the new Disney Channel, we launched it at $10.00 and if in combination with other pay services follows the same pricing as the others of 2 for $18.00, 3 for $25.50 or all four for $34.00.

In the city, we are permitted to raise the basic rate $.50 per year with a letter of notification to the city clerk with a copy to the city council. The council has the right of review for 30 days and after the 30 days becomes automatic. Any time we have had a rate increase with the city, the county has been notified.

I hope this explains your questions and if there is anything else you need, please feel free to call or write.

Best regards,
Robert D. Ossenberg
Vice President and General Manager

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Letter received and filed.

RE: TRAVEL REQUEST....KNIGHT TOWNSHIP ASSESSOR

President Borries read aloud the following travel request, dated June 20, 1983 and directed to the Board of County Commissioners.

The Indiana Assessor's Association is holding their 8th Annual Assessor's Association Seminar July 11, 12 & 13th. This will be at the Marriott Inn, in Fort Wayne, In.

Please consider this request for travel at your next meeting and advise us as to your findings.

The Assessor and two deputies will be going to this meeting. Only one will be driving, the other two will travel with her.

Sincerely,
H. Jane Nicholson, Assessor
Knight Township

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Attached was the memorandum from the State Board of Tax Commissioners.

Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for the Minority Skilled Tradesman Association for a fashion show on July 9, 1983.....certificate received and filed.

RE: SCHEDULED MEETINGS

President Borries said there will be the regularly scheduled meeting of the County Council at 2:30 p.m. tomorrow, July 6, 1983.

President Borries reported on Monday, July 18, there is to be another meeting at the Vanderburgh Auditorium, set for 10:00 a.m. and hopefully the Commissioners can all attend.

RE: CLAIMS

A claim was submitted by Helfrich Insurance Agency for endorsement #1 on The Hartford policies, effective 4-21-83, in the amount of $123.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by The Evansville Printing Corp for advertising for bids for the Gradall for the County Highway Department, in the amount of $34.88.

Commissioner Cox moved the claim be allowed. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville Printing Corp. for advertising for bids for Laundry and Dishwashing Detergent for the Jail, in the amount of $44.58.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the Purchasing Department for 1000 AM copies for June 1983 @ $.05 per copy, for a total of $50.00.

After a brief discussion on what this related to, since the claim had no explanation, the Commissioners decided it was for the copies that Mr. David South had printed on the Wheel Tax Booklets.

Commissioner Cox moved the claim be referred to the County Auditor for further investigation and returned next week. Commissioner Willner seconded the motion. So ordered.

In the future a request would be made to the Purchasing Department to specify exactly what the claim is for.

Mrs. McBride said her girl will not pay it until she calls Purchasing and finds out what it is for exactly.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDERBURGH SUPERIOR COURT

Laura A. Cunningham	710 Fairway Dr.	Riding Bailiff	$12,991.00 Yr.	Eff: 6-27-83

COOPERATIVE EXTENSION SERVICE

Warren D. Korff	R.R.7 Box 349-H	Part-time	$22.00 Day	Eff: 6-8-83
Candice Garnett	1200 April Drive	Part-time	$22.00 Day	Eff: 6-10-83

BURDETTE PARK

Darren Flener	5120 West Lake Dr.	Extra Guard	$3.25 Hour	Eff: 6-27-83
Susan Stippler	252 Shenandoah Pl.	Extra Cashier	$3.50 Hour	Eff: 6-15-83

APPOINTMENTS CONTINUED:

AUDITOR....REASSESSMENT

Margorie J. Miller	1621 Wedeking Ave.	Part-time	$30.00 Day	Eff: 6-13-83

AUDITOR

Roy P. Tuley	816 Douglas Dr.	Chief Deputy	$18,893.00 Yr.	Eff: 7-2-83

CIRCUIT COURT

Jon K. Aarstad	626 S. Norman Ave.	Special Intern	$140.00 Week	Eff: 6-13-83
Danny J. Lottes	2809 Jeanette Ave.	Special Intern	$140.00 Week	Eff: 6-20-83
Bracken P. Darrell	1311 Parrett St.	Special Intern	$140.00 Week	Eff: 6-20-83
Todd A. Richardson	2068 E. Gum St.	Special Intern	$140.00 Week	Eff: 6-20-83
Robert E. Rafferty	5025 Pollack Ave.	Special Intern	$3.35 Hour	Eff: 6-20-83
Karen J. Destache	3109 E. Blackford	Special Reporter	$3.35 Hour	Eff: 6-10-83

LEGAL AID SOCIETY OF EVANSVILLE

Kathleen A. Powers	6305 Jamestown Court	Clerical Asst.	$1,751.00	Eff: 6-20-83
Karen G. Paulin	R.R. 1 Chandler, In.	Legal Secretary	$9,918.00	Eff: 6-20-83

RE: EMPLOYMENT CHANGES....RELEASES

CIRCUIT COURT

Karen J. Destache	3109 E. Blackford	Special Intern	$3.35 Hour	Eff: 6-10-83

AUDITOR

R. Patrick Tuley	816 Douglas Dr.	Chief Deputy	$16,893.00 Yr.	Eff: 7-1-83

AUDITOR.....REASSESSMENT

Marjorie J. Miller	1621 Wedeking Ave.	Part-time	$30.00 Day	Eff: 6-17-83

LEGAL AID SOCIETY OF EVANSVILLE

Jean J. Thompson	5007 Carriage Court	Legal Secretary	$9,918.00	Eff: 6-20-83
Karen G. Paulin	R.R.1 Chandler, Ind.	Clerical Asst.	$1,751.00	Eff: 6-20-83

RE: LETTER FROM COUNTY COMMISSIONER TO BARNETT BROTHERS ON FIRST AVENUE BRIDGE

President Borries read aloud the following letter, dated July 5, 1983, directed to Mr. Charles W. Ruston, Construction Manager of Barnett Brother, Ind., Henderson, Ky. as drafted by County Attorney David Miller.

RE: Project No. VC-83-02-111
First Avenue Bridge Project

Dear Mr. Ruston:

This letter replies to your letter of June 23, 1983, addressed to Mr. Robert Brenner, the Vanderburgh County Surveyor.

At the time of the consideration of bids on the First Avenue Bridge Project, a very critical consideration to this Commission was the committment of Barnett Brothers, Inc. to a ninety (90) day construction schedule. We must assure that the substantial public inconvenience occasioned by this project be kept to an absolute minimum. While we regret any additional expense you may suffer by the interjection of a holiday into your schedule, we must insist that the 90 day construction time be met by Barnett Brothers, Inc.

Very truly yours,
Richard J. Borries, President
Board of Commissioners of
Vanderburgh County, Indiana

Commissioner Cox moved that President Borries sign the letter and that it be forwarded to Mr. Ruston at Barnett Brothers. Commissioner Willner seconded the motion. So ordered.

There being no further business, President Borries declared the meeting recessed at 4:20 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 11, 1983

The meeting of the County Commissioners was held on Monday, July 11, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: MR. RON SAULMAN....KNIGHT TOWNSHIP TRUSTEE

Mr. Ron Saulman, Knight Township Trustee was present and stated there has been some discussion concerning his township standards and procedures, therefore, he would like to submit written poor relief assistance eligibility standards and procedures at this time. He said the standards have been updated and he would like for the Commissioners to affix their signatures upon these standards. He has submitted these to the Advisory Board of Knight Township and approved by them and they will become effective August 1, 1983.

Commissioner Cox moved the Commissioner sign the document as submitted, merely approving the Commissioners received them, but not necessarily approves them. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS ON COMPUTER EQUIPMENT

Three bids were received on Computer Equipment. Commissioner Willner moved the County Attorney proceed with the opening of the bids. Commissioner Cox seconded the motion. So ordered.

RE: CONTRACT TO BE AWARDED FOR DETERGENTS AT COUNTY JAIL

Mr. Ben Evans of the City/County Purchasing Department was present and stated the specifications for the laundry detergent and the kitchen detergents are so technical that no one can write them to satisfy every bidder. There are no firm set of specifications from the state of Indiana. In the office of procurement he spoke with Mr. Tom Bailis, who then referred him to a lady representative and under her guidelines she said that she has awarded four (4) contracts lately, and she had to award it on a use cost per load basis. Bearing that in mind he has asked the three (3) vendors who have bid on this contract, to make a presentation before the Commissioners today and then you can make the final decision on awarding the contract. Also, Officer Lee West is present today, representing the Sheriff's Department and is open for any questions anyone might have.

Officer West said he is involved in the bid letting and that he drew up the specifications. He worked on the best advise he could get from the people that run the jail kitchen and also from different sources on the laundry products. He understands that only one (1) company meets every specification, that being Economics Laboratory, Inc. Our concern in all of these products, and everyone is aware of the fact that in the jail the trustees wash the dishes and wash the clothes and we want to get away from them deciding how much detergent, etc. goes into each load of dishes or clothes, that we want it all pre-packaged, metered and measured through a dispensing system. We want every product to be able to be dispensed from its shipping carton. We ask for bids on the best information possible and of the three (3) companies that bid, only one (1) can meet all the specifications and if he is expected to make a recommendation, then it would be Economics Laboratory, Inc.

Mr. George Gross, representative of the Pro-Tex-All Company, of Evansville, was present and stated they can understand a person's reluctance in not wanting to hand dispense laundry products, however, they can see no fault in their own products either. They did not bid on that portion of the bid because they do not, at this time, and do not know if they will in the future, will be marketing their products for automatic dispensing. He would like for the Commissioners to consider their bids for the products used in the kitchen for the operation of the automatic dishwashing machine and he believes the Commissioners will find they can also be competitive with any company, regardless of the size or qualifications. They believe their products that are presently being used in the kitchen are being done so with complete safety that they know of no one that has been injured in any way, shape or form. He has been in contact with the people who run the kitchen in the jail and you are getting good clean dishes and getting service on the machine, as required, and they feel their prices have been comparable and if the bids they have now submitted will be read he believes the prices are comparable with the other two (2) companies, and should save Vanderburgh County some money.

Commissioner Cox said then Mr. Gross, what you are saying is that you have no provisions set up to automatically dispense the kitchen detergent.

Mr. Gross said no, he said they do not have it available in the laundry room, but in the kitchen it is already installed and working and has been in there for about 2½ years. He understands they object to their packing the diswasher detergent in a 120 lb, open top fiber drum and this is no more dangerous than a housewife putting detergent in a top loading washer at home. He would state that no company could say definitely sure that their product could not be used to harm someone.

Diversey Wyandotte Corp: A representative of Diversey Wyandotte Corp was present and stated in the bid it was required to have a chlorine in the dish machine detergent and this is where he did not come up to the specifications. They have developed a product whereby they eliminated the chlorine, but it has a destaining ability. They would like to use a hydropowder, which is a pumpable powder, which has destaining ability of chlorine and he would like to have this entered into the bid. They bid two (2) products, both the chlorine detergent and a closed product, which is hydropowder, which comes in a 59 lb. pail and all you do is stick an instrument in it, that there is no touching of the product, as such.

President Borries said he does not know if the specifications could be changed now or not, since it is already bid.

David Jones, County Attorney, said you either accept them or you throw them out and readvertise and start over again.

Officer Kenny Collins, Supply Officer for the Jail, was present and stated he is not negative to any of these companies and he does not owe any of them a thing. He ran the jail under Jerry Riney and at that time Economic Laboratory was the supplier. He said this all started when our new Sheriff went into the kitchen and seen the trustee bending over a big barrel dipping out this powder detergent and when we went out of the room, we were choking and we are still having complaints about this. He said the automatic dispensing is really the only way to go. He has never done any business with Diversey, but he would have to say in behalf of Economic Laboratory, that he had had to call them on weekends and after hours and tell them the machine is acting up and they immediately come to the jail and check it out and even if it is an electrical switch, he will go and get the part, put it on and charge the county only for the part. His recommendation would be that the Commissioners do not purchase anything that has to be dipped up.

Mr. Wayne Nolan, Territory Manager for Economics Laboratory, was present and stated they received specifications for bids for Vanderburgh County for laundry and diswashing products and we did bid on everything and we did meet all specifications as set out, that we did bid this under a closed bid specification and we were the low bidder and therefore he would ask the County Commissioners to award them the bid, on these basis.

President Borries asked the Commissioners if they want to take this under advisement for another week or make a decision today.

Commissioner Cox asked what was advertised, chlorinated or non-chlorinated and Officer West replied chlorinated.

Commissioner Cox moved the bid for laundry and dishwashing detergent for the jail be awarded to Economic Laboratory, Inc. Commissioner Willner seconded the motion. So ordered.

RE: BIDS ON COMPUTER EQUIPMENT

David Jones said there were three (3) bids received for the computer equipment, those being from Sperry Corporation, Honeywell Information Systems, Inc. and IBM Corp and all bids were in order, however, he does not know how to read the bids into the record, that we literally received notebooks on the equipment and he believes the numbers, if read aloud, would be meaningless, because they are all presented in different foremats.

Commissioner Willner moved the three (3) bids be referred to Mr. Bob Fortune for further study and recommendation next week. Commissioner Cox seconded the motion. So ordered.

BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of July 5 thru 8, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of July 5 thru 8, 1983....report received and filed.

Mr. Bethel reported on where the gradall, the patch crew, etc. were working at this past week, as reflected on the report he submitted.
He also informed the Commissioners that the city borrowed the county gradall, as approved by the Commissioners, for three (3) days this past week.

Request to go Before County Council: Mr. Bethel read aloud the following letter, dated July 11, 1983 and directed to the Board of County Commissioners.

As Superintendent of the Vanderburgh County Highway Department, I hereby request permission from the Vanderburgh County Commissioners to appear before the Vanderburgh County Council, for the purpose of requesting a transfer in the amount of $300,000.00 from ROAD AND STREETS fund to the HIGHWAY DEPARTMENT, as soon as possible. This money can be repaid next year out of the Wheel Tax Taxes.

If the council complies with our request we can pave about twenty (20) more miles at this years prices, with a savings of approximately $270.00 per mile, compared to what it would cost if we wait until next year and have to buy oil and rock at prices projected for the year of 1984. This money in it's entirety will be spent exclusively for paving roads.

In lay language, quoting from our suppliers, "crystal balling it", they project an estimated 15% increase.

The County Highway is set up for paving now, all our equipment is in excellent working order, and we have experienced personnel, with complete knowledge and know how.

Due to the financial crunch the county is now experiencing, we feel it would be feasible to go ahead and do the paving now, which not only would save money, but improve our image in the eyes of the taxpayer, in that we are using fore-thought and wisdom in spending their money.

Sincerely,
Bill Bethel - Superintendent
Vanderburgh County Highway

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Alice McBride, County Auditor, said the wording in the letter "transfer", that this cannot be done as a transfer from one budget to another, that the Council would have to appropriate.

Commissioner Willner said this seems like a good idea to him, that he assumes the Council is going to adopt the Wheel Tax and if they didn't, then we would be $300,000.00 light.

Commissioner Cox said the letter states this money can be repaid next year from Wheel Tax taxes, but we can't do that, because the Council did not approve it by July 1st, in order for it to be collected in 1984, but providing we can get our interest funds back into the R&S fund, then she believes we would be safe until the year 1985, to get it in there, because our shortage is going to come after that.

President Borries said he would also like to remind Mr. Bethel that some of the roads are going to need hot mix, for instance, Green River Road.

Mr. Bethel said he is aware of that and the county, although we cannot make hot mix, we can purchase it and we have the equipment to lay it.

Commissioner Willner moved Mr. Bethel's request to go before Council, be approved. Commissioner Cox seconded the motion, with the understanding that our R&S interest money will go back in the R&S fund. Commissioner Willner agreed. So ordered.

Alice McBride informed Mr. Bethel he would have to get a written request to her office in order to be put on the Council Call.

RE: COUNTY ATTORNEY....DAVID JONES

Intergovernmental Cooperative Agreement: Mr. Jones said he has an Inter-governmental Cooperative Agreement with the United States Marshals Service, that it is a follow-up, the committment part that we must make for the $250,000.00 grant. It has been submitted to the Sheriff for his approval and it basically recites the fact that they would extend to us the $250,000.00 and we must carry through with the project. Basically, what the county is doing, appears on page 4, Article 5, the county guarantees to accept and provide the space and services for twenty (20) federal prisoners, each day, upon request of the United States Marshal and that this be the case for two (2) years, commencing from the date of the completion of the projects. He said there is standard schedules of all the federal regulations, etc. that we must comply with, attached to this and he would say they are nothing more then we would get in any other government contract. He said this is also scheduled to go before the County Council on July 18th and there will be at least one more contract concerning the jail and that will be an Inter-governmental agreement with the Evansville-Vanderburgh Building Authority, which will guarantee the amount of improvements to the jail and ask them to proceed to let the bids on the work.

Commissioner Cox asked if they see any problems with the twenty (20) additional housing.

Mr. Jones said no, that it is also his understanding that if we receive another grant that is being worked on, that we will eliminate anywhere from twenty (20) to thirty (30) work release inmates, that will go into a Work Release Facility, also since about last December, the population in the jail has been cut from about a high of 210 per day to about 164 per day.

Commissioner Willner moved the agreement be approved. Commissioner Cox seconded the motion. So ordered.

The agreement was signed and returned to Mr. Jones.

Request to Hire Engineer for Lynch Road and St. Joe Avenue: Mr. Jones said another matter needing to be discussed, in regards to the St. Joe Avenue and Lynch Road projects that since David South's departure, he has been receiving a quantity of documentation from the Consultant and he has also received some correspondence from the Indiana Department of Highway, that appears to be favorable for reaching an agreement. The documentation consists of a lot of records that have to be verified and by an Engineer. They are also accompanied by affidavits, which he asked for, to authenticate that documentation. The amount of work we have been working with has been fed into a computer, which David South knows how to handle. What he is asking for, is to hire Mr. South as a consultant in order to close out both of these projects. He has talked to Mr. Easley and he does not want to take on this burden, and he does not think it fair to ask anyone to take over on these project, at this point and time. He has checked into both of these accounts and there is more than enough money available to pay Mr. South and he would recommend he be paid $50.00 per hour and if he sould stay overnight, we will pay another $50.00 for that night, that this will be for a maximum of fifteen (15) hours, that if it should take longer than that, he will stop Mr. South and have him appear before the Commissioners, with an explanation. We are also going to attempt to get an additional 5% Federal participation in the total project amount.

Commissioner Cox said we are talking about $800.00.

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

RE: BOND ISSUE FOR PIGEON AND KNIGHT TOWNSHIP POOR RELIEF

Commissioner Willner said if the Commissioners are satified that a bond issue is the only answer to the poor relief problems in Pigeon and Knight Township, he moved the County Attorney be instructed to start proceeding, in the amount to be determined by the County Auditor next week.

Mrs. McBride said she will have the figures ready next week.

Commissioner Cox seconded the motion. So ordered.

Mrs. McBride said she will deduct this from the settlement at the end of the year.

RE: BURDETTE PARK....MARK TULEY

Financial Report: Mr. Tuley submitted the following financial report of the park, for the month of June:

1983 Starting Budget

1983 Budgeted	$509,237.00
1982 Encumbered by P.O.	17,475.92
1982 Encumbered by Contract	67,764.92
1982 Insurance Reimbursement	6,116.44
Total 1983 Budget	$600,594.28
Returned to General Fund	-$ 41,500.00
Remaining 1983 Budget	$559,094.28

Expenditures and Balance 1-1-83 to 6-30-83

Total Expenditures	$283,418.83
Total Balance	$275,675.45

Income 1-1-83 to 6-30-83

Pool	$ 30,000.00
Rink	22,134.02
Rentals	26,405.77
Misc.	3,914.82
Total	$ 82,836.11

6-30-83

Total Expenditures	$283,418.83
Total Income	$ 82,836.11
Total Deficit	$200,582.72

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Also attached to the above financial report was a daily breakdown.

Report received and filed.

Letter Received from Indiana Parks and Recreations: Mr. Tuley said that President Borries showed him a letter we received from the Indiana Parks and Recreation Association, in regards to the Jobs Bill, that we received our federal grant on. As the Commissioners are aware of, everything had to be planted by October 1st. and everything had to be completed by then. There has since be an amendment to that bill moving that deadline to December 31st., because they are afraid we would lose a large amount of trees if we plant that time of year. They are encouraging everyone to write their Congressman and let him know you do approve of the extended time.

Commissioner Willner moved the Commissioners draft a letter to Congressman McCloskey informing him that the Commissioners of Vanderburgh County do agree with the deadline being set December 31st. Commissioner Cox seconded the motion. So ordered.

Selling and Buying of Land at Burdette Park: Mr. Tuley said he believes the Commissioners have been contacted by a local attorney in regards to the possibility of selling some additional land to Burdette Park, that it does abut our park. He tried to run some copies of the land from the plat book and at this time presented those to the Board and pointed out just where the property lies. Since we now have federal grant monies, he spoke to the Department of Natural Resources and they must also approve any buying or selling of land, in regards to the park. We are speaking roughly about thirteen (13) acres of ground, that we would be buying some and selling some.

Commissioner Willner said he would like for the Commissioners to all go out and look at it and then come to a decision later.....they all agreed, and Mr. Tuley said he would show it to them at their convenience.

Capital Improvements Needed at the Pool: President Borries said he knows there are going to have to be some capital improvements made at the pool and he is wondering if this is to be considered for the 1984 budget.

Mr. Tuley said he received a letter from the County's insurance company, as he is sure the Commissioners did also, and it looks like for the pool alone we are going to be looking at about $50,000.00, that the last section of the deck (by the concession stand) is going to have to be replaced, both pools will have to be repainted and the diving board system is completely outdated, especially in regards to the high dive, that there is strong possibilities that someone could be injured seriously. Friday we had an eight (8) year old to fall between the rail and the board and as luck would have it, she was not hurt bad, but someone could be.
We also are going to have to do some work to the filtering system.

President Borries said he will be out at the park early in the morning so he asked Mr. Tuley could he set up a meeting with Mr. Austill at 9:00 a.m. and he replied yes, he would do that.....the other Commissioners agreed to Mr. Borries meeting on this matter.

Air Conditioning Unit at Skating Rink: Mr. Tuley said he believes the Commissioners are all aware of the problems with the air conditioning at the skating rink, that it is a very obsolete system and it is to the point where it is going to have to be replaced, and we are looking at approximately $40,000.00. He has notified the County Council of this matter also.

Mr. Tuley said he has two (2) more comments before closing, one is that the catering concession is working super and secondly, he has two (2) people interested in talking to the Commissioners about installing a water slide.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the crew for the period of July 5 thru 8, 1983....received and filed.

First Avenue Project: Mr. Guillaum reported that as near as they can determine, the First Avenue project seems to be about five (5) days ahead of schedule.

Baseline & Petersburg Road: Mr. Guillaum reported the X bridge on Baseline and Petersburg Road, that possibly by the end of this week they will be setting the beams on this, however, we are going to have to soon be putting a small ditch contract on this, that we will contact some contractors for some invitation bids in the near future, probably this week.

Hirsch Road: Mr. Guillaum reported that Hirsch Road is open to traffic now, that he believes the remainders of signs were to be picked up today, that it is all paved and open to traffic.

Report Received From The Hartford Insurance Company: Commissioner Cox said in regards to a report she received from The Hartford Insurance Copmany, it concerns the bridge and guardrail crew of the county, that it states we have several violations concerning proper barricading and proper signage, when crews are working on the projects.

Mr. Guillaum said they are aware of this and his office took issue on the report, that Mr. Tom Goodman met with Mr. Fox and discussed this matter. One of the things they discussed was a backup system (a bell) on the truck and the backhoe and we now have one on the truck and we are in the process of getting one installed on the backhoe. In regards to signing and/or flashers, these things are sometimes hard to keep on the job because someone steals them, but we certainly do attempt to put flashers and proper signage at all our projects.

Commissioner Cox said the report is talking about "while the crew is on the job site", that a paragraph in the letter states, "while at the Wildwood job site, on June 16th, I attempted to discuss the barricading and signing problems with Tom, but he stated he was fairly new at this and really wasn't that involved".
Commissioner Cox said to her this is very important, that we could get one of our own employees killed as well as someone running through. If we have crews out doing painting or cutting weeds along the sides of our roads we need signs up stating "Men at Work", placed on both sides of the road. We condemn SIGECO and Bell Telephone for not providing proper markings and she believes we should look at our own house.

Commissioner Cox said she thinks it would be well to let the employees have a thirty (30) minute meeting with these representatives, that we need some type of job session. This letter indicates appointments were set up to meet with our insurance representatives and those appointments were not kept, and she believes this does not indicate good faith on our part because we are struggling to keep our county insurance. She said all organizations and businesses have job training for their employees and they have meetings to update them and she feels this is important enough that these crews should get together and have job sessions.

Commissioner Willner said he believes Mr. Fox should be contacting Mr. Brenner on these matters.

Commissioner Cox said the letter is directed to Mr. Brenner.

President Borries said if there are problems perhaps they can be worked out by scheduling a meeting, and we should work toward that end.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Ohio River Riprapping Project: Mr. Easley said concerning the right-of-way for the Ohio River Bank Protection, that it has been signed and will be mailed within the hour to Louisville, however, we still have a couple of more deeds to be signed.

Location Contract with United: Mr. Easley said today he received the location contract with United, that he has discussed it with Mr. Gerard and he will be getting something in writing to the Commissioners that appears to be following the state form.

President Borries said he understands that ISUE is quite interested in this study and perhaps they could be contacted in regards to this and the financial aspect of it. Also, Mr. Easley and our County Attorney will have to review that contract when it comes back, that it has been said we, in the past, did not use the boiler plate that the State of Indiana uses in relation to certain things, and that this could cause a delay of significant time.

Mr. Easley asked if the state ever mentioned a brief amendment.

Mr. Jones said because of the problems we encountered with St. Joe and Lynch Road, he and David South traveled to Indianapolis and met with all the Departments of Highway and we got new boiler plates and we were told if we didn't like it we could add to it.....he added to it and they screamed bloody murder, sent it back to us and told us no, we can't add to it, so here we go again...we have to play their ballgame.
Also, unless and until someone checks the amount of dollars that the county is committing itself to by entering more of these contracts, that he believes it is wise if we do this first, because without Wheel Tax money we may not have sufficiant funds to cover these contracts then we could be in a big bind and it could trigger some pay backs.

Mr. Easley said then the county needs to evaluate their long range planning commitments.

Mr. Jones said this is exactly correct.

Commissioner Willner said he understood they were going to put our application in file 13 and keep it there until we decided to use their boiler plate, that we either play their game or it stays in file 13.

Letter from Indiana Department of Highway on Covert Avenue: President Borries read aloud the following letter from the IDOH in regards to Covert Avenue, dated July 1, 1983 and directed to the Board of County Commissioners

Dear Sirs: RE: M-E220(1), Covert Avenue Project

By copy of this letter, the R/W plans, plats descriptions and title work, plus a review by the Engineer Services Supervisor are being transmitted to your consultant, Fink, Roberts and Petrie. The Warrick County portion of the project, M-E915(1), is being reviewed and will be forwarded upon completion.

The corrected and fully executed plans should be resubmitted in duplicate along with one set of revised plats and descriptions for final review. One set will be

forwarded to the FHWA following the right-of-way Engineers review.

If there are any questions, please let me know.

Very truly yours,
Stephen Dilk, Area Engineer
Division of Local Assistance

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The letter was received and filed, with a copy to go to Mr. David Gerard.

Letter from Indiana Department of Highway on Lynch Road Project: President Borries read aloud the following letter from IDOH in regards to the Lynch Road project, dated July 5, 1983 and directed to the Board of County Commissioners.

Dear Sirs RE: M-E185(1), RS-6882(), RS-6587() Lynch Road.

Attached herewith please find the FHWA comments concerning the environmental impact study for the above referenced project. Please address these comments before submitting the final report.

By copy of this letter, I am informing D.E. McGillem & Associates of this matter. If there are any questions, please let me know.

Very truly yours,
Stephen M. Dilk, Area Engineer
Division of Local Assistance

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Letter received and filed with a copy of it to go to David Gerard.

Attached to the above letter concerning Lynch Road, was the following letter, dated June 27, 1983, and directed to Mr. Gene K. Hallock, Director, Indiana Department of Highways, Indianapolis, Indiana, with attention Mr. E.M. Ames

Subject: Indiana Projects M-E185(1), RS-6882 ( ), and RS-6587( ), Lynch Road Extension in Vanderburgh and Warrick Counties.

On May 27, 1983, we submitted to your office an abbreviated list of comments on our review of the subject DEIS. In addition, we requested a meeting be arranged to discuss these and other comments.

As a result of a June 13, 1983 meeting with representatives of your office and the Consultant, we offer the following additional comments:

1. The traffic volume for each of the alternatives does not justify four lanes of pavement for the entire length. We believe the alternatives should provide four lanes up to the Interstate and two lanes the remainder of the distance.

2. A 16-foot median is proposed throughout the project. This feature would appear to be unnecessarily disruptive considering the existing development of the area. Adjoining sections of the route do not have this feature and, although positive channelization should be provided at intersections, we request that further justification be provided for the use of a continuous 16-foot median.

3. Documentation between the County and the IDOH needs to be included in the report for the possible interchange of Lynch Road at I-164 in lieu of the current plan to construct a separation structure over I-164 at Old Boonville Highway.

If you need further clarification of the above, please contact our office.

Sincerely yours,
L.D. Tucker
District Engineer

For: George D. Gibson, Jr.
Division Administrator

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Mr. Gerard was present and stated if the Commissioners will recall, in regards to the Covert Avenue project, that the City of Evansville, the County and Warrick County applied for federal funds for the right-of-way acquisition and that money has been approved for the current fiscal year for the City of Evansville and the Vanderburgh County portion of the right-of-way and he believes the money will be approved for the Warrick portion this coming fiscal year, which begins in October. The city is the lead agency, through the city attorney's office and he understands they are in the process of developing contracts for the appraisal work and the buying.

Concerning Lynch Road, he has not seen that, however he is sure there will be several meetings with the state to resolve some of those comments stated in the letter and that is fairly routine.

Mr. Gerard said also mentioned earlier was looking at the R&S budget for 1984 and sitting down with David Jones and discussing some of the projects, that he would be willing to meet with Mr. Jones on this matter.

Mr. Gerard said also on the matter mentioned in regards to ISUE, that this has been discussed in the past and they have some concerns that their school entrance will be effected and perhaps they could piggyback onto the county contract and that portion will certainly have to be paid for by the University and not the county. He will keep the Commissioners informed on this particular contract, that there is to be a meeting very soon concerning this.

RE: JIM LEWIS....SUPERINTENDENT OF COUNTY BUILDINGS

Comments Concerning Letter Received from The Hartford Insurance Company: Mr. Lewis said concerning the letter that was earlier discussed with Mr. Guillaum on the safety flashers and proper signs, that he would like to make a brief comments on it, that it seems that what touched this off is they have four (4) law suits against the county concerning barricades, in just May and June. Mr. Fox is the new safety engineer and he has gone around and viewed the safety program with him and some meetings have been set up for him, and some were kept and some not. He has made a number of recommendations to us, one of those being that the next Superintendent of County Buildings attend a four and one half day safety training school, in Indianapolis. This is the first time ever for this school and we have received literature concerning it. Mr. Fox has also requested that a meeting be set up between him, the Sheriff, the Highway, the Surveyor and anyone else involved in that type work to see if they cannot come up with something uniform for everyone.

Discussion of Superintendent of County Building's Budget: Mr. Lewis said as the Commissioners will recall, during the last budget session, the Supt. of County Buildings budget was cut 68% over the 1982 budget, and he was told when he needed additional funds that he could appear before the county council. Most of his budget is spent on emergency type things and at this time he explained the balance in his accounts and which ones are depleted and submitted a written report of each account to the Commissioners.

Job Description: Mr. Lewis submitted a job description of both positions within the budget of the Superintendent of County Buildings.

Comments Concerning County Parking Lot: Mr. Lewis reported he has been on a four (4) member parking lot committee who's jobs it has been to try to get the parking lot to run a smooth as possible. Numbers were to be put on the decals for all vehicles and he got some ink and a numbering machine and last week we discovered all the numbers have disappeared from the decals, that the sun faded them completely away. We have procured some stick-on numbers and he will get started putting them on.

Mr. Lewis said today will be his last meeting, that his employment change will go through today's meeting releasing him, effective July 15th. He would like to say his position with the county has been very interesting, that he has appreciated working with the Commissioners and all the other officeholders and the County Attorneys.

All three of the Commissioners stated their appreciation and gratitude to Mr. Lewis for the very fine job he has done for the county and they wished him well and luck in the future.

Introduction of New Superintendent of County Buildings: President Borries introduced Mr. Jim Lindenschmidt as the person who will be taking over the position of Superintendent of County Buildings, after Mr. Lewis' departure.

RE: SERVICE AGREEMENT WITH AMERICAN LEGAL PUBLISHING CO.

County Attorney Jones submitted a five (5) year Supplemental Service Agreement between the American Legal Publishing Co. and the County of Vanderburgh and stated this is the company that assisted in codifying the county ordinances. In order to keep that code updated we must keep adding Ordinances as they are adopted by the County. He sent them all the Ordinances that were adopted through the end of 1982 and they have now advised us this can be printed for the $1,000.00 appropriated for it. It is based upon a figure of $18.00 per new page and a $400.00 editorial fee, which includes the review. They informed us they will not re-do the entire Personnel Policy, that they will simply put in the amendment to it, which will keep the cost down. The five (5) year agreement provides that it will guarantee us the amount of $18.00 per page and any year that we give them notice we want to terminate, we can, that we are not locked in at any point and time.

Commissioner Willner moved the Agreement be signed and approved. Commissioner Cox seconded the motion. So ordered.

RE: DISCUSSION OF VANDERBURGH COUNTY AUDITORIUM

President Borries said the topic of discussion around town for the past few weeks has been the Vanderburgh Auditorium. There was a recent meeting at the Auditorium with the task force and there is to be another meeting next week. He asked if there are any other comments from the Commissioners at this time.

Commissioner Cox stated we are all aware there has been a task force committee appointed to work on the problems at the Auditorium and she believes this is a step in the right direction. She would like to see the aims and objectives of this defined and she would also like to see the committee enlarged to get more input from the people who were in on the original planning, therefore, she would like to suggest that Frank McDonald, Joe O'Daniels, Fred Atkinson and Virgil Miller be included on the committee and that we establish specific aims and objectives of this committee's work.

President Borries said he would concur with Mrs. Cox and also with the names she mentioned. He also has read that Representative Hayes,who has been a part of the local government committee, has made some suggestions, particularly from the standpoint of what other counties are using, what is being called a "local capital improvement authority", which has separate taxing powers. He will ask Representative Hayes to provide us with some information on this so that it could be studied and see if it is feasible. It was also discussed a portion of the Hotel/Motel Tax could be used for repairs to the Auditorium, however, that also did not work out. Also being discussed is a catering service to the Auditorium, that Mr. Jones has drafted some specifications and they have been forwarded to Mr. Bitz, at the Auditorium, for his consideration.

The meeting is to be at 10:00 a.m. on Monday, July 18th. at the Vanderburgh Auditorium and if there are any changes he will let the other Commissioners know.

RE: NOTICE FROM XEROX CORP ON CONTRACT RENEWAL FOR MACHINE #3107

President Borries said the Commissioners recieved a notice from the Xerox Corporation in regards to the renewal of the contract on the copy machine #3107, in the County Auditor's office....this is the small copying machine.

Commissioner Cox asked if we received word back from the gentleman that was to survey our copying needs and President Borries said no, not yet.
Commissioner Cox said she would like to defer the signing of this contract until we hear from him, that this would tie us up for another year if we sign this today.

Mr. Lewis was instructed to call the reviewer tomorrow and see if he has a report ready and report back next week.

The contract was referred to Margie Meeks to hold for one (1) week.

RE: CHECK RECEIVED FROM XEROX CORPORATION

Recieved was a check from Xerox Corporation, in the amount of $10.83, for credit due the county.

Commissioner WIllner moved the check be signed and referred to the County Auditor. Commissioner Cox seconded the motion. So ordered.

RE: YEARLY FINANCIAL REPORT FROM BOB HAMILTON GOLF FOUNDATION, INC.

Received and filed was the yearly financial report from Bob Hamilton Golf Foundation, Inc. from the year 1982.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received and filed for Christian Broadcasting Network, Inc. CBN Center for a teleconference of July 16, 1983.

RE: CLAIMS

A claim was submitted for Mr. Larry Barchet, which has been approved by the Sheriff, in the amount of $3,613.00, for the following:

Rent for months of Sept 1 thru Dec. 31	$1,400.00	
Utilities for Months of Sept. 1 thru December 31	200.00	
Meals for same months	1,936.00	
Transportation (1 trip from Evansville to Chicago)	77.00	$3,613.00

The above amount will be reimbursed to the county from the federal grant money.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for David Jones, County Attorney, for legal services for the month of June, in the amount of $3,146.46. (Itemized statement attached).

Commissioner Willner moved the claim be approved and placed on the Council Call. Commissioner Cox seconded the motion. So ordered.

Also to be put on the next Council Call is the following:

$112,000.00 for Phone System.
$1,841.58 for Change of Venue
$31,062.17 for Patient and Inmate Care (For 1982 bills)
$121,019.84 for the Wallace and VanOrden Law Suits
$728.00 for School Transfer and Tuition

A claim was submitted for the Purchasing Department in the amount of $50,00, which had been deferred from last week. This amount is due the Purchasing Department for code books for Area Plan, that is to be billed to the County Commissioners.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for the University of Evansville, in the amount of $1,795.50, for the summer interns, in the Data Processing Department.

Mrs. McBride informed the Commissioners only $1500.00 was approved in this account at budget time.

The claim was referred to Mrs. McBride to check and see if additional monies have been transferred to cover this cost and she is to report back with the claim next week.

RE: EMPLOYMEMT CHANGES.....APPOINTMENTS

BURDETTE PARK

Voleta Stierwalt	7516 E. Chandler	Extra Guard	$3.25 Hour	Eff: 6-30-83
Susan Stippler	4722 First Avenue	P/T Cashier	$3.50 Hour	Eff: 6-15-83

SUPERINTENDENT OF COUNTY BUILDINGS

James Lindenschmidt	4337 N. Congress Ave.	Supt. of Co. Bldgs.	$17,418.00 Yr.	Eff: 7-18-83

CUMULATIVE BRIDGE FUND

Robert P. Weidner	721 N. Bell Ave.	Laborer	$13,692.00 Yr.	Eff: 7-7-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Frances Gates	2512 S.Roosevelt	Dep. Clerk	$394.61 Pay	Eff: 7-4-83
Dana Harpole	1300 Marchall	Juv. Dep. Clerk	$415.30 Pay	Eff: 7-4-83

RE: EMPLOYMENT CHANGES.....RELEASES

CONVENTION AND VISITORS BUREAU

Evelyn Phillips	1211 Hwy 261 Boonville, Ind.	Sec/Copywriter	$9,950.00 Yr.	Eff: 7-8-83

SUPERINTENDENT OF COUNTY BUILDINGS

James Lewis, Sr.	3021 Crossbow Lane	Supt. of Co. Bldgs.	$17,418.00 Yr.	Eff: 7-15-83

CUMULATIVE BRIDGE FUND

Ronald L. Miller	212 Riverside	Laborer	$13,692.00 Yr.	Eff: 7-1-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Karen Conley	1001 N. Weinbach	Dep. Clerk	$394.61 Pay	Eff: 7-4-83
Sharon Daniels	729 E. Florida	Juv. Dep. Clerk	$415.30 Pay	Eff: 7-4-83

There being no further business, President Borries declared the meeting recessed at 5:10 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard J. Borries

Robert Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 18, 1983

The meeting of the County Commissioners was held on Monday, July 18, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

The minutes of the previous meeting were approved as engrossed by the County Auditor, after Commissioner Cox asked for a clarification from Mr. Mark Tuley on the buying and selling of land at Burdette Park, when he appeared before the board later in this meeting.

RE: REZONING PETITION VC-3-83...THIRD READING

Petitioner: Homer A. and Julia Bacon. 3624 Upper Mt. Vernon Road
Owner of Record: Same

Premises affected are situated on the S.E. side of Upper Mt. Vernon Road, at the corner formed by Woods Avenue. The common address is 3624 Upper Mt. Vernon Road. The above described real estate is presently zoned R-1 and the requested change is to C-1. Present existing land use is residential and the proposed land use is residential - commercial sale of small tools.

Mr. Bacon was present and stated he would like to get permission to sell out of his garage...as he has in the past, that as far as he knows, he has no complaints from any of his neighbors. At this time he presented a petition, with seventeen (17) names on it, in full support of his request.

Commissioner Cox stated this petition was approved at the APC meeting, however, she did vote against it, for the simple reason that they had a long agenda and she knew when she mentioned the word "covenant" that Mr. Bacon did not understand what she was talking about but she feels very strongly about rezoning commercially in a residential area. She has since talked to Mr. Bacon and he now knows what a covenant or an agreement is concerning this. It is true that none of the neighbors object to the business he is now running out of his property and her concern is that it remains as it presently is, because we all know that once a C-1 goes in, we have no assurance for the surrounding neighbors that other development will not occur there, and Mr. Bacon has this same concern for his neighbors. She can support this petition if Mr. Bacon enters into such an agreement that it will stay as it presently is, and he has agreed to do this.

President Borries said another comment made on this request is in regards to the parking that the EUTS report states that vehicles parking along upper Mt. Vernon Road will impair the sight distance of vehicles existing from the garage driveway, and will require those vehicles to back onto Upper Mt. Vernon Road. Recommendation: Parking along Upper Mt. Vernon should be prohibited.

Mr. Bacon said the Tupperware Company uses ~~his~~ their parking lot only on Mondays from 8:30 a.m. until 12:00 noon and other than those times anyone parks over there.

President Borries said then you will place on file with the Area Plan Commission that it will be okay to use the Tupperware lot and Mr. Bacon said he will do so.

President Borries asked for any remonstrators.....there were none.

Commissioner Willner moved VC-3-83 be approved, subject to the covenant being filed, as agreed upon and also subject to the parking agreement. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: REZONING PETITION VC-4-83.....FIRST READING

Petitioner: Mid-America Student Housing, Inc. 525 Sycamore St., Evansville, Indiana
Owner of Record: Same

Premises affected are situated on the south side of Clark Lane, a distance of approximately 2,000 feet west of the corner formed by the intersection of Schutte Road and Clark Lane.

The common address is (None) and the above described real estate is presently zoned Agriculture....and requested change is to R-4. Present existing land use is vacant woodland and the proposed land use is student housing apartments for ISUE.

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

Commissioner Willner moved rezoning petition VC-4-83 be approved on first reading and referred to Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: REZONING PETITION VC 5-83...FIRST READING

Petitioner: Edward L. Scheessele and Sons, 10175 State Road, Newburgh, Indiana
Owner of Record: Monastery of St. Clare, 509 S. Kentucky Ave. Evansville, Indiana

Premises affected are situated on the east side of Nurrenbern Road, a distance of 1/2 mile south of the corner formed by the intersection of Nurrenbern Road and Lower Mt. Vernon Road.
The common address is 6825 Nurrenbern Road. The above described real estate is presently zoned agricultural and the requested change is to R-4. Present existing land use is agricultural and the proposed land use is residential - Monastery of St. Clare.

There was no one to speak for or against the petition.

Commissioner Willner moved rezoning petition VC-5-83 be approved on first reading and referred to Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: SPECIAL USE PERMIT 14-83-APC...THIRD READING

Applicant: Faith Carol Jones, 9948 St. Wendel Road
Nature of Case: Applicant requests a special use for a one chair beauty shop.

Ms. Jones was present and stated she is requesting permission to operate a one chair beauty shop in her home at 9948 St. Wendel Road.

There were no questions of the Commissioners.

President Borries asked for any remonstrators....there were none.

Commissioner Willner moved Special Use 14-83-APC be approved on final reading. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 20-83-APC...FIRST READING

Applicant: Eugene Hahn

President Borries stated the present zoning is C-1, that the location is 4800 Division, and he understands the Division Street project will require the taking of this property in 1986 and 1987. He understands this is a service station.

There was no one present to speak for or against this special use request.

Commissioner Willner moved Special Use Permit 20-83-APC be approved on first reading and referred to Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: NOTICE OF PUBLIC HEARING ON REZONING

President Borries read aloud the following notice of rezoning, received from Fred H. Martin and directed to the County Commissioners, dated July 12, 1983

Re: Notice of Public Hearing For an Amendment of the Comprehensive Zoning Ordinance

Purpose of this hearing is for a consideration of an amendment for the following property: Legal Description is Donation Enl.75ft X 150ft. Code 20-23-4, lot L170 and Donation Enl 50' X 75' code 20-23-5, lot Pt. L. 169. The commonly known address is 212-214 NW Fourth St. and 315 Court Street. The proposed amendment is from C-3 to C-4 for auto tune up and light repair on second floor of these properties.

APC Hearing to be held on Wednesday, the third day of August, 1983, at 6:00 p.m. in the City Council Chambers, Room 301, Civic Center Complex, Evansville, Indiana.

City Council Hearing to be held the fifteenth day of August, 1983, at 7:30 p.m. in the City Council Chambers, Room 301, Civic Center Complex, Evansville, Indiana.

Fred H. Martin
FRED MARTIN FLOORS
212 N.W. 4th. Street
Evansville, Indiana 47708

Letter ordered received and filed.

RE: DATA PROCESSING...CONTRACT TO BE CONSIDERED ON COMPUTER EQUIPMENT

Mr. Robert Fortune, director of Data Processing was present and stated last week the Commissioners received three (3) bids on the computer equipment, those being from 1) Sperry Univac Corporation 2) Honeywell Information System, Inc. and 3) IBM Corp. and that they were all referred to him for a period of one (1) week for study and review and for his recommendation to the Commissioners today. He said after reviewing the bids he would report they all three (3) were in order and did bid according to specifications, therefore, he is recommending the bid be awarded to Honeywell Information Systems, Inc. who was the low bidder, by approximately $5,000.00.

Commissioner Willner asked if the money is available and Mr. Fortune said it has to be budgeted for 1984 by the County Council for computer services, whoever it might be. Commissioner Willner asked how long the bid price is good for and Mr. Fortune replied ninety (90) days.

Mr. Fortune said he would recommend the Commissioners approve the vendor and then we get the County Attorney involved in terms of negotiating the contract, with finalizing the bid at budget time.

Commissioner Willner said he will not sign the contract now, however, he will move the Commissioner accept Honeywell as the vendor.

Commissioner Cox said she will second the low bid of Honeywell.

Mr. Mervin Brandies, representative of the Sperry Corporation, was present and stated while they do not have any problems with the bid specs per se, we have noted in them, certain exceptions to the specifications. We presently have three (3) agreements with the county, which are in force for varied lengths of times, one of which is for six (6) years for the current computer installed here in the civic center. We also have some terminal agreements that have been installed various lengths of time and all of these agreements have provisions in them, however, he is not an attorney so he will not try to address the legal aspect of them, however, the Sperry Corporation trusts the county will continue to honor its agreements between the company and the county. They respectfully request all parties meet to review the contracts and their terms and conditions. The in-place agreements have a provision for exchange and up-grade privilages and to take advantage of technology improvements, therefore, they did note that in the proposal they submitted for consideration.

President Borries asked Mr. Brandies to contact the Commissioners office within the next couple of days to set up an appointment for a meeting so this might be further discussed and he replied that he would do so.

President Borries said if it proves to be convenient to all parties, perhaps we could all meet next Monday, July 25th, at approximately 1:45 p.m.

Commissioner Willner said if this is a lease/purchase agreement, he would assume the County Auditor will have those contracts, therefore they should be made available for this meeting.

President Borries asked Mr. Pat Tuley, Deputy Auditor, to please forward those documents to the County Attorney's office as soon as possible, so that they will have an opportunity to review them.

RE: COUNTY ATTORNEY

President Borries said we have Mr. Jim Casey, as acting county attroney, with us tonight and asked him if there is any business he is to report from either Mr. Jones or Mr. Miller.

Mr. Casey replied he has no business to report.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of 7-11-83 thru 7-15-83...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of July 11 thru 15, 1983....received and filed.

Mr. Bethel gave a brief rundown of the road work done by his crew this past week.

Question Concerning Absentee Report: Commissioner Cox said in regards to a couple of names on the absentee report, which shows "Compensation", she would like to know if this is time off, in lieu of overtime pay and Mr. Bethel replied no, this is comp time where they were injured on the job. One of them came back today.

RE: MARK TULEY....BURDETTE PARK

Bidding for Landscape Materials: Mr. Tuley said in regards to the grant the park received, it looks like we are to the point to proceed with the bidding for the landscaping materials.

Commissioner Willner read aloud the following:

NOTICE TO BIDDERS

The Board of County Commissioners, Evansville, Indiana, will receive sealed bids at the office of Public Purchasing, Room 318, Civic Center, Evansville, Indiana, for landscape materials by no later than 1:00 p.m. on Monday, August 8, 1983.

Contract documents and specifications may be obtained at the office of public Purchase Room 318, Civic Center, Evansville, In.

For further information, contact Carolyn S. McClintock at 426-5606

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Commissioner Willner moved the above Notice to Bidders be properly advertised in the Evansville Courier and Press on July 22, 29, 1983. Commissioner Cox seconded the motion. So ordered.

The document was referred to the Auditor's office for proper advertising.

Agreement Between Owner and Landscape Architect: Mr. Tuley submitted, for the Commissioners approval, an agreement between the County and Landscape Design Associates, of Evansville, Indiana, and stated this has already been signed by Mr. Steve Meyerholtz, of Landscape Design Associates. Article #1 states that the owner (the county) does hereby employ the Landscape Architect to render professional services for the landscape improvement of the property at Burdette Park and Mesker Park Zoo. Article #2 states that the professional service of the Landscape Architect shall be to provide working drawings, documents and supervision, and include landscape plans and specifications related to above sites. Article #3 states that the owner agrees to pay the Landscape Architect for professional service in a lump sum price, not to exceed $1,425.00, but if during the progress of the development of plans or during construction the Owner finds it desirable or necessary to cause the Landscape Architect to perform additional services other than those defined in Article 2 (and Article 4, if applicable) the payment for such additional work shall be at a rate of $30.00 per hour. Article #5 states the Landscape Architect shall observe the work of the contractor or of the Owners own staff by inspection at intervals of two (2) times weekly when construction is in progress.

At this time Mr. Tuley submitted to the Board the plans and pointed out the locations of the new proposals and also pointed out where the new entrance to the park will be located. We had hoped for money to do another exit, however, we gave $5,000.00 to the zoo, but we will have some money left and we intend to spend it on the six (6) cottages. There will be some light concrete curbing that we will have to pay for out of our own budget and we do have the money available right now.

Commissioner Cox asked where did this grant come from, isn't it a combination for improvement at Burdette Park and Mesker Zoo.

Mr. Tuley said this grant was issued to us through President Reagans' Jobs Bill, that when we first applied for this it was for the park only and then it was discussed and decided that we would give Mesker Zoo $5,000.00 of it. Ms. McClintock is handling all the administration of the grant and she has been very very helpful to us.

Commissioner Willner moved the Agreement be signed by President Borries. Commissioner Cox seconded the motion. So ordered.

Check from Helfrich Insurance Company: Mr. Tuley submitted a check, in the amount of $2,116.00 for lightning loss at Burdette Park on 5-4-83.

Commissioner Willner moved the check be accepted and signed. Commissioner Cox seconded the motion. So ordered.

Discussion of Air Condition at Skating Rink: Mr. Tuley reported in regards to the air conditioning unit at the skating rink, that they are trying to make it last another year and they have dropped their Wednesday night skating. They are shuting the system down on Sunday nights and not turning it back on until Fridays.

Discussion of Pools at Burdette: President Borries said he has enjoyed being at the park this past week, that his daughter has been taking swimming lessons and it has given him an opportunity to spend time out there and in meeting with Mr. Austill and Mr. Tuley, in relations to repairs to the pool, that there are some deck problems and filtering system problems, among other things that are going to have to be done out there. There was also a county councilman out there last week involved in the inspection, however, he feels like the entire council should inspect the pools so that consideration can be given to them at budget time.

Mr. Tuley stated that while Councilman Lutz was out there he did suggest to Mr. Borries and himself that perhaps this money could be taken from the Capital Improvement Account, that they are going to have to abolish that particular fund.

President Borries said this certainly would be a worthwhile request, in his opinion.

Mr. Tuley said both pools are in desperate need of painting and some re-grouting is going to have to be done also, that totally we are talking about $50,000.00 for everything.

Commissioner Cox said she thinks the idea of the County Councilmembers going out to the park and looking at what all needs to be done is a good one, because we are at their mercy to appropriate funds from the CCI account. She asked would this also include the problem of the dirt washout and Mr. Tuley replied yes, that is the section of decking they would be replacing, and they are hoping when they get that section opened up that they find the box culvert stopped up and they can just clean it out, but if not they will have to put in new pipe.

President Borries asked Mr. Tuley if he will work on scheduling a time for all the councilmembers to visit out there and he replied he would do so and also inform the Commissioners of such date.

Buying and Selling of Property at Burdette Park: Commissioner Cox stated she would like a clarification in regards to the buying and/or selling of property at Burdette Park, that she understands this was going to be sort of an in-kind thing, that the people interested in buying from us would buy from the other people, and then give back and also the attorneys for the two (2) parties have discussed this matter.

Mr. Tuley said he has talked to attorney Fields in regards to this matter and he has another appointment with him tomorrow and Mr. Fields has the full detailed maps of the property they would like to sell to us and how it lies, in relation to our park, and to see if there is interest. He has also talked to Mrs. Ghostley about her buying that property and then trading with us, and she is very much interested in that and he will try to have a report on this next week.

RE: BOB BRENNER....SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crew for the period of July 11 thru 15, 1983, which was ordered received and filed.

Claims: David Guillaum submitted the following claims for the Boards approval:

A claim for Deig Brothers, in regards to the Hirsch Road Bridge #93 project, in the amount of $49,088.64.

Mr. Guillaum reported this is not the final claim for this project, that it does not include the retainage. He said when we pay the retainage, we will be approximately $3500.00 under the overall bid.

Commissioner Willner asked if Deig is planning on repaving that one more time and Mr. Guillaum replied he knows what Mr. Willner is referring to, and we have withheld some $6,000.00 from the payment, that perhpas a little wedging at the west end would help.

Commissioner Willner asked Mr. Bethel if he got out on Hirsch Road and looked at the intersection he spoke to him about this week and he replied not yet. Commissioner Willner asked Mr. Guillaum if he would want to continue with the contractor or would he want the county highway to do the wedging.

Mr. Guillaum said we could do it either way, but if the highway goes on in there and does it then we could keep track of time and materials and reduce it from the 5% we have withheld.

Commissioner Willner said he believes that might be the best way to go because at the intersection of Hirsch and Green River Road, on the southeast side, where you make your turn, the heavy equipment has tore completely up and he asked Mr. Bethel to go out and fix it and since he is going to be in the area with his paver, perhaps he could do the additional wedging.

Mr. Guillaum said that would probably be the best way to handle it

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim for Deig Brothers, in regards to the Hogue Road Structure #50, in the amount of $4,009.79.

A Change Order was also submitted on the Hogue Road Structure #50, in the amount of an additional $940.10, because additional shoulder/concrete was needed for satisfactory completion. David said he believes there was about $8,000.00 more in the account then what the job was going to cost, therefore money should be available.
Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner moved the change order be approved, in the amount of $940.10. Commissioner Cox seconded the motion. So ordered.

Mr. Guillaum said he would merely report in regards to the First Avenue project, that it looks like they are running about five (5) days ahead of schedule.

Repairing of Boonville/New Harmony Road: Mr. Bethel returned to the podium and requested permission to repair a swell by the bridge on Boonville/New Harmony Road, since he will be in that same area, and he will keep track of time and materials on that also.

Commissioner Willner so moved. Commissioner Cox seconded the motion. So ordered.

RE:JIM LINDENSCHMIDT....SUPERINTENDENT OF COUNTY BUILDING

Mr. Lindenschmidt said this is his first day on the job and he had nothing of any business nature to report on, but did state it had been a very long, busy and interesting day.

RE: REPORT ON MEETING HELD TO DISCUSS THE VANDERBURGH COUNTY AUDITORIUM

President Borries said the Commissioners and Mr. Lindenschmidt did attend a meeting this morning in regards to the Vanderburgh Auditorium and he is wondering if either of the other Commissioners have any comments concerning that meeting.....they had none.

President Borries stated he would hope at this point the large task force has met it's task that he believes it was the concensus of the Commissioners to move forward toward a dollar figure for the improvements at the Auditorium and then there must be a decision of how the funding of that money would take place. Also the yearly budget for the Auditorium has fallen short and he believes it has been inadequate ever since the building opened and that problem is certainly going to have to be addressed if the building is going to remain a community asset. He will be in contact with Mr. Ed Hafer, who is one of the architects who will be obtaining those dollar figures and he will be asking for the input and cooperation of the Commissioners as we move forward on this matter and the critical decisions we will have to be making in the future.

RE: NOTICE FROM XEROX CORPORATION FOR RENEWAL OF CONTRACT

Commissioner Willner said this came before us last week and was deferred until tonight, because we have a company that will probably give us a ball park figure on a total change over of the county's copying system, therefore, he would move the matter be deferred for two (2) more weeks. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO GO BEFORE COUNTY COUNCIL

President Borries said there is a request to go before County Council for legal services in regards to the Roy Tyler case, for Special Prosecutor, John Hargis, in the amount of $899.01 and is to be paid from account #130-361. The claim is signed by Judge Randall Shephard, Vanderburgh Superior Court.

Commissioner Willner moved the amount be placed on the Council Call and referred to Ms. Meeks. Commissioner Cox seconded the motion. So ordered.

RE: PUBLIC OFFICIAL BONDS FOR DEPUTY CORONERS

Two (2) official bonds were submitted for the Deputy Coroner's for approval of the County Commissioners and to be properly recorded by the County Auditor's office. They were for 1). Mary Frances Westfall...Deputy Coroner and Clerk, and 2). Allen Byers... Deputy Coroner.

RE: MONTHLY REPORT FROM CLERK OF CIRCUIT COURT

Ordered received and filed was the monthly report of the Clerk of the Circuit Court, for the month of June, 1983.

RE: MONTHLY REPORT OF THE BUILDING COMMISSION

Ordered received and filed was the monthly report of the Building Commission for permits issued, for the month of May, 1983.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for the Sterling Men's Club for a dance on August 6, 1983.....received and filed.

RE: CLAIMS

A claim was submitted for the Ambulance Service Contract with Alexander Ambulance Service, Inc. in the amount of $13,995.64, for the month ending June 30, 1983.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Shirley Rae Oglesby for attending the annual Township Assessors school at Ft. Wayne (Bills and State Memo Attached), in the amount of $175.50.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for H. Jane Nicholson for attending the annual Township Assessors school in Ft. Wayne (Bills and State Memo Attached), in the amount of $314.31.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Shirley Reeder for attending the annual assessors school at Ft. Wayne (Bills and State Memo Attached), in the amount of $175.50.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Marlin McCormick for overpayment on a building permit, in the amount of $8.00, signed by William Zimmerman.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Torian Agency for the public official bonds for Allen Byers and Mary Frances Westfall, in the Coroner's office, in the amount of $60.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for the University of Evansville for tuition for summer session, in the amount of $1,795.50.
The County Auditor checked this last week because only $1500.00 was budgeted for this, however, additional monies was transferred into the proper account. The claim was signed by Robert Fortune, Data Processing Department.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

BURDETTE PARK

Antonio Chilelli	1317 W. Maryland St.	P/T Ground Crew	$4.00 Hr.	Eff: 7-11-83
David Creech	631 Collage Hwy.	Extra Guard	$3.25 Hr.	Eff: 7-11-83

SCHEDULED MEETINGS

There is to be a meeting on July 26, 1983 at 1:00 p.m. in room 18 of the Civic Center, in regards to Emergency Operation Simulation Training.

President Borries stated there is also a Civil Defense dinner tomorrow at ISUE that he will attens.

There is to be a EUTS meeting tomorrow at 4:00 p.m. and he will attend that meeting .

There being no further business, President Borries declared the meeting recessed at 8:55 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley Deputy Auditor	Tim Casey Acting County Attorney
SECRETARY:	Janice Decker		

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 25, 1983

The meeting of the County Commissioners was held on Monday, July 25, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

The minutes of the previous meeting were approved as engrossed by the County Auditor, with a correction being made to the first page, paragraph eight (8), which stated that Mr. Bacon said the Tupperware Company uses "his" parking lot on Mondays and it should read the Tupperware Company uses "their own" parking lot on Mondays.

RE: PUBLIC HEARING REGARDING VACATION OF UTILITY EASEMENT IN PLAZA EAST SUB

Attorney Wayne Kent was present to represent National Cash Register (NCR), and stated he assumes the County Auditor has the proof of publications concerning this request.

Janice Decker, Secretary for the County Auditor stated both Evansville Courier and Press proofs of publication were received and are on file in the Auditor's office.

At this time Mr. Kent submitted the green certified return cards for the record in regards to this matter, and there were six (6) of them.

Mr. Kent said the petition says he represents William S. Butterfield, but he does not, he represents National Cash Register Company. Mr. Butterfield is the owner of the property involved and he has contracted to sell the property to NCR. He submitted a map of the area in question and pointed out it is of the Plaza East Subdivision and the lots contracted to sell are lot #11 and the west half of lot #10. He pointed out where East Virginia Street and Green River Road lies, according to the map. The purpose of NCR wanting this is to construct a 9,000 sq. ft. office building. He pointed out where the utility is located and stated it is smack in the middle of where the building would be constructed, therefore the petition before the Commissioners today is to vacate that particular public utility easement, with one exception, and that is that he has talked to Mr. Joiner and various other persons at SIGECO and they request an amendment to the petition he has submitted today. He originally filed a petition to vacate this entire easement from the east end to the west end and SIGECO objects to that because there is another easement along the west side of the property, running north and south and that easement is 12' in width, with 6' on lot #9 and 6' on lot #11, therefore SIEGCO asked him to amend the petition, and instead of saying a full 165', that we say to the east 159', which will leave the west 6' to run north and south. Schedule "A" will then be amended to read "all that certain public utility easement, running east and west, and being 12' in width and 159' in length and located over, across and through the south 12' of the east 159' of lot #11".

Mr. Kent said the only other person he heard from was Mr. Les Watson, of the Red Spot paint store and the only thing he wanted to know was why he recieved a copy of this and he was informed because of the fact that he owns adjoining property.

If this satifys the Commissioners, he has agreed to the amendment with regards to SIGECO and NCR respectfully requests the Commissioners consideration.

Commissioner Willner moved the petition be amended as stated above and approve the petition.

Representatives of SIGECO was present and stated what Mr. Kent has stated is infact agreeable with them.

Commissioner Cox seconded the motion. So ordered.

Mr. Kent said he will rewrite the document, make the amendment as agreed upon and submit it to the Commissioners tomorrow.

A representative of Indiana Bell was present and stated he would like to know if Lot #10 is to be divided in half and Mr. Kent said yes, that NCR is wanting to purchase Lot #11 and the west half of Lot #10. The representative then stated would it then be possible for Ind. Bell to get a utility easement on NCR's half, to pick up the easement on Lot #12, because as it sits now, their facilities are in the same joint trench as SIGECO's and they would have no way to get over to serve lot #12, therefore he would like to discuss this matter with Mr. Kent, outside of this meeting and Mr. Kent agreed.

Commissioner Willner requested the Commissioners receive the County Attorney's opinion on the vacating of this easement, to see if they have to appoint viewers, etc.

RE: POOR RELIEF....PIGEON TOWNSHIP

Applicant: Sue Coit, 539 South Kentucky Avenue, Evansville, Indiana
Relief Requested: Utilities
Reason for Denial: ADC mothers are given sufficiant income for housing and utilities.

President Borries asked if anyone was present in regards to this request...there was no one.

RE: POOR RELIEF...PIGEON TOWNSHIP

Applicant: Jessie Murkison, 701 Olive Street, Evansville, Indiana.

Mr. Murkison was not present at this time, however, he did come in later in the meeting, at which time his case was heard.

RE: COUNTY COUNCILMAN MARK OWEN IN REGARDS TO R&S FUNDS

County Councilman Mark Owen was present and stated he has some brief remarks he would like to read to the Commissioners at this time concerning the request for R&S funds. He stated that he, along with other members of the Vanderburgh County Council have received your request for a transfer of $300,000.00 from the R&S fund to the Highway Fund, to be used for immediate road paving. Prior to the next Council meeting on August 3rd, in his judgement, some questions need to be answered and certain steps ought to occur. The first is that he believes a general statement of the overall financial condition of the R&S fund needs to be updated and provided to members of Council. Such specific areas of concern are what effects will this transfer have on funds that have previously been committed for capital improvement projects that were scheduled to be financed by the R&S fund, as reported in the Annual TIP Report, issued by E.U.T.S. In view of the fact we are expecting a serious funding problem already in the R&S fund, will this transfer further complicate the current problem and infact, create additional funding problems. His second point is that is this transfer from the R&S fund to the Highway fund to be considered as a loan or an appropriation and if it is considered a loan, then what is our thinking and planning towards how it will be repaid. Thirdly, there has been general concern of the continue use of cold mix on many county roads as being inappropiate and considering the cost per ton of cold mix and its life expectancy vs the cost of hot mis and its life expectancy, what type of overall planning has occurred within the county for using hot mix in lieu of cold mix on a more heavily traveled county road. For instance, if we take Heckel Road and pave it with hot mix and it lasts for ten (10) years vs paving it with cold mix and it lasts only three (3) to four (4) years, then would it not be affective in the long run to use hot mix at the incept. Fourth, in his opinion the council should be privy to the list of roads to be paved, but more importantly, given the opportunity to provide input into what particular roads, in our judgement, needs attention. If such a list has already been developed, he would certainly like to see a copy of it, so that he can become better aquainted with the exact nature of the expenditures of the fund. He would also hope that we, as council members, can assist the Commissioners in preparing your final paving list. Finally, it appears certain the council will have to make a commitment on the future of the Wheel Tax before we can even consider the transfer of these funds. It appears now, at this time, that a majority of the councilmembers will support a Wheel Tax. At this point we have scheduled a vote of the Wheel Tax at the September meeting. This tax, if adopted, will become effective in 1985. He would hope that in the essence of time, primarily because we will need this $300,000.00 immediately, that at the August meeting, we could approve a Resolution of our intent to adopt such a tax. We need to know for sure that the money will be available for the transfer of the $300,000.00 for this to actually occur. It is his intent to initiate meaningful dialogue with the Commissioners regarding our short term and long term plans for road and street improvements in Vanderburgh County. He intends to vote yes on the $300,000.00 request and he sincerely hopes the other members of the council will do likewise. In traveling the various roads in Vanderburgh County there is no question that we could use more funds than that to adequately maintain our roads, but we must be careful that in spending these funds we utilize our funding resources to the best possible benefit of us all and that is why he is here today, to express his concerns and to encourage the Commissioners to allow the greatest possible participation in the determining of the final spending of these dollars.

Commissioner Willner said whether this is a loan or a budgetary transfer, is entirely up to the Council, whichever way you want it.

Mr. Owen said this is true, but the part that bothers him is that by taking it out of the R&S fund, it will negatively effect the balance in that fund.

Commissioner Willner said certainly it will change the dollar figure in the fund but it is going to be dollars we will not need for two (2) years, however, we will definitely need it after these two (2) years are past. If the Council passes the Wheel Tax it could be a loan and if they do not pass the Wheel Tax, then it will have to be an outright budgetary procedure, so it is up to the council.
In regards to cold mix vs hot mix, some time ago the county tried to purchase a hot mix machine but this was dropped because of the capital outlay. There is no doubt that hot mix is the better material to put on our roads, that the life expectancy is probably twice what cold mix is, but the expense is fourfold, because the county manufactures their own cold mix, but we cannot manufacture the hot mix, so we must purchase it on the open market and therein lies the problem. We are putting down cold mix for about $16,000.00 per mile and we are able to do about ten (10) miles. If we were to use hot mix, then we would probably do about five (5) miles.

Mr. Owen said the $16,000.00 figure does not include labor does it, and Commissioner Willner said no it does not.

Commissioner Willner said there are certain lightly traveled roads we can get by with cold mix on. It also depends upon how thick we put it and also the drainage on the road and also the base of the road, that there are many many things to consider.
He said concerning the list of roads to be paved, he has no problem with supplying the councilmembers with the roads that need it, but there is no final list approved by the Commissioners at this time, there is only a list of roads that need to be done and that list will be forwarded to the Council, that he does not believe the Commissioners will make a determination at this time as to exactly where the $300,000.00 will be spent, should the council approve it. He would say however, if the council wants to wait until September to give us the $300,000.00, they might just as well keep it, because we couldn't use it that late in the year anyway, that as far as he is concerned.....its either August or not at all.

Commissioner Cox said we will need this $300,000.00 in fiscal year 1985 to go on with our projects and we are even going to have to drop some of them, that is new construction. Where we will feel the pinch immediately, when that $300,000.00 is used, is from the loss of interest monies that would go where ever it is directed to go. Secondly, she too believes hot mix is better than cold mix, that what cold mix does is buy us a little time. We cannot afford to put hot mix on all roads and cold mix does protect the base of the roads we already have and gives us more time, and it is something we can do inhouse at a savings and it does prove satisfactory. She named several roads that have been done with cold mix and because they do not carry heavy truck traffic, they have held up very well. She would also hope that when the Council looks at the Wheel Tax that they would look at some other options because in her opinion, under the Home Rule, that unless they tell us we cannot do something, then we can do it and one of the things she would like to see is these vehicles that come into our county from other counties have to have some sort of a permit to drive our roads. Other counties and states do it, and she believes we can to. All Vanderburgh County residents that work in Henderson, Ky. have to get a vehicular sticker for their car, at their place of employment, and that money goes into the repair of their roads and streets.

President Borries said there was a R&S Balance sheet that the Council should have received that would have give the present balance and where we could go in relation to what options we might have. The current balance is $1,938,142.00.

David Gerard was present and stated that certainly would not be your balance that would show up on any of Mrs. McBride's books, that what that was based upon was the available cash and then assuming certain projects are supposed to happen sometime this year did happen. He and Mrs. McBride was discussing this morning that expenditures out of the R&S budget has been very low this year, so he had to estimate. After meeting with Mrs. McBride today and hoping to meet with Andy Easley this week also, perhaps he will have the R&S budget ready to submit in the very near future, for the Commissioners decisions on how they want the projects faced and in what order of priority.

President Borries said two (2) of the biggest projects in 1984 is the Covert Avenue project and the Burkhardt Road project.

Mr. Gerard said the county share for Covert, including some R/W is about $360,000.00 and funding for construction for Burkhardt Road has been approved by the State Highway for 1984, for roughly $250,000.00 to $300,000.00. We also have applied for some rural secondary monies in regards to St. Joe/Schenk and also St. Joe/Meier in about the amount of $150,000.00 for both of them, but these were for safety improvements.

Mr. Owen asked who is handling the federal reimbursements for us and Mr. Gerard said the County Highway Engineer did handle that at one time, however, there is not a lot of it at this point.

President Borries said we have several roads in our county that have simply deteriorated and a good example of that is River Road, that many heavy trucks use that road and we cannot deny them excess to their business and that road is now nothing but gravel all the way from Highway 41 South, to where you cross over the levee at South Weinbach Avenue.
He is pleased the Council is going to reconsider the Wheel Tax and he knows it is not an easy decision and we have tried to present them with as much objective material as we possibly could in relation to the needs we have.

The Commissioners thanked Mr. Owen for his input in the matter of the R&S funds and assured him the Commissioners will continue to work on it.

RE: ROBERT MORAN...VETERANS SERVICE OFFICER

Mr. Robert Moran, Veterans Service Officer said he has been in Washington D.C. and has been offered a job with the Paralyzed Veterans of America and he has accepted the position, therefore he is here to officially notify the Commissioners of his decision to resign his position as Veterans Service Officer of Evansville. He will be leaving in about a month, however, on or about the 15th of August he will be submiting an official letter of resignation. He said Paralyzed Veterans of America is a veterans organization chartered by Congress and has approximately 12,000 members. He said the salary and benefits for himself, his wife and children are simply unbelievable. His job will be to work with the House and Senate on all Veterans Legislation. Fifty (50) percent of his time will be spent in his office and the other fifty (50) percent will be spent on Capitol Hill.

The Commissioners all congratulated Mr. Moran and wished him well in the future and made it known to him he and his very well performed services will be missed very much in Vanderburgh County and thanked him for a job well done for us.

RE COMMENT CONCERNING THE VACATION OF THE UTILITY EASEMENT IN PLAZA EAST

Mr. Wayne Kent re-entered the meeting after having talked to the engineer at Indiana Bell and asked the Commissioners to please defer his request for one (1) week, at which time he will come back before this board with an amended petition.
Request granted.

Commissioner Willner asked Mr. Jones what, if anything , does the Commissioners need to do in regards to this vacation and he replied it has already been advertised, but after the Commissioners approve the Ordinance, then remonstrators have thirty (30) days in which to take it up with Circuit Court.

COUNTY ATTORNEY.....DAVID JONES

Authorization of Entry on the Ohio River Basin: Mr. Jones submitted the following letter, dated July 21, 1983 and directed to County Attorney David Miller.

Enclosed are an original and two copies of the Authorization of Entry covering the Ohio River Basin, Vanderburgh County, Indiana, Streambank Stabilization Project. This Authorization of Entry grants the Government the right to enter all project lands with access thereto for and during the time of project construction.

Please have the original signed by the appropriate persons and returned to this office in the attached post-paid envelope. You may retain one of the copies for your records.

Letter Continued:

We cannot overly stress the absolute necessity that the Authorization of Entry be executed as soon as possible, in accordance with our schedule, to enable full usage of the upcoming construction season.

Your prompt attention and cooperation in this matter is deeply appreciated.

Sincerely,
Robert R. Humphreys
Chief, Real Estate Division

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Mr. Jones said that David Miller has examined title and has signed the legal officers certification, which is attached to the Authorization of Entry, which is now ready for the President of the Commissioners' signature and then to be forwarded to the Corps.

Mr. Andy Easley said we have one (1) more in the mail, that he talked to a lady in Indainapolis Saturday and she said hers is in the mail and as soon as it gets here he will get the Commissioners' signature on it also.

Commissioner Willner moved President Borries sign the Authorization of Entry. Commissioner Cox seconded the motion. So ordered.

Janice Decker was to see the original was forwarded to the Corps of Engineer, a copy to go to Mr. Miller and a copy for the Commissioners' files.

Agreement between County and Building Authority: Mr. Jones said there will soon be presented to the Commissioners a draft of an agreement between the County and the Building Authority, that this draft is to be presented to the Building Authority at their meeting this coming Wednesday. He will not be able to attend that meeting because he has to be in court in Princeton, but he has sent a cover letter asking the Building Authority to receive, review and approve the preliminary plans which were submitted to the Marshal Service and to also accept that draft of agreement for their comments and any changes. When he has received their input, he will then bring that agreement to the County Commissioners for approval and signature and it will then go back to the Building Authority at their August meeting, for their signature. That agreement essentially has a trigger in it and nothing happens on the jail improvements until that trigger gets pulled, and that is, that the county receives a written confirmation that the grant monies are there and available and that nothing else goes forward except getting these agreements prepared, unless and until that event occurs, and that the county, in that agreement, agrees to assume all costs and expenses associated with the project and guarantees payment to the Building Authority except for the fees and expenses of the architect, which are assumed by the Building Authority. There are other rather lengthy provisions contained in this, that it incorporates requirements in the bids that basically no bid will be let or accepted unless the vendor or successful bidder agrees to wait for payment for a period of six (6) months, from the date the claim is filed, that claims will be filed every thirty (30) days with the Building Authority and the Architect verifying the work was done or that services were rendered and the county will then prepare an appropriate voucher on the federal form and submit it to Washington for payment. They will then send those funds back to the county and the county will issue a check to the appropriate vendor. This is the only way we could work this out so that the county would not have to put any money up front, since we do not have any to put up, however, he has not found anyone else who has done it this way. He has run this by all parties concerned, the Marshal, the Inspectors, the Building Authority, the Council, the Sheriff, and he is now advising the Commissioners how it will be. We are presently waiting for Washington to send a revised contract, that apparently they have a new form. We may be thirty (30) days behind where we wanted to be, but it is all together and going forward and everything is still GO!

Comments Concerning Health Insurance: Mr. Jones reported he has applicable portions of the federal regulations which he will give to President Borries, in regards to the health insurance, that there are page after page of regulations and Mr. Borries can read to his heart's content, but after he looked at it he found it to be a total can of worms.

President Borries said he understands there was a copy of a federal statute forwarded to the Commissioner's office, from an employee in the Welfare Department, in regards to the various charges in health insurance, if they were on the HMO Plan as opposed

to the Blue Cross Plan, and we needed to look into it and see if we needed to separate the rates in anyway.

Mr. Jones said he would either eliminate the benefits and give them the cash or refer this thing to an insurance consultant and have them advise us as to the requirements when you have more than one (1) plan, such as we do. The more you do the worse it gets and the nicer you are the more problems you will incur and the more benefits you offer the more regulations you have and he knows of no other way to say it.

President Borries said he believes we were within our legal rights when we offered the HMO Plan, but he is wondering if a percantage could be applicable.

Commissioner Cox said instead of giving the employee the lump sum of say $150.00 per month to pay for their insurance, could not this $150.00 be applied toward an insurance policy and the employee pay the rest. It certainly is amazing to her how federal government gets their fingers into county personnel benefits for employees.

Commissioner Willner said he was under the impression if we did not make HMO available to the employees then we would have been against the federal regulations, that we had to let HMO come in, if one (1) individual asked for it.

President Borries said the federal regulations that Mr. Jones submitted will be on file in his office should either of the other two (2) Commissioners desire to read it.

Commissioner Willner said he would like to take this opportunity to thank Mr. Jones for the work he has done on the Jail Expansion, that the county being broke did not help matters any, but he certainly appreciates everything that has been done.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of July 18 thru 22, 1983...received and filed.

Weekly Work Report: Mr.Bethel submitted the weekly work report of the employees at the county garage for the period of July 18 thru 22, 1983....report received and filed.

Mr. Bethel gave a brief rundown of the road work and cleanup work done by his workers the past week, as stated on the work report just submitted.

Letter of Request for Leave of Absence: Mr. Bethel submitted the following letter, dated July 25, 1983 and directed to the Board of County Commissioners.

This is to request a four (4) week Leave of Absence, starting July 22, 1983, for Sandy Radigan - Dog Pound employee. She is scheduled to undergo surgery and will need this time to recuperate. This employee is asking that the Commissioners pay the county portion of her insurance.

Please be advised that Sandy has used up all of her sick day, along with her vacation and personal days, which makes her ineligible to draw any pay during her absence.

Sincerely,
Bill Bethel
Vanderburgh County Highway

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Allens Lane: Commissioner Cox said in regards to a problem on Allens Lane, between St. Joe Avenue and Kratzville Road, in the area where the County Highway cleared back to our right-of-way,that we still have a problem with the trucking companies not having the proper visibility to pull out, that there was a near accident there either Thursday or Friday, therefore she would like for Mr. Bethel and perhaps Andy Easley to take another look at it and see if we are back as far as we can go, or to see who the private property owners are,that something needs to be done immediately.

Mr. Bethel said he will double check it, however, he believes the county has cut back as far as they can, that the problem will be on private property, and he will try to find out who owns the land.

Schutte Road and Clark Lane: Commissioner Cox said another problem she would like to report is the Schutte Road and Clark Lane area, that Clark Lane is the lane that goes back into ISUE and the County recently granted approval of a fraternity to construct housing back in that area for students and now there has been a request before the subdivision review board for additional student housing for ISUE and this would be approximately 640 students involved in the dormitory living, which means the impact of the dormitory and the fraternity house being constructed along Clark Lane, it will highly increase the use of that lane and the intersection of Clark Lane and Schutte Road right now is a bad one, therefore she would like for both Mr. Bethel and Mr. Easley to take a look at this intersection to see what it would cost to widen it out and help the visibility and get an estimate to the Commissioners, and perhaps Mr. Gerard should become involved in this also.

Mr. Bethel said if this is county accepted he can do this without any problems.

Commissioner Cox said if this isn't county then we need to approach ISUE about getting some assistance.

Mr. Bethel said he would be happy to look into the matter and report back at a later meeting with his findings.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of July 18 thru 22, 1983. Report received and filed.

Baseline & Petersburg Road Project: Mr. Guillaum reported in regards to the Baseline and Petersburg Road project, they have the job of hauling the rock in on this, that the bid was a little high and we agreed to haul the rock, however, to adequately get this all hauled they would like to borrow one (1) or two (2) trucks from the highway department and he would like permission to work with Mr. Bethel toward this end. Also, they would like to use the highway's roller, that they could do it with other means, but the proper way would be with a roller.

Commissioner Willner said he would have no problem whatsoever with them borrowing this equipment, however, if we take their trucks and roller away from him, he will have to stop paving and he certainly would not want that to happen. After he gets through with them, then he would see no problem.

Mr. Guillaum asked how long of a delay are we talking about and Mr. Bethel said he could not give a definite time period.

Mr. Guillaum was instructed to work with Mr. Bethel on the matter and try to work out a time schedule to suit both of them.

RE: LETTER FROM BARNETT BROTHERS, INC.

President Borries read aloud the following letter from Barnett Brothers, Inc., dated July 20, 1983 and directed to the Board of County Commissioners.

Re: First Avenue Bridge Project No. VC-83-02-111

In response to your letter, and after careful and deliberate evaluation of your findings, we totally disagree, and if at a later date additional days are needed for the above referenced project, we will certainly refer back to our request in our letter of June 23, 1983.

At this time, we are definitely ahead of schedule on the project and hopefully there will be no need for a request for an extension of time.

Thanking you for your consideration, I remain

Very truly yours,
Charles W. Ruston
Construction Manager

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Letter received and filed.

Comment Concerning Sidewalks on Outer Lincoln Avenue: President Borries commented that while driving on Outer Lincoln Avenue he was pleased to see that the construction of the sidewalks, that there has been much controversy over, is done, with the exception of one (1) parcel and that parcel has a "Sold" sign in front of it, therefore he is unclear as to who the owner is, at this point.

Mr. Bethel said he received information on that particular parcel just today and we should be receiving a "Letter of Intent" from the new owners by the end of this week.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Reimbursement on Peerless Road crossing (Railroad): Mr. Easley reported that he received in the morning mail, a voucher to sign, to receive reimbursement of $3,000.00 on the Peerless Road/Railroad Crossing, that the Commissioners authorized payment on the 6th of June, 1983.

Commissioner Willner asked Mr. Easley if he has contacted Busler and worked out the problem they have and he replied this matter is still pending, that he must finish drafting a letter, that there has been a tentative agreement with Busler.

RE: LETTER FROM AD CRAFT, INC., APPLICATION FOR VARIANCE FROM ZONING ORDINANCE

President Borries read aloud the following letter, dated July 18, 1983 and directed to the Board of County Commissioners

Re: Application for Variance from Zoning Ordinance
Docket #83-52-BZA

Evansville-Vanderburgh Area Board of Zoning Appeals notice of public hearing for a variance; hearing to be held at 9:00 a.m., Thursday, August 18, 1983 in the City Council Chambers (Room 301), City-County Building, Civic Center Complex, Evansville, Indiana.

This letter will serve notice to you that Ad-Craft, Inc. has applied for a variance with the Area Plan Commission of Evanvsille for a relaxation of the Zoning Ordinance whic requires relaxation of the distance requirement from residential from 60 feet to 5 feet. The application is to allow erection of an outdoor advertising display on the property located at 6600 Hwy North, 1,000 feet south of the intersection of Hwy 41 North and Old Petersburg Road.

Yours truly,
Mary L. Sawyer
AD-CRAFT, INC.

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Letter received and filed, with a copy to be forwarded to Andy Easley.

RE: POOR RELIEF....PIGEON TOWNSHIP

Applicant: Jessie Murkison, 701 Olive Street, Evansville, Indiana
Case Worker: Margaret Sallee, Pigeon Township Trustee's office

Mr. Murkison came forth and stated his name and address and said he is wanting help on his utilities, that he appeals because he does not have any money, that he had $80.00 and was robbed of it. He is going to get a cut-off notice from the gas and electric company and so he asked the Trustee's office to help him pay the bill and they told him they could not do it, that he made too much money, but he doesn't have money, that it was all stolen, and this has been reported to the Evansville Police Department.

President Borries said Mr. Murkison was on Project Safe at one time and he asked him if he has previously recieved help from the trustee and he replied not on his light bills.

President Borries asked Mr. Murkison what is his source of income and he replied only social security, in the amount of $360.00 per month.

Ms. Sallee said they recently found out through the Welfare Department that Mr. Murkison was still receiving food stamps on his deceased wife. She said they did make an exception for Mr. Murkison, that on May 18, 1983, they realized he had been in the hospital and failed to be recertified for food stamps and they made an exception and paid $20.00 to the Water Department, but now he has come back for assistance on his lights and gas, but due to his imcome he was over the limitations of their guidelines. Also, she understands Mr. Murkison is receiving $393.00 per month for social security.

Commissioner Cox asked when Mr. Murkison went to $393.00 per month and Ms. Sallee said she does not have that information, but she would think from sometime last year because they have not received an increase in social security yet this year, to her knowledge.

President Borries asked Mr. Murkison if he owns his own home and also how did he pay the $100.00 that has recently been paid on the light bill and he replied yes he owns his home and the church he attends gave him the $100.00 to pay on the utility bill.

President Borries said the bill is for $251.10 and since $100.00 was recently paid on it he would not think they would cut it off and he asked Mr. Murkison if he remembers how long it had been since he paid his bill and he replied he is eighty three (83) years old and he does not remember too well. Mr. Borries said he does not see how this could be for only one (1) month and since $100.00 has been paid on the bill, perhaps this could be checked out through the Trustee's office, that he cannot see where a shut-off would be made.

The matter of Mr. Murkison was referred back to the Trustee's office to check and see if the $100.00 was applied toward the $251.10 bill. Ms. Sallee said she would be happy to call SIGECO and work with Mr. Murkison.

RE: CERTIFICATE OF INSURANCE

Received and filed was a certificate of insurance for Stereo Liquidators, Inc. of Albany, NY for a stereo equipment sale at the Vanderburgh Auditorium on August 10, 1983.

RE: BOND ISSUE FOR PIGEON AND KNIGHT TOWNSHIPS

President Borries said the Commissioners received the following letters, stating the amounts of monies needed in regards to a bond issue, for Poor Relief, in Pigeon and Knight Township, as has been discussed earlier and requested from the Township Trustees.

RE: Bond Issue for Pigeon July 22, 1983

Dear Commissioners:

I have been asked to submit to you the amount of money needed for bond issue for Poor Relief in Pigeon Township. The figures are as follows:

Six months expenditures for 1983	$450,000.00
School Book Rental	50,000.00
Previous Loan from 1982	150,000.00
TOTAL	$650,000.00

I have asked Mr. Frank Eades to advise me on this and these are the figures we will need.

Please contact me if there are any questions.

Sincerely,
Dorathea M.MacGregor
PIGEON TOWNSHIP TRUSTEE

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Commissioner Willner said Pigeon Township only owes us $100,000.00 and Mrs. McBride said no, they owe us $150,000.00, that Mrs. MacGregor worked with Mr. Eades on this matter and the amount of $650,000.00 is what he says they will need, according to their cash. This is over and above what they have now.

The next letter was received from Knight Township.

Subject: Projected figures in Poor Relief for next six (6) months

Dear County Commissioners:

The projected usage for the next six months of 1983 in our poor relief should be as follows.

$75,000.00	Poor Relief
4,000.00	School Books
1,000.00	Incidentals
$80,000.00	TOTAL

Plus $100,000.00 is to be paid back to the County Council for the loan we received earlier this year.

Respectfully submitted,
Ronald J. Saulman
KNIGHT TOWNSHIP TRUSTEE

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President Borries said we are talking about a grand total, for both Township's in the amount of $830,000.00.

Commissioner Willner said if Pigeon Township paid us back only $50,000.00, then how did we loan Knight $100,000.00 and Mrs. McBride said we loaned it from our County General Fund.

Commissioner Willner moved the amount of $830,000.00 be approved for the County Attorney to proceed with the Bond Issue for Pigeon and Knight Township's. Commissioner Cox seconded the motion with the comment this will have to be figured separately because it will go on both of the Township's rates. So ordered.

RE: LETTER FROM IDOH ON BURKHARDT ROAD

The following letter was read aloud by President Borries, dated June 27, 1983 and directed to the Board of County Commissioners.

The fiscal year 1984 annual programming request (FA-2) for Federal-aid Urban funds for the construction phase of the following project is approved.

Project No.	Location
M-E100 (001) DES: 07790	Burkhardt Road from Corporate Limits to SR 62

The latest date for construction letting is July 1984 for fiscal year 1984 programming. To meet this date, tracing and right-of-way must be submitted no later than April 1, 1984. Included is our projected schedule for these projects based on the present status of work. The progress of these projects should be maintained on this schedule to assure a construction letting in fiscal year 1984.

An allowance has been made in approving more projects than funds available. An additional $1,000,000.00 of projects have been approved above the available funds. The allowance for overprogramming has been based on cost estimates submitted with the FA-2's. Variance in actual costs versus the programmed costs may or may not allow all projects approved to be constructed. If all approved projects maintain the projected schedule, funds may also be depleted before the project is ready for letting in fiscal year 1984.

If there are any questions concerning the returned information, please contact me.

Sincerely yours,
R.E. Woods, Chief
Division of Local Assistance.

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Letter received and filed, with a copy to go to Morley and Associates.

RE: LETTER FROM IDOH ON DIVISION STREET PROJECT

The following letter was received by the Commissioners on July 21, 1983, with letter dated July 18, 1983.

Dear Sirs:

This is to inform you that the east bound lane of Pennsylvania St. (S.R. 62) will be closed from Fulton Avenue to Goodsell Street and the north bound lane of Fulton Avenue will be closed on July 25, 1983, for not more than 140 working days. The work, construction of the Division Street outflow structure, is scheduled to be complete in January 1984.

The official detour follows St. Joseph Avenue to the Diamond Avenue Expressway and returning to S.R.62 at Morgan Avenue via U.S. 41.

Sincerely,
Barry J. Rollman
Project Engineer

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Letter received and filed.

RE: REQUEST TO OPEN DOOR IN ELECTION ROOM

County Auditor Alice McBride said she recieved a note from James Angermeier, County Assessor, stating the Board of Review meet daily in the Election Room on the second floor of the Civic Center. There is a door in that room that leads to another room that contains election records and if that particular door could be left open while the Board is meeting it would certainly help, because it is very hot in there. She said Helen Kuebler was contacted about the opening of this particular door and she does not want it opened.

Commissioner Cox said the big room is 214 and 214-A houses all the votomatics, with the original ballots and these have to be held for a six (6) month period. She said the room is very hot, however, the Building Authority can give them some cool air, if they will do it.

Commissioner Willner suggested Mr. Angermeier talk to Mr. Gil Ruston about putting some type of ventilation in the door in order to get some air.

President Borries said he too will contact Mr. Ruston about this problem.

RE: CLAIMS

A claim was submitted by Tennyson Construction, Inc for Old Petersburg Road #44 bridge project, in the amount of $97,246.07. Attached was an itemized invoice, and the claim was signed by Bob Brenner, County Surveyor.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Citizens Realty and Insurance, Inc. for negotiation services for purchase of 9400 N. St. Joe Avenue at Schenk Road. Property owned by Kenneth T. Adler, buyer Vanderburgh County, in the amount of $600.00. The claim was signed by Andy Easley, County Engineer.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VOTERS REGISTRATION OFFICE

Rosemary Muensterman	6025 Broadway	P/T Deputy	$30.00 Day	Eff: 7-18-83
Marie Lurker	2100 Schutte Road	P/T Deputy	$30.00 Day	Eff: 7-18-83

COOPERATIVE EXTENSION SERVICE

Susan K. Plank	1263 Hatfield Dr.	Ext. Agent-Youth	$9,628.00 Yr.	Eff: 7-18-83

Employment Changes....Appointments Continued:

CLERK OF CIRCUIT AND SUPERIOR COURTS

Frances Gates	4660 Trefalgar Sq.	Deputy Clerk	$197.30	Eff: 7-25-83
Regina Casey	1722 E. Columbia	Deputy Clerk	$394.61	Eff: 7-18-83
Vicki Kavanaugh	2329 Trail Dr.	M & T Dep. Clerk	$197.30	Eff: 7-25-83
Donna Perkins	1933 N. Newton	M & T Dep. Clerk	$197.30	Eff: 7-25-83
Beverly Abell	3417 Austin	Asst. Supt. Clk.	$422.69	Eff: 7-18-83
Jackie Head	614 S. Red Bank	Dept. Clerk	$394.61	Eff: 7-18-83

CIRCUIT COURT

Stephen M. Caine	1470 Audubon Dr.	Special Intern	$140.00 Week	Eff: 7-5-83
Jon K. Aarstad	626 South Norman	Special Intern	$140.00 Week	Eff: 7-5-83
Dan Lottes	2809 Jeanette Ave.	Special Intern	$140.00 Week	Eff: 7-5-83
Bracken Darrell	1311 Parrett St.	Special Intern	$140.00 Week	Eff: 7-5-83
Todd Richardson	2068 E. Gum St.	Special Intern	$140.00 Week	Eff: 7-5-83
Thomas L. Montgomery	1274 Woodbine Lane	Probation Off.	$75.00 Week	Eff: 7-5-83

RE: EMPLOYMENT CHANGES....RELEASES

PIGEON TOWNSHIP TRUSTEE

Jacqueline F. Adcock	1402 Oakley	Clerk	$11,000.00 Yr.	Eff: 7-30-83

VANDERBURGH SUPERIOR COURT

Sally L. Denton		Court Reporter	$16,217.00 Yr.	Eff: 6-17-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Rose Smith	300 S. Eichoff	Dep. Clerk	$197.30	Eff: 7-25-83
Deborah Hunter	738 E. Powell	Dep. Clerk	$394.61	Eff: 7-18-83
Anna Mae Wolf	3134 W. Maryland	M&T Dep. Clerk	$197.30	Eff: 7-25-83
Frances Gates	4660 Treflagar Sq.	M&T Dep. Clerk	$197.30	Eff: 7-25-83
Jackie Head	614 S. Red Bank	Asst. Supt. Clk.	$422.69	Eff: 7-18-83
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Dan Lottes	2809 Jeanette	Special Intern	$140.00 Week	Eff: 7-5-83
Bracken Darrell	1311 Parrett St.	Special Intern	$140.00 Week	Eff: 7-5-83
Todd Richardson	2068 E. Gum St.	Special Intern	$140.00 Week	Eff: 7-5-83
Debra Ann Lutz	R.R. 5 Box 387-A	Special Intern	3.35 Hour	Eff: 7-29-83

RE: SCHEDULED MEETINGS

President Borries reported there is to be another task force meeting concerning the Auditorium on the 29th of July, and also there is to be a groundbreaking for Division Street that same day. There is also to be a CD Workshop, in Room 18, at 1:00 p.m. tomorrow.

There being no further business, President Borries declared the meeting recessed at 4:40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries	Alice McBride	David Jones
	Robert L. Willner		
	Shirley Jean Cox		

Richard L. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 1, 1983

The meeting of the County Commissioners was held on Monday, August 1, 1983, at 2:30 p.m. in the Commissioners Hearing Room.

This being the first meeting of the month it was officially opened by Sheriff Clarence Shepard.

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

RE: ORDINANCE TO VACATE UTILITY EASEMENT IN PLAZA EAST SUBDIVISION

President Borries reported that Attorney Wayne Kent was to present to the Board today, an amended petition to vacate a utility in Plaza East Subdivision, which was discussed during the Commissioners meeting of July 25, 1983, however Mr. Kent could not be present today and asked this matter be deferred for another week.

County Attorney David Miller said upon reviewing the utility easement before the board today it appears to him it does need modification, therefore he would recommend the entire matter be deferred until next meeting.

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

Check from City of Evansville: Mr. Gerard presented the Commissioners with a check received from the City of Evansville, in the amount of $1,790.88 which is reimbursement in regards to the Covert Avenue project. Mr. Gerard stated this is the Federal funds that the City files for and they pass it on to us.

Commissioner Willner moved the check be signed and put into the Local Roads and Streets fund. Commissioner Cox seconded the motion.

Letter Concerning Lynch Road Extension; M-E 185(1): Mr. Gerard submitted the following letter and recommended that President Borries sign it and forward it to Mr. Robert E. Hittle, concerning the Lynch Road Extension. This has been discussed many times and the consultants were under the impression they were to evaluate it, that one of the possibilities being looked at was the Old Boonville Highway overpass, that perhaps there could be some trading done in that area. The Federal Highway has requested some sort of formal documentation, that the Commissioners do wish to have this examined, so if the following letter meets the Commissioner's approval, he will see it is mailed.

Mr. Robert E. Hittle, Director
Environmental Services
D.E. McGillem & Associates, Inc.
77 South Girls School Road
Indianapolis, Indiana 45231

RE: LYNCH ROAD EXTENSION M-E 185(1)

As you are aware, the Vanderburgh County Commissioners have previously met with IDOH and FHWA representatives to discuss the need for an interchange with I-164. During these discussions it was suggested that it may be desirable to delete the overpass at Old Boonville Highway in lieu of the proposed Lynch Road interchange. This letter is to confirm the Commissioners' desire that this option be evaluated. If the analysis results indicate that such a "trade" is desirable, the Vanderburgh County Commissioners would support such action.

Thank you for your assistance with this project.

Sincerely,
Richard J. Borries
President

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Commissioner Willner moved President Borries sign the letter. Commissioner Cox seconded the motion. So ordered.

The letter was then referred back to Mr. Gerard for mailing.

Presentation of Local Roads and Streets Budget: Mr. Gerard submitted copies of the Local Roads & Street budget to each of the Commissioners and stated the only salary to come from this budget is the Assistant Highway Engineer, in the amount requested of $20,404.00, which reflects an 8% increase. Also included was the following:

Retirement	$1,326.00	
Health/Life Insurance	2,476.00	
Unemployment	500.00	
Social Security	1,428.00	
Workman's Compensation	500.00	Total $6,230.00

Mr. Gerard said concerning the actual Roads and Streets projects, the following requests will be submitted to the County Council:

Eichoff/Koressel	$200,000.00	
St.Joe-Diamond to Mill Rd.	170,518.00	
Lynch Road-Oak Hill to U.S. 41	181,140.00	
Boonville-New Harmony R.R.	7,544.00	
St. Joe-Meier	87,500.00	
St. Joe-Schenk	87,500.00	
Lynch Road Extension	250,000.00	
Covert Avenue Extension	350,000.00	
Vanderburgh County Signing	10,000.00	
Peerless - R.R.	3,300.00	
Red Bank - R.R.	5,800.00	
Burkhardt Widening	418,000.00	
Allens Lane - R.R.	6,410.00	
Burkhardt - South R.R.	9,000.00	Total $1,786,712.00

Mr. Gerard said the above are mostly active projects that have been discussed at one time or another. Concerning St. Joe - Diamond to Mill Road, that this is the final payment, that the county does have a retainage and does not pay the entire local share until that project is closed out and he has tried to get with the people at the Highway to try to find out what the final amount will be, however, he has not had much success. Mr. David South had set aside the figure of $170,518.00 for this project and also set aside the figure of $181,140.00 for the Lynch Road - Oak Hill to U.S. 41 close-out, therefore, until we get the final figures from the state, he carried Mr. South's figures over. He personally feels these are kind of high. Concerning the Peerless-R.R. in the amount of $3,300.00, that he understands from talking to Mr. Easley that authorization to pay that one was recently given, so it can be taken out of the 1984 requests. He said his requests do not include any new projects, however there are two (2) projects that have been discussed as possible conctruction in 1984, those being the Virginia Extension and the Vogel Extension, that we are talking about widening Burkhardt Road after the first of the year and these would be two (2) logical projects to take advantage of. Right now the only 1984 projects we are talking about are the ones listed above.
He would be happy to make any changes the Commissioners feel are necessary and he would report that in calculating these figures for 1984, he did include the amount of $300,000.00 for road resurfacing in 1983.
He would want to recommend that at some near point and time we do consider initiating the engineering work on the Virginia and Vogel Extensions, within the 1983 budget, that we have had quite a bit of public participation in regards to the Virginia Extension project.

President Borries said the Commissioners have received the studies from the EUTS planning department regarding the environmental design on the proposed widening of Green River Road and also the improvement of Pollack Avenue and we certainly appreciate the input in these areas and we have also asked the City if much of the design work could be done in-house on these two (2) projects, that it could save us considerable time and money.

RE: BILL ZIMMERMAN....BUILDING COMMISSIONER

Mr. Zimmerman reported his office tried to obtain bids for weed cutting in the Peach Tree Subdivision, but received none, so they will try again. This property is under litigation so the owners are reluctant to cut it, upon the advise of their attorneys, however, the weeds to need to be cut, therefore, he will continue to work on getting bids on it.

RE: COUNTY ATTORNEY....DAVID MILLER

Mr. Miller reported they are proceding along on a legal contest between the County and Southwest Engineering, on the Hirsch Road matter, which is set for a pre-trial conference on August 19th. and we pretty much completed discovery on this today and at this point he continues to believe the county's position is very strong in the case and he has heard of no settlement offer from the other side, therefore, the county should maintain their position.

Commissioner Willner asked who is the attorney for the Plaintiff and Mr. Miller replied it is Mr. Mike Keating.

Mr. Miller said it looks good from the County's side because of the same materials being used, that was complained about by the subsequent contractor.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of July 25 thru 29, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the crews at the county garage for the period of July 25 thru 29, 1983....received and filed.

Mr. Bethel gave a brief rundown of the road work and cleanup work done the past week, as reflected on his Work Report.

Report on Sidewalks along Outer Lincoln Avenue: Mr. Lee Stuckey reported, concerning the newly installed sidewalks along Outer Lincoln, that he has some "Before" and "After" photographs to present for the Commissioners viewing, in case they had not been able to go out and look at it. He said Doctor Destache has signed a new "Letter of Intent", and it is in the mail, that the Realtor, Mrs. Campbell, who is closing the deal on the house informs us that as soon as everything is closed the new owner will have the sidewalks installed within one (1) day, however, he personally told them they would have ten (10) days to install them, that problems could always arise with a one (1) day committment.

Mr. Stuckey asked permission to draft a letter to the people who have had the sidewalks installed, telling them that all the work done is deeply appreciated by the County and thanking them for having it done.....permission granted.

Allens Lane: Commissioner Cox thanked Mr. Bethel for the work he did on Allens Lane, between St. Joe Avenue and Kratzville Road, concerning the visibility problem, as discussed in the meeting of July 25th. It is a job very well done and she greatly appreciates it being done so quickly.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of July 25 thru 29, 1983...report received and filed.

Volkman Road: Mr. Guillaum said he had a discussion with the Commissioners several weeks ago concerning Volkman Road, in regards to replacing the two (2) pipes. They do now have the designs put together on the project and he would like to submit the cover sheet to the Commissioners today, for signatures, so that he can advertise for bids. Essentially we will be looking at a small box beamed bridge, similar to what we have been doing elsewhere, with about a 20' span. He pointed out where the location of the structure will be and also where U.S. 41 is located. There are twin pipes in there now and we have had wash-out problems with it and have been keeping an eye on it for quite some time now.

Commissioner Willner moved the cover sheet be signed. Commissioner Cox seconded the motion. So ordered.

Mr. Guillaum said he will complete the documentation on the project and present it to the Board next week for final approval for advertising.

Petersburg/Baseline Road: Mr. Guillaum reported they are also trying to get things together to ask for invitational bids on the Petersburg/Baseline Road project, that they are requesting supplementary bids in regards to the ditching, as Mr. Brenner made the Commissioners aware of a few weeks ago. He will try to have this completed next week.

Paving of Outer Lincoln Avenue: President Borries said in the area where the pipe was cut on Outer Lincoln Avenue, when will this be repaved.

Mr. Bethel said they can repave it anytime, however, he would suggest they wait awile until it settles some, that it really needs some rain to pack it down some, or we will have a hump on it.

First Avenue Project: President Borries said he understands things are moving very well on the First Avenue project.

Mr. Guillaum said he expected to receive a blue claim from Barnett Brothers to present to the Commissioners at todays meeting, however, he did not. He understands they are three (3) to four (4) days ahead of schedule.

RE: ANDY EASLEY.....COUNTY HIGHWAY ENGINEER

Comment on Ad-Craft's Application for a Variance from Zoning Ordinance: Mr. Easley reported he submitted to the Commissioners' office, a map concerning the Ad-Craft request during last week's meeting.

Clark/Schutte Road: Mr. Easley said he and Mr. Bethel have not yet been able to view the Clark Lane and Schutte Road intersection, as requested last week by Commissioner Cox and they will try to get that done this week.

Commissioner Cox said concerning the letter we received last week from Ad-Craft, she would like to know if Mr. Easley has a recommendation and he replied there is an outdoor display advertisement sign for the Esquire Motel and he believes it is south of that and if that one is not objectionable to the County, as owners of the Golf Course, then he would not see where this one would be objectionable either, that it is on the Highway 41 frontage, that he believes it is actually on railroad property, that they must have some lease arrangement from the railroad.

Commissioner Cox said also there was a group of young people, in a light green colored van at the site of Clark Lane and Schutte Road, with weed whips, clearing the area and she is wondering if anyone knows who they are.....no one seemed to know.

Mr. Bethel said they were not his men, however, he did go out and look at the area and when they build that fraternity house, they are going to need all the dirt that is out there and he does not think they ought to bother it until the building is completed.

Commissioner Cox said the shoulders are high and the weed trimming has helped the visibility.

Mr. Easley said he is not now prepared to discuss the scope of that project, but if it isn't too big of a project don't you think it would be in order to ask the student housing project to put in some radius' there, otherwise you are going to be contributing to the student housing project and he believes if this were to be a private apartment building going in back there, we would request they do something about the extra traffic it will cause.

Commissioner Cox said the first thing we will have to establish is whether it is our road, or theirs.

Mr. Easley said he will try to have an answer next week.

Request to Accept Streets: Mr. Easley said that Commissioner Willner contacted him concerning a sub-division that needs street acceptance and he is in the process of setting up a meeting with the sub-divider, and will keep the Board posted.

Old Henderson Road Project: Commissioner Willner asked if all the signatures have been sent in concerning the Old Henderson Road Project and Mr. Easley replied yes, that they are waiting for the Right of Entry, as approved by the Commissioners last week.

Janice Decker, recording secretary, informed the Commissioners she mailed the "Right of Entry" to the Corps of Engineers on July 27th, therefore they should have received it by now.

RE: LETTER FROM UNITED STATES MARSHAL SERVICE

President Borries read aloud the following letter, dated July 19, 1983 and directed to Mr. Borries, President of the Board of County Commissioners.

Dear Mr. Borries:

Thank you for your Cooperative Agreement application dated July 5, 1983. The application is currently being processed and we hope to enter into an Agreement as soon as possible.

A maximum limit of $250,000.00 has been tentatively allocated for the Southern District of Indiana for selected CAP projects based upon the recommendation of U.S. Marshal Ralph D. Morgan.

When the Cooperative Agreement is issued , you will receive an Intergovernmental Services Agreement which will reflect your guarantee of 20 beds for a period of 10 years to the U.S. Marshals Service.

The U.S. Marshals Service looks forward to working with you to resolve local detention problems. If additional information is required, please do not hesitate to contact Robert D. Bassford of my staff, on (703) 285-1264 or Inspector Edward G. Docekal on (703) 285-1273.

Sincerely,
Joseph B Enders, Chief
Prisoner Support Division

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Letter received and filed.

RE: LETTER FROM NATIONAL PARK SERVICE ON ANGEL MOUNDS

The following letter was received from the United State Department of Interior, dated July 18, 1983 and directed to the Board of County Commissioners.

Dear Mr. Borries: RE: Angel Mounds, Evansville, Indiana

The National Park Service has been working to establish boundaries for all National Historic Landmarks for which no specific boundary was identified at the time of designation and therefore are without a clear delineation of the amount of property involved. The benefits now afforded such properties by the National Historic Preservation Act of 1966, as well as the possible application of other statutes, make it essential that we define specific boundaries for each Landmark.

In accordance with the National Historic Landmark program regulations, the National Park Service notifies owners, public officials and other interested parties and provides them with an opportunity to make comments on the proposed boundaries. We are requesting your comments on the proposed boundary for the Landmark stated above and described in the enclosed form.

National Historic Landmark designation has several possible implications, most of which derive from the automatic listing of Landmarks in the National Register of Historic Places. Landmarks are eligible to be considered for Federal grants-in-aid for historic preservation. All Landmarks receive limited protection through comments by the Advisory Council of Historic Preservation on the effect of federally funded, assisted, or licensed undertakings on historic properties.

A Landmark property which is depreciable may be subject to certain provisions of the Tax Reform of 1976, as amended by the Revenue Act of 1978 and the Tax Treatment Extension Act of 1980, and the Economic Recovery Tax Act of 1981. These Acts contain provisions intended to encourage the preservation of depreciable historic structures by allowing favorable tax treatments for rehabilitation, and to discourage destruction of historic buildings by eliminating certain Federal tax provisions for demolition of historic structures. Beginning January 1, 1982, the Economic Recovery Tax Act replaces the rehabilitation tax incentives available under prior law with a 25% investment tax credit for rehabilitations of certain historic commercial, industrial and residential rental buildings. This can be combined with a 15 year cost recovery period for the adjusted basis of the historic building. Historic buildings with certified rehabilitations receive additional tax savings because owners are allowed to reduce the basis of

Letter Continued:

the building by one half the amount of the credit. The Tax Treatment Extension Act of 1980 includes provisions regarding charitable contributions for conservation purposes of partial interests in historically important land areas or structures.

Section 9 of the Mining in National Parks Act of 1976 allows the Secretary of the Interior to request comments from the Advisory Council on Historic Preservation on any surface mining activity that might irreparably damage a National Historic Landmark. If a Landmark contains coal resources, certain provisions of the Surface Mining and Control Act of 1977 make it less likely that surface mining of the coal will be permitted by the State or Federal government.

We will be happy to receive any comments you care to make on the proposed boundaries within 60 days of the date of this letter. Please address you reply to Jerry L. Rogers, Keeper of the National Register of Historic Places, National Park Service, Washington, D.C. 20240, Attention: Chief of Registration.

Because National Historic Landmarks possess significance for all Americans, they are among the most important of the tangible reminders of our country's rich heritage. Designation honors both the Landmarks themselves and the individuals and organizations who have worked to preserve them.

We are pleased to inform you of the status of the pending National Historic Landmark boundary delineation and look forward to your reply. If you have any questions, our staff will be happy to assist you (202-343-9536).

I appreciate your interest in the National Historic Landmark program and your cooperation in this project.

Sincerely,
Carol D. Shull
Chief of Registration
National Register of Historic Places
Interagency Resources Division

Letter received and filed. **********

Margie Meeks was instructed to contact officials of Angel Mounds to see if they received a copy of the above and if not, she was instructed to mail them one, since the letter did not state one way or another.

RE: REPRESENTATIVE OF CHAMBER OF COMMERCE

Mr. Rob Matthews, representing the Evansville Chamber of Commerce was present and stated he has with him today, Ms. Seigrid Nail, that she has joined the Chamber and wanted to sit in on a Commissioners meeting to observe the functions.

President Borries welcomed her to the meeting and said she was welcome anytime she could attend.

RE: CHECK FROM HELFRICH INSURANCE AGENCY

A check, in the amount of $321.00 was received from the Helfrich Insurance Agency, which is a premium adjustment due Vanderburgh County.

Commissioner Willner moved the check be endorsed and submitted to the County Auditor. Commissioner Cox seconded the motion. So ordered.

RE: CHECK FROM EVANSVILLE CABLE T.V.

A check, in the amount of $7,016.18 was received from Evansville Cable TV, Inc. with the following letter enclosed, dated July 29, 1983.

Dear Commissioners:

Enclosed you will find a check in the amount of $7,016.18, which represents the second quarter payment for 1983.

This is an increase over our last payment of $6,707.40 which represented the first quarter of 1983. In the second quarter payment of 1982, we sent the Commissioners a check in the amount of $6,129.19. You can see that this check is considerably higher than the payment for the second quarter of 1982.

Letter Continued:

As an update, we are now in the process of doing all of the preliminary work for building Darmstadt which should be completed yet this year. We are hopeful to be able to build out Old State Road, across Hillsdale, on up Old State Road to Ridgeway Heights which is east of the 4-H Center which consists of roughly 200 plus homes.

Again, Evansville Cable would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the county with cable TV service. If the Commissioners have any questions, please feel free to call me at any time. My private number is 428-2461.

Best regards,
Robert D. Ossenberg
Vice President and General Manager

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Commissioner Willner moved the check be endorsed and referred to the County Auditor. Commissioner Cox seconded the motion. So ordered.

RE: NOTICE OF CONTRACT RENEWAL FROM XEROX CORPORATION

President Borries said the Commissioners have been holding, for the past couple of weeks, a notice of contract renewal of a Xerox Machine, #3107, which is located in the County Auditor's office. We have been waiting for a study that was to be conducted in regards to the savings of copies reproduced by the county. We have not yet received any results of this study and this contract runs out August 1st. therefore, is it the pleasure of the Commissioners to sign it....or wait.

Commissioner Willner said he would like to see the matter referred for another week. Commissioner Cox agreed, therefore the matter was continued until next week.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

BURDETTE PARK

Warren Tracy Hankins	2908 Lakeview Blvd.	Extra Guard	$3.25 Hour	Eff: 7-21-83

RE: EMPLOYMENT CHANGES.....RELEASES

Susan Stippler	4722 First Ave.	P/T Cashier	$3.50 Hour	Eff: 7-20-83

RE: MEETINGS SCHEDULED

A Task Force meeting will be held at the Auditorium, tomorrow at 10:00 a.m.

A meeting concerning Revenue Sharing Funds will be held August 8th. at 2:15 p.m. in the Commissioners Hearing Room.

A meeting concerning the pool decking replacement will be held at Burdette Park, with members of the County Council, tomorrow, at 6:00 p.m.

There being no further business, President Borries declared the meeting recessed at 3:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard L. Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller

Richard L. Borries
Robert L. Willner
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 8, 1983

SPECIAL MEETING ON FEDERAL REVENUE SHARING FUNDS FOR 1983

President Borries said there is now to be a brief meeting concerning Federal Revenue Sharing Funds for 1983. We have published the following advertisement in the Evansville Courier and Press on July 27, 1983 to notify all interested parties of the hearing today.

PUBLIC HEARING ON FEDERAL REVENUE SHARING

The Vanderburgh County Commissioners will have a hearing at 2:15 p.m. on Monday, August 8, 1983 to receive ideas from Vanderburgh County citizens concerning use of Federal Revenue Sharing Funds for 1984.
The unappropriated balance of Federal Revenue Sharing Funds expected to be available for 1984 is $1,300,000.00.
All citizens, including senior citizens, are invited to participate in planning the use of the money.

Alice McBride, Auditor
Vanderburgh County, Indiana

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Letter Concerning Revenue Sharing from Congressman Frank McCloskey: President Borries read aloud the following letter received by County Auditor, Alice McBride, dated August 4, 1983.

Dear Mrs. McBride:

I am pleased to notify you that on August 3 the House of Representatives passed a three year extension of the General Revenue Sharing Program. By a vote of 381 to 35, the House supported legislation to increase funding for this important program by $450 million OVER the level for Fiscal Year '83.

This bill has now gone to the Senate, which will vote on legislation authorizing $4.6 Billion for Revenue Sharing, the same figure as this fiscal year. Clearly, these numbers will have to be resolved in the joint conference committee of the two Houses.

As you know, this program is due to expire at the end of September. It is my sense that Congress is well aware of this urgent deadline, and I anticipate a compromise bill before that time. I hope that the strong bi-partisan support for revenue sharing in the House will allow for some increase in funding in the final legislation.

While I cannot provide final figures at this time, I hope that this update is helpful to you in making your plans. Please feel free to contact me directly if you have any questions regarding this legislation, or if my staff or I can be of any assistance to you in this or other related areas.

Sincerely,
Frank McCloskey
Member of Congress

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Letter received and filed.

President Borries asked if there was anyone present who would like to speak concerning the Federal Revenue Sharing Funds.....no one spoke up.

Commissioner Willner moved the Revenue Sharing expenditures, as outlined in the news media, be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

There being no further business in regards to the Federal Revenue Sharing, President Borried declared the special meeting adjourned.

REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS:

The meeting of the County Commissioners was held on Monday, August 8, 1983, at 2:30 p.m. in the Commissioners Hearing Room, with President Borries presiding.

The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading dispensed with. Paul Wallace, acting county attorney was present.

RE: OPENING OF BIDS FOR LANDSCAPE MATERIALS

Commissioner Willner moved the Attorney proceed with the opening of bids for the landscaping materials. Commissioner Cox seconded the motion. So ordered.

RE: POOR RELIEF....KNIGHT TOWNSHIP TRUSTEE

Applicant: Mike Perry, 3714 Covert Avenue, Evansville, Indiana
Caseworker: Mr. Ron Saulman, Knight Township Trustee

Mr. Perry came forward and stated he asked for medical assistance and was denied, based on a friend's income, that he only lives in her house and she is no relation to him and since he has no income whatsoever he felt it was wrong to deny him, based on her income. He informed the Trustee's office that she was not related to him, that she only gave him a place to stay because he was unemployed and sick. He was told by the Trustee's office to get a doctors statement as to why he was seeing him and he did this and turned it over to the office and while he was talking to the lady out there she asked him to step into the hall and at that time she shook her finger at him and told him he could not get any help and she could not discuss it in the office. At this time he submitted a copy of his doctor's statement, a copy of his application for disability social security and also the name of the lady he talked to that asked him into the hall, at the Trustee's office.

President Borries asked Mr. Perry if he has heard anything from the Social Security Administration concerning his disability and he replied not yet, that he has been examined by one doctor and has an appointment to be examined by anothor one tomorrow, at 2:30 p.m. at the Columbia Orthopedic Building. His last examination was at the St. Mary's Clinic approximately two (2) weeks ago.

Commissioner Cox asked Mr. Perry if he was a veteran and he replied no, he has not served in the military service. She asked him when he last worked and he replied April 24, 1981. He said he was in the hospital in 1981, under Doctor Clark and was informed he had a heart murmur, and he has a chronic back disorder.

Commissioner Cox asked what is the amount of the bill that Mr. Perry is requesting be paid and Commissioner Willner stated in the total amount of $127.50.

Commissioner Cox asked if Mr. Perry's back problem is work related, that was he injured at work in 1981 and he replied no, that he got hurt in 1971 and was off from work for approximately two (2) years and Dr. Sowa recommended he wear a brace and stay off from work and he was limited to light lifting and no bending.

Mr. Perry said he has no income whatsoever and he does not receive any assistance and no food stamps.

Commissioner Willner asked Mr. Perry if he has parents living in this city and he replied both parents are dead, but they did not live here, nor does he have any other relatives living in Evansville, that he is originally from Mississippi, but has resided in Vanderburgh County approximately thirteen (13) years.
Commissioner Willner asked what happened concerning his last place of employment and Mr. Perry said he worked through the Council on Aging and the program was cut therefore he was layed off.
Commissioner Willner asked if these bills will wait until Mr. Perry is either approved or denied his social security disability and he replied he applied through Welfare for Medicaid, but he was told he would have to be 100% disabled and would have to have doctors statements proving such. He was supposed to hear from Social Security within ninety (90) days.
Commissioner Willner said application was made, according to the documents submitted today, on June 13, 1983, so it should not be much longer before a determination is rendered.

President Borries said we will hear from the Knight Trustee at this time.

Mr. Ron Saulman, Knight Township Trustee was present and stated Mr. Perry was denied assistance due to the fact he signed documents stating there was three (3) people living in the household, with a total income of $405.00 per month, and the standards of Knight Township, at that particular time, for three (3) people, was $357.00. Mr. Perry was also told, by telephone, that the head of the household would be the one who would have to come in and make application. He believes a gentleman from the Legal Services office also informed Mr. Perry that that is the way it is, the head of the household must make application. Mr. Perry became very abusive in the office and Ms. Bensman did ask Mr. Perry to go outside and again it was explained to him why he could not receive assistance. Knight Township standards state that monthly income is defined as that net income which is available to the household from any source, including non-monetary income.

Commissioner Willner asked who were the other persons living in the household and Mr. Saulman replied Francine Arnold and her daughter, Vicki Arnold, ages 55 and 14.

President Borries asked if it was ever determined if Mr. Perry had a source of income, and doesn't he qualify for assistance if he has no income and Mr. Saulman said no, because he is not head of the household, that Ms. Arnold is and she is the one that would have to apply for assistance.

Commissioner Cox said it really would make no difference though, since the income is $405.00 per month for three (3) people, even if Ms. Arnold would have applied, as head of the household, she would also have been denied because of over incomed and Mr. Saulman said this is correct.

President Borries stated this would have to be referred back to the Knight Township Trustee, that Mr.Perry should continue to work toward getting his social security disability, but the Trustee must follow his guidelines as set forth.

RE: MR. WAYNE KENT...PETITION ON VACATION OF UTILITY EASEMENT

Mr. Kent said on the 28th. of June they filed a petition to vacate a certain alley in Plaza East Subdivision. It was advertised and notification was given to the adjoining property owners, for an open hearing to be held on July 25th. At the County Commissioners meeting on July 25th. he asked that the petition be amended so as not to vacate the entire 12'alley, but that the east 159' of the alley be vacated and at that time there were representatives from SIGECO present and they asked that the petition be amended and approved as amended. At that time the minutes show that Mr. Willner moved the amended petition be approved...seconded by Mrs. Cox and so ordered. As he was about to leave the meeting a representative from Indiana Bell asked to be heard in regards to the vacation and they both went into another room and discussed it, came back into the meeting a little later and requested the matter be deferred until last Monday, at which time he was not able to appear and requested it once again be deferred until today. At this time he would like to submit the following letter, dated August 2, 1983, from Indiana Bell.

Mr. K.Wayne Kent

After reviewing the additional information provided at the July 25, 1983 County Commissioners Meeting, Indiana Bell Telephone Company, Inc. agrees to the vacation of the twelve (12') foot public utility easement along the south side of lot eleven (11) in Plaza East Subdivision. If not in conflict with the developmental plans of your client, a six (6') foot public utility easement along the south line of lot ten (10) would provide us the access to the east part of lot ten (10) should it ever be necessary.

Yours truly,
Henry M. Carrico III

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Mr. Kent requested Mr. Carrico's letter be received and filed and made a part of today's minutes.
At this time Mr. Kent presented the Ordinance to Vacate a Certain Public Utility Easement Within the County of Vanderburgh, Indiana and asked approval of same, eventhough it was really approved at the July 25th meeting, as amended.

Commissioner Willner moved the amended petition be approved. Commissioner Cox seocnded the motion. So ordered.

Commissioner Willner moved the Ordinance to Vacate be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Mr. Jourdan said for the record he would state this is still agreeable to SIGECO.

RE: AREA PLAN COMMISSION....THE COMPREHENSIVE PLAN

Mrs. Barbara Cunningham, Director of the Area Plan Commission was present and stated she will not go through this in it's entirety, but she would like to make a couple of brief remarks concerning the Plan. She said Area Plan reviewed and adopted the 1983 Comprehensive Plan on July 27th, during a special meeting, therefore she is before the Commissioners today asking for it's approval. If the Plan is adopted it will then go to the Town of Darmstadt for their review and then it will be finished, however if revisions are made by the Commissioners then it will return to the Area Plan Commissioner for review and approval. Previously, they submitted to the Commissioners a list of amendments to the draft copy of the Comprehensive Plan and those changes were adopted and incorporated into the Plan that was adopted. The changes are the results of ten (10) public hearings, updated information since the draft was prepared and the correction of typographical errors. She said the major changes, they felt, were the Plans orientation and philosophy. The previous Plan was primarily an information document, while the 1983 Plan is more of a policy guide and document and the goals and policies are more clearly spelled out and organized. Most of the changes in the Land Use Plan and maps are not major, that the major land use change is geographic growth is more concentrated. This Plan incorporates the new 1980 Census data as well as land use data and we hope the organization and format has been changed to make it more readable. What is the importance of having a Comprehensive Plan? It is required by Federal, State and Local Laws and in some cases a Comprehensive Plan may be needed a prerequisite for Federal and State funding. Zoning, Subdivision and Thoroughfares set back ordinances are not legally valid without a Comprehensive Plan and the Comprehensive Plan serves as a base and coordinating devise for all other development plans that are prepared. The Comprehensive Plan is a guide to sound growth and development. It is a coordinating devise and establishes a community position about the future. The ways we hope the Comprehensive Plan may assist the decision makers, the legislative bodies and we hope that by using the Comprehensive Plan in zoning decisions it will allow you to make a rational allocation of land use, minimize zoning inequities and prevent spot zoning. We hope that the decision makers may use the Comprehensive Plan to help them in their decisions on financing and location of sewer and water projects, that these influence growth and development in the area and we think this plan will assist you in making these hard decisions. We hope the Plan will help you in approving financial incentives to assist in developing a sound, efficient and stable economic base and we hope the Plan can help you in improving and financing capital improvements to influence orderly and timely growth. When this Plan was presented to City Council, Mr. Jim Price did suggest that there be an amendment to the Comprehensive Plan in that a City/County Drainage Board be looked into and at that time she told him and she still feels very strongly about this is that drainage is a very important issue in Vanderburgh County and needs to be strongly addressed. It is also suggested in the Plan, on page 88 and 105 that a drainage study be pursued and that is under the jurisdiction of the County Commissioners, Surveyor and also under the Board of Public Works for the City. We are ready to assist the departments at Area Plan Commission any time such a study should get underway.

President Borries read aloud the following Resolution.

1983 COMPREHENSIVE PLAN ADOPTION RESOLUTION

RESOLUTION ADOPTING THE 1983 COMPREHENSIVE PLAN FOR EVANSVILLE AND VANDERBURGH COUNTY.

BE IT RESOLVED by the Vanderburgh County Commissioners as follows:

WHEREAS, the Area Plan Commission of Evansville and Vanderburgh County was established on the tenth day of April, Nineteen Hundred and Sixty-eight, by action of the City Council of the City of Evansville, by Ordinance 6-68-9 and by action of the Vanderburgh County Commissioners by Ordinance #1152, under the authority of the State of Indiana Code 36-7-4; and

Resolution Continued:

WHEREAS, Indiana code 36-7-4, Section 501 states "For the promotion of public health, safety, morals, convenience, order, or the general welfare and for the sake of efficiancy and economy in the process of development, the Plan Commission shall prepare a comprehensive plan....;"and

WHEREAS the Area Planning Commission has from time to time reviewed and adopted certain segments of the Comprehensive Plan as part of a continuous planning process; and

WHEREAS, the Area Planning Commission has given notice and held public hearing on the Comprehensive Plan in each Township within the county, the Town of Darmstadt, and the City of Evansville and has public input and comment; and

WHEREAS, the Comprehensive Plan contains comprehensive policies which should serve as a guide and be given due consideration as the general policy for the pattern of physical development in Evansville and Vanderburgh County; and

WHEREAS, the County Commissioners find that the Comprehensive Plan constitutes a suitable, logical, reasonably balanced and timely plan for the physical development of the City of Evansville and Vanderburgh County over the foreseeable future.

NOW THEREFORE, Be it resolved by the County Commissioners that the document consisting of text, maps, and charts entitled "The Comprehensive Plan for Evansville and Vanderburgh County" and dated 1983, is hereby adopted as the Comprehensive Plan of Vanderburgh County.

RESOLVED, FURTHER, that in order that the Comprehensive Plan shall at all times be current with the needs of the City of Evansville and Vanderburgh County and shall represent the best thinking of the City Council, Mayor, County Commissioners, Area Plan Commission, and boards, commissions, and departments of the City and County in light of changing conditions, the Area Plan Commission shall bi-annually review the Comprehensive Plan and recommend to the Council and Commissioners extensions, changes, or additions to the Plan which the Commission considers necessary.

RESOLVED, FURTHER, that the Comprehensive Plan shall be the policy guide for decision making that affects the physical development of Vanderburgh County.

RESOLVES, FURTHER, that all matters affecting physical development of the City and County submitted to the Area Plan Commission shall be reviewed and a report shall be prepared to the City Council and County Commissioners as to consistency with the Comprehensive Plan.

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Commissioner Willner moved the Resolution be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative

RE: COUNTY ATTORNEY...PAUL WALLACE

Mr. Paul Wallace, Acting County Attorney reported on the following matters:

Agreement with Teamsters Local 215 Union: Mr. Wallace said he received a letter of agreement between the Board of County Commissioners and Teamsters Local 215, regarding the negotiations of insurance, which modifys the earlier agreement. He distributed a copy to each Commissioner and stated he has not had a chance to compare the language in the letter with the language in the contract and he would request some time to make sure that this does properly modify the previous agreement.

President Borries said they did conclude negotiations regarding the health insurance for union employees and this letter before us today does indicate the matter has been settled and also indicates the county will make every effort and agrees that no employees shall be layed off from Burdette Park, Vanderburgh Auditorium or the Highway Department through the remainder of 1983. He said Mr. Whobrey and Mr. Arden are both present today and he would say the county appreciates their cooperation in this matter.

Mr. Whobrey stated he believes the letter before us today is correct in what it indicates and he is present to answer any questions and he would add that they (the union) are ready to start 1984 negotiations whenever the Commissioners are.

Commissioner Willner stated the County Attorney will have one (1) week to study the proposal and make his recommendation and at that time a vote will be taken on the issue.

Mr. Arden said what they are interested in is, is this what we intend to do. As far as the form is concerned, he would like to see the intent approved and then if there are any questions about the form that can be corrected later. He said this is basically what was agreed to but if there are legal things that are not right, they are willing to waive them and get them cleared up. There were two (2) simple things agreed upon and one (1) of them being the number on the insurance and another is a simple statement that was made, that the Commissioners agree not to lay-off anyone during the year of 1983. He does not see where there could be any big legal deals on this thing, that everyone has spent a lot of time negotiating this thing and he would certainly ask that the Commissioners approve it in this manner.

Commissioner Willner said he sees nothing wrong with the agreement, and he would be willing to make a motion on it, upon the Attorney's approval of the form, but not until, that this is the best he can do.

Commissioner Cox asked when an opinion could be coming from our attorney and Mr. Wallace replied they could have it in time for next meeting, that he personally feels this is an accurate statement, but his only concerns is that he has not had the chance to make sure the language is in consistency with the original contract.

Mr. Arden said he has been before the Commissioners many many times and there are a lot of ways of killing something, that you can study it to death or legalize it to death, but we all met in good faith to do this and a lot of time was spent negotiating it and he sees absolutely no reason why it should be delayed another week, why don't you approve it subject to the Attorney's approval and if he can find anything wrong with it, then we will change it, but the two (2) basic things we agreed upon cannot be changed.

President Borries said he agrees with Mr. Arden and he too believes this is an accurate statement.

Commissioner Cox said then you want us to agree to and approve the concept of this agreement and Mr. Arden replied yes.

Commissioner Cox moved the Letter of Agreement, between the Board of County Commissioners and Chauffeurs, Teamsters and Helpers Local Union #215 stating the employee shall pay $10.00 per month for the single plan and $20.00 per month for the family plan, eye and dental are optional, with the single amount being $6.70 per month and $20.90 for the family plan and the county agreeing that no one shall be layed off from Burdette Park, Vanderburgh County Auditorium or the County Highway Department for the remainder of 1983, be approved as to the concept, pending the legality of the proposal. Commissioner Willner seconded the motion. So ordered.

The Letter's of Agreement were not signed by the Commissioners, but rather given back to Mr. Wallace for legal research, as stated.

Bids for Landscape Materials: Mr. Wallace said there were two (2) bids received for the Landscape Materials, which were as follows.

Stocker's Landscaping and Garden:

$11,799.00 - Burdette
$ 3,559.00 - Mesker Atlernate Bid of 42¢ per square foot.

Colonial Garden Center, Inc:

$15,286.00 - Burdette
$ 4,295.00 - Mesker Alternate Bid of 7¢ per square foot.

Commissioner Willner moved the bids be taken under advisement for a period of one (1) week, that the bids be given to Mr. Tuley to report back with his recommendation next meeting. Commissioner Cox seconded the motion. So ordered.

RE: BILL ZIMMERMAN....BUILDING COMMISSIONER

Bids on Weed Cutting: Mr. Zimmerman reported that he did receive one (1) bid for the weed cutting in Peach Tree Subdivision this week.

President Borries said Mr. Zimmerman was before the Commissioners last week regarding this same matter, and this could be involved in tax sale, but it is the feeling of Mr. Zimmerman that these weeds should be cut and billed to the owner.

President Willner said the bid received was from Commercial Ditch Cleaning and was as follows:

Cut lot, per inspection and discussion.....$350.00
Cut Existing Drainage Ditch.....$150.00
Spray Existing Drainage Ditch.....$200.00 Total Bid $700.00

Commissioner Willner asked if there are any homes in that subdivision and Mr. Zimmerman replied about four (4) or five (5)..

Commissioner Cox said we have some lots that needs to be cut and then we also have a ditch to be cut and sprayed, that these are two different aspects.

Commissioner Willner said they can either cut or spray the existing ditch.

Mr. Zimmerman said he is not sure what the bid means, that it does not specify either/or.

Mr. Guillaum said on some of our ditches we have cut and sprayed, so you can accept all three, or divide it up, whichever is the pleasure of the Commissioners.

The bid was referred back to Mr. Zimmerman to get a clarification on and report back next meeting.

RE: MARK TULEY....BURDETTE PARK

Gifts Catalog: Mr. Tuley submitted a small gifts catalog and stated it was made available by the Evansville Parks Foundation, Inc. and being a new member of the Foundation, this is the first time Burdette has been in there.

Financial Statement: Mr. Tuley submitted the following financial statement from the park:

1983 Starting Budget

1983 Budgeted	$509,237.00
1982 Encumbered by P.O.	17,475.92
1982 Encumbered by Contract	67,764.92
1982 Insurance Reimbursement	6,116.44
TOTAL 1983 BUDGET	$600,594.28
Returned to General Fund	-$ 41,500.00
Remaining 1983 Budget	$559,094.28
Insurance Reimbursement	$ 2,116.00
Total 1983 Budget	$561,210.28

Expenditures & Balance 1/1/83 to 7/31/83

Total Expenditures	$339,425.47
Total Balance	$221,784.81

Income 1/1/83 to 7/31/83

Pool	$ 64,595.40
Rink	$ 24,657.92
Rentals	$ 35,984.77
Misc.	$ 6,168.17
Total	$131,406.26

7/31/83

Total Expenditures	$339,425.47
Total Income	$131,406,26
Total Deficit	$208,019.21

Attached to the above report was a daily breakdown for the pool, rink, rentals and miscellaneous.

Mr. Tuley said naturally in the summer we spend a lot more money than we do in the spring and fall, but he is real pleased with the deficit and he feels if we continue to hold the line it will continue to improve. Our income is up and we are holding a level of about 45% up and above last year or any other previous years. Our income is $131,000.000 and this time last year he believes it was roughly $92,000.00.

Advertisement for Hiring of part/time Employees: Mr. Tuley presented the following advertisement that ran in Sundays paper for employees to work, in regards to the landscaping grant.

The City of Evansville, Department of Parks and Recreation and Vanderburgh County will be hiring four crew chiefs at $5.00 per hour, 40 hours per week and twenty four laborers at $3.50 per hour for the Urban Reforestation Project. Interested applicants should apply at the Evansville Community Center, 100 E. Walnut Street, on August 8, 9 or 10 from 3:00 to 5:00 p.m.
For further information, contact Carolyn S. McClintock at 426-5606

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Received and filed.

Mr. Tuley said we will split this 50-50 with the city, that the county will have two (2) crew chiefs and twelve (12) laborers.

Absentee Report: Mr. Tuley submitted the absentee report of the employees at Burdette for the period of June 20 thru July 27, 1983.....received and filed.

Mr. Tuley said one of his employees, Steve Craig, has been in a motorcycle accident and he is going to get a doctor's statement from him, that he has yet to return to work. He has used up all of his vacation, sick and personal days, therefore he is going to have to be put on a medical leave.

Country Music Days: Mr. Tuley submitted a schedule of what is to be "Country Music Days" to be held at Burdette on August 13 & 14, 1983 and he would personally invite everyone out to enjoy the music, food and drink and enjoy the many things there are to do at the park. Admission to this is $1.00 per person.

Discussion to Clarify some Problems at Burdette: Mr. Tuley said he would like to address some items and clarify some statements that have recently appeared in the news media. One of the charges brought up was the fact that we give away free buildings, that one was to the Housing Authority, however, he would like to submit a receipt for the rental of the building to the Housing Authority. He will say he does give the county orphanage a free building once a month and we do give them free swimming and he will continue to do so until the Commissioners instruct him not to. He will also admit to having the nursing homes to the park on Flag Day and had a little program for them and their building was also rent free. He submitted a thank you note the park received from one of the homes.
Another point brought out was the renovation of the Assistant Manager's house, but one of the very valid things left out of that article was that we also eliminated a $14,000.00 per year job by moving him in out there. This renovation was done with the approval of the Commissioners and he feels it has been very good security to have Mr. Chambliss living out there. The news article also stated we paid $169.00 for a folding door to go in the house, but at this time he would submit a copy of the purchase order confirming the purchase of two (2) doors, one in the amount of $93.60 and one for $76.00. Also, concerning the disciplinary action at the park, he does not think most of his employees feel the way the article stated. He will not go into details but he did meet with Chuck Whobrey this morning and us having a disciplinary problem is simply not the case.

Commissioner Cox said before this article came out there were two (2) letters to the editor, that she is certain Mr. Tuley is aware of, concerning people renting cottages and there was a misunderstanding about the fee and whether they paid enough, etc. She asked how many people are presently working in the office and Mr. Tuley replied at the present...two (2) .

Mr. Tuley said when the second article appeared, he did make contact with that lady and yesterday there was another editorial from that same lady addressing the same issue and he hopes the Commissioners saw that letter also.

Mr. Tuley said a lot of time people send in deposits by mail, which is half of the fee and then two (2) weeks prior to the use of the building they would send in the rest of it and the new girl would go through the mail and write out all of the receipts and then go back and place them in the books and in this particular case the girl had written $30.00 down instead of $50.00. Since this time he has sit down with both Mr. Borries and Mr. Willner and discussed how the whole bookkeeping system is set up out there and things have been changed. A current price list will be sent out to every person who rents a building, which tells them what the price will be. It will also tell them how much they have paid and the balance due.

Commissioner Cox asked who are the two (2) office workers and Mr. Tuley replied Joyce Moers and Lynn Myers. She said in looking through the absentee report she did not see where either of these persons were off during that period, so someone else must have waited on these people and that was the big concern, that one person complained they could not get the key to get into their rented building, that couldn't you or the Assistant Manager have been called and Mr. Tuley replied yes, infact they were both there, that the day the lady came in there was confusion about the receipt and our girl was not going to give her the key. Mrs. Cox said then who was waiting on her and Mr. Tuley said we are talking about two (2) different incidents and it included both girls. Mrs. Cox said you mean these are your regular office personnel that sit around barefoot and smoke cigarettes.

Mr. Tuley said what we had there was someone on her lunch hour.

Commissioner Cox said if those employees are not authorized to accept money, they should not do so, that our insurance and bonding company would not allow just anyone out there to take money and that girl should have informed the customer that authorized person was away and she should not have gotten into that.

Mr. Tuley said this is correct and he has since changed the rules, that on that particular day it exceeded 100 degrees and yes, these girls were in the air conditioned office during their lunch hour, but he has told them of the Commissioners displeasure with this and they were told it is not to happen again. Ms. Myers quoted one price to the lady and then when Ms. Moers talked to her, she did not honor that quote and decided the person should pay the standard rate for it. He also disagrees with this and made it known to his office staff, because when he is quoted a price for anything he cares to purchase, that is the price he expects to pay and this person should have been given the building for the quoted $20.00 and not the $25.00. This policy has been changed and he will assure the Commissioners this sort of thing will not happen again in the future,that grant it mistakes will be made, but he will see nothing like this happens again, if it can be avoided at all.

Commissioner Cox said another thing that bothers her is that we have a Park Advisory Committee that is a non-functioning committee. She did receive a call from one of the members of the Committee who had received some comments about what was going on at the park and he said he knew nothing about what was happening, that the committee has not met and no one has called him on anything, so she would say either we do something with this Committee or just disband it, because they are a non-functioning committee and they have been appointed for at least a two (2) month period.

Mr. Tuley said this is true and he will take full responsibility for not contacting each of them and getting them together for meetings. Last year when there was a Committee he sometimes met with them two (2) times a week, but right now is his very busiest time at the park and he simply has not called them together, that it is impossible to meet with them that many times and continue to run the park in the way it has to be run. He will contact each one and set up a meeting and give the new member some literature on the park which will get them familiar with the park and its operations, but he will not be able to meet with them much until after Labor Day.

President Borries said he too would like to see the three (3) member board get together as soon as possible, that two (2) of them have had experience and should have some active interests on the matter.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of August 1 thru 5, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of August 1 thru 5, 1983....report received and filed.

Mr. Bethel gave a brief run-down of where the crews worked the past week, as indicated on the above report.

Comments Concerning Fry Road: Commissioner Cox said she would like to pass on some comments concerning Fry Road, which is out Broadway, just pass the city limits line. The residents are very appreciative of the job the highway crew did and the manner in which it was done, plus the quick service. There is just one other concern that they have and that is on the curve out there. She realizes the highway cut back all the way to the fence and did a really good job, but they still have a visibility problem with all the growth inside the fenced area. Mr. Lee Stuckey is so good in public relations that she is wondering if he could go out there and talk to Mrs. Bergdorf about this problem.

Mr. Bethel said they have already had conversations with Mrs. Bergdorf concering this problem and we have some problems, that she will not let us on her property.

Commissioner Cox said will she not see that they are cut down herself.

Mr. Bethel said they will approach her once again and see if she will and report back next week.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of August 1 thru 5, 1983...report recieved and filed.

Mr. Guillaim gave a brief rundown of where the bridge crews were the past week, as indicated on the above report.

Bids on Baseline and Petersburg Road: Mr. Guillaum said we received two (2) invitational bids on the ditching in regards to the Baseline/Petersburg Road project, that we contacted three (3) contractors on. The bids were as follows:

1.) Ray Stradtner: $9200.00

2.) Blankenberger Brothers: $3500.00

Mr. Guillaum said he had not had a chance to see these until they were brought to the meeting a little while ago, therefore he would like to make sure there is no misunderstanding about what we want out there, because this is really a big difference in these bids. Blankenberger did not mention much in the way of clearing in his bid, therefore he would want some clarification before we award it. He will come back with a recommendation next week.

Claim: Mr. Guillaum said he recieved a claim from Tenneyson, however, after having received it he noticed it was not signed by Tenneyson, therefore he will not turn it in today, but get in touch with Tenneyson and have them sign the blue claim.

Bridge on Ohio Street: Commissioner Willner said there is a move afoot to help facilitate the traffic at Second Avenue and Fulton Avenue and it was suggested that we change the bridge ton to 20 ton and a 15 MPH speed limit, for a period of ninety (90) days, which would let Evansville Sand and Gravel travel west over the bridge, instead of coming out to Fulton and then up to Pennsylvania Street. He would like for this to be checked out so see if 20 ton and 15 MPH limit is acceptable and report back next week.

Mr. Guillaum made note and said he would do this and Mr. Easley is to be involved also.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Clark Lane and Schutte Road: Mr. Easley reported that he and Mr. Bethel went out and looked at the Clark Lane/Schutte Road intersection as requested and he will submit a written report of the findings and recommendations. Basically they believe it will take

very minor improvements to put it in shape to move the traffic in and out of Clark Lane onto Schutte Road. There is a small quantity of dirt that could be cut down on the north corner to improve the visibility. The sight distance really cannot be improved too much but as they approach Schutte they will be able to see further, faster and the radius' can be improved and he is going to recommend that since this is apparently a private road that they incorporate this into their project, for the housing out there.

Commissioner Cox said at APC meeting this past Wednesday, the Mid American Housing did come up for approval and it will come to the Commissioners the 15th of this month. Doctor Rice was in the audience at APC, and Clark Lane is privately owned by the University, that they mow it and maintain it and Dr. Rice was very quick to agree that the shoulders were very high and visibility is poor and she feels we will have full cooperation forthcoming from the University. She would like to thank Mr. Bethel and Mr. Easley for their time in going out to review the site.

Ohio River Basin Project: Mr. Easley said he understands the deeds are being returned to us, in regards to the river bank protection, that we must have them recorded.

Boonville-New Harmony/Bender Railroad Overpass: Mr. Easley reported that he and Mr. Bethel also looked at the Southern Railway overpass and Mr. Bethel would like to do this removal this fall and the railroad tracks are still on the road bed, therefore he is going to contact the railroad and ask them if they want to remove that ahead of our demolition work, that the agreement says they got the rail.

Commissioner Willner said he thinks what they want us to do is remove them and put them up track or down track, along side there. He said we are waiting for a demolition plan to be submitted to the railroad.

Mr. Easley said this is correct and the surveyors are presently working on such a plan, and he will keep and eye on it and report any changes to the Board.

RE: REQUEST TO CONTACT MIDWESTERN ASSURANCE CO. ON FICA RECOVERY PROGRAM

President Borries read aloud the following letter, submitted by the County Auditor, dated August 4, 1983.

Memo Regarding F.I.C.A. Recovery Program

Marge,

Alice has asked me to type this information regarding F.I.C.A. recovery of money paid to Social Security for sick leave for both employee and employer. It is my understanding, that we can contract the actual work to Midwestern Assurance, Elwood, Indiana 46036. What they acutally do is check with each individual office holder requesting records for 1979, 1980 and 1981 showing sick leave, and then they will figure just how much each employee has coming and how much the County will receive. Midwestern Assurance will receive one half of what the County receives.

Marge, would you please send a letter to

Midwestern Assurance Co.
P.O. Box 177
2014 N. B St.
Elwood, Indiana 46036

and ask for information regarding this matter.

Thank you,
Lucille Musgrave
426-5826

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Letter received and filed.

President Borries said he understands this is regarding F.I.C.A that was inadvertantly taken from employees checks, in all areas of government, from the year 1979 through 1981. The City, School Corporation and now the county is able to recover this money paid to Social Security for both the employee and the employer. We can contract the work involved to Midwestern Assurance, in Elwood, Indiana and they will check with each individual officeholder. He understands the City and School Corporation has hired this same firm to do their work.

Commissioner Willner moved the request be granted and that Ms. Meeks writes to the Midwestern Assurance Company to request information. Commissioner Cox seconded the motion. So ordered.

RE: CHECK FROM HELFRICH INSURANCE AGENCY

A check was received from Indiana Insurance Co. (Agency-Helfrich Insurance), in the amount of $339.02 for lightning loss of 5-13-83 to radio panel in the Sheriff's Dept.

Commissioner Willner moved the check be accepted and signed. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM THE HARTFORD ON LOSS CONTROL MANAGEMENT COURSE

Commissioner Willner read aloud the following letter from The Hartford Insurance Co., dated June 28, 1983 and directed to Mr. Jim Lewis.

Re: Loss Control Management Course

Dear Jim,

As we discussed by phone on June 29, we will be offering the above course in Indianapolis on October 24-28, 1983.

Since there will be a new man assuming Insurance and Safety Liason for the Commissioners we feel that this course would be of great benefit to the county to assist you in having an effective Loss Control Program to control your insurance costs and exposures.

The only cost to you is transportation, room and meals for the person attending.

Enclosed is a pamphlet on the program. Please advise me as soon as possible, as space is limited and it is seldom we have a course of this nature in Indiana.

Sincerely,
Wayne C. Fox
Loss Control Consultant
Hartford Insurance Company of the Midwest

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Commissioner Willner moved that Mr. Lindenschmidt be instructed to drive and attend this course, that he understands this will be no frills, strickly business, that this will be of great benefit to Vanderburgh County.

Commissioner Cox said we are talking about at least $500.00, however, she will second the motion, subject to available funds. So ordered.

RE: LETTER FROM WELBORN HOSPITAL REQUESTING USE OF ROADS FOR BIKE RIDE

The following letter of request was recieved by the Commissioners, dated July 29, 1983 and directed to the Board of County Commissioners.

Welborn Baptist Hospital, Welborn Wellness Center, and Gilles-Schwinn Cyclery will be sponsoring a fall bike ride on Sunday, October 9, 1983. The bike ride will begin at the Vanderburgh County 4-H Center and follow a route similar to that of last years ride (copy attached).

There will be three concurrent rides: 100K, 50K and 25K. Coordination with Sheriff Shepard will be maintained for traffic control along the route.

Letter Continued:

Medical coverage will be furnished by the Emergency Department of Welborn Baptist Hospital and a liability insurance rider will be obtained to include the County Commissioners and the Vanderburgh County 4-H Center for the October 9th event.

It is hopeful that the County Commissioners will favorably endorse this request. Any further questions or concerns will be promptly addressed.

Sincerely,
Barbara Patten, RN
Coordinator of Community Health Education

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Commissioner Willner said what is happening with bike rides is they are stoping all individuals on that route with automobiles and telling them they cannot proceed to their destination. This is wrong and cannot continue and they are using Civil Defense instead of anyone with authority and this has simply got to change. The last bike ride prohibited people from getting to their business. If they are going to use the Sheriff's Department for safety control, then that is fine, but he suggests a letter be sent to Welborn telling them they cannot stop vehicles along that route, therefore he would move permission be granted for the ride, with the stated stipulation and that a letter be sent to Welborn advising them of such. Commissioner Cox seconded the motion. So ordered.

RE: NOTICE FROM XEROX CORPORATION IN REGARD TO CONTRACT RENEWAL

President Borries said we have had this notice before us for several weeks now and we've been waiting on a report on how money could be saved for the county in regards to copying machines. He has met with Mr. Dan Oats from the Xerox Company and he informs us this particular equipment has already been purchased and paid for by us, that this notice is for the maintenance and he would recommend approval.

Commissioner Willner moved the notice of contract renewal be approved. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM SHIVELY REALTY ON RENT INCREASE FOR SUPPORT DIVISION

The following letter was received by President Borries, dated August 4, 1983.

RE: Vanderburgh County Prosecutors office, Support Division
Shively Building, 615 Main St. (On the Walkway)

Dear Rick,

This is a request to increase the monthly rental on the above from $800 per month to $900 per month for 1984. This request is due to the 40% increase in utility rates. All utilities are furnished and is included in the rent.

This increase will result in an annual rental of $5.83 per sq. ft. per year.

Comparable rentals in the downtown area:

1. Hulman Building $6.00 per sq. ft. per year plus parking $25.00 per car.
2. Landmark Building, 111 N.W. 4th St. $6.00 per sq. ft. per year plus $25.00 parking per car.
3. Great Fidelity Building (formerly Southern Securities) 4th. and Main Sts. $6.00 per sq. ft. per year plus parking $25.00 per car.
4. Civic Center Complex $11.72 per sq. ft. per year.

Very truly yours,
Ronald R. Shively

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President Borries the letter indicates a cc to Mr. Robert Pigman, Prosecutor.

Commissioner Willner said this matter should be referred to the Prosecutor's office.

Commissioner Cox said there are federal guidelines, as to how much they can be reimbursed per sq. ft.

A copy of the letter was to be forwarded to Ms. Hankins of the Support Division.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Lincoln Clark Douglass Alumni Assoc for a dance to be held at the Gold Room on August 20, 1983....received and filed.

RE: REQUESTS FOR COMMISSIONERS TO APPEAR BEFORE COUNCIL

President Borries said there is a rather lengthy list of items to go before the Council, that the Patient and Inmate Care is now at $107, 276.96, that $44,124.43 of this amount is owed for the last six (6) months of 1982 and $62,273.48 is owed to the Department of Corrections for the first six (6) months of 1983 plus $909.10 to the Indiana State Farm for the first six (6) months of 1983. The Change of Venue is now up to $126,703.86 with a portion for the VanOrden trial and Wallace trial and also $3,842.44 is owed to various other counties for change of venues. For School Transfer Tuition $4,410.06 is owed, that $2,860.19 is owed to Lincoln View in Iowa and $1,529.87 is owed to the school district of Pike Township in Indianapolis. We now have legal services to add to this in the amount of $899.01 for John Hargis, Special Prosecutor in the Roy Tyler case, and also additional legal services for county attorney David Jones in the amount of $3,204.42.

Commissioner Willner moved the above charges be placed on the Council Call for September. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted for Barnett Brothers, in regards to the First Avenue Project, in the amount of $288,087.92, which is billing #3. Claim is signed by Robert Brenner, County Surveyor.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Robert T. Dorsey for the State Assessors meeting attendance, in the amount of 356.30. State certification of attendance was attached.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Joan M. Dorsey for attending the State Assessors meeting, in the amount of $84.00. State certification of attendance was attached.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by David L. Fox for attending the State Assessors meeting, in the amount of $199.50. State certification of attendance was attached.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY COOPERATIVE EXTENSION SERVICE

Matthew C. Roth	R.R. 8 Box 465-C	Part-time	$22.00 Day	Eff: 7-22-83
Mark D. Roth	R.R. 8 Box 465-C	Part-time	$22.00 Day	Eff: 7-22-83
Patrick J. Garnett	1200 April Drive	Part-time	$22.00 Day	Eff: 7-22-83
Brad A. Korff	2000 W. Bnvl-New Har.	Part-time	$22.00 Day	Eff: 7-22-83

KNIGHT TOWNSHIP TRUSTEE'S OFFICE

Emarie West	1710 Cass Avenue	Investigator	$11,000.00 Yr.	Eff: 8-15-83

CENTER TOWNSHIP ASSESSORS OFFICE

Dorothy C. Grubb	1121 W. Heerdink	Deputy	$394.61 Pay	Eff: 8-4-83

458.

Appointments Continued:

VANDERBURGH COUNTY BOARD OF REVIEW

Sharon E. Lasher	544 S. Kelsey	Clerk	$30.00 Day	Eff: 8-4-83

CLERK OF CIRCUIT AND SUPERIOR COURT

Sharon Daniels	729 E. Florida	Juv. Dep. Clerk	$415.30 Pay	Eff: 8-1-83
Margaret Gresser	3355 W. Franklin	Deputy Clerk	$394.61 Pay	Eff: 8-1-83
Karen Conley	1001 N. Weinbach	Deputy Clerk	$394.61 Pay	Eff: 8-8-83

VETERANS SERVICE

Carl M. Wallace	R.R. 4 Box 99	Service Officer	$16,204.00	Eff: 9-1-83

VANDERBURGH SUPERIOR COURT

Mary Grace Ryan		Riding Bailiff	$12,991.00 Yr.	Eff: 8-1-83

COUNTY RECORDER

Margaret Blaxton	8209 Old State Rd.	Part-time	$30.00 Day	Eff: 8-8-83
Vonna M. Wagner	3208 Folz Lane	Deputy	$10,260.00 Yr.	Eff: 8-1-83

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Cindy Lilly	2601 Magnolia Dr.	Reg. Guard	$3.50 Hour	Eff: 7-27-83
Tom Mitsdarffer	823 First Avenue	Ground Crew	$4.00 Hour	Eff: 7-31-83

CIRCUIT COURT

Stephen A. Markey	3514 Bellemeade Ave.	Special Intern	$3.35 Hour	Eff: 7-29-83

LEGAL AID SOCIETY

Katharine Van Ost	2126 Lincoln Ave.	Staff Atty.	$11,474.00 Yr.	Eff: 8-5-83

VOTERS REGISTRATION

Constance J. Laubscher	6118 Kratzville Rd.	Deputy	$10,260.00 Yr.	Eff: 7-31-83

COUNTY RECORDER

Georgetta Wilcox	3065 Cottage Dr.	Deputy	$10,260.00 Yr.	Eff: 8-1-83
Vonna M. Wagner	3208 Folz Lane	Temporary	$10,260.00 Yr.	Eff: 8-1-83

VANDERBURGH SUPERIOR COURT

Mary J. Stucki	(L/A)	Riding Bailiff	$12,991.00 Yr.	Eff: 7-29-83

VETERANS SERVICE

Robert J. Moran	6718 Pinehurst Dr.	Service Officer	$16,204.00	Eff: 8-31-83

CLERK OF CIRCUIT AND SUPERIOR COURT

Dana Harpole	1300 Marshall	Juv. Dep. Clerk	$415.30 Pay	Eff: 8-1-83
Regina Casey	1722 E. Columbia	Deputy Clerk	$394.61 Pay	Eff: 8-1-83
Donna Perkins	1933 N. Newton	Dep. Clerk	$394.61	Eff: 8-8-83

CENTER TOWNSHIP ASSESSOR

Betty A. Bawel	1235 Laubscher Rd.	Deputy	$394.61 Pay	Eff: 7-20-83
Jack Hollencamp	12 S. Tekoppel Aven	Real Est. Dep.	$613.07 Pay	Eff: 8-3-83

Releases Continued:

VANDERBURGH COUNTY BOARD OF REVIEW

Dorothy Grubb	1121 W. Heerdink	Clerk	$30.00 Day	Eff: 8-4-83

KNIGHT TOWNSHIP TRUSTEE

Sara Barron	1763 S. Taft	Investigator	$11,000.00 Yr.	Eff: 7-21-83

RE: SCHEDULED MEETINGS

The County Council will begin the annual budget session beginning on August 15th. The regular meeting of the County Commissioners will be a night meeting on August 15th at 7:30 p.m.

There being no further business, President Borries declared the meeting recessed at 4:40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert Willner Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Richard J. Borries

Robert D. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 15, 1983

The meeting of the County Commissioners was held on Monday, August 15, 1983 at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: REZONING PETITION VC-4-83...THIRD READING

Petitioner: Mid-America Student Housing, Inc. 525 Sycamore St., Evansville, Indiana
Owner of Record: Same.

Premises affected are situated on the south side of Clark Lane, a distance of approximately 2,000 feet west of the corner formed by the intersection of Schutte Road and Clark Lane.

The common address is (none) and the above described real estate is presently zoned Agriculture....and requested change is to R-4. Present existing land use is vacant woodland and the proposed land use is student housing apartments for ISUE.

Attorney Jim Fields was present to represent the petitioner and stated this petition is a request to rezone approximately ten (10) acres of ground on the west side of town, near Indiana State University for their long awaited student housing project, on campus. The apartment complex will consist of ten (10) buildings with sixteen (16) units in each building, which will mean one hundred, sixty (160) apartments available. At this time he submitted a floor plan for the buildings, for the Commissioners viewing. Each apartment will have two (2) bedrooms, with four (4) bed capabilities, which could then house a total of six hundred, forty (640) students on the campus. Each apartment has two (2) bathrooms, a kitchen and eating area, plus a living room. The parking has been reviewed and the present plan which is on file shows there are some two hundred, twenty (220) parking spaces available on the specific site. You might notice on the plat plan that there is a drive-way that goes off from the end of the unit that connects directly within approximately 300' of the ISUE campus parking, making available to this unit in excess of whatever is required.
He has been on vacation for ten (10) days and learned when he got back that the financing has been fully arranged and agreed upon, although there are some steps that must still be gone through with the Economic Development Commission. Some site work has commenced already in preparation for this, earth moving primarily.
He has with him this evening, Mr. Arthur Miller, who will be the general contractor on the project and he will be happy to answer any questions any of the commissioners or anyone in the audience might have. At this time Mr. Miller showed the Commissioners a visual picture of the project.

Commissioner Cox said there were a couple of points brought up in the Area Plan meeting, one of which concerned the parking, that your development parking is subsidized by an agreement with Indiana State University, to use their parking lot.

Mr. Fields said he does not think we can go so far as to say the parking requirements are subsidized, because the parking requirements for this particular unit only require about two hundred, forty (240) spaces and we provide on site, two hundred, twenty two (222) spaces.

Commissioner Cox said she perhaps used the wrong wording, but her question is, you do plan on using the university's parking lot for additional parking needs.

Mr. Fields said this is correct, and he is not sure if the Commissioners have a copy of a letter they received from the University and they also received some photographs from the University.

Commissioner Cox said she is aware of the letter from Mr. David Rice, of the Indiana State University, giving permission to use the University parking lot.

Mr. Fields said even in the peak hours for the University there will still be some 200-300 spaces available, on a daily basis, which we will be allowed to use, and at a maximum we would only need some eighteen (18) additional spaces.
He said land has been set aside to perhaps be used in the future, which is owned by the Catholic Diocese.

Commissioner Cox said she was merely trying to clarify, not question, the parking.

Commissioner Cox said another point brought up at the APC meeting concerns the intersection at Clark Lane and Schutte Road and during that meeting she saw Mr. Rice nod approval that the intersection would need some improvement and she did ask if the University would cooperate in having this done.

President Borries said based on Commissioner Cox' concern of the intersection we had asked that Mr. Bill Bethel and Mr. Andy Easley go out and review the area and report back to this board with a recommendation, which they did do, and the Commissioners recieved the following written recommendation.

Re: Intersection of Schutte Road
and Clark Lane at I.S.U.E. July 10, 1983

Dear Mr. Borries

On August 2, 1983, Mr. Bill Bethel, Lee Stuckey and the undersigned made an inspection of subject intersection to determine the need and/or desirability of any improvements prior to the completion of the proposed I.S.U.E. student apartments that are to be ready for occupancy in the Fall of 1984.

The records in the County Surveyor's office indicate that Clark Lane is not a public road. The private road appears to have a pavement width that is adequate and there are no major obstructions to visibility or sight distance for the automobiles on Clark Lane.

It is recommended that the County Commissioners request I.S.U.E. to have the following improvements made to the intersection prior to the opening of the proposed student apartments:

1. Widen the pavement at the intersection to increase the radius on the north and south side of Clark to 25 feet. The larger radius will allow all vehicles making turns into and out of Clark Lane to do so without having to get on or near the center line of Schutte Road.

2. Remove a small quantity of earth from the bank on the north side of Clark Lane at Schutte Road, in order to improve the visibility and sight distance for cars on Clark Lane that are approaching Schutte Road.

If the above two (2) items are accomplished properly, the intersection will be safer and improvements will not be expensive. Please contact the undersigned if any additional information is required.

Very sincerely,
R. Andrew Easley, Jr.
County Highway Engineer

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Commissioner Cox said the University cooperated with the parking problem and she would also ask for a letter from the University saying that they would follow the stipulations as set out in the letter from Mr. Easley, before the apartments are rented.

Mr. Fields said he believes he can speak relatively freely, on behalf of the two (2) organizations that are involved, the Mid-America Student Housing, Inc. (MASH) as well as Southern Indiana Higher Education, Inc., who owns land clear up to Clark Lane, in saying that all of them, including the University, will fully cooperate to see that all things are done correctly and that there be no hazard situations out there, and that good housing is built, good roads are built and good intersections built, and he believes that all of this will be done, and he will see to it that everyone receives a copy of Mr. Easley's letter.

President Borries asked if there were any remonstrators present....there were none.

Commissioner Willner moved VC-4-83 be approved on final reading, subject to the two (2) stipulations, as set out in the letter from Mr. Easley. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: REZONING PETITION...VC-5-83...THIRD READING

Petitioner: Edward L. Scheessele and Sons, 10175 State Road, Newburgh, Indiana
Owner of Record: Monastery of St. Clare, 509 S. Kentucky Ave. Evansville, Indiana.

Premises affected are situated on the east side of Nurrenbern Road, a distance of ½ mile south of the corner formed by the intersection of Nurrenbern Road and Lower Mt. Vernon Road.
The common address is 6825 Nurrenbern Road. The above described real estate is presently zoned agricultural and the requested change is to R-4. Present existing land use is agricultural and the proposed land use is residential - Monastery of St. Clare.

Mr. Edward Scheessele was present and stated he has about eight (8) acres of land on Nurrenbern that the Sister's of St. Clare purchased to build a new home to replace the one they now have on Old Kentucky Avenue, and it needs to be rezoned from Agricultural to R-4 to accomodate it.

The Area Plan Staff report states the building will house a maximum of 30 residents in 28 bedrooms and allow office facilities. It is in an 8 acre rural area, surrounded by agricultural and single family residences in the vicinity of Burdette Park. Parking presents no problem as the maximum number of vehicles owned by the convent will be three.

Commissioner Cox said there was some question over the size of the field bed to be installed and Mr. Scheessele said the state has recommended a larger one and he is to get together with state representatives concerning this matter tomorrow and whatever the state requires, they will abide by.

Commissioner Cox asked what type of soil is out there and Mr. Scheessele said there are three (3) types, that he believes theirs has been tested as moderate, which is a middle class soil.

President Borries asked if there were any remonstrators present...there were none.

Commissioner Willner moved that VC-5-83 be approved at final reading. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: REZONING PETITION....VC-6-83....FIRST READING

Petitioner: Hubert G. Moore, 510 S. Red Bank Road, Evansville, Indiana
Owner of Record: Same

Premises affected are situated on the south side of Commercial Court, a distance of 25 feet southeast, by the intersection of Commercial Court.
The common address is 2150 Commercial Court and the above described real estate is presently zoned C-4 and the requested change is to M-1. Present existing land use is vacant and the proposed land use is for auto body and paint shop.

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

Commissioner Cox moved VC-6-83 be approved on first reading and referred to the Area Plan Commission. Commissioner Willner seconded the motion, which carried unanimously in the affirmative.

RE: REZONING PETITION....VC-7-83....FIRST READING

Petitioner: Cynderella McDowell Miller, McDowell Road, Evansville, Indiana and Alvrone Sater, 4220 Bellemeade Ave. Evansville, Indiana
Owner of Record: Same

Premises affected are situation on the south side of Highway 62 West (F-Project #845). The common address is southeast quarter, northwest quarter S 31, T6S, R11W, and the real estate is presently zoned Agricultural. The requested change is to R-5. Present existing land use is Agricultural and the proposed land use is for a retirement center.

There was no one present to speak for or against the petition, therefore Commissioner Willner moved VC-7-83 be approved on first reading and referred to Area Plan Commission. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

RE: REZONING PETITION....VC-8-83...FIRST READING

Petitioner: Gregg J. Gormley, 5040 Seven Hills Road, Evansville, Indiana
Owner of Record: Laura H. Workman and John Sanders, Conservator for Cecil Kuntz, Suite 12, Court Building, Evansville, Indiana

Premises affected are situated on the east side of Darmstadt Road a distance of 150' north of the corner formed by the intersection of Kratzville Road and Darmstadt Road. The common address is 6805 Darmstadt Road and is presently zoned County R-1 and the requested change is to County C-4. Present existing land use is unoccupied residential and the proposed land use is veterinarian's office.

There was no one present to speak for or against the petition, therefore Commissioner Willner moved VC-8-83 be approved on first reading and referred to the Area Plan Commission. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 20-83 APC..THIRD READING

Applicant: Eugene Hahn

Mr. Hahn was persent and stated he is requesting a special use permit for 4800 Division Street, that he sells items such as flowers, pictures, plants, pumpkins in October and christmas trees in December, that he sells items outside of the building itself. He said the State of Indiana has taken this location, that they have made him a first offer which he has refused, so it will be taken as part of the Division Street project, by the State of Indiana, within the next six (6) months to one (1) year.

Commissioner Cox said at the APC meeting the point was brought up, eventhough the petition was approved with ten (10) affirmative votes, that there was concern over some of the displays there now being in the right-of-way and also there were not any parking places actually shown, so do you now have something to submit to show where the parking will be located at and also the displays being taken from the R/W.

Mr. Hahn said the displays have been moved back, which Area Plan can verify, and concerning the parking, no, he has not put them on a drawing, per se.

Commissioner Cox said the following is on the Area Plan Commission Staff Field Report, that is dated August 4th and recieved by the Commissioners on August 11th, that applicant requests a special use permit for outside storage display and sale of merchandise. This petition was approved with ten (10) affirmative votes subject to moving displays back to provide ample parking. A parking plan needs to be submitted. Display to be contained behind pump island and completely out of right-of-way.

Mr. Hahn said he believes if Mrs. Cunningham were here she would verify that ample parking is available, that there's no problem with parking as long as the displays were kept back behind the old pump islands, which is now the case, however, if you prefer a drawing, he would be happy to submit one.

Commissioner Cox asked Ms. Beverly Behme if what Mr. Hahn is now telling us, is agreeable with Area Plan, that he has met the needs of the staff and she replied, yes.

President Borries said he assumes this would be a non-conforming only until the State takes the property and Mr. Hahn replied this is correct.

President Borries asked if there were any remonstrators present....there were none.

Commissioner Willner moved Special Use 20-83-APC be approved on final reading, with the stipulation the displays be kept behind the pump islands, out of the right-of-way. He said he is wondering if there should be a time limit set on this and he is also wondering if this rezoning will have an effect on the price of the property.

David Miller, County Attorney replied it will have no effect on the price, that this is merely a special use.

Commissioner Cox said also the contract Mr. Hahn signed for use of this property is on a monthly basis, because he does not know exactly when the state is going to come in, so that is why they, at Area Plan, did not put a time limit on this.

Commissioner Willner said then he will not include a time limit in his motion either.

Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 22-83-APC...FIRST READING

Applicant: Christian Fellowship Church

President Borries said this is a petition to place four (4) temporary mobile trailers to be used as classrooms for nine (9) months while additional classrooms are being built.

Commissioner Willner moved Special Use Permit 22-83-APC be approved on first reading and forwarded to APC. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: COUNTY ATTORNEY....DAVID MILLER

Letter of Agreement between Teamsters and County: Mr. Miller reported concerning an agreement between the County Commissioners and Teamsters Local 215, that was before the Commissioners at the August 8th meeting, that in reviewing it he finds that from a legal standpoint he has nothing to object to, that he believes this is what everyone agreed upon and that it does correctly amend the original contract signed with the union.

Commissioner Willner moved the following Letter of Agreement be approved:

LETTER OF AGREEMENT
between
BOARD OF COUNTY COMMISSIONERS
OF VANDERBURGH COUNTY
and
CHAUFFEURS, TEAMSTERS AND HELPERS
LOCAL UNION NO. 215

During the course of negotiations on insurance, the Board of County Commissioners of Vanderburgh County and Chauffeurs, Teamsters and Helpers Local Union No. 215 agreed to certain items that modified the existing Agreement.

The parties agree to be bound by the terms set forth in the sections below and said items are to be complied with as fully as those set out in the existing collective bargaining agreement.

1. The County shall provide helath insurance to the employees with the employees paying $10.00 per month for the singlee plan and the County paying the balance. Those employees who carry the family plan shall pay $20.00 per month and the County shall pay the balance.

2. Eye and dental shall be made available to all employees with the employees paying $6.70 per month for the single plan and $20.90 per month for the family plan.

3. The County agrees that no employees shall be laid off from Burdette Park, Vanderburgh County Auditorium or the County Highway Department through the remainder of 1983.

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Commissioner Cox seconded the motion. So ordered.

Mr. Chuck Whobrey took the signed agreements with him for Mr. Clifford Arden's signature and he is then to return two (2) for the County's records.

RE: PROPOSED CONTRACT FOR COMMUNITY CORRECTIONS PROGRAM

President Borries read aloud the following letter from the State of Indiana Department of Corrections, dated August 5, 1983 and directed to the Board of County Commissioners.

Dear Mr. Borries:

Enclosed are two copies of the proposed contract for Vanderburgh County's Community Corrections Programs for fiscal year 1983-84. Please review, and if this contract is approved, sign and return both copies and the attached non-collusion affidavit to Deputy Commissioner Gerald S. White, 801 State Office Building, 100 North Senate Avenue, Indianapolis, Indiana 46204.

A copy of the contract with all appropriate signatures will be forwarded to you after same has been approved by Governor Orr.

If you have any questions regarding this contract, please contact Eldon Woods, Director, Administrative Services, at (317) 232-5742.

Sincerely,
Gordon H. Faulkner
Commissioner

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President Borries said when he received this he forwarded it on the County Attorney David Jones, who has since returned it and he talked to Mr. Jones about the contract and it is in order to be approved.

Commissioner Willner moved the contracts be approved, signed and forwarded to Gerald White, Indianapolis. Commissioner Cox seconded the motion. So ordered.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of August 8 thru 12, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of August 8 thru 12, 1983...received and filed.

Mr. Bethel gave a brief rundown of where the crews worked the past week, as indicated on the above report.

Mr. Miller said he recieved a Letter of Intent from Doctor Destache, concerning the sidewalks on Outer Lincoln Avenue, and pardon the expression, but he "doctored it up".

Mr. Bethel said he is going on vacation tomorrow, but he will see that Lee Stuckey is aware of this and he can contact Mr. Miller and get the particulars.

RE: SURETY BOND ON BILL BETHEL

Recieved and filed was a surety bond for Mr. Bill Bethel, supervisor of the Vanderburgh County Highway Garage, Highway Department for a term of one (1) year, beginning on the 13th day of September, 1983 and ending on the 13th day of September, 1984, in the amount of $5,000.00, from the American States Insurance Company.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of August 8th thru 12, 1983. Report received and filed.

Mr. Guillaum gave a brief rundown of where the bridge crews were at the past week, as indicated on the report submitted.

Mr. Guillaum said there will be no drainage board meeting tonight, however, he would request one in the next couple of week, that he has received one (1) invitational bid concerning the extension of the Crawford-Brandies and also he understands the Area Plan Commission is wanting a meeting, so we should have one soon.

President Borries said he understands this and there will be one held following the regular Commissioners meeting next week, August 22nd.

Hirsch Road Project: Mr. Guillaum reported concerning the blacktop on Hirsch Road, that he met with the contractor and sub-contractor and they are going to take care of the problems he discussed earlier with the Commissioners. Right now, they are debating who is responsible, the contractor or the sub-contractor, however, he does not anticipate any problems, that it will be taken care of.

Bridge on Ohio Street: President Borries said concerning a request made by Mr. Willner during last week's meeting, the Commissioners received the following memo from the County Highway Engineer.

Mr. Robert Willner August 15, 1983

In accordance with a request from the Board of Commissioners, this office has reviewed the present load limit on subject bridge.

I have had a conference with Mr. Dan Hartman, the county bridge engineer, concerning the load limit on the bridge.

Mr. Hartman and I are in agreement that the load limit on the bridge can be temporarily increased to 20 tons, if the speed limit is reduced to 10 MPH.

It is understood that the increased load limit will be in effect until the storm sewer construction work on Fulton Avenue, south of Pennsylvania Avenue has been completed and the traffic flow has been restored to four lanes on Fulton Avenue.

If you have any questions, please contact the undersigned.

R. Andrew Easley, Jr.
County Highway Engineer

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Mr. Guillaum said he also talked to Mr. Hartman concerning this matter and tried to analyze what would be right and what would be wrong. The stringers and the floor beams were all replaced not too long ago and the connections were good. There was one (1) bushing on a pen that was rather deficient, but not of a nature to pose any threat and their conclusion is that if you reduce the speed limit to 10 MPH and the limit to 20 ton, that we would not have any problems.

President Borries said Mr. John Vezzoso, through the City's Transportation Department, has indicated he will place the signs for these changes when he recieves word the Commissioners have also approved this, so he would like for Mr. Guillaum to contact Mr. Vezzoso tomorrow and tell him it has been approved. These changes will be strickly enforced.
Mr. Guillaum said he will contact him.

Commissioner Willner moved the Ohio Bride load limit be set at 20 tons and the speed limit be set at 10 MPH, on a temporary basis until the construction in that area is completed. Commissioner Cox seconded the motion. So ordered.

RE: JIM LINDENSCHMIDT....SUPERINTENDENT OF COUNTY BUILDINGS

Cutting of Weeds in Peach Tree Subdivision: Mr. Lindenschmidt said last week he was instructed to check with Mr. Zimmerman, concerning the weed mowing and ditch cleaning in Peach Tree Subdivision, that the Commissioners wanted some clarification on the prices and exactly what it included. He said there are fifty three (53) lots in this subdivision and only seven (7) of them have houses on them, therefore there are forty six (46) empty lots and the bid from Commercial Ditch Cleaning was #1. Cut lots per inspection and discussion....$350.00. #2. Cut existing drainage ditch....$150.00 #3. Spray existing drainage ditch....$200.00. The options are #1 for $350.00 or #1 and #2 for $500.00 or #1 with #3 for $550.00. Cut and spray is $200.00 and cut only is $150.00 on the ditch.

Commissioner Willner asked if Mr. Zimmerman gave his recommendation and Mr. Lindenschmidt said no.

Commissioner Cox said should it be cut only or cut and sprayed and Mr. Lindenschmidt replied that Mr. Zimmerman did not indicate either way. Commissioner Cox said she is also interested in who is paying for this, that would the county have to pay it and then collect it back from the property owners, because we are talking about forty

six (46) lots at $350.00 each.

Mr. Lindenschmidt said no, the $350.00 is a total price for all of them, which is less than $10.00 a lot.

Commissioner Cox said she finds it hard to believe this is a total price, but if it is it certainly is a bargain.

Commissioner Willner moved the Board approve the cutting of the weeds on all forty six (46) lots for $350.00 and the cutting of the ditch for $150.00...no spraying. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner said who will proceed with getting these monies back for the county.

Alice McBride said if these are on tax sale and no one buys it then it might end up belonging to the county, however, if some one buys it then they will be responsible for the bill. She said she will check and if this property is purchased that it is added to their tax billing, through the Auditor's office and the Treasurer's office.

RE: LETTER FROM CONGRESSMAN FRANK McCLOSKEY ON LANDSCAPING PROJECT

President Borries read aloud the following letter, dated August 5, 1983 and directed to the Board of County Commissioners.

Dear Friends:

I am sorry to report that the Conference Committee for the Supplemental Appropriations Bill dropped the amendment which would have moved the completion deadline for landscaping S.B.A. projects (P.L.98-8) back to December 31. I personally contacted Hon. James Whitten, Chairman of the Appropriations Committee, to express strong support for this change, even before the Conference Committee was appointed. However, I understand that there was strong opposition to this amendment from within the Conference Committee, and it did not survive.

Please let me know if there are other ways my staff or I can support your work.

Sincerely,
Frank McCloskey, M.C.

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Letter received and filed.

President Borries said since the amendment to set the planting date back to Dec. 31 has failed we must get started immediately. He understands the landscaper must guarantee the plants, providing proper application is followed, when they are planted.

RE: AWARDING OF BIDS FOR LANDSCAPE MATERIALS

President Borries said the Purchasing Department, along with Mr. Tuley, from Burdette Park both agree with the architects recommendation and both have signed the following memo recieved by the Commissioners.

"We agree with the Architect, Steve Meyerholtz and after examining the bids and getting verification from Carolyn McClintock on the amounts of money available as budgeted in the grant application, she advises us there is no problems with accepting the low bid, therefore we recommend acceptance of Stocker Landscaping and Garden Centers' bid of $15,358.00."

Commissioner Willner moved Stocker be awarded the bid for the amount stated. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM INDIANA UNIVERSITY ON CUMMUNITY ASSISTANCE PROGRAM

President Borries read aloud the following letter, received by the County Auditor, dated August 1, 1983.

Dear Mrs. McBride:

The Lilly Community Assistance Program provides project-oriented technical assistance to agencies of state and local government in Indiana. We are now soliciting project proposals for the upcoming academic year. We'd like to incourage you to consider submitting a proposal. The attached brochure provides some information about the program and explains the application procedures.

Our Projects Committee will be meeting in mid-September to select next year's projects. If you would like to apply, please send us your application letter by Septmeber 7, 1983. In the meantime, if I can be of any assistance, please write or call me at 812-335-0731.

Sincerely,
Robert Agranoff, Field Director
Lilly Community Assistance Program

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President Borries said that interested parties should submit an application letter, on agency letterhead to Dr. Robert Agranoff and the letter should describe the following.

1. The type of project proposed
2. The duties of the Lilly Fellow
3. The type of product or report expected
4. The nature and extent of agency supervision
5. Estimated project duration

He said with the studies going on with our Auditorium that perhaps this could be of some assistance to us in a number of ways, particularily with the work for the handicapped and the Arts.

The above letter was ordered received and filed with a copy to be forwarded to Mr. Kim Bitz , Manager of the Vanderburgh Auditorium.

RE: AMENDED RESOLUTION TO ESTABLISH A CUMULATIVE BRIDGE FUND

On July 5, 1983 the Board of County Commissioners adopted a Resolution to Establish a Cumulative Bridge Fund. After the State Board of Tax Commissioners reviewed it they recommended it be amended to read as follows.

RESOLUTION TO ESTABLISH A CUMULATIVE BRIDGE FUND

BE IT RESOLVED by the Board of County Commissioners of Vanderburgh County, Indiana that it is desired and deemed necessary to proceed with the proposed plan to establish a Cumulative Bridge Fund for the following purpose or purposes:

** To provide funds for the cost of construction, maintenance and repair of bridges, approaches and grade separations.

And the levying of an additional tax of fifteen cents ($.15) on each one hundred dollars ($100.00) of taxable real and personal property within the taxing district to provide monies for said fund, said tax to be first levied in 1983, payable in 1984 and annually thereafter until reduced or recinded as provided for in Indiana Code **8-16-3-1 et seq.

BE IT FURTHER RESOLVED that proofs of publication and posting of notices of the public hearing held on this 5th day of July, 1983, and a certified copy of this Resolution and such proposed plan be submitted to the State Board of Tax Commissioners of the State of Indiana, as provided by law.

** Indicate where the Resolution was amended.

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Commissioner Willner moved the Resolution be approved, as amended. Commissioner Cox seconded the motion. So ordered.

RE: NOTICE OF PUBLIC HEARING FROM CITY CLERK

President Borries said on August 12th, the Commissioners received, from the City Clerk, a notice of a public hearing regarding the vacation of a portion of lots 12 and 13, in block 50 of the Eastern Enlargement located in the City of Evansville, Indiana, more commonly referred to as the 700 block of Chestnut Avenue, Evansville, Indiana.

The public hearing on this proposed action will be held on the 22nd day of August, 1983, at 7:30 p.m. in room 301 of the Civic Center Complex, Evansville, Indiana.

Notice ordered received and filed.

RE: TRAVEL REQUEST FROM COUNTY ASSESSOR

President Borries read aloud the following letter, requesting travel, dated August 15, 1983.

County Commissioners:

I am planning to attend two Seminars, one for Cost Manual and one for Computer, held in St. Louis on September 20, 21, 22 and 23, 1983, to be conducted by Marshall and Swift. Enclosed are copies of the application forms. I would appreciate it if you would pay for my schooling. I will pay for the lodging and other expenses, such as traveling and meals. I would appreciate a reply as soon as possible.

Thank you
James L. Angermeier
Vanderburgh County Assessor

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President Borries said based on the amount of money left in our travel account and based on prior policy of not paying for anything that is not mandatory, he would ask the other Commissioners feelings on this.

Commissioner Cox said this request is not for a state mandated meeting, however, we are going to have to request some additional funds in the travel account because we are going to have mandated meetings this fall for the Auditor, Treasurer, etc.

Mrs. McBride informed the Commissioners that the funds for the mandated meetings can come out of unappropriated funds, so if the Commissioners wish she can transfer some money from unappropriated funds to help pay for the mandated meetings.

The Commissiones agreed to this being done.

President Borries said a letter will go to Mr. Angermeier, from the Commissioners, stating our policy and regrets that we will not be able to fund this particular schooling for the Assessor.

RE: MEMO ON RECORDING FEES FROM INDIANA RECORDER'S ASSOCIATION

President Borries read aloud the following, recieved on August 10, 1983

MEMO

COUNTY SURVEYOR'S CORNER PERPETUATION FUND

Public Law 342 (Acts of 1983) amends IC 36-2-7-10 concerning the fees charged by the recorder for recording deeds. Effective September 1, 1983, the recorder will charge one dollar for each deed recorded, in addition to other fees charged, for the "County Surveyor's Corner Perpetuation Fund."

This additional fee includes every instrument recorded in deed record, and intered into the Deed & Other Conveyances column of the Fee & Cash Book. When the monthly collection report is given to the Auditor, make sure the one-dollar per deed is set apart from other collections. (See sample enclosed). The Auditor will receipt the regular collections into the County General Fund and the separate collections into the new fund.

The money collected under this law must be appropriated in the regular manner, and must be used by the County Surveyor for expenses incurred in the location and perpetuation of the original government survey corners.

Looking forward to meeting with everyone at District Meetings scheduled for August 17th thru September 22. Will have much to discuss. See you then.

Becky Skillman, President
Indiana Recorder's Association

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Memo received and filed.

RE: LETTER FROM JOB TRAINING, SOUTHWEST INDIANA MANAGEMENT REGION

Received by the Commissioners on August 8, 1983, was the following letter from Job Training, dated August 5, 1983.

Dear Mr. Borries,

Please find enclosed three copies of an agreement between local elected officials of our five-county service delivery area and the Job Training Board of Southwest Indiana. This agreement is the product of three meetings of local elected officials that have been held to establish local administrative arrangements for implementing the Job Training Partnership Act. Those meetings occurred on May 5th, July 15th and July 22nd. Your participation in those discussions is greatly appreciated, and I believe that this final agreement includes all the items that were agreed on at those meetings. You should sign two of the copies and return them to me. The third copy is for your records.

Also, a meeting of elected officials has been scheduled for

Tuesday, August 16 at 7:30 p.m., in room 302 (Mayor's Office)
Civic Center Complex, Evansville, Indiana

The purpose of the meeting is to review and, I hope, approve the annual plan for submission to the Governor's office (Indiana Office of Occupational Development). This is a very improtant meeting. The plan must be approved by the local elected officials and the Job Training Board for submission to the Indiana Office of Occupational Development prior to the end of this month. The plan will establish the local framework for the selection of individual training programs and program operators. Please try to attend. Remember that, in accordance with the enclosed agreement, at least six of the ten elected officials must approve the plan for it to be official.

If you have any questions, please call me at 422-9300

Sincerely,
Roy L. Vanderford
Executive Director

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President Borries said the Job Training Program takes the place of the old CETA Program gram, that will no longer exist and this new program will be administered through the State of Indiana. It establishes service areas, of which Evansville is the center for the Southwest Service Delivery area and the major difference is that the employment of individuals will no longer take place through direct government funding programs but rather through private industry,working on private industry council with local government to try to match people into jobs that are already existing through private business, rather than government jobs.
If the other Commissioners will recall, we approved the Job Training Board some weeks ago, with private individuals on it and the signatures needed for this particular Agreement are from the Mayor's of Evansville, Boonville, Mt. Vernon, Rockport and Tell City and the Commissioner's of the counties of Posey, Vanderburgh, Warrick, Perry and Spencer.

Commissioner Cox said you, Mr. Borries, are our representative on this Board, are you not.....Mr. Borries replied this is correct.

Commissioner Willner said he has a problem with this, in that, when we get into private industry, are we going to allow someone to hire a person under this program for a fraction of what they could perhaps hire some skilled help for, therefore holding someone from employment who is a skilled person in that field already, but may not come under this act.

President Borries said this program is not designed to displace any workers that it is to provide openings or possibilities for future training at an entry level kind of position so that people will fit into jobs and it would be away from areas of which used to be so called government employment.

Commissioner Cox said use to when we had the CETA program, we trained them for about eighteen (18) months and then we were to assume them on county payroll and she complained at that time, because some of the CETA people were working in her office and making more then her county paid clerks were earning, and we were training them. This Job Training program we are talking about now is in private industry, where they hire them in, train them on the job, and the company, in essence, is rewarded by training them, that the business receives some subsidy for doing this. She really sees nothing wrong with this program.
Mr. Miller said he believes it is in the form of taxes, that the business gets paid.

Commissioner Willner asked if we have a deadline on this and President Borries replied yes, September 1st.

Commissioner Cox said there are stipulations stating that surveys have been done on the fields that are supposed to be promising, as far as employment or opportunities are concerned.

Commissioner Willner said he is not for this, that business's will hire two (2) of these people, instead of hiring one (1) skilled person and when the time limit is up they will let them go.

Commissioner Willner moved the Agreement be approved, but wants it clear, he does not agree with it. Commissioner Cox seconded the motion. So ordered.

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

Recieved and filed was the monthly report of the Clerk of the Circuit Court for the month ending July 29, 1983.

RE: LETTER FROM SHIVELY REALTY COMPANY CONCERNING RENT FOR SUPPORT DIVISION

President Borries read aloud the following letter, dated August 11, 1983 and directed to the Board of Commissioners.

Re: Vanderburgh County Prosecutors Office, Support Division, Shively Building, 615 Main St. (On the Walkway)

This is to advise you and the Commissioners that I am withdrawing my request for rent increase of $100.00 per month for 1984 on the above building as outlined in my letter of August 4, 1983.

The rent on the building for 1984 will be $800.00 per month, the same as for 1983.

Very truly yours,
Ronald R. Shively

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Letter received and filed.

RE: MONTHLY REPORT.....ALEXANDER AMBULANCE SERVICE

Ordered received and filed was the monthly report from Alexander Ambulance Service for the month ending July 31, 1983.

Mr. Miller said in looking at the report received from Alexander and attached to this is a listing of runs made from January 1, 1983 to July 30, 1983 and he is assuming that these are runs in the county and Alexander shows there were total charges of

$35,038.84 and according to this report only $6,265.46 has been paid, and the report shows the balance due from the county is $17,775.77. He is assuming that the unpaid balance shown on this list would reduce the county's liability to Alexander and if that is true then he would suggest to the Commissioners that serious thought is given to arranging with Alexander for the assignment of these accounts.

Commissioner Willner said he believes that was to happen automatically after ninety (90) days.

Mr. Miller said he does not have the contract with him right now, therefore he cannot say for sure, but there was to be a reporting and accounting procedure and he would suspect this might be the second ninety (90) day report and he feels that since some of these are older then the ninety (90) days that the county should take advantage of it's free filing privileges in Small Claims Court and start pushing some of these people and maybe some of our liability will be reduced substantially, that perhaps some letter could be sent out to these people telling them to pay or the next step will be court. He said he will be happy to draft a form letter for this purpose.

Commissioner Willner said perhaps Mr. Lindenschmidt can get the contract and read it and also contact Alexander and see which ones have been paid now and which ones the county can now proceed to collect on.

Commissioner Cox said we could save some attorney fees here, that we do not have to have an attorney file these in Small Claims, that Mr. Lindenschmidt can do this for us, however she would recommend a letter be sent to these people first informing them that court action will be instituted if their bill is not paid within a specified time period.

Commissioner Cox said she also received a copy of the following letter, dated August 2, 1983, directed to President Borries.

Dear Mr. Borries:

After reading the article on Ambulance Service in tonight's Evansville Press, I thought it might be good to send you a copy of a letter I sent to the chairman of the Advanced Life Support Consortium last week.

Your concern over a West Side Paramedic unit has been shared by us for a long time.

The addition of this unit is only possible through our working agreement with Vanderburgh County in 1983 and hopefully 1984. We would appreciate knowing your intentions at your earliest convenience.

Sincerely,
Thomas A. Alexander, President
ALEXANDER AMBULANCE SERVICE, INC.

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Attached to the above letter was a copy of the letter sent to Mr. Stephen McNeil, Chairman Advanced Life Support Consortium, dated July 30, 1983, and read as follows:

Dear Steve:

I am writing to inform you of our intentions to put on a third paramedic unit. This unit should be certified and in operation by the second week of August. We will base this unit on the west side of Evansville and thus help our response time to this area.

It is our hope that this new unit will be utilized. We would greatly appreciate the consortiums' endorsement.

Sincerely,
Thomas A. Alexander, President
ALEXANDER AMBULANCE WERVICE, INC.

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President Borries said Mr. Alexander has submitted a request for 1984 and the Paramedic Committee, at this time, has not reached a conclusion for the 1984 budget. Councilman Jerry Linzy has requested a rather detailed and lengthy set of specifications from the city and county of Kansas City, Mo. When he received the letter that Mrs. Cox read he

contacted Mr. Alexander and ask him to provide to us what his documentation would be for an increase in fees for 1984 and he indicated that he would do this for us, however, to date, we have not received such documents. Alexander's request for 1984 is $62,500.00.

Commissioner Cox said is the third unit now operating on the west side, that it states in the letter that it should be in operation by the second week of August.

President Borries said not to his knowledge, that there has not been an additional request for more monies from the county for 1983.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Vee Corporation Lumber Exchange Bldg. for engagement dates of August 24 thru August 28, 1983, at the Vanderburgh Auditorium.

A certificate of insurance was submitted for Welborn Memorial Baptist Hospital for the Andy Williams Show on November 18, 1983 at the Vanderburgh Auditorium.

A certificate of insurance was submitted for Welborn Memorial Baptist Hospital for the Welborn/Gilles Bicycle Run Great Pumpkin Metric on October 9, 1983.

A certificate of insurance was submitted for Belinda Singleton, for a wedding reception on 8-13-83 from 7:00 p.m. until 1:00 a.m. at the Vanderburgh Auditorium.

All certificates ordered received and filed.

RE: CLAIMS

A claim was submitted by George Koch Sons, Inc, for work done at the Vanderburgh Auditorium in 1982, in the amount of $979.66. Claim signed by Kim Bitz.

President Borries said additional monies have be approved by the County Council to pay some of these back bills for the Auditorium.

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by George Koch Sons, Inc. for work done at the Vanderburgh Auditorium in 1982, in the amount of $915.76. Claim signed by Kim Bitz.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Glen E. Koob, Perry Township Deputy Assessor for attending the Assessors Conference in Ft. Wayne on July 11, 12 and 13, 1983, in the amount of $178.50 (State Certification of attendance was attached).

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Harry Tornatta, Perry Assessor for attending the Assessors Conference in Ft. Wayne on July 11, 12 and 13, 1983, in the amount of $321.56. The state certification of attendance was attached.

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by David Miller for legal services in the amount of $1,266.00, with itemized statement attached, to the tenth of an hour.

Commissioner Willner moved the claim be referred to Ms. Meeks to be placed on the September Council Call. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by James L. Will Insurance Agency, Inc. for a public official bond for William Bethel, Supervisor of Vanderburgh County Highway, in the amount of $30.00.

Commissioner Willner moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Marjorie C. Keeney, for Indiana Assessors School, in the amount of $10.00.

This is concerning the Assessors School that Ms. Keeney attended in 1982, that attached is a cancelled check showing that she paid her own class fee, in the amount of $10.00 and she was never reimbursed for it and the Knight Township Assessor feels that since everyone else was reimbursed, Ms. Keeney should be also, that this was merely an oversight.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Tennyson Construction for work on Old Petersburg Road Structure $44, in the amount of $53,852.15. This is billing #2 and has itemized statement attached and is signed by David Guillaum for Bob Brenner, County Surveyor.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Mike Wilson for license refund, in the amount of $20.00. Claim was signed by Bill Zimmerman, Building Commissioner.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Municipal Engineering and Construction Corp. for application #3 for boiler replacement at the Vanderburgh Auditorium, in the amount of $10,896.00.

President Borries said this is the final payment due to Municipal.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Mark Cooper	732 E. Iowa St.	Ground Crew	$4.00 Hour	Eff: 8-8-83

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Eric Evans	1369 E. Chandler	Union Employee	$6.44 Hour	Eff: 8-15-83
Steven Craig	R.R. 2 Box 90	Union Employee	$6.44 Hour	Eff: 7-22-83

Attached to Mr. Craig's employee change is a Doctor's certificate from the Evansville Plastic Surgical Associates, Inc. Received and filed.

RE: SCHEDULED MEETINGS

There is to be a EUTS Policy meeting tomorrow at 4:00 p.m.
There is to be a Job Training meeting tomorrow at 7:30 p.m. in the Mayor's office.

There being no further business, President Borries declared the meeting recessed at 9:40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries	Alice McBride	David Miller
	Robert L. Willner		
	Shirley Jean Cox		
SECRETARY	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 22, 1983

The meeting of the County Commissioners was held on Monday, August 22, 1983, at 2:30 p.m. in the Commissioners hearing room with President Borries presiding.

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

RE: POOR RELIEF....PIGEON TOWNSHIP TRUSTEE

Applicant: Clayton Carl Rainey, 112 W. Oregon Street, Evansville, Indiana.
Case Worker: Donna Jones

Mrs. Rainey said she is present in behalf of her husband who is ill and could not come today, that he is seventy (70) years old, has high blood pressure and the doctor will not allow him out in this hot weather.

President Borries asked Mrs. Rainey if Mr. Rainey was aware of the fact this appeal was going to be heard today and she replied yes.
President Borries said this can be taken under advisement, however, the person who is the head of the household and also the one appealing this decision of the Trustee is the one who will have to appear before the Commissioners, that the Board cannot take action until Mr. Rainey appears to represent himself.

Mrs. Rainey said her husband asked for a medical prescription to be filled and also a food order. She has copies of their checks and receipts for bills they have paid.

President Borries asked Mrs. Rainey if they are receiving food stamps and she replied no, that they haven't received any for about two (2) years.

Commissioner Willner asked if Mr. Rainey is on Social Security and Mrs. Rainey replied yes, that she was drawing it with him, but they dropped her off because her daughter turned sixteen (16) years old and the department told her she no longer had to take care of her, so they dropped her from the checks.

President Borries asked if her daughter is in school and Mrs. Rainey replied she will be a high school freshman when school starts this fall.

Commissioner Cox asked if Mr. Rainey is a veteran and Mrs. Rainey replied yes.

President Borries said he recieved a phone call from Carl Wallace of the Veterans Administration, however ,he did not have time to return the call before this meeting started, therefore, he would ask Jim Lindenschmidt to immediately call Mr. Wallace for additional information concerning Mr. Rainey.

Commissioner Cox said if Mr. Rainey is a veteran, they should supply his medication and Mrs. Rainey said it is not Mr. Rainey's medication he asked for, but it is for her medication.

Caseworker Donna Jones came forth and stated when Mr. Rainey came into the office and made application he did not at that time ask her for a straight food order, that he asked for prescriptions to be filled and he was over-incomed, that he reported he had $570.00 in social security for a household of four (4) and our income standards for four (4) is $450.00. They were not on food stamps at that time and she advised Mr. Rainey that if he has a large amount of medical that perhaps he should apply for medicaid.

Commissioner Willner asked if the medication was for Mr. Rainey or for his wife and Mrs. Jones replied at the time he did not show her the prescriptions and he did not have any receipts with him so that she could run a budget.
Commissioner Willner said we must refer this back to the Trustee because they should be on food stamps at least, before they receive medical assistance from the Trustee.

President Borries said the Commissioners will refer this case back to the Trustee's office for some clarification, particularly in regards to who's prescriptions they were and whether or not the family qualifys for food stamps through the Welfare Dept.

Mr. Lindenschmidt returned after talking to the Veterans Administration office and reported there was no way the VA could help because the prescription were for Mrs. Rainey.

Commissioner Cox said if Mr. Rainey has been paying for his own prescriptions, he should check with the VA about them paying for his medicine and then he would have more money to buy his wife's medicine and the same goes for food stamps.

Mrs. Jones said since Mr. Rainey is seventy (70) years old she does not understand why he is not on medicare, where he would have to pay only a percentage of this, and when she asked him about this he told her that he had not checked into this.

Commissioner Willner said if we refer this back to the Trustee, will you, Mrs. Jones head him in the same direction and make appointments for him and she said she will tell him the same things again.

Mrs. Rainey said they checked into food stamps and they told her she was overdrawn on food stamps and she would have to pay some back before she could get them again.

The matter was referred back to the Trustee's office and President Borries instructed Mrs. Rainey to check with Mrs. Jones, that perhaps there are other avenues open for her and Mr. Rainey, such as Medicare and food stamps.

RE: ALLAN HENSON...WORK RELEASE - REQUEST TO ADVERTISE FOR VEHICLES

Mr. Allen Henson of the Work Release Program in Vanderburgh County was present and stated the State Department of Corrections have issued a Community Corrections grant for Vanderburgh County and part of that grant was for the purchase of three (3) vehicles, two (2) for the work release program and one (1) for the county probation department. They have been alloted $10,000.00 per vehicle and they are now requesting permission to advertise for them. He would assume they should go through the Purchasing Department to advertise for such bids.

Commissioner Willner moved the Work Release Program be permitted to advertise for bids for three (3) vehicles, through the City/County Purchasing Department. Commissioner Cox seconded the motion. So ordered.

RE: ROBERT FORTUNE...DATA PROCESSING - REQUEST TO ADVERTISE FOR BIDS

President Borries said Mr. Fortune is not present today, however, he has submitted a rather lengthy set of specifications for contractual data processing services. The schedule of significant dates for responding to these bid specifications are detailed in Section I. Strict adherence to this schedule is imperative to bid acceptance as well as the timely evaluation selection of the separate bidder and contract. This is a different set of specifications that will ask for contractual services and it is different because there are certain contractual obligations that Mr. Fortune has incurred on the present system and he is indicating that would, at this point, want to proceed with this from the standpoint of contracting those services out and not purchasing the hardware and ending the existing agreements we presently have.

Commissioner Willner said he would like a week to review this.

County Attorney David Jones said in looking at the face of this he did not understand it and looking down toward the County Auditor, it appears she does not understand it either, that she has concerns about it. He would say in effect what this would do is get rid of all county computers, that we would not have any computers directly owned or leased by the county, that the county would get out of the computer business and it would all be leased outside, but it would be done under what is called a facilities sharing arrangement, in that the successful bidder would locate where the present Data Processing Department is, in other words, the county, as part of the deal, would provide the space and the computers would actually be put in where our computers are now, and to the extent that we only make lease payments on what we presently have, we are no worse off, that the concept we own computers is on paper only. The net effect of this would be that it would allow us to terminate all the various existing agreements under the contractual language, in a nice clean break, and then proceed to get into an agreement with the city or other units of governments. We also would eliminate the employees and fringe benefits now being paid to them. This will not go into effect until the first of January, 1984.

Mrs. McBride said is she to understand that all the information now in our computer will have to be fed into another system and Mr. Jones said no, that they are on disc' therefore they can be used on the new system.

The matter was taken under advisement for one (1) week.

RE: JACQUELINE LaGRONE...HUMAN RELATIONS - ORDINANCE TO AMEND MUNICIPAL CODE

President Borries said a few weeks ago Ms. LaGrone, Director of Human Relations submitted to him a request to review an ordinance to amend the Municipal Code, as it pertains to fair housing laws. He sent it to the county attorney, and it has since been returned to us with approval from Mr. David Miller, however, Ms. LaGrone is on vacation and cannot be reached, therefore he would ask that this Ordinance be deferred until Ms. LaGrone returns and can supply the Commissioners with additional information and another appointment can be set for her to appear before the Commissioners.

RE: JAMES PARKS, SR. - PROBLEM ON FIRST AVENUE AT SMOKEY HOLLOW NURSERY

Mr. James Parks, Sr. was present and stated he has a complaint concerning his business on First Avenue, that being the Smokey Hollow Nursery. We all are aware that the First Avenue bridge is presently out and when they first started construction out there, he was told they would hold the road open to his place of business, but things picked up pretty quick and he got boxed in out there. They put on a security guard out there and when some of his customers came out there, they were turned away by the guard, in fact, he got run out a few times himself. Even now when he tries to go in there to water his plants, he has problems, that he tried to keep the business open, however, as of the first of August he was forced to close his business, due to the daily decline in business, that business dropped tremendously fast after the bridge was closed on the 15th. He feels that someone is responsible for part of the financial loss to him, due to the situation out there. His daughter is co-owner of the nursery and she is present here today with figures to back up everything he is saying here today. He would go along with part of the loss, because he knows we need the bridge but he feels someone should renumerate him for part of it.

Commissioner Cox said she would like to hear from the Surveyor's office in regards to the agreement that an opening be kept back to Mr. Parks business, during construction.

Mr. David Guillaum, Chief Deputy Surveyor was present and stated he believes there has been access into the nursery, however, he knows there has been parking problems and he would have to agree with that, in regards to semi trucks and big equipment.

Commissioner Willner asked is there not a sign "Open to Smokey Hollow Nursery" in the area and Mr. Parks said yes there is, but it's not open.

Mr. Parks said they have a little access road down the side of First Avenue, but when they moved in they moved the trailer on that road and closed it off and he talked to a gentleman named Jim, who is the superintendent on the project and he was good enough to fix the road, so he could get his business truck in and out, every once in awhile, but then they started parking cars and equipment on the little road and if the County Commissioners will drive down there, they will see exactly what he is complaining about. This problem stopped his customers from coming to his business, that they did not want to get caught in the big jam down there, so they just quit coming, therefore he had to close up shop.

Commissioner Willner said he would not know about renumeration, because we are not budgeted for that, however, he would be willing to help out in any other manner possible, like perhaps getting the trailer moved to the other side of the road.

Mr. Parks said the city owns the ground on the other side of the highway and he asked them why they did not put it over there to start with but he could not get a satisfying answer from anyone.

Commissioner Willner said he will work to get it moved and he believes they will listen to the Commissioners, but he does not know about renumeration.

Mr. Parks said do you not believe that anyone is responsible for any renumeration to him, for his loss.

Commissioner Cox said one thing that bothers her, as Mr. Parks pointed out, that not only is this interferring, but people have not been allowed to go back there because of security guards, well who's guards are they....Barnett Brothers?

Mr. Parks said yes, they are Barnett's.

Commissioner Cox said if Barnett agreed to keep access open to that business, then they are violating that agreement and they should be the ones to stand good for this.

President Borries said the Commissioners office did try to contact Mr. Parks to see if the trailer had been moved, because he also does not understand why it was not put on the other side of the highway to start with, other than perhaps if it was because of utility lines, etc.

Ms. Tammy Daily, Mr. Park's daughter was present and stated she would like to clarify that Barnett Brothers have worked very very good with them, that they had a few problems in the beginning, that she called Mr. Borries about and we all had a meeting and got those problems worked out. She said there is a road open most of the time, but for the past week or so they have been working on curbing and she cannot even get back there, that she has been parking at the Donut Bank and walking in. Several times since they closed their business she has had to go in because they must keep the plants watered and she had to look up Jim, on the job, and he moved three (3) semi's, two (2) pick-ups and some heavy equipment. When people come to their business and see all of this parked in the way, they simply turn away and leave. In the beginning they thought perhaps they could slide through enough to at least stay open, but they simply could not, that their receipts declined so much they had to lay off people and one person quit, and they stayed open through July, however, they had to close on August 1st. She said the dust has been simply terrible and they must keep them watered, therefore someone has to stay there and keep them washed down two (2) or three (3) times a day.

Commissioner Willner asked if they have plans of opening up immediately if we can get this access opened up and kept open.

Ms. Daily said no, because with the dust, the trucks, equipment, etc. their customers simply will not come in there.

Commissioner Willner said perhaps we could also help the dust situation by putting down calcium chloride, that the county garage has this and we use it all the time for dust control, that we can spread this ourselves.

County Attorney Jones asked if the road leading to the business has been blocked and Ms. Daily said yes, the road coming from the Donut Bank to the business has been blocked by workers. Mr. Jones said other than your claim for loss of business, do you have any claims for property damage.

Mr. Parks said there has been no damage to their property, other than the fact the dust is going to kill a lot of their plants.

Mr. Jones said the county has no liability for loss of business, that if we did then every time a highway project occurred everyone would be making claims and by the same token, if your business increases 30% because of the improvements made, we don't have any claims to you profits.

Commissioner Willner said we need to help out in this matter anyway we can and he would like for the Commissioners to meet with Mr. Parks immediately following this meeting and get something done, that we should do everything in our power to make this work.

President Borries asked if this space is owned by Mr. Parks and he replied no, that he leases it from Greg Kempf.

Commissioner Cox said she cannot see where the calcium chloride is going to be the answer, because as dry as everything is, the dirt and dust is going to fly from everywhere out there.

Mr. Parks agreed to meet with the Commissioners at his place of business immediately following this meeting to further discuss the situation.

RE: BILL ZIMMERMAN...BUILDING COMMISSIONER - REQUEST TO MOVE TWO (2) HOUSES

Mr. Zimmerman, Building Commissioner submitted the following two (2) requests to move houses, within Vanderburgh County.

(August 10, 1983)

Elmer Buchta, Inc. request a permit to move the house at 7824 Old Petersburgh Road. It is a yellow frame house and will go west through a field to Baumgart Road, Baumgart Road north to Swope Road, Swope Road east to Burch Road, Burch Road north to parking lot one block from Heinlein Road, then across parking lot and corn field to 8100 Effinger Road.

This is one of the homes the airport is having relocated and the owner is Keith Kinney. They would like to move this the latter part of August, providing they notify public utilities of the date of move.

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The second move is as follows: (August 10, 1983)

Elmer Buchta, Inc. request a permit to move the house at 7827 Old Petersburgh Road. It is a red brick house with a sun room attached. They will go south on Petersburgh Road to Highway 57, take highway 57 to Oak Hill Road, Oak Hill Road to Millersburgh Road, Millersburgh Road to a lot between two farm homes before Green River Road.

This house is one of the airport houses being moved to a new location and the owner is Bill Heilman. They would like to move in September, providing they notify public utilities of the date of move.

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Mr. Zimmerman said he sees no problem with the routes requested to take and would recommend approval at this time.

Commissioner Willner moved the requests be granted, upon Mr. Zimmerman's recommendation. Commissioner Cox seconded the motion. So ordered.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Request to Accept Road in Valley View Subdivision: President Borries said he has no documents before him at this time, but he understands there has been a request to accept roads in the Valley View Subdivision, and that Mr. Easley has been contacted in regards to this and that he will be preparing a report and recommendation for the Commissioners, after he examines the roads and then the Commissioners will make a final decision after receiving that recommendation.

Commissioner Willner asked Mr. Easley if he is going to have to go out and core this and he replied that he has been informed they can supply the Commissioners with affidavits and if this is acceptable, they would not have to go through that expense. Visually, they look very very good, and he thought perhaps he would invite Mr. Bill Bethel to go out and look at it with him and get his opinion also, and some of the property owners have said they would like to be present when he walks this. He will check out all aspects of this and give a written report as soon as possible.

Deeds for Old Henderson Road Erosion Project: Mr. Easley reported that all the deeds pertaining to the right-of-way for the River Bank Protection, in regards to the Corps of Engineer's, have been recorded and returned to Mr. Jones to send back to Louisville.

#6 School Road: Mr. Easley said he has been asked to give a report concerning #6 School Road, on the curve, where the bank is slipping, for the insurance company, and he will continue to work on this.

Mr. Jones said this concerns a law suit that has been filed and is underway, in fact, the insurance company has called him about it and he directed them to Mr. Easley.

Mr. Easley said the slope stability can get rather involved and he has not been out there, however he will check the files left by Mr. David South, his predecessor, in regards to this matter, however, he would not like to comment on it any further at this time, since a law suit is involved.

Right-of-Way Along Burkhardt Road: President Borries asked Mr. Easley to contact Mr. Lee Galvin, at the Federal Highway Department, concerning some communication he had in regards to right-of-way along Burkhardt Road and one other railroad improvement project.

Mr. Easley said he will do so this week.

RE: DAVID JONES....COUNTY ATTORNEY

Law Suit - Richard Howell vs Vanderburgh County: Mr. Jones said he forwarded to the Commissioners a copy of a dismissal entry in a case called Richard Howell vs. Vanderburgh

County Sheriff's Department, that this was filed about two (2) years ago, over medical care in the jail. The county won that case and it is now over.

Class Action Suit: Mr. Jones reported he was advised by the Marshal's Service, in Washington D.C. today, that the contract and the authority to proceed with jail improvements was mailed from Washington on Friday, to the Marshal Service, who will then forward it to us in Vanderburgh County, either to the Sheriff, the Commissioners or to himself.

List of Appointments by Commissioners: Mr. Jones said soon he will be submitting to each of the Commissioners a list of new appointments that the County Commissioners have under a rash of amendments to the Indiana Statutes, that most of the prior appointments given to the Circuit Judge will now be appointed by the County Commissioners. He is in the process of compiling these appointments and forward them as soon as they are finished. It will state the list of appointments, the terms and the qualifications.

Letters from Bond Counsel's in Indiana: Mr. Jones said he has submitted copies of response letters he received from Bond Counsel in Indiana. He and Paul Wallace reviewed various listings of bond counsel in Indiana and submitted a letter to approximately six (6) law firms that are widely recognized as bond counsel and asked them to submit information to us concerning their fee arrangements and what they propose to do. We received four (4) responses and one (1) of the four (4) declined because they have not done poor relief bond issues and the others have indicated their qualifications and fee arrangements. At the Commissioners earliest convenience this should be determined....so that we can get bond counsel in place because in discussion that he has had with each of them he would estimate that from the time we could hire bond counsel that it would take 30-45 days before we would be able to issue a bond.

Excavation Ordinance: Mr. Jones said he has put in the mail, to Andy Easley, copies of the revised Excavation Ordinance/Obstruction Ordinance, asking for his comments. These are rather lengthy and involved so he would understand it taking Mr. Easley a-while to get back on it, but he did want to get his comments on it.

RE: BILL BETHEL...COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Jim Lindenschmidt reported that Mr. Bethel is on vacation, therefore he will submit the absentee report for the employees at the county garage for the period of August 15 thru 19, 1983....received and filed.

Weekly Work Report: Mr. Lindenschmidt submitted the weekly work report of the employees at the county garage for the period of August 15 thru 19, 1983...report received and filed.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of August 15 thru 19, 1983....report received and filed.

Commissioner Willner asked Mr. Guillaum if he could meet with them and Mr. Parks later this evening, at the First Avenue bridge site and he replied he is to meet with Mr. Tenneyson this evening to try to work out some problems on that project, however, his inspectors will be at the First Avenue site until 5:00 this evening.

President Borries asked Mr. Guillaum to call the Inspector and inform him they will be coming out there and he said he would go to the office and call him immediately.

RE: JIM LINDENSCHMIDT....SUPERINTENDENT OF COUNTY BUILDINGS

Report on Alexander Ambulance Service: Mr. Lindenschmidt said he was to report back this week concerning the collecting of bills owed Alexander Ambulance Service, as discussed during the Commissioners meeting of August 15, 1983. He contacted Alexander and also reviewed the contract with them and we received a copy list of all the people who owe them money and are one hundred, twenty (120) days past due. We sent out forty nine (49) letters last Thursday evening and Friday we received many phone calls. He needs to conduct further studies in the areas of payment such as medicaid, insurance claims, workman's compensation, etc., however, he wanted the Commissioners to know where he stands and he will continue to work on it and keep the Board advised.

Drainage Problem in County Jail: Mr. Lindenschmidt reported this past week there was a problem in the county jail, wherein someone stuffed a towel down the drain, and the Building Authority informed him he, as Superintendent of County Buildings, is responsible for paying this bill. To date he has no idea what it is going to cost, but he wanted the Commissioners to be aware of the situation.

Attorney Jones told Mr. Lindenschmidt to submit that bill to Mr. John Hodge, at Helfrich and ask him to put the county's ground and building carrier on notice, that this should be covered by our insurance.

Question Concerning Alexander Ambulance Service: Commissioner Cox said she would like to know if it has been determined how many bills that Alexander sent to people owing them for ambulance runs, before they list them as not being able to collect, because it was her understanding that Alexander was supposed to bill those people either two (2) or three (3) times.

Mr. Lindenschmidt said the contract reads they are to be billed three (3) times, at thirty (30) day intervals and after the third billing, which should be accompanied by a letter by a County Attorney, then they would be turned over to us to collect. In talking to some of these people, they said they never received any bills at all. The secretary at Alexander started a two (2) week vacation today, so he cannot continue on this until she returns, however, she has told us that she has it documented when the bills were sent out. We have also had several returned to us because of change of addresses, however, he will continue to work on it to get them to the correct address.

Mr. Jones said for Mr. Lindenschmidt to give him a call and he will cork with him on the matter.

RE: FINANCIAL REPORT FROM COUNTY TREASURER

Ordered received and filed was the following financial report from the County Treasurer, dated August 15, 1983.

TO: COUNTY COUNCIL
COUNTY COMMISSIONERS

Interest has been receipted as follows:

COUNTY REVENUE	$594,220.36
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	8,363.64
CONGRESSIONAL SCHOOL	211.24
TOTAL	$605,143.16

Outstanding Investments Are:

1) Certificate of Deposit, $500,000.00 dated July 6, 1983. Due December 29, 1983. Estimated income $21,380.00. Rate 8.75%.

2) Repo, $900,000.00, dated June 20, 1983. Due August 18, 1983. Estimated income $12,799.07. Various rates.

3) Investments, $3,000,000.00, dated June 29, 1983, due August 28, 1983. Estimated income $45,400.00. Rate 8.8%.

4) Repo, $900,000.00, dated July 1, 1983, due August 16, 1983. Estimated income $9,988.71. Various rates.

5) Repo, $500,000.00, dated July 8, 1983, due August 30, 1983. Estimated income $6,499.60. Various rates.

6) Investments $2,000,000.00, dated July 13, 1983, due December 28, 1983. Estimated income $88,600.00. Rate 9.50%.

7) Repo, $700,000.00, dated July 28, 1983, due August 26, 1983. Estimated income $5,075.00. Rate 9%.

Treasurer's Report Continued:

8) Investments $1,000,000.00, dated August 2, 1983, due September 9, 1983. Estimated income $9,300.00. Rate 9%.

9) Repo, $500,000.00, dated June 20, 1983, due August 23, 1983. Estimated income $7,626.51. Various rates.

TOTAL ESTIMATED INCOME.....$206,668.87

Yours truly,
Lewis F. Volpe, Treasurer
Vanderburgh County, Indiana

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RE: DISCUSSION ON SALE OF COPIES OF CODIFICATIONS OF ORDINANCES

President Borries said the County Auditor has asked him several times to determine a price to ask for the County Codification of Ordinance's books, which we have had for some time now. He has talked to some city officials and learned they sell theirs for $150.00 per set, which also includes the first revision. Mrs. McBride also wants a clarification on who gets the books, free of charge.

Commissioner Willner said he believes that decision was made last year, and the minutes should reflect that.

(The minutes of December 6,1982, says that each of the three (3) Commissioners are to have one, Mr. Jones already has one, as does Mr. Jesse Crooks and additional copies are to be given to the following).

1....Sheriff
1....Law Library,
1....County Clerk
1....County Auditor
1....Area Plan Commission
1.....Surveyor
1.....County Highway Department
1.....County Council

President Borries said we also had the Purchasing Department to make us some copies of this Code of Ordinance, however, he is not sure how many they made.

Mr. Jones said we were supposed to get the traffic ordinances photocopied and give them to the Sheriff so the road control could start ticketing under the ordinance so that we could keep those fees, and Mr. Jim Lewis was working on this before he left here.

Ms. Meeks said she is sure those were given to the Sheriff by Mr. Lewis.

President Borries asked Ms. Meeks to see the Sheriff is contacted and asked if he received those particular ordinances.

After a couple of figures rolled around it was decided the price would be set at $100.00 for the hard bound copies, which includes the first revision.

Commissioner Willner moved the County Auditor be authorized to sell the Codification of Ordinances, hard bound copies, which will include the first revisions and amendments, for the sum of $100.00. Commissioner Cox seconded the motion. So ordered.

The Area Plan Commission has a list of persons interested in purchasing a copy of this book and Mrs. McBride said she would contact that office and get the list.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Hoosierette Chapter of Sweet Adelines for a concert on November 5, 1983.....received and filed.

RE: CLAIMS

A claim was submitted for Prosecutor, Robert J. Pigman, to attend the 1983 Attorney General's Summer Conference, in the amount of $185.20.

President Borries said this is a state called conference, however, his travel account is depleted therefore this will have to go before Council.

County Auditor Alice McBride said this can be paid from unappropriated funds.

Commissioner Willner moved the claim be approved and paid from unappropriated funds. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Deig Brothers for labor and material to complete Hogue Road Structure #50, in the amount of $1,832.81. Claim signed by Robert Brenner, Surveyor. This claim is for the retainage for Deig Brothers.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VOTERS REGISTRATION

Agnes Deer	915 Varner Ave.	Part-time Clerk	$30.00 Day	Eff: 8-8-83
Debbie Leath	611-B Blackford	Part-time Clerk	$30.00 Day	Eff: 8-8-83

CIRCUIT COURT

Christopher Carl	10140 S.E. Browning	P/T Bailiff	$3.35 Hour	Eff: 8-15-83

PIGEON TOWNSHIP TRUSTEE

Jacqueline F. Adcock (End of Leave of Absence for Maternity)	1402 Oakley	Clerk	$11,000.00 Yr.	Eff: 8-20-83

LEGAL AID SOCIETY OF EVANSVILLE, INC.

James Ethridge	205 Oak Street	Staff Attorney	$11,474.00 Yr.	Eff: 8-8-83

RE: EMPLOYMENT CHANGES....RELEASES

CIRCUIT COURT

David L. Farnbauch	623 S. Harlan #6	Law Clerk	$4.00 Hour	Eff: 8-12-83
Shirley A. Roll	1709 S. Vann Ave.	Law Librarian	$10,260.00 Yr.	Eff: 8-26-83
Stephen M. Caine	1470 Audubon Dr.	Special Intern	$140.00	Eff: 8-12-83

RE: SCHEDULED MEETINGS

President Borries said he is not aware of any scheduled meetings at this time except that the County Council is continuing their budget hearings.
There is to be a Drainage Board Meeting immediately following this meeting today.

There being no further business, President Borries declared the meeting recessed at 3:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 29, 1983

The meeting of the County Commissioners was held on Monday, August 29, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: CLARIFICATION ON HUMAN RELATIONS ORDINANCE SUBMITTED LAST WEEK

President Borries said last week a copy of the Resolution to amend the language of the City/County Human Relations Commission Ordinance...as it pertains to Fair Housing Laws, was presented to the Commissioners for approval, however, Ms. LaGrone was on vacation and could not appear before this board.
There is a note from Mrs. Meeks, Commissioners secretary stating the amendment has already been approved, that it was done on July 12, 1983 and the following letter was sent to Ms. LaGrone, in regards to the matter.

July 12, 1983

Dear Ms. LaGrone:

We have reviewed the proposed amendment to the Ordinance for the City/County Human Relations Commission as to the revision of language as it pertains to Housing Discrimination and we approve of the changes made that are necessary for funding purposes.

Both County Attorney's David Jones and David Miller have also approved the proposed changes.

Sincerely
Richard J. Borries (Signed)
Robert L. Willner (Signed)
Shirley Jean Cox (Signed)

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Commissioner Willner moved the changes in the Ordinance be approved. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST TO ADVERTISE FOR BIDS ON DATA PROCESSING

Mr. Robert Fortune, Director of Data Processing Services and Mr. David Jones, County Attorney, was both present to speak in regards to the Data Processing Department and it's budget, as it pertains to the 1984 budget.

Mr. Jones said he sent to each of the Commissioners a copy of the bid specifications for computer services, that basically it is set out to be joint bid specifications between the City and County, for the lease of all computer services for the City and the County. We will have to recind and revoke the prior bids to purchase computer equipment, if you choose to follow this route and secondly, proceed to let these bids in conjunction with the city. The successful bidder would place the required hardware/software in the existing space allocated for Data Processing Computer Services, with no net changes there and supply the needs as determined for the city and county. This would be an upgraded system with greater capabilities and also the ability to have itemized billings and keep control over usage by the various departments. There is the question....how does this relate to what we already have? He believes the Commissioners are aware, in going through a meeting with Sperry, that there is a provision that we can terminate if we don't budget the monies. There was concern, from a legal standpoint, with only the one contract and we will need to give a notice to Sperry of our intentions to terminate all our contracts with them. He has personally reviewed the specifications and find them to be in order.

Mr. Fortune stated there are a few reasons why he would recommend this approach be followed, that the first is for financial reasons, that it will lower the amount for the county and the city both. Secondly, it will provide continuity of service during the life of the contract. Third, it will combine the city and the county in the future so that you will have a common base to work from and fourth, it will give the county more control of the funding of the system.

President Borries said there had been contracts approved in the beginning, through the courts system that really began to set the whole Data Processing up for the county, and from that time forward, various departments agreed to go on the system and contracts were signed, many of which locked the county into long term obligations with hardware, so to speak. He understands it is the professional opinion of Mr. Fortune that the hardware no longer fits the expanding need of the county and we have to move in a new direction and this will also enable us to be able to step aside from some very long standing contractual agreements with hardware that will be outdated.

Mr. Fortune said the hardware is already outdated.

Mr. Jones said least the Commissioners get too comfortable with this, he anticipates we will have problems with Sperry in regards to the contract that was signed last year but he would say nothing beyond that statement, but there will have to be negotiations on the latest contract.

Commissioner Willner moved that the three (3) bids received on July 18, 1983, for computer services all be rejected. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner moved the specifications for the Joint City/County computer services, be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner moved we advertise for bids for the joint computer services to be opened on September 12, 1983, at 2:30 p.m.

Mr. Fortune said the internal works board for the city has requested they get to participate with the county in the opening of the bids, so that all of them will be opened together.

Commissioner Willner amended his motion to include the city in the opening of all bids.

Commissioner Cox seconded the motion. So ordered.

RE: INTERGOVERNMENTAL AGREEMENT CONCERNING CITY/COUNTY DOG POUND

County Attorney David Jones presented the Commissioners with copies of a proposed intergovernmental agreement between the county and the city, which the city is presently waiting on. Basically what this does is to clean up this hiatus with the joint operation of the dog pound, where the county has two (2) employees and a truck and those employees are paid by us, that they are under our contract, and the city matches their employees, so we have two (2) groups of employees trying to work for the same operation. What this agreement says is that we will transfer and equal amount of employees salary, benefits, etc. to the city at the beginning of the year an they will then pick up all the dog pound employees. Really all it does is shift the employees from the county to the city and we continue to pay for them, and this change would certainly cut down on the complications we have encountered in the past.

Commissioner Willner moved the Intergovernmental Agreement be approved. Commissioner Cox seconded the motion which carried with three (3) affirmative votes.

The Agreement was signed and returned to Mr. Jones, who will see the Auditor's office receives a copy of it.

RE: COOPERATIVE AGREEMENT FOR FEDERAL PARTICIPATION IN FUNDING JAIL EXPANSION

County Attorney David Jones said he has in his posession the long awaited cooperative agreement with the United States Marshal Service. It has been signed by the Sheriff and he has personally reviewed it himself and approves of it, that basically it is a contract whereby the county agrees, in exchange for the $250,000.00, that we will provide beds for up to twenty (20) federal prisoners, upon the request of the U.S. Federal Marshal's Service, in the Vanderburgh County jail, for a period of up to ten (10) years commencing on the date of completion of the project, which is listed on the exhibit.

Secondly, as part of this same project he has an Intergovernmental Agreement between the Building Authority and the County, which he calls "The Construction Agreement". This has been negotiated for a long time now and approved by the Attorney, the Architect and by the general manager of the Building Authority. He anticipates submitting this same agreement to the Building Authority's board this Wednesday and after it receives County Council approval.....we are ready to start on it, that is the actual preparation

of specifications and bids and the Building Authority will proceed to let the contract. The agreement, in a nut shell, says the county guarantees payment and holds the Building Authority harmless of all costs of any kind except for the cost of the architect, that the Building Authority is paying the complete cost of the architect and all that entails. The Building Authority, however, will let all the bids for all phases of work to be done, because they all felt it would be much easier to coordinate this thing because basically there is only one (1) payment flow. The agreement states that upon execution of the agreement and receipt of confirmation in writing that the Building Authority let the bid and start construction. The architect is designated as the project manager, that he will verify all the work done at the end of each month. At the beginning of the month the vendors will submit their claims to the Building Authority and the architect will forward copies to the Commissioners and we will then have to prepare, on U.S. Marshal forms, a voucher claim and that will probably be done by someone in the Sheriff's Department, in connection with the County Auditor. It will then take about fifteen (15) days to get the check back to the county, where it will be deposited into a separate fund and the claims from the contractors/vendors, will be written from this fund. We have a forty five (45) day delay period for the vendors, which is fifteen (15) days to process the claims and thirty (30) days for payments. We are required by law to hold a retainage, which is a ten (10) percent of the amount of each payment, so there could be some interest on the retainage, which would be about $200.00.

Commissioner Willner moved the Cooperative Agreement be approved. Commissioner Cox seconded the motion, which carried with three (3) affirmative votes.

Commissioner Willner moved the Construction Agreement with the Building Authority be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Both of the Agreements were referred back to Mr. Jones who stated he would see the County Auditor receives copies of both of them, after they are fully approved.

RE: REQUEST TO ADVERTISE FOR BIDS FOR CONCRETE DECK AT BURDETTE POOL

The following "Notice to Bidders" was submitted to the Commissioners for approval for advertisement.

> The Board of County Commissioners, Vanderburgh County, Indiana will receive sealed bids at the office of the Auditor, Room 208, Civic Center, Evansville, Indiana, for concrete deck replacement at Burdette Park swimming pool, no later than 2:30 p.m., on Monday, September 12, 1983.
>
> Contract documents and specifications may be obtained at the office of the County Surveyors and Engineers, Room 318, Civic Center, Evansville, Indiana.
>
> For further information, contact Charles Davis at 426-5210.

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Mr. David Guillaum, Chief Deputy Surveyor was present and stated the Surveyor's office agreed to take on this assignment, therefore he would like to submit some plans prepared for this project. He pointed out the location of the pool and the areas to be removed and replaced. He stated as far as the advertising for bids, that will be left up to the County Auditor's office. He said there is a cover sheet with the plans submitted here today and he would ask that the Commissioners go ahead and sign it.

After the three (3) Commissioners viewed the plans, there was some discrepancies as to the exact location of the pool where the deck work was to be done, therefore a stipulation was inserted in the motion of approval.

Commissioner Cox moved the Notice to Bidders be approved for advertisement and the plans submitted be approved for the replacement of the deck at Burdette Park pool, with the stipulation that a vicinity location chart, showing the exact location of the replacement, be submitted. Commissioner Willner seconded the motion. So ordered.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of August 22 thru 26, 1983. Report received and filed.

Mr. Guillaum reported the Bridge Department received some pipes, donated by Ryan Construction, that they were going to get rid of them and we could use them, therefore they gave them to us, free of charge.

First Avenue Bridge: Mr. Guillaum reported they made the pour on the First Avenue Bridge, this past Saturday, on the deck and the next item will be the approach slabs.

Railroad Overpasses: Commissioner Willner asked if the reports are ready yet, in regards to the overpasses.

Mr. Guillaum said they are continuing to work on it, that Charlie tried to have it for today.

Commissioner Willner asked if this could be brought before the Board before the meeting recessed today, that he really has a problem with this and it has been several weeks now since we received tentative approval from the railroad and he does not want to lose that, so we need to move swiftly.

Mr. Guillaum said he would go immediately to the office and check with Charlie and if the specifications, etc. are completed he will present them later today.

RE: COUNTY ATTORNEY.....DAVID MILLER

Mr. Miller reported that late last week the County Treasurer brought to his attention a matter concerning Farm Services and Supply, Inc., which apparently has it's headquarters in Southern Illinois and now basis,or did previously base some of their trucks here in Vanderburgh County, under a P.O. Box number and they are indebted to Vanderburgh County in the amount of approximately $40,000.00, for taxes for the years 1974, 1975, 1976, 1978, 1979 and 1981. In 1981 the taxes were $24,000.00 and there is interest and penalty in the amount of $3,900.00 plus other accumulating fees. A suit apparently has been filed in Vanderburgh Superior Court, Small Claims Division, by an attorney, on behalf of Farm Services, by seeking to set aside the tax judgements. At the same time, the County Treasurer has been frustrated in his attempts to make collection of these taxes by various tatics which were engaged in by this company, one of which was removing all of its trucks from the geographic limits of this county within one (1) hour of the time when the Sheriff was sending someone out to attach the trucks. He proposes to do a couple of things, first he would like permission from the Commissioners to defend the county in this suit and secondly he would like to proceed to obtain Illinois counsel to assist us in the collection of this rather substantial amount of money.

Commissioner Willner moved the matter be referred to David Miller and he be authorized to defend the County in this suit.

Mr. Miller said concerning the rate of pay for Illinois counsel, that he will advise them of the current hourly rate under our contract with the county and that his hourly rate would not exceed our hourly rate.

Commissioner Willner moved we hire Illinois counsel to assist Mr. Miller in this law suit and the collecting of this money...with the hourly rate being as Mr. Miller recommended and that the Commissioners keep informed of the amount of monies being spent. Commissioner Cox seconded the motion. So ordered.

Service Agreement Between Carrier Building & Services and Vanderburgh County: Mr. Miller said he assumes the Commissioners have looked into this agreement, that he, after reviewing it, pointed out to Mr. Harvey French that there is one minor problem, and that is with the scheduling of the contract renewal, that paragraph I of the agreement provides that either party must give notice thirty (30) days before the end of a contract year, if that party wishes to terminate the agreement and if that notice isn't given the agreement automatically is renewed. The second paragraph says that there is going to be an annual price adjustment, which we will have to assume will be an upward adjustment and there is no provision in that paragraph that the company is required to notify the county of the revision in the price. He would recommend to the Commissioners that the contract be approved subject to the agreement of the company giving the county sixty (60) days notice prior to the end of the contract year of any adjustment in price, so that the county will also have thirty days to determine if they want to renew the contract.

Commissioner Willner moved the contract be approved, subject to the county receiving a sixty (60) day notice of adjustment of price, prior to the contracts termination. Commissioner Cox seconded the motion. So ordered.

President Borries said this contract deals specifically with the chiller and air conditioning unit at the Vanderburgh County Auditorium, that we have talked to several representatives and at this time we feel the Carrier agreement is one that will suit the county's needs and it also takes into account repairs that have already taken place to the chiller.

Commissioner Willner said this is a $50,000.00 per year contract.

President Borries said the County Council has approved the money from the Cumulative Capital Improvement fund, when that particular fund was depleted, last month, by action of the County Council.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of August 22 thru 26, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of August 22 thru 26, 1983...received and filed.

Mr. Bethel gave a brief rundown of where the crews worked this past week, as indicated on his work report. He reported they are paving every day.

Commissioner Willner said there was a question brought up during the budget hearing last week, that some of the Councilmembers questioned Mr. Bethel transferring some funds within the Highway budget. Some of the councilmembers thought he was transferring some of the $300,000.00 that they recently allowed for paving county roads, however, Mr. Bethel has written a letter to each councilman informing them that this is funds within his regular budget that he is transferring around because of the $300,000.00 they allowed him, that he needs to put money in his gasoline account to work those extra miles.

Mr. Bethel said he does not have a copy of that letter with him, however, each of the Councilmembers will receive a copy with a full explanation of the transfer.

RE: ANDY EASLEY.....COUNTY HIGHWAY ENGINEER

Mr. Easley received a check in the amount of $3,015.77, with the following letter, from the State, dated August 26, 1983.

Re: RRP 9982(2), Peerless Road and L&N RR

Dear Mr. Easley:

Enclosed is State of Indiana Voucher 5917849, in the amount of $3,015.77 which represents the 10% reimbursement of local monies used to up-grade the Peerless Road/ L&N grade crossing in Vanderburgh County, Indiana.

I hope we can do business again real soon.

Sincerely,
Sharon Polk
Assistant Director
TRANSPORTATION DEPARTMENT

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Commissioner Willner moved the check be signed and referred to the County Auditor. Commissioner Cox seconded the motion. So ordered.

Mrs. MsBride said she will see where the money was originally spent from and put this check into the proper account.

Railroad Switches on Lynch Road: Mr. Easley reported that he contacted Mr. Lee Galvin, of the Federal Highway Department, concerning the switches on Lynch Road and there are three (3) options that the L&N (Seabord) have given us. He has not had time to thoroughly study these option and Mr. Galvin also wants to study them. He believes there is a fourth option that could also be studied. We are working on this and will continue to do so.

Right-of-Way Along Burkhardt Road: Mr. Easley reported that perhaps we should go ahead and purchase right-of-way along Burkhardt Road, however, this is new to him, so who should do this buying.

Commissioner Willner said this is a federal project, so we will have to appoint a buyer.

Mr. Easley said we will have to get the legal descriptions of the parcels we need to purchase and he is wondering if the county ever entered into an agreement with Morley to write the legals, or not.

President Borries said he is not sure.

Mr. Easley said he will get this underway this coming week, review it and get back to the Commissioners as soon as possible, because this should be completed by mid-December.

Request to Approve Street Plans for Summit Place Subdivision: Mr. Easley submitted the street plans for Summit Place Subdivision, as prepared by Sam Biggerstaff. This is on Burkhardt Road, between Lincoln Avenue and Division Street. This is not for drainage approval nor acceptance of streets, only the approval of the street plans and he would recommend approval.

Commissioner Willner moved the street plans be approved. Commissioner Cox seconded the motion. So ordered.

Request to Accept Road in Valley View Subdivision: Mr. Easley said he has not yet been able to set up a meeting concerning the acceptance of Valley View, however, he will continue to work on it and report back as early as possible.

RE: REQUEST TO TRAVEL.....CLERK OF THE CIRCUIT COURT

Commissioner Borries read aloud the following letter, dated August 11, 1983 and directed to The Board of County Commissioners.

Please find attached a copy of the letter from the State Election Board announcing a called meeting for all Clerks of the State of Indiana to be held in Merrillville on September 21 and 22, 1983.

I respectively request your permission and approval for my attendance at said meeting.

Helen L. Kuebler, Clerk
of Circuit and Superior Courts

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Commissioner Cox moved the request be granted. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL....COUNTY AUDITOR

Commissioner Borries read aloud the following letter, dated August 29, 1983 and directed to the Board of County Commissioners.

I respectively request your permission for myself and Peggy Powless, my First Deputy, to attend the County Auditor's Conference to be held on Wednesday and Thursday, September 21 and 22, 1983, at the Holiday Inn, Interstate 65 and State Highway 46, Columbus, Indiana.

The meeting will start promptly at 9:00 a.m. EST, on Wednesday and at 9:30 a.m. EST, on Thursday.

This request is in compliance with IC 5-11-14-1 and your prompt consideration is greatly appreciated.

Sincerely,
Alice McBride, Auditor
Vanderburgh County, Indiana

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM LAW FIRM OF FRANK & THOMAS ON BEHALF OF MAACO AUTO PAINTING

President Borries said the Commissioners received a letter from Frank & Thomas law firm, representing Maaco Auto Painting and Body Works, located at 1723 First Avenue, Evansville, Indiana, who leases the premises from U.S. Sheet Metal and Roofing, which premises are located approximately 400' south of Pigeon Creek on the east side of First Avenue. The letter states their client's business has been injured by the construction of the First Avenue Bridge and the installation of the sewer down the center of First Avenue. It is their contention that the construction constitutes the taking of their client's property which affects the value of his leasehold interest and further that the manner in which the construction has been performed has also caused damage to his business, particularly when the extent of the damage could have been reduced. This letter constitutes their client's demand to be made whole by Vanderburgh County, for the damage done to his business operation as a result of the construction of the First Avenue bridge and the laying of the storm sewer. At the Commissioners request they will be happy to provide figures concerning the losses.

Commissioner Willner moved this matter be referred to David Miller for further correspondance with Frank & Thomas. Commissioner Cox seconded the motion. So ordered.

President Borries said he understands this letter was directed to the Commissioners because we have jurisdiction on 500' either side of the bridge construction.

Commissioner Cox said she assumes Mr. Miller will inform them that the Corps of Engineer's is the one's that are causing some problems.

Mr. Miller said he will draft a letter to Frank & Thomas, a copy of which he will forward to the Commissioners.

RE: NOTICE OF STATE SURPLUS SALE

President Borries said the Commissioner's received a notice of a state surplus sale with bid openings to be held on September 6, 1983, 2:00 p.m. Legal Time. Attached to the notice is a list of the automobiles, containing the condition of the vehicles. This surplus state property of the Department of Highways is located in Plymouth, Indiana and the property may be inspected on Thursday, September 1, 1983 from 9:00 a.m. until 3:00 p.m.

Notice recieved and filed.

RE: CERTIFICATE OF INSURANCE

Recieved and filed was a certificate of insurance for The Coterie of Evansville, Inc. for a dance at the Civic Center Gold Room on 9-3-83.

CLAIMS

A claim was submitted for Helfrich Insurance Agency for adding a 1983 Chevy Impala for Superior Court, in the amount of $321.00.

Commissioner Cox asked if this is the vehicle that Judge Lensing went in with the Sheriff on, that they wanted it for Juvenile Court.

Mrs. McBride said she is not certain about it, however she will be happy to check it out tomorrow.

Commissioner Cox said just so we authorized the pruchase of a new vehicle. She seconded the motion. So ordered.

RE: HOLIDAY CLOSING

President Borries said the county offices will be closed on September 5, 1983, for Labor Day and the next meeting of the County Commissioners will be on September 6th, at 2:30 p.m.

RE: SCHEDULED MEETINGS

President Borries said the County Council will continue the budget hearings on Tuesday, September 6th. at 5:00 p.m.

Also he understands there is to be a meeting with Alexander Ambulance Service today at 4:00 p.m.

There being no further business, President Borries declared the meeting recessed at 3:50 p.m.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller
SECRETARY	Janice Decker		

Richard J. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 6, 1983

The meeting of the County Commissioners was held on Tuesday, September 6, 1983, at 2:30 p.m., in the Commissioners Hearing Room with President Borries presiding.

This being the first meeting of the month it was officially opended by Sheriff Shepard.

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

RE: POOR RELIEF....KNIGHT TOWNSHIP TRUSTEE

Applicant: Mary E. Vincent, 5301 Carriage Drive, Evansville, Indiana Apt. 214
Case Worker: Mr. Ron Saulman, Knight Township Trustee

Ms. Vincent was present and stated she requested help with her hospital and doctor bill. She retired when she was sixty two (62) years of age, was sick and could not continue to work, but she did not go on social security disability at that time, because she thought she could live on straight social security, and she was doing okay until she had to go into the hospital with diabetes and could no longer work, therefore she could not pay her medical bills and hospital bills. She draws $392.00 per month social security and has to buy about $80.00 worth of medicine out of that each month, plus her rent, utilities, groceries, etc.

Commissioner Willner asked Ms. Vincent if she qualifies for Welfare and she replied no, that she checked into receiving help there and was informed her income was too high. She said if she could reverse things and go on disability she would do so, but she does not know how to go about doing that.

President Borries asked Ms. Vincent if she talked to the social security office about going on disability and she said yes, she was informed to try every other source first and then go back to them as a last resort.

President Borries said he has recently been working on a case for an eighty (80) year old lady, whom he is the administrator for and he contacted through Congressman Mc Closkey's office, some caseworkers who work with social security and it seems to him that if Ms. Vincent is a diabetic, she would qualify for disability, in certain respects.

Commissioner Cox asked Ms. Vincent her age and she replied sixty three (63). Mrs. Cox said she too believes Ms. Vincent would qualify for disability.

County Attorney David Jones asked Ms. Vincent how long she was disabled....continuously, and she replied ever since she retired. Mr. Jones said the requirements for social security disability is that a person must be continuously disabled for a twelve (12) month period.

Ms. Vincent said she has been under a doctor's care ever since she retired and Mr. Jones said is it then you doctor's opinion that you are disabled, that if the doctor's opinion is that you are disabled for a twelve (12) month period, even though it is past, then he would think she would qualify. A person gets paid for the period they are disabled and once they are well again then the payments stop, unless it is determined a person is permanently disabled, and that would cause a person to be reclassified into a medicaid statis of some type.

Commissioner Willner asked the amount of the hospital bill and Ms. Vincent replied $1,579.00. He asked her if she qualifies for Medicare/Medicaid and she replied not until age sixty five (65).

Commissioner Cox said however if she was declared disabled, then she would qualify for Medicare/Medicaid at her present age.

Mr. Jones said if the doctor's opinion is that she was disabled for a twelve (12) month period, then she could still qualify to have this hospital bill paid.

President Borries said he would like for Ms. Vincent to again contact the social security people and he will also give her the number of Congressman McCloskey's field office, that there is a short form she can fill out that authorizes them to investigate this case.

Commissioner Willner asked Ms. Vincent if the hospital will take monthly payments and she replied yes, that she recently paid them $20.00 and she told them she will continue to pay as much as she could, when she could.

Commissioner Willner asked Ms. Vincent if she is aware of the fact she is over incomed for assistance from the Knight Township Trustee's office and she replied yes, that she went there and was treated very very nice and it was explained to her she made too much money to receive help and she understands that.

Mr. Saulman said Ms. Vincent came to his office for help and they explained to her she was over incomed according to their standards, that the limit is $250.00 for one (1) person. However, Ms. Vincent brought in one (1) of her prescriptions with her and even-though she was over incomed they did have it filled for her. Ms. Vincent was an extremely nice lady at the office and he understands her plight, however, he has standards that he must follow.

RE: HUMAN RELATIONS DEPARTMENT....ORDINANCE TO AMEND MUNICIPAL CODE

President Borries said there have been some misunderstandings about the ordinance to be amended and approved by the County Commissioners and Ms. Jacqueline LaGrone is present today to explain it to the Board.

Ms. LaGrone stated the amendment she is requesting be made does not change any of the jurisdictions of the Human Relations Commission, that it merely expands the language as it pertains to housing and it was suggested to them by the HUD officials, so that we can continue to receive HUD funds. Human Relations' attorney drafted the amended ordinance so that it would be more specific in regards to housing discrimination. This has already been passed by City Council and the Mayor has signed the document, and there are proper spaces for the signature of the President of the County Commissioners, the County Auditor and also areas for the County Council.

Commissioner Willner moved the Ordinance to amend the Municipal Code be approved. Commissioner Cox seconded the motion. So ordered.

RE: STANLEY TARASKA - DRAINAGE PROBLEM IN LANT MANOR

Mr. Stanley Taraska was present and stated he understands the Commissioners have received a letter from Mr. Dan Gardner, who is his neighbor and is also present today, that they share the same problems in respect to the drainage in Lant Manor. He said when Lant Manor was first developed by Mr. Bussing he had an open drainage system which Mr. Bussing said the Drainage Board approved as being adequate. However, in the two (2) years it has been operational it has ceased to be adequate and is not draining well. The main reason for this is that there is excess drainage going into the system from the city of Evansville by means of a 21' pipe coming off of Lincoln Avenue. They have talked to the developer and his opinion is that since the Drainage Board approved the original system as being adequate he feels his responsibility has been met, and if the system is not adequate then they should talk to the Drainage Board (Commissioners) themselves. However that presents a problem because they are not on the official legal drain system, but they would request the county take a look at it to see if some improvements could be made to it. Lant Manor is located north of Lincoln Avenue and west of Burkhardt Avenue.

President Borries said he believes this is inside the city of Evansville and Mr. Taraska said no, it definitely is in the county.

Commissioner Willner asked if this is on private property and Mr. Taraska replied it technically is private property because they own the home, however it is on a utility easement.

David Jones said if this drainage is coming through a utility easement then you need to talk to the utility company.

Mr. Taraska said the development is set up as such that there is an area between each lot for utilities and that is so contour to act as an open drainage system and that contour has been upset with the excess drainage coming through the Lincoln woods and other subdivision, however, any utility has access to that area.

Commissioner Cox asked how long Mr. Taraska has lived out there and how long has this problem been going on and he replied he has been living there for two (2) years and yes the problem was there when they moved in but it has taken them this long to find out where the problem came from.

Commissioner Cox said she went out and looked at this area and also the Williamsburg on the Lake, who also had a drainage problem and they had an engineer to go back in and do some redesigns to their storm drainage which really improved the situation.

Mr. Taraska said he mentioned this to Mr. Bussing, because the same developer did both that and Lant Manor but he was told that was because they had to meet FHA standards, which doesn't seem to be the case here.

President Borries said according to our attorney, if this is not a legal drain, then the county may not have the authority to go in there and do anything at this point.

David Guillaum said he office, quite a while back, looked at this same place, along with other areas in the same vicinity, however with this not being a legal drain or a portion of a legal drain, there is really nothing we could do.

David Jones said there is another problem wherein it sounds like the problem is coming from a utility easement therefore the property owners are going to have to go to those utility companies and that is another reason why the county could not go in there, because they have control of the property by virtue of the easement.

Mr. Andy Easley said did not Morley design the drainage out there and perhaps he could meet with Mr. Morley and the developer and review the problem and report back.

All the Commissioners agreed with Mr. Easley and said they would be awaiting his report.

Mr. Taraska submitted a petition from property owners in Lant Manor, which he would like to be kept on file, in relation to the matter of being hooked up to the Crawford-Brandies system.

President Borries accepted the petition and stated it would be property filed in the Commissioners office with the Drainage data.

RE: JOE O'DANIEL...TASK FORCE REPORT ON VANDERBURGH AUDITORIUM

Mr. Joe O'Daniel said a task force committee was formed and he was asked to serve as Chairman, for the purpose of studying the physical plant and determine what the problems were, the causes of these problems and bring back some recommendations to the Commissioners, with some possible costs of correcting them. They were also asked to make a study of the administration of the facility and make some suggestions and recommendations for improvements of the administration of the building. That study should include the policies and procedures of the Auditorium and a system of monitoring those policies and procedures, and also consider the various ideas and suggestions that have been made by individuals and groups on the subject of expansion of this facility. Because of the pressing of time for budgeting purposes they have concentrated thus far on the study of the physical plant and the recommendations for correcting some of those problems and once this is completed and acted upon then they will continue with the second and third phases. He said he has presented President Borries with a copy of the recommendations which were approved unanimously by the committee at a meeting of which both Mr. Borries and Ms. Kathy Mann attended. At this time he will briefly go over those recommendations, which are listed by items and the cost and ranked them in order of what they considered their importance to be, which are as follows.

1. Roof. Mr. O'Daniel said they think the roof to be number one, eventhough it is the smallest, costwise, on the list. They asked Industrial Contractors, who replaced that roof five (5) or six (6) years ago, if they would mind going over and examining it and giving us a report on it's condition and what may now be needed. They told us the items were nominal, but the flashing has pulled away in certain areas which is normal for this hot weather and that should be glued back to the walls and the total cost for this would be only $600.00, and it should be done immediately.

After this work is done there should be annual maintenance and if this is done, the roof could last another ten (10) years, but if it isn't property maintained it could last only another three (3) or four (4) years.

2. The Lighting. Mr. O'Daniel said the lighting is a major problem, that the budget has prohibited them from replacing the important key light bulbs, that some of those cost $185.00 each and several of them are out. There are a hundred or more bulbs burned out, of various other sizes and costs, and they estimate just to replace the bulbs that are now burned out to be $5,000.00 and they should have an inventory of bulbs at the Auditorium that probably would cost $1,000.00, so we are talking about $6,000.00.

3. Curtains. The Auditorium is approximately twenty (20) years old and the curtains have never been cleaned and none of them have ever been replaced, only repaired. The thin curtains that hang as back drops for various purposes are literally coming apart. There are two (2) hampers of those curtains over there that are all apart and cannot be rehung. Some of them hanging over there are are simply pulling apart because of the rotten condition, which has been caused mostly by age, however, humidity from the air conditioning blowing over the stage has enhanced the problem, but they must have that air conditioning. Because of the malfunctioning of the air conditioning system at the Auditorium perhaps there has been more humidity than they normally would have. The large curtain that goes across the stage, in the front, has never ever been cleaned and it should have been cleaned every five (5) or six (6) years, which would extend the life of it one third or maybe even double it's life. This curtain is also rotten and should be replaced, that a leaky roof has caused the top of this curtain to get wet, which along with the humidity, not cleaning it and the air conditioning has enhanced the problem, and it had to be taken down and hung upside down to get the heavy weight off of the top of it. It would cost a substantial amount of money to have it cleaned and it would stretch the use of it a couple of year, but that would be a waste of money, that their recommendation is that it be replaced, and soon, because it would be a disaster for an event to be going on over there and those curtain fall down. They received an estimate by phone to have this curtain replaced, which is in the amount of $65,000.00, and this was received from the people that hung all those curtains originally and they still had all the measurements.

4. Rigging. This consists of all the ropes and overhead pulleys and there is no indication whatsoever that there are any problems with these things but they have never been inspected since they were installed and they recommend this be done, that it would be money well spent and would run approximately $1,800.00, and then if there were any items that would have to be replaced there would be additional charges for that.

5. Carpets. In walking through the lobbys you will find many little holes about the size of a quarter where the burns have been replaced, that little plugs were cut out and new ones put back in and the glue did not hold and they have come out in many places. The carpeting in all of the high traffic areas need to be replaced and this will require about 1,400 square yards and will cost about $15,000.00 and they would recommend this be done as soon as is practical for the county, to maintain the proper image of the facility.

6. Paper and Painting. The entire facility needs a freshening up with paint and cleaning from top to bottom and in regards to the painting in the past, some of your own maintenance people have tried to do it but perhaps with the condition it is now in it would be wise to have a contractor do the work and once this is done the maintenance staff could then keep it up in the future. The wallpaper in the public areas should be cleaned and repaired or better yet replaced and the cost to have both the paper and painting work done is estimated to range between $12,000.00 and $15,000.00.

7. Sound Equipment. He understands what is over there is the original sound equipment eventhough there have been some boards added throughout the years. They have been advised by Ohio Valley Sound that they believe most of the accoustics problems can be corrected with an adquate sound system, that the present system is obsolete and should be replaced and the cost of such a system would cost anywhere from $25,000.00 to $30,000.00. They will be conducting further studies on the accoustics and get additional professional advise on the subject and when they complete this study they will present it to the Commissioners.

8. Parking Lot. He said the parking lot at the Auditorium has never been sealed and he understands it to be about sixteen (16) or more years old and that is generally considered about the life span of asphalt/concrete which is used on parking lots.

The surface would have lasted much longer had it have been sealed and we are about on the verge of losing it if it is not sealed very soon. They would seal the cracks and then put a total sealer on the entire lot and the cost of this would run about $5,000.00 and you could probably get another five (5) years out of it. If this is let gone, then you are going to lose it and then you will have to start from scratch and that would run some big bucks. If you were to put about a one inch coating on it now, which would cost about $15,000.00 then that would probably double the life of it.

9. Restrooms. He said the only handicapped restrooms are in the Green Room on the Walnut Street side of the building, which means that anyone else using the restrooms must go upstairs. They would recommend that two (2) of these restrooms be built on the main floor, at a cost of about $8,000.00 each, however, perhaps one should be built now and one later on as funds permit.

10. Terrazzo Floor. Basically the terazzo floor is in good condition except in some of the seams we are beginning to get the appearance of some cracking within about one half inch of the seams and the cost for repairing this would be about $2,000.00.

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Mr. O'Daniel said the total amounts presented today is $154,400.00 and they rounded this figure off, because of unforeseen matters to $160,000.00, which they feel will put the Auditorium in mint condition.

Commissioner Cox thanked Mr. O'Daniel for his time and efforts in preparing this for the Commissioners and appreciated his expertise and recommendations in the matter.

President Borries also thanked Mr. O'Daniel for his work and said the Commissioners will certainly support these recommendations.

Mr. O'Daniel said he over looked the stage floor and he would like to say a few words about it, that originally it was thought the floor was rotten, but after studying it they could find no place where it was rottening out. The floor is rough in some places which is caused by the moving of heavy equipment over it, which is going to happen every place and is normal, however, the floor should be sanded and refinished and the cost for doing this is approximately $9,000.00. This should have been done after about ten (10) years, on the basis of how much the building is used.

RE: COUNTY ATTORNEY....DAVID JONES

Class Action Suit in Regards to Reassessment: Mr. Jones said in regards to a class action suit filed by residents in Knight and German Townships, that a letter had been prepared to send to the Governor and Attorney General, asking that the state assume the defense of that case because it did not appear to us that the county and state had any conflict of interest, that the county was simply carrying out the orders of the state tax board with respect to the reassessment and that it would not seem necessary to have the state and the county both absorb legal defense costs because it is going to be expensive, however we have received a letter denying that request.

The following letter was received from the Attorney General to be made a matter of record.

August 25, 1983

Re: H.J. Lubbehusen, et al. v. State of Indiana, et al.
United States District Court, Southern District of
Indiana, Cause No. EV 83-146C.

Dear Commissioners:

Thank you for your August 9, 1983 letter in regard to the above litigation. Certainly there is a great deal of common interest between the state and local parties herein. Your concern over the fiscal impact of this defense on Vanderburgh County is noteworthy, and if possible we would all desire to avoid unnecessary duplication of expenditures.

Unfortunately your request was not received by this office until August 22, 1983. (I note it was somehow not mailed until August 18, 1983, and was incorrectly addressed to Mr. Edwin Simcox, who is the Secretary of State, not the Attorney General.) This is

Letter Continues:

significant since a hearing is scheduled in federal district court for next Wednesday, August 31, 1983. The timing of your request would not permit this office to adequately assume the representation of your interest in this matter.

More importantly, however, due to the potentially divergent interests of the state and local co-defendants in this instance it will not be possible to agree with your request to represent all of the defendants. The State Board of Tax Commissioners has indicated its agreement with this assessment of the situation as well, and requests that this office continue to represent it alone. This should avoid the subsequent possibility that this office could become unable to represent any of the co-defendants if their interests in the case did eventually conflict.

To the maximum extent possible, it is anticipated that this defense will be maintained as a mutual and coordinated effort. I hope that this response will not adversely reflect upon our mutual defense of this litigation.

Yours truly,
Harry John Watson III
Chief Counsel for
Linley E. Pearman, Attorney
General of Indiana

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Letter received and filed.

Discussion Concerning Bidding Procedures for Data Processing: Mr. Jones said there have been some remarks made and he does not know to whom to attribute them, that he has seen them in print twice now and to the extent they cast any reflection on the integrity of the countys bidding process, he takes rather strinuous exception. The allegation was made that the bid that was let for the county's data processing lease services was somehow rigged, or at least the implication was there, in that there is some kind of private "sweetheart deal" that the successful bidder has been pre-ordained and will hire Mr. Bob Fortune. He takes very strong exception to the extent that he, himself, was involved in the preparation of that process and he believes Mr. Fortune, who is present today, should address himself to this.

President Borries said the Commissioners have met several times with Mr. Fortune and his department was created for the county's need for computer services and not through any ordinances. There were agreements made with the courts regarding computer services so that the courts could function more effectively. As the Commissioners became involved we were advised by Mr. Fortune that there were problems with adding additional capabilities due to this growing demand for the county. To compound the situation, while the so-called "good faith" phrase has often been tossed around, they met with Sperry/Univac representatives, who handles the county's hardware at this point, we see serious difficulties in regards to expanding the service necessary because of the kind of hardware Sperry offers. It has never been the understanding on his part that there has been any kind of demand or agreement that Mr. Fortune was to be terminated or hired if another group should come in and take this service.

Mr. Fortune said he will have to take responsibility for the scenario that has developed, that in a somewhat naive statement he said it is a matter of fact and course, as general policy, that a number of times companies will come in and do this kind of thing and end up hiring existing people and this statement has been distorted in the past couple of weeks. He does not anticipate being hired and he would not go to work for any of the bidders.

President Borries said in regards to the saving of monies, do you Mr. Fortune see they could save money if they are not locked into a long term hardware contract, that might, in effect, reduce the affectiveness of those services at sometime in the future.

Mr. Fortune said this is correct, that the county is still in a dynamic period eventhough you have the majority of applications there are others that will be coming on and by jointly participating with the city the county is going to be able to reduce the cost dramatically. The hardware is changing very very fast. Also, as the economy picks up he sees it getting harder and harder for the county to hire the kinds of people it needs to support the operations, with the amount of wages they should be paid.

Mr. Jones said then for the record, Mr. Fortune, is it true it is not a condition of the bid that you or anyone else in the county be hired by the successful bidder.

Mr. Fortune said certainly not and it never has been.

Mr. Jones asked Mr. Fortune if he knows the source of the remark and replied no, that he should take blame for perhaps being a little too candid in saying he has seen scenarios like that develop in the past.

Mr. Jones said he would take it that statement was misconstrued, but if the matter pursues any further he would very much like to see the person who will continue the subject because he thinks if it is continued any further it is wreckless and malicious and it would require proof and he intends to see that is done to the extent that he is involved, because he believes if it proceeds any further it is slanderous.

Mr.Nathan Lieberman, President of Evansville Data Processing was present and stated it is very inheartening to find out we intend to save enough money through Data Processing to pay for the renovations of the Auditorium and if we can do that in one and a half years that is just excellent. Since you state you were right in on the bidding process he is wondering how, in the Commissioners minutes of August 29th, to advertise for the services when the fact is, it had already been advertised. He does not quite understand the process by which the county then gets into its bidding process to do the advertising and then have the Commissioners approval to do so, however, there are a lot of things about the county he does not understand. He would say that his company, Evansville Data Processing, is probably the most likely bidder for the services the county is looking for, that they have been at it for twenty (20) years and they serve industry not only in Evansville, but all over the country. He does not want the county to be misled into thinking there will be a $100,000.00 savings per year by asking an independent contractor to come in, buy the equipment, put into a room at the Civic Center, hire the Manager and the employees, then add on their profits and also allow the county and city to save $100,000.00.....no, it just does not make sense. Either the department is not efficiently run and therefore unable to save itself the $100,000.00 per year, or you are expecting us to take on, make a bid, do the work and give you not only all our profit, but take a negative profit so that you can save $100,000.00 a year. It really bothers him to be a citizen of this county and find the ploy that said lets don't fund the computer for which we have another year and a half to go and therefore not keep Sperry's contract...and that is just about what this amounts to. He understands last year the county bought what we call peripherals, many of which could be used with the new computer system, that they have worked with many, many companies, therefore he knows you can buy peripherals from one company and use it on equipment from another company. It bothers him that it states in the Commissioners minutes, and it looks like a ploy to him, that all you have to do is not fund the Sperry system and then you can tell Sperry to go to hell. Any system must let you change your hardware, that Sperry would gladly rewrite their contract to let you upgrade their equipment. He simply does not see any reason for talking about going to an outside service center when we in industry and people that we sell to in industry always get stuck with long term contracts. It bothers him that the county is trying to get out of a contract that was entered into in good faith, because if it wasn't and he should bid now to put all this equipment in down here and he spends over $500,000.00 and has a $100,000.00 per year staff and then in six months you could say you are no longer going to fund him, why would he or anyone else want the bid.

Mr. Jones said to get everyone roles straight here, are you not currently a city vendor of computer services and Mr. Lieberman replied yes he is. Mr. Jones said then you have an interest in this thing and Mr. Lieberman replied yes they have an interest, that their contract specifically says that if the city advertises for computer hardware to replace all of the city computers, that they can cancel our contract....whether we are the successful bidder, or not.

Mr. Jones said if the city exercises that clause are you going to stand up and say that it is bad faith on the part of the city because they exercised a clause in the contract that you signed and agreed to, and Mr. Lieberman replied no.

Mr. Jones said then let me tell you, since you were not at the meeting, that first of all you have some of your facts in error and before you sling anymore around that there were prior discussions with Sperry about updating the capacity and the type of equipment they have. They also bid on what is referred to as the "prior bids" which was for the county to purchase it's own equipment and that did not prove as feasible as going into a

joint operation with several units of government, that by going to an upgraded system we can do the computer work for both the county and the city and potentially other units of government....all out of one system. This would eliminate a lot of duplications and that has been factored in the estimate, that you have overlooked, for whatever reason. Moreover he would advise Mr. Liebermen that the contracts with Sperry had comparable language, not specific, but when this question of good faith gets bannied about by someone who is not a party to it and was not there, he thinks they should be advised that the county is excercising an option which was in a printed form contract prepared by Sperry several years ago, and is now being excerised....and that is not bad faith, that it happens to be carrying out what was negotiated for and this is exactly what this county is in the process of doing.

Mr. Lieberman said is it true the advertisement was placed in the paper before it was approved by the Commissioners and Mr. Jones said yes, to the extent that it was a joint advertisement, conducted by two (2) units of government and the city had previously approved it, that it is also being advertised by the City of Evansville, through its Board of Public Works and the fact that it was ratified after the fact does not make it illegal.

Mr. Lieberman said according to specifications is it true that only the bidders who were present at the last meeting were eligible to bid.

Mr. Fortune said his statement Friday was to imply that we would not reject alternatives if someone could not make the meeting, that he could not see why the proposals could not be accepted just because they failed to attend the meeting.

Mr. Lieberman said the specifications state the meeting was mandatory.

Mr. Lieberman said they asked and were told they could not be assured of a long range contract if they should go ahead and spend $500,000.00 to put the system in here, so what is the Commissioners intentions on this matter.

Mr. Jones said now you are talking about negotiable terms and it is beyond about something being wrong with the bidding process.

RE: SELECTION OF BOND COUNSEL FOR POOR RELIEF BOND ISSUE

President Borries said in relation to the issuing of bonds for the poor relief, we asked our county attorney to follow the state statutes which mandates us to do these things and he also sent out letters of interest to various firms that may or may not have done this type of work and based on the replys we received he believes it is the feeling of the Commissioners that one firm clearly has done this work and based on sessions with our county attorney we will make our selection today.

Commissioner Willner moved we take the lowest offer, which would be Ice-Miller. Commissioner Cox seconded the motion. So ordered.

David Jones said he will draft a letter to inform this firm they have been selected. The cost of Ice-Miller will be taken from the bond issue. He will get petitions out to the two townships, that petitions must be signed by a minimum number of property owners in each of the two (2) townships which will trigger the process, but it should go through rather rapidly.

Mrs. Dorothea MacGregor, Pigeon Township Trustee was present and asked how long this process will take and Mr. Jones said anywhere from thirty (30) to forty five (45) days.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of August 29 thru September 2, 1983....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of August 29 thru September 2, 1983....received and filed.

Mr. Bethel gave a brief rundown of the locations where the work crews were at this past week, as stated on the above Work Report. He also stated they are paving every day.

Lee Stuckey - Sidewalks Along Lincoln Avenue: Mr. Lee Stuckey presented the following copy of a letter he sent to each resident along Lincoln Avenue, that recently had the sidewalks installed. Mr. and Mrs. Schrager completed their sidewalks last Tuesday, so they are all completed. The letter reads as follows:

500.

August 17, 1983

On behalf of the Vanderburgh County Commissioners, I want to express our appreciation for your cooperation with us for installing a sidewalk on your property, located at---------- and I personally want to thank you.

It is civic minded citizens such as you, that makes this community a better place to live.

Sincerely,
Lee Stuckey - Road Inspector
Vanderburgh County Highway Dept.

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All of the Commissioners gave there personal thanks to Mr. Stuckey for his work done on this project, that it was a job very well done and very much appreciated.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the period of August 29th thru September 2, 1983....report received and filed.

Claim: Mr. Guillaum submitted a claim for Dan Hartman who attended the Practical Highway Bridge Inspection School in Indianapolis. Mr. Hartman paid his own room and meals, but he would like reimbursement for his mileage.

The claim was referred to Mrs. McBride to check and see what account this can be paid from out of the Cumulative Bridge Fund and she was to report back, with the claim, next week.

A Letter Sent to Railroad: Mr. Guillaum reported they sent a letter to the railroad in regards to the removal of the structures and along with that they sent plans and specifications, so we will wait for a response from them. He will see the Commissioners get a copy of the letter they sent to the railroad, and he believes Mr. Pat Shoulders, attorney for the railroad also was sent a copy of it.

Claim: Mr. Guillaum said he has a blue claim for monies due Barnett Brothers, on work for First Avenue. He has not had time to review the items on the statement as much as he would like to therefore he would request a week to do this and bring it back next week with his recommendation. He has no problems but due to the amount of the claim he would like further studies done to it.

Mr. Guillaum said concerning the opening date of First Avenue, they had the target date of September 11th. which would be the end of the ninety (90) days, however, with the way things are progressing it may be ready to be opened Saturday. The Commissioners need to make the final decision but they feel like Monday, September 12th. would be a good day to open it. If the Commissioners desire they can open it either Saturday or Sunday.

President Borries said he spoke with Owen Barnett, on the bridge sight today, and they have poured the approaches on both sides and Deig Brothers was dismantling their flood wall today, that the Corps of Engineers had to see the flood wall installed to make sure they could approve it. The asphalt will have to be done on both sides of the bridge within the next couple of days. Mr. Barnett also sees no problem with the opening however he asked we wait until the asphalt firm gets out there and gets that down so that he could get a better handle on a specific date, so perhaps we could wait about announcing a definite date until around Thursday, and when this decision is made the Commissioners office will contact the news media of exact time and date.

Cemetery Road: Mr. Guillaum reported it was brought to his attention there is a problem on Cemetery Road with the head wall and he did send a survey crew out there this morning to analyse the problem and if possible they are going to handle it with their own crews. It appears they will be able to do it themselves, however, if they find they are going to have to contract it out, he will make the Commissioners aware of it.

Deck Work at Burdette Park: Last week the plans for deck work at the Burdette Park swimming pool was submitted by Mr. Guillaum and Commissioners Cox said she would like to thank Mr. Guillaum for her receiving the revised specific site area to be replaced, which she requested last week.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Valley View Subdivision: Mr. Easley said he and Mr. Bethel inspected the streets very carefully and he has written a report but it has not been typed, therefore he would like to get it typed and get the Commissioners approval and then he will set up a meeting with the residents. He also has a petition with twenty four (24) names on it that he will hold and present at that time.
Romaine Subdivision: Mr. Easley said he and Mr. Bethel also reviewed the Romaine Subdivision and he will be putting together a report on that and submit it to the Board as soon as possible. There are some extensive crack sealing that needs to be done before those streets are accepted and there are also some bad areas of pavement.

Consultant Contract: Mr. Easley said that Mr. Gerard has requested a meeting with the Commissioners in regards to a consultant's contract received back from the State, which questions some of the things the consultant is not going to do which the county will end up having to do and he thinks perhaps some amendments should be made. This is in regards to the Eichoff/Koressel contract. They decided to meet immediately after this meeting recesses, so Mr. Easley said he would contact Mr. Gerard and have him come in.
Right-of-Way on Burkhardt Road: Mr. Easley said he needs to have a conference with the Commissioners to discuss the right-of-way parcels on the Burkhardt Road project, sometime this week.

RE: CHECK RECEIVED FROM HELFRICH INSURANCE COMPANY

Submitted was a check, in the amount of $1,743.04, from the Helfrich Insurance Agency for vehicle damage to property located at St. Joe and Mill Road, on July 18, 1983.

Commissioner Willner moved the check be accepted and signed. Commissioner Cox seconded the motion. So ordered.

RE: LETTER CONCERNING MAXICARE INSURANCE FOR THE COUNTY

President Borries said he has a letter concerning the Maxicare Health Insurance, that when they met with the County employees and passed the county's insurance ordinance, regarding the insurance contributions. An employee within the Welfare Department talked to him and presented him a copy of a state statute which indicated that if an employee participated in an HMO, which is a health maintenance organization, of which Maxicare is one, that there should be a difference in charges in relation to what the insurance charge would be for other employees on a different insurance plan. The county attorney researched this statute and found that it would be applicable in our situation, in other words, if the total cost of the Maxicare plan is not the same as the Blue Cross plan, then according to this statute, the employee should not be charged the same amount. It was figured, percentage wise,the Maxicare charges would be $8.30 for a single plan, $16.60 for two (2) persons and $17.80 for a family plan.

Neither Commissioner Willner nor Cox offered a motion for approval, therefore the matter was deferred for a week.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Bristol-Myers Company for a company dance to be held on October 15, 1983, in the Gold Room.

A certificate of insurance was submitted for B.M.L. Management, Inc for the Act of Roger Whittaker on 9-28-83.

A certificate of insurance was submitted for The Liberty Corporation, Cosmos Broadcasting Corporation for the Jerry Lewis Telethon held on September 4th and 5th.

All certificates received and filed.

RE: TRAVEL REQUEST....COUNTY TREASURER

The following letter was received from the County Treasurer, dated August 30, 1983.

Dear Commissioners:

I respectively request your permission for John Dixon, my Chief Deputy, to attend the County Treasurers Conference to be held on Wednesday and Thursday, September 21 and 22, 1983, at the Holiday Inn, Interstate 65 and State Highway 46, Columbus, In.

The meeting will start promptly at 9:00 a.m. on Wednesday and at 9:30 a.m. on Thursday.

This request is in compliance with IC 5-11-14-1 and your prompt consideration is greatly appreciated.

Sincerely,
Lewis F. Volpe, Treasurer
Vanderburgh County, Indiana

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP TRUSTEE

Rebecca L. Hittner	781 Cardinal	Investigator	$12,040.00 Yr.	Eff: 8-27-83
Donna Sue Jones	1314 Cody	Clerk	$11,000.00 Yr.	Eff: 8-27-83

PROSECUTOR...IV-D PROGRAM

Bernice M. Roth	R.R. 8 Box 465-C	Secretary	$10,154.00 Yr.	Eff: 8-29-83

VANDERBURGH COUNTY DATA PROCESSING

Katie D. Hewins	2315 E. Powell	Intern	$4.50 Hour	Eff: 8-18-83

SUPERIOR COURT

Mary J. Stucki(Return from L/A)		Riding Bailiff	$12,991.00 Yr.	Eff: 8-25-83

CIRCUIT COURT

Danny J. Lottes	2809 Jeanette Ave.	Law Clerk	$160.00 Week	Eff: 8-26-83

CUMULATIVE BRIDGE

Jeff Mitchell	1928 S. Bosse	Laborer	$6.58 Hour	Eff: 8-30-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Deborah Hunter	738 E. Powell	Deputy Clerk	$394.61	Eff: 8-29-83
Beatrice Phillips	1132 Lohoff	Deputy Clerk	$394.61	Eff: 8-29-83

KNIGHT TOWNSHIP ASSESSOR

S.J. Behme	837 Taylor	Deputy	$10,260.00	Eff: 9-6-83

BURDETTE PARK

Lori Kerner	2225 Adams	Extra Guard	$3.25 Hour	Eff: 8-26-83
Mary Theby	2309 Bayard Park	Extra Guard	$3.25 Hour	Eff: 8-27-83
Jenny Majewski	401 Kings Valley Rd.	Extra Guard	$3.25 Hour	Eff: 8-29-83
Kraig Nance	643 Adams	Program Chief	$5.00 Hour	Eff: 8-22-83
Scott Sublett	400 W. Water Street	Program Chief	$5.00 Hour	Eff: 8-22-83
Michael Taylor	R.R. 1 Box 40	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Joseph Hunter	639 John Street	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Benny Cartwright	434 S. 13th. Street	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Leonard Holmes Jr.	3511 Jackson Ave.	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Sue Ellen Page	2919 Broadway	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Susan Mayberry	1025 E. Columbia St.	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Donald Buente	612 Hess Ave.	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
John Bushrod	1931 S. Red Bank Rd.	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Mary Beaven	2615 Glenn Ave.	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Partick Horn	5002 Fairmont Drive	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Glen Bowling	857 Prosperity Ave.	Reforest.Laborer	$3.50 Hour	Eff: 8-29-83
Janna Gartner	1931 Carol Drive	Extra Guard	$3.25 Hour	Eff: 8-29-83

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY BOARD OF REVIEW

Sharon E. Graham Lasher	544 S. Kelsey	Clerk	$30.00 Day	Eff: 8-30-83

SURVEYOR

Jeffrey Mitchell	1928 S. Bosse	Rodman	$13,692.00 Yr.	Eff: 8-30-83

PIGEON TOWNSHIP TRUSTEE

Rebecca L. Hittner	781 Cardinal	Clerk	$11,000.00 Yr.	Eff: 9-27-83
Donna S. Jones	1314 Cody	Investigator	$12,040.00 Yr.	Eff: 8-27-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Gail Pennington	1935 E. Blackford	Dep. Clerk	$394.61	Eff: 8-29-83
Beatrice Phillips	1132 Lohoff	Dep. Clerk	$394.61	Eff: 8-29-83

KNIGHT TOWNSHIP ASSESSOR

J. Melchiors	3397 Bayard Park	Deputy	$10,260.00 Yr.	Eff: 9-2-83

CUMULATIVE BRIDGE

Dan Tuley	1524 S. St. James	Laborer	$6.58 Hour	Eff: 8-29-83

CIRCUIT COURT

Danny J. Lottes	2809 Jeanette	Special Intern	$160.00 Week	Eff: 8-29-83

SUPERIOR COURT

Mary G. Ryan		Riding Bailiff	$12,991.00 Yr.	Eff: 8-25-83

VANDERBURGH COUNTY DATA PROCESSING

Teresa A. Allison	R.R.2 Washington, In.	P/T Intern	$3.35 Hour	Eff: 8-26-83
Donna C. Plane	508 Oriole	P/T Intern	$4.00 Hour	Eff: 9-2-83

PROSECUTOR....IV-D PROGRAM

Sheryl A. Weiss	3120 Edgewood Dr.	Secretary	$10,154.00 Yr.	Eff: 8-26-83

BURDETTE PARK

Sharon Jankowski	6912 Cliftwood Dr.	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Janice Dixon	920 Harmony Way	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Laura Hutchison	2026 W. Michigan	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Bryan Norman	R.R.2 Box 63	Asst. Head Guard	$35.00 Day	Eff: 8-21-83
Cynthia Lilly	2601 Magnolia Drive	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Beth Minton	10515 Olivia St.	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Susan Stippler	4722 First Ave.	Ex. Cashier	$3.25 Hour	Eff: 8-21-83
Rian Turpin	505 S. Ruston	Ground Crew	$4.00 Hour	Eff: 8-21-83
Voleta Stierwalt	751- E. Chandler	Extra Guard	$3.25 Hour	Eff: 8-21-83
Brook Heathcotte	3512 Koring Rd.	Extra Guard	$3.25 Hour	Eff: 8-21-83
Jenny Vescovi	3525 Lauren Lane	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Michael Johnson	12650 Apache Pass	Extra Guard	$3.25 Hour	Eff: 8-21-83
A. Christian Branham	6000 Apple Grove	Reg. Guard	$3.50 Hour	Eff: 8-21-83
Sarah Rexing	7600 Marx Road	Reg Guard	$3.50 Hour	Eff: 8-21-83
Michael Gerard	7601 Hogue Rd.	Extra Guard	$3.25 Hour	Eff: 8-21-83
Sondra Spindler	R.R.1 Poseyvill, In.	Reg. Cashier	$3.50 Hour	Eff: 8-21-83

RE: CHECK RECEIVED FROM STATE OF INDIANA

President Borries said a check was received from the State of Indiana on the SBA Parks and Recreation Development grant, in the amount of $18,000.00.

Commissioner Willner moved the check be signed. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the Evansville Courier for legal advertising in regards to repair of bridges, in the amount of $11.83.

A claim was submitted by the Evansville Press for legal advertising in regards to repair of bridges, in the amount of $11.83.

Commissioner Willner moved the claims be approved. Commissioner Cox seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

The County Council will continue the 1984 budget reviews this week, in the Council Chambers from 5:00 p.m. to 9:00 p.m.

The County Council's regular meeting will be Wednesday at 2:30 p.m.

RE: CHECK RECEIVED FROM INNER CITY ENTERPRISES, INC.

Received was a check made out to County Attorney David Miller from Inner City Enterprises, Inc. which is a partial payment for rent due the Vanderburgh Auditorium, in the amount of $85.40, that the courts ordered them to pay this rent.

Mr. Miller has already signed the check, stating it is to be paid to Vanderbugh County without recourse.

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

There being no further business, President Borries declared the meeting recessed at 4:50 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice G. Decker		

Richard J. Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
September 12, 1983

The meeting of the County Commissioners was held on Monday, September 12, 1983, in the Commissioners Hearing Room with President Borries presiding.

President Borries called the meeting to order at 2:40 p.m., and asked for a motion that the minutes of the previous meeting be approved as engrossed by the County Auditor and the reading of same be waived. Motion to this effect was made by Commissioner Cox, with a second from Commissioner Willner. So ordered.

RE: BID OPENING ...CONTRACTUAL DATA PROCESSING SERVICES

The meeting continued with a motion from Commissioner Willner that the County Attorney, along with the City Attorney, open the bids for the contractual data processing services. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries said the County Commissioners are holding a joint meeting with the City Board of Works for the purpose of opening bids on contractual data processing services. Concurrently, the City Board of Works is meeting in this session for the purpose of the joint contractual data processing services. Prior to the bids, we will have some brief statement regarding our intent as to how these will be evaluated after they are opened.

While the bids were being opened, Commissioner Borries asked Purchasing (Ben Evans) whether we have at this time any bids on the concrete deck replacement at Burdette Park. Mr. Evans indicated no bids on this work have been received to date. Commissioner Borries asked Mr. Evans to re-bid. So agreed.

RE: COUNTY HIGHWAY DEPARTMENT ... Bill Bethel

President Borries said the County Attorney's items will be by-passed at this time, and he called on Bill Bethel, County Highway Superintendent, for his report.

Weekly Absentee Report: Mr. Bethel submitted the Weekly Absentee Report of the employees at the county garage for the period of September 5 thru September 9....report received and filed.

Weekly Work Report: Mr. Bethel submitted the Weekly Work Report of the employees at the county garage for the period of September 5 thru September 9.... report received and filed.

In giving a brief rundown of the locations where work was accomplished this past week, Mr. Bethel said Gradeall equipment was out on Highland Court, Cunningham Court, Lynn Road, Baseline Road, Middle Mt. Vernon Road, No. 3 School Road, St. Joe Avenue, Allen's Lane, and Hogue Road. They've also been paving Adler Road and St. Joe Avenue. Patch Crews have been out on Short New Harmony Road, Old Boonville Highway, Raintree Drive, Short Darmstadt Road, Burkhardt Road, Lost Inn Lane, Old Henderson Road, Upper Mt. Vernon, and Kratzville Road. The Tree Crew has been on Peck, Kroft, Old Henderson Road, and Browning Road. Mowers were out on Mesker Park Drive, Whetstone Road, Peck Road and Kroft Road. Trash Crews have been out on Lynn Road, Waterworks Road, River Road, Outer St. Joe, Boonville-New Harmony Road. The crews were paving until new today, when they were halted by rain.

President Borries said during the last council call, there were some requests on the part of the County Councilmen to assess exactly what Mr. Bethel needs in relation to equipment. Mr. Borries explained well that because he is paving more now than anticipated, he is also using more fuel, more tires; there obviously are things such as parts that need to be replaced. He asked that Mr. Bethel let him know when the people from the Council come out to the garage. Mr. Bethel said they were supposed to have come last week, but did not show up. Commissioner Borries asked that Mr. Bethel advise him by phone when they do come, as he also wants to be present. So agreed.

RE: BURDETTE PARK .... Mark Tuley

Continuing, President Borries asked Mark Tuley to give his report on Burdette Park operations.

(continued)

Mr. Tuley presented the following financial picture for the period of January 1, 1983 thru August 31, 1983:

Starting Budget		$561,210.28
Expenditures		412,042.24
Total Balance		$149,168.04
Total Income:		
Swimming Pool	$85,789.40	
Skating Rink	27,546.23	
Rentals	45,356.77	
Miscellaneous	7,850.92	
Total		$166,543.32
Total Deficit		$245,498.92

While Burdette is still running a large deficit, the income is definitely looking better. Mr. Willner asked Mr. Tuley if this is the best income Burdette Park has enjoyed in the last five to ten years. Mr. Tuley said it is the best they've ever had., and he's checked the records since 1961. In response to Commissioner Borries questions concerning the previous high, Mr. Tuley said it was $159,000 for the full year of 1981. In other words, they've already exceeded any entire year at this point. Mr. Willner commented that if we can just get our expenditures in line we should turn things around. Mr. Tuley said he thinks the Council has already seen to that. He hopes to provide the same kind of service they have provided in the past and keep within the budgeted figures.

Commissioner Borries said the other commissioners have received petitions, I think of concern, particularly on the part of the American Legion, and from the conversations he has already had with Mr. Tuley, he asked that Mr. Tuley communicate to these people either via letter or a personal conversation -- and tell them there is no intention to close the park. They are -- and have always stated -- a look will be taken at minimal operations, but there is no intention to close the park. This should ease their fears in that area. Also, probably for the benefit of the commissioners, since there will be some issues regarding staffing in the future -- at the rink as well as in the area of security -- we need to meet with the Sheriff and perhaps look at drawing up some type of bids in relation to what the council had envisioned to see if there are any interested bidders regarding the Roller Rink, itself. I had some major concerns about that, specifically in the area of heating and air conditioning needs, which are a major expense. I think we would have to look very carefully at how this operation is to take place before we could make a decision. Commissioner Willner interrupted by stating he would be in favor of advertising now for invitational bids to anyone who wants to become an entrepreneur insofar as the Skating Rink is concerned and to have those bids received by the County Commissioners within two (2) weeks. President Borries questioned whether the area of heating and air conditioning should be incluced. Commissioner Willner suggested they just ask for proposals from any interested persons. He said he has talked to a couple of individuals who are interested, but he wants it to be official, so that the Commissioners know what they will and won't do. He thinks they should get this on the road and do it now -- and open the bids in a couple of weeks. Commissioner Borries asked Mark Tuley to get with Ben Evans to develop the invitational bids. So agreed. President Borries said, hopefully, the future course of that park may mean they can again reduce the deficit. He said he knows Mr. Tuley has worked hard this summer and it looks as though the total income bears that out.

RE: CONTRACTUAL DATA PROCESSING SERVICES

With indication from County Attorney David Miller that he was ready to proceed with the reading of the bids for contractual data processing services, the meeting again returned to this subject.

(continued)

President Borries asked Attorney Miller for a report on the bids. Mr. Miller said there were a total of three (3) envelopes submitted to be opened. However, there is only one (1) valid, properly signed and submitted bid -- that bid is from Pulse Systems, a division of Charles Leich & Company, 420 N.W. 5th Street, Evansville, Indiana. The bid proposes, in accordance with the categories set fort in the request for bids, a one-time cost totalling $5,000.00 and an annual recurring cost of $100 per hour, based on computer service hours. He said the bid is very detailed and extensive and bears information which the bidder requests remain confidential, in the event the bid is not accepted. Attorney Miller suggested this bid be accepted and taken under advisement.

Continuing, he said he has a letter to the Commissioners dated September 12, 1983, from Roger K. Ford, Account Executive for the Burroughs Corporation (Evansville, IN). The letter states, as follows:

> "I respectfully request a 14-day extension for submitting a bid for Contractual Data Processing Services. Since learning of your decision to reject previous bids and requesting new bids approximately two weeks ago, I have spent the majority of my time researching and evaluating your needs and methods available for meeting your needs. To date, I have determined an appropriate approach which I believe will address your needs in a feasible and economic manner, while providing these unique advantages: No need for future software conversion, lower program maintenance, and new application development costs. The request for an extension is due to a need to perform a more detailed analysis of your present software to provide a reasonable estimate of the cost to convert or re-write several of your existing applications. This bid is to be made in conjunction with a bid from Welborn Clinic for operation support.
>
> Sincerely,
>
> Roger K. Ford"

Attorney Miller said he also has a letter from the Executive Account Manager for Government Systems Division of N.C.R. Her name is Tonja Brown. She says,

> "N.C.R. sincerely regrets we cannot respond to tbe bid specifications for Contractual Data Processing Services. Unfortunately, we only received the specifications one week ago and this did not give the Service Bureau enough time to respond. N.C.R. has many computer systems installed in cities and counties in Indiana, as well as the NCR-8410 in the Vanderburgh County Auditor's office. There is excellent software available that will meet all of your software specifications. The City of Peoria Police Department has three on-line computer-aided dispatching software in the public domain to handle the needs of the Evansville Police Department and the Vanderburgh County Sheriff's Department. Lake County Indiana has two large NCR main frames that run the same software your specs have listed. If you do not receive satisfactory bids, NCR would like to present to you the systems for cities and counties we have, and have you visit Lake County or Peoria.
>
> Sincerely,
>
> Tonja Brown"

President Borries recognized David Bunner, a member of the Board of Public Works, who wished to speak. He said that as a member of the Board of Public Works, with regard to the notation that Attorney Miller made with regard to the confidentiality of the bid from Pulse Systems, it was the intention of the Board of Public Works and the Commissioners, as well, to obtain some persons with expertise in this area to review the bid and report back to the joint bodies. At this point in time, with the notation concerning confidentiality, he wonders if the way to proceed would be to contact the bidder and ascertain if they objected to our revealing the bid information to our sources or the individuals who will be reviewing the bid?

(continued)

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President Borries interjected that with regard to Mr. Bunner's comments, there have been concerns and some statements made at last week's Commissioners Meeting concerning Mr. Fortune's role in the process. Mr. Fortune has agreed that he would accept independent recommendations and we have made some contact with representatives through the University of Evansville and, as we take these under advisement, we will also be seeking that recommendation from local banks. So, again, he only says this as a postscript as we await Attorney Miller's advice concerning the matter.

Attorney Miller reported that he and Attorney David Brunner, council for the City of Evansville, agree that it would be appropriate to contact Pulse Systems and advise that we intend to consult independent experts in this field in considering this bid and if the bidder objects to that action on our part, then this bid will simply be rejected and we will re-advertise the bids. If the bidder does not object, then we can go forward and give consideration to this bid. He said he thinks the statement concerning confidentially is sufficiently broad here and we should be careful to respect their request -- but we have to know exactly what their request is. Therefore, he suggests we contact the bidder and obtain a letter giving us authority to show this bid to anyone we wish to show it to in considering whether or not to accept it. Commissioner Willner made a motion that we refer our bidding process to the County and City Attorneys and ask that they come back to the Commissioners at their earliest convenience with a solution. In response to Attorney Miller's question as to whether or not the Commissioners wanted him to handle the letter, Commissioner Willner said "yes, if it's in your hands it will be confidential...". Attorney Miller said that inasmuch as this is a joint meeting, what is the feeling of the two units with respect to Mr. Ford's request for a 14-day extension? Since both the City and County are on some rather strict time constraints, it was the concensus that we should proceed with what we have now, if it is sufficient.

Frank McDonald II, a member of the Board of Public Works, requested that since he is an employee of National City Bank that no contact be made with them and that they not be asked to participate in the review of the bid for Contractual Data Processing Services. So ordered, per President Borries.

RE: COUNTY SURVEYOR'S REPORT .... David Guillam

Bridge and Guardrail Repair-Weekly Report: The meeting continued with Mr. Guillam distributing copies of this report for the period September 5 thru September 9, 1983.... Report received and filed. In giving a brief rundown, he reported that on Tuesday, weeds were cut, the guardrail cleared and painted on Union and Perry Township roads. On Cemetary Road the crew cut up large trees and trenched a ditch on Wednesday. On Thursday, they installed 12-inch C.M.P. on Cemetary Road and installed 18-inch C.M.P. on Baseline Road and opened Baseline between St. Joe and Outer Darmstadt. On Friday, the crew installed a 6-ft. extension to the pipe and compacted 53's in radious of road over the pipe on Cemetary Road. First Avenue Bridge was opened this morning at 10:00 a.m. No problems have been cncountered so far. It is still slow-going down parts of 1st Avenue, however because of other work. President Borries expressed his personal appreciation to Mr. Guillam and the rest of the people in the surveyor's office who did so much work and spent long hours there --it was a long, hot summer for those people involved in the construction of that bridge -- but it all seems worthwhile today. Mr. Guillam said Mr.Barnett probably has a couple of weeks work left yet on the underneath work..side slopes, cleaning out, etc. He said personnel from the Surveyor's office will be out there with Owen Barnett a while yet, to be certain everything is accomplished that was included in the bid.

Ditch Work - Peach Tree Drive: Mr. Guillam said he has a claim to be approved when the the Commissioners get to claims for ditch work and mowing of weeks on the vacant lots along Peachtree Drive and the ditch.

Letter to the Railroad: Mr. Guillam said he has a copy of the letter Mr Willner wanted sent to the railroad. It was sent to Mr. Gray, together with drawing and specs. (Mr. Guillam retained copies of drawing and specs.)

(continued)

Commissioner Borries advised that he had a conversation with another resident in the Crawford-Brandeis area and he is very much in favor -- and feels that many of the residents in the area would be -- in relation to providing some solution to the drainage problem in that area. He said perhaps this individual has also contacted Mr. Guillam, since he is an attorney. Mr. Guilliam verified that he had been contacted and said the individual, together with other residents, plans to attend the next Drainage Board meeting, which will be held following the Commissioners Meeting on Monday evening, September 19th. President Borries instructed Mr. Guillam to notify the attorney concerning the scheduled meeting. So agreed.

RE: COUNTY ENGINEER'S REPORT ..... Andy Easley

Valley View Subdivision: Mr. Easley distributed copies of his report on the Valley View Subdivision to the Commissioners and said if they have time to review it today and approve same, then he can send a copy to Mr. Burke, the representative of the residents. After pausing so commissioners could review the report, motion was made by Commissioner Willner that we request the changes to be made in the subdivision at the residents' expense. At that time, it will be accepted by the County. A second to the motion was provided by Commissioner Cox. So ordered. President Borries commended Mr. Easley for the excellent report. In response to Mr. Willner's question as to whether a time limit should be set, it was determined that if the project exceeds six (6) months, a re-inspection will have to be made.

Drainage Ditch - Lant Manor: On the drainage ditch in Lant Manor, Mr. Easley said he talked to Mr. Morley, the consultant, and it is a siltation problem. He said he and Mr. Bethel will go out and look at that. He said they've been going out on inspections a couple of afternoons a week. He will report the results of their inspection.

Romine Subdivision: On the Romine Subdivision, he is still writing a report on this inspection.

Letter from Hartford Company Re Accident: Mr. Easley said he had also received a notice from an adjustor of the Hartford Insurance Company. Does Mr. Miller know about this, or has he received a letter? After brief comments, it was determined that this must be in regards to a claim already given to the county or the adjustor would not be following up on it. It was felt this was the accident on Highway 57 and Oakhill Road, involving an elderly couple, in which one of them was killed. Mr. Easley is to give Attorney a copy of the letter he received.

RE: PLAQUE FROM NORTH SIDE BRIDGE ASSOCIATION

President Borries asked Commissioner Cox to give a brief report on the plaque presented to the Commissioners by the North Side Bridge Association, commending the Commissioners for getting the bridge completed and opened, and requesting that the Commissioners place it in the Commissioners Hearing Room. Commissioner Cox said the plaque was a pleasant surprise, and it has been given to Jim Lindenschmidt, so it is in the building.

Commissioner Willner said that perhaps we've left out the County Council in recognizing parties responsible for the bridge, and he wants to take this opportunity to express appreciation to the Council for appropriating the money, or we wouldn't have had it to spend. He said he feels that when the City does their thing, First Avenue will be an excellent thoroughfare. There will be four lanes of First Avenue from Campground Road on the north to Division Street on the south. Hopefully, there will be some lighting improvements along the way. President Borries said that from a local funding input standpoint, we are pleased with the results. He said it was a good experience to participate with someone like Owen Barnett. They were under a lot of pressure insofar as the long days and the heat -- but they were polite, really cooperated and did an outstanding job.

RE: Metropolitan Chamber of Commerce .....Rob Matthews

President Borries asked Rob Matthews if he had anything for the agenda today, or comments. Mr. Matthews replied that he did not have anything at this time.

(continued)

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RE: PROPERTY 813 - PENNSYLVANIA STREET/EVANSVILLE MUNICIPAL MARKET

It was noted by President Borries that an application has been received for this property to be considered by the State Review Board for nomination to the National Register of Historic Places. (Mention was made that this is currently the bus terminal.) Commissioner Borries said comments may be sent to James N. Ridenour, State Historic Preservation Officer, before the State Review Board Meeting scheduled October 19, 1983.

Continuing, Mr. Borries said he would not read the entire letter at this time. It was his suggestion that perhaps the letter should be forwarded to the City of Evansville for comments. Without further comment, it was the concensus that the letter should be forwarded to the Board of Public Works for their review and comments and they, in turn, can forward it to Indianapolis prior to the October 19th meeting of the State Review Board.

RE: MAXI-CARE INSURANCE

A letter directed to the Bookkeeper for County Employees re Maxi-Care insurance was brought to the attention of the group by President Borries. He said this letter regards difference in rates for the Maxi-Care Plan, based on the statutes that the Commissioners had received re the difference in health care costs for employees on the various plans. He said he has worked out a formula, based on the same amount or percentage charged employees who participate in the Blue Cross Plan. The same percentage figure was utilized, the figure was then prorated -- based on the figure the Maxi-Care Plan costs the County, The formula presented was as follows:

Single Person	$ 8.30/month
Family of Two (2) ..... (This category is not included under the Blue Cross Plan)	16.60
Family of Three (3) or More	17.80

A motion to approve the foregoing rates for the Maxi-Care Plan was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

The Commissioners then requested that County Auditor Alice McBride circulate a detailed letter concerning the change in rates for employees participating in the Maxi-Care Plan to all department heads, along with the payroll distribution. Along with the cost information for the various categories, information should be included as to the proper enrollment period, effective date, etc. Mrs. McBride agreed to handle this, as requested.

RE: TREASURER'S REPORT .....Lewis Volpe

President Borries advised that the following Treasurer's Report had been given to the Commissioners...Report received and filed.

TREASURER
VANDERBURGH COUNTY
September 6, 1983

TO: COUNTY COUNCIL
COUNTY COMMISSIONERS

Interest has been receipted as follows:

COUNTY REVENUE	$656,168.34
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	8,363.64
CONGRESSIONAL SCHOOL	211.24
	$667,091.14

(continued)

Outstanding Investments are:

1) Certificate of deposit, $500,000.00 dated July 6, 1983, Due December 29, 1983. Estimated income $21,380.00. Rate 8.75%

2) Repo, $900,000.00, Dated June 20, 1983, Due October 4, 1983, Estimated income $23,105.44. Various rates.

3) Investments $2,000,000.00 Dated June 13, 1983, Due December 28, 1983. Estimated income $88,600.00. Rate 9.50%

4) Repo, $700,000.00 dated July 28, 1983, Due September 20, 1983. Estimated income $9,359.31. Rate 9%

5) Investments $1,000,000.00. Dated August 2, 1983, Due September 9, 1983. Estimated income $9,300.00. Rate 9%

6) Repo $500,000.00, Dated June 20, 1983, Due September 13, 1983. Estimated income $10,106.48. Various Rates.

7) Repo, $500,000.00, Dated August 24, 1983, Due September 15, 1983 Estimated income $2,559.03. Rate 8.375%

8) Investments $3,000,000.00, Dated August 30, 1983, Due October 11, 1983, Estimated income $31,650.00. Rate 9.05%

9) Repo, $500,000.00 dated September 2, 1983, Due September 29, 1983 Estimated income $3,281.25. Rate 8.75%

TOTAL ESTIMATED INCOME $199,341.51

Yours truly,

Lewis F. Volpe, Treasurer
Vanderburgh County
Evansville, Indiana

RE: HARTFORD SEMINAR/COUNCIL CALL, ETC.

The meeting continued with President Borries indicating he has a request from an individual who wears several different hats -- Jim Lindenschmidt, Superintendent of County Buildings. He also has some requests to go on the October Council Call. Mr. Borries said Jim Lindenschmidt has been instructed by the Council to do this -- the Council has now finished their session for the 1984 Budget, and they have asked Mr. Lindenschmidt to come before them in October -- and he is requesting permission from the Commissioners to go before the Council to request $3,500.00, which he believes is the bear minimum to get through the year....barring any major tragedies. Motion to approve Mr. Lindenschmidt's appearance before the County Council in October to request the $3,500.00 additional funds was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

Continuing, Mr. Borries said the travel account is depleted. The Hartford Seminar, to which Mr. Lindenschmidt is scheduled to attend, is definitely valuable -- because it potentially is a cost-saver to the county from the aspect of experience and training received during attendance of such a session -- it's a workshop. While it is not State mandated, Commissioner Borries said it is of critical importance. In response to President Borries' question as to what should be done about mileage, etc., Commissioners Willner and Cox responded that the Commissioners have already given Mr. Lindenschmidt permission to attend the seminar. Mr. Lindenschmidt will require a hotel room for four nights (at corporate rate of $36.00 per night) at a cost of $144.00, plus mileage, plus meals. The Commissioners will look at the budget to see where the monies can be transferred to cover this expense.

(continued)

RE: MISCELLANEOUS OUTSTANDING CLAIMS

The meeting continued with President Borries advising the commissioners that there are a number of outstanding bills to be placed on the October Council Call, as follows:

1) Duplicating Services $577.84
96.02

2) Maintenance on Xerox Machine $5,600.00
31.07

(Mr. Borries said we're already short in that account by $614.76)

3) Equipment Equity Plan bills in the amount of $591.27 per month for the last four (4) months of the year

4) Bills for Patient/Inmate Care

5) School Transfer Tuition Bills

6) Bills for Legal Services

7) Postage.....We've been averaging $9,000 per month, which totals approximately $37,000 for the remainder of the year. (With regard to the entire postage situation, some of the increase can be attributed to the reassessment notices, etc. County Auditor Alice McBride said the State allotted her a set amount of monies for postage on the reassessment and she will check to determine the exact amount. She can reimburse the county via writing a check to obtain postage stamps to be utilized in the future. Mrs. McBride subsequently advised that the amount allotted by the State was $3,595.00.)

8) Litigation Services/David Miller..... $228.00

Mr. Borries said a claim for litigation services in the amount of $228.00 from County Attorney David Miller re the Southwestern Engineering case has also been presented.

Motion to place all of the foregoing on the October Council Call was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: CLAIMS APPROVED FOR PAYMENT

The following claims were presented for approval:

1) Dan G. Hartman....Mileage Claim in the amount of $138.82

Commissioner Borries said he believes the commissioners previously indicated the monies for this would come from the Cumulative Bridge Fund in relation to the Bridge School attended by Mr. Hartman. Accompanying the claim was a copy of Mr. Hartman's Certificate of Training from the National Highway Institute. Commissioner Willner interjected that Mr. Hartman is now a qualified Bridge Inspector and doing the semi-annual bridge inspection in-house will save the county many dollars. Motion to approve this claim was made by Commissioner Willner, with a second from Commissioner Cox. So ordered

2) Helfrich Insurance Agency ....Auto Insurance....$1,705.00

This claim is for the added 5 units for the Sheriff's Department per Endorsement #4. These five (5) units have been added to the Hartford policy. Motion to approve this claim for payment was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

(continued)

3) Commercial Ditch Cleaning Co..... $500.00

This covered mowing of weeds on the vacant lots along Peachtree Drive and the ditch.

Motion to approve this claim was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

4) Barnett Bros. Construction..... $354,697.74 (1st Avenue Bridge)

This is not the final bill, there is still the retainage bill.

Motion to approve this claim for payment was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: Inner-City Enterprises Collection Suit

Attorney David Miller advised he has a $24.00 check, made payable to him rather than the commissioners, which is the final payment on the collection suit the county had filed against Inner-City Enterprises for use of the Vanderburgh Auditorium. That suit is now at an end. The endorsed check was submitted to the Commissioners.

RE: Claim for Damages In Order To Satisfy The Notice Statute

Attorney Miller asked that the record reflect that the County Commissioners office received a claim today for damages in order to satisfy the notice statute from Attorney Ralph Moore on behalf of Opal Stout, who was involved in an accident on April 14, 1983 on Waterworks Road. Apparently that was a three-car accident. Mr. Moore alleges that the county road was either partially or totally the cause of the accident. Attorney Miller suggested that the county simply reject his claim at this stage and put him to his proof. Motion to this effect was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: EMPLOYMENT CHANGES

Prosecutor's Office.....Appointments Made

David K. Robinson	3034 W. Indiana St.	Part-Time Deputy	$13.000 Yr.	Eff. 9/12/83
Benjamin Haddox, Jr.		Deputy	$16,500 Yr.	Eff. 9/12/83

Pigeon Township Assessor's Office .... Appointments Made

June Hallenberger	1409 Fountain Ave.	Part-Time	$30.00 Day	Eff. 9/12/83

Treasurer's Office .....Release

Evelyn Jean Summers	1775 Briarwood Ct.	Clerk	$10,260 Yr.	Eff. 8/31/83

Vanderburgh County Election Office .....Appointments Made

Susan K. Kirk	8302 Spry Road	Supvr.	$4.68 Hr.	Eff. 9/6/83
Edna Henry	305 N. Tekoppel	Dep. Clk.	$3.75 Hr.	Eff. 9/6/83
Fred C. Roeder	8744 Big Cynthiana	Bal. Assem.	$4.37 Hr.	Eff. 9/6/83
Charlene Luker	RR #7 St. Joe Rd.	Dep. Clk.	$3.75 Hr.	Eff. 9/6/83

Auditorium .....Appointments Made

Aaron Cabell	528 S. Denby	Part-Time	$4.10 Hr.	Eff. 8/23/83
Thomas K. Klipsch	850 E. Gum	Part-Time	$4.10 Hr.	Eff. 8/23/83

Motion to approve all foregoing employment changes was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

(continued)

514.

RE: CIVIL DEFENSE MEETING

Discussion turned to scheduled meetings, with President Borries announcing the Civil Defense Meeting scheduled for 1-3 p.m. on Wednesday, September 14th. The meeting site has been changed from Room #301 to Room #307 (the Commissioners Hearing Room).

There being no further business, President Borries declared the meeting recessed at 3:40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller
	BOARD OF PUBLIC WORKS	COUNTY SURVEYOR	COUNTY ENGINEER
	John Vezzozo David Brunner Chris Schletzer James Helfrich Frank McDonald II Bobbie Burkhart, Sec'y.	David Guillaum	Andy Easley

SECRETARY: Joanne A. Matthews

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

COUNTY COMMISSIONERS MEETING
September 19, 1983

The meeting of the County Commissioners was held on Monday, September 19, 1983, in the Commissioners Hearing Room with President Borries presiding.

President Borries called the meeting to order at 7:35 p.m., and asked for a motion that the minutes of the previous meeting be approved as engrossed by the County Auditor and the reading of same be waived. Motion to this effect was made by Commissioner Cox, with a second from President Borries (since Commissioner Willner was late in arriving for the meeting). So ordered.

RE: THIRD READING - VC-6-83 - Petitioner, Hubert G. Moore

The meeting proceeded (as Commissioner Willner entered the room) with President Borries indicating there were Rezoning Petitions to be heard this evening. The first petition on the agenda was VC-6-83. Attorney Emil Becker spoke in behalf of petitioner Hubert G. Moore. He said Mr. Moore wants to rezone the property at 2150 Commercial Court, located in the St. Joe Business Park, from C-4 to M-1, for purposes of building an auto body repair and paint shop. The facility will be used for auto body repair and all work will be done inside. He said he is talking about an all-steel, totally insulated building with firewalls, explosion-proof fan motors with scrubbers--so there won't be anything on the outside of the building (paint vapors, etc.). There will also be explosion-proof lights and the necessary landscaping around the facility. All traffic will be on Commercial Court. There will not be any traffic at all on any residential property. He said there is residential property adjoining and some remonstrators are present tonight who have some questions about the proposed facility, etc. If the commissioners have no questions, Mr. Becker suggested that perhaps it would be better to hear comments from the remonstrators and then he would endeavor to answer any questions. Commissioner Willner asked if there will be any ingress or egress off Hobart Avenue. Mr. Becker said, "no, it will all be off Commercial Court.". With regard to landscaping, in response to Commissioner Willner's questions, Mr. Becker said a 125 ft. long privacy fence will be installed between the commercial property and the residential property.

There were four (4) remonstrators who wished to speak concerning this rezoning, and President Borries asked if one of the four would like to be spokesman for the group... or did each wish to comment on the rezoning.

James Baldwin - 2149 Eric Court: Mr. Baldwin approached the podium and said the commercial property will touch his residential property. His first question concerned the height of the fence, and Mr. Becker responded six (6) feet. Barbara Cunningham of the Area Plan Commission said the residents of the area could go before the Board of Zoning Appeals and ask for an eight (6) foot fence. Mr. Baldwin continued by saying he has approximately $80,000 - $85,000 tied up in his home and he feels his property will depreciate greatly once it is rezoned from C-4 to M-1. Additionaly, because of the type of business, there will be problems with paint fumes and noise from air hammers, etc. However, his main concern is the paint fumes, since the proposed facility is to be located only 40 ft. from his garage. Mr. Baldwin said it is his feeling that Mr. Moore knows somone on the inside here -- as he already has steel beams and metal sheeting on his property, ready to begin construction. Further, Mr. Baldwin has been told by Gene Stewart of Midwest Realty that the construction of the facility is a sure thing. Mr. Baldwin said he has previously been in the same type of business and knows what the residents will be up against insofar as noise and fumes. With regard to the building materials already situated on the property, he introduced a photograph he had taken of same -- and said he feels this is "jumping the gun a bit".

Carl C. Cunningham - 3344 N. 11th Avenue: Mr. Cunningham said the fan will be located on the backside of the building and if there is a north-northwest wind, then the fan will blow all the fumes down 11th Avenue. Mr. Cunningham said if the scrubber equipment fails-- then there are at least four residents with homes, automobiles, etc., who will have to clean their homes and autos because of the paint residue...and he further objects to the noise. He said the noise would be a nuisance for residents who work at Deaconess Hospital on the night shift and sleep during the day. In response to Commissioner Willner's concerning noise from other business located in the area, both Mr. Baldwin and Mr. Cunningham said they do not have any complaints concerning the day-to-day noise.

Dennis King: Mr. King said he, along with six other residents, are newcomers to the neighborhood who are currently building. One of the primary reasons for selecting the neighborhood was because it was tranquil and no thru traffic, etc. He would like to see the neighborhood remain as it was when he and the other residents selected their lots to build their homes. Additionally, he is concerned about the paint fumes. Mr. King works at the airport and he well knows how the paint fumes linger in the air from Whirlpool, when they are painting refringerators.

(continued)

Gerald Baumeyer: Mr. Baumeyer said he is just starting construction on his new home (second house from Mr. Baldwin) and had he known anything like this was going up out there he would not have bought the property. Now, he is too far along to stop it. Therefore, he would like to see this request for rezoning denied.

David Coon -- Eric Court: Mr. Coon said he works nights and sleeps during the day. Insofar as the business now located in the area, they mainly load up trucks, etc., around 7-8:00 a.m. and come back in around 5:00 p.m. -- so there is no noise per se during the daytime hours. In other words, these businesses are occupying space -- but there is no noise. Mr. Coon is also concerned about the paint fumes, since he enjoys sitting outside to relax.

President Borries asked Attorney Becker if he would like to respond to the concerns expressed by the remonstrators. Mr. Becker pointed out that there is an airport next to this piece of commercial property. He said Commercial Court stops at the beginning of the airport property. He said Mr. Baldwin would have no problem knowing where the airport is, because he parks his own airplane behind his house, located on residential property, rather than parking at the airport where he would have to pay rent. Mr. Becker said the commercial property in question only touches a corner of Mr. Baldwin's property. In response to the commissioners' questions concerning Hobart Avenue, Mr. Becker pointed out that Hobart starts at St. Joe Avenue and stops at 12th Avenue, so there is no traffic that gets to this commercial property via Hobart Avenue -- all traffic must come off Commercial Court. Further, Mr. Becker said Mr. Baldwin is 238 ft. from the proposed building site and 238 ft. from the proposed privacy fence. With regard to the building materials located on Mr. Moore's property, Mr. Becker said that when Mr. Moore purchased the property he was told by the realtor that it was properly zoned and, relying on the realtor, Mr. Moore ordered the building materials. The materials have been lying there ever since Mr. Moore learned of the zoning problem and filed this petition. He did not order the building materials because he "knew anybody" or because of other allegations, etc. In fact, if there was anything such as "sure thing", then perhaps Mr. Moore should have gone to Mr. Stewart rather than coming to the commissioners.

James Baldwin: Mr. Baldwin commented that with regard to his airplane, the hangar is located 15 ft. from the airstrip and is built into his house. His airplane engine is as quiet as an automobile engine, and he invited the commissioners out to hear it for themselves. Further the C-4 zoning designation was not on the map he saw when he purchased his property around April 1981. Rather, he said there was a street down the middle of the map, lotted off. He said he pointed this out to a girl in the APC office a couple of weeks ago and he wants to know how this change took place without his having been notified. He said the map now has "hash" marks and C-4 in big letters. Mr. Baldwin said there are four houses butting the Moore property and he has spoken with all of them, who object. He does not know what happened, as these residents planned to attend tonight's meeting. Further, if this rezoning request goes thru, there will be an EPA debate, as he plans to file a complaint. President Borries indicated that EPA requirements have been satisfied. Commissioner Cox interjected that what has to be considered here primarily concerns the noise and paint fumes. Insofar as Mr. Baldwin's not knowing about the C-4 zoning designation, she can't answer that. She asked him if he knew what all can go on a C-4 zone, and he responded "not all". She said perhaps Barbara Cunningham can enlighten Mr. Baldwin concerning the zoning fesignation. Mrs. Cunningham said had this been changed, Mr. Baldwin would have been properly notified. However, it has not been changed and she can swear to that. What is on the maps now is what was done when the property was rezoned C-4 (in 1977-1977) as an Industrial Park. She said these are official records. (Mrs. Cunningham subsequently went to the APC office and brought back the proper map book. It showed the map itself was updated in 1982, but the zoning information per se is the same as it was in 1976-1977 for that area, when it became an Industrial Park Area.)

Mr. Baldwin subsequently stated that the residents present tonight would prefer an 8-ft. fence as opposed to the 6-ft. proposed fence. Further, Mr. Baldwin questioned whether the commissioners could stipulate, if this request goes through, that if the property changes hands in the future that it must go back to the C-4 zoning designation. Mrs. Cunningham advised that this is against the law, and the commissioners supported her statement.

President Borries asked the remonstrators to approach the commissioners' table to see if a compromise would be possible in order to resolve the differences on this rezoning petition. While Commissioner Willner questioned if it would be possible to move the proposed building 20 ft. further north and if the remonstrators would feel differently, it was subsequently determined that this would not be necessary.

(continued)

Commissioner Cox remarked that she feels Mr. Moore will be a good neighbor. He maintains his residence in an excellent manner and she feels he will do the same with this commercial property. She also pointed out that insofar as the noise is concerned, there could be a lot worse come in in a C-4 zone.

Commissioner Willner moved that VC-6-83 rezoning petition be approved with following stipulations:

a) Installation of an 8 ft. opaque fence on the south side of of the property

b) Louvres on the exhaust fan, directing the fumes northward

The motion was seconded by Commissioner Cox, and President Borries asked for a roll call vote. Commissioner Cox - yes; Commissioner Willner - yes; and Commissioner Borries - yes. So ordered.

President Borries advised Mr. Moore that if he has any questions, please feel free to call Mrs. Cunningham at any time -- we want to work with him on this. He asked that Mr. Moore be a good neighbor. Both Commissioners Borries and Willner reiterated that they had never met Mr. Moore prior to tonight's meeting and, therefore, owe him nothing. He verified this. Mr. Moore is known, however, to Commissioner Cox.

RE: VC-7-83 - Petitioner, Cynderella McDowell Miller et al

Attorney James Flynn approached the podium to speak in behalf of Cynderella McDowell Miller et al and the Trustees of the Sol-Arlene Bronstein Foundation, which proposes the development of the Solarbron Pointe Retirement Center. Mr. Flynn said he would like to file with the commissioners at this time the written commitments of the Trustees of the Foundation, assuring the commissioners that Foundation will regulate and restrict the use of the real estate west of McDowell Road ..and will maintain the natural trees and foliage. .President Borries asked that these written commitments be made a part of the official minutes of this meeting:

COMMITMENTS

Howard P. Trockman and the National City Bank of Evansville, as the Trustees of the Sol and Arlene Bronstein Foundation, hereinafter designated "the Foundation:, for and on behalf of the Foundation covenant to and agree with the Evansville-Vanderburgh Metropolitan Area Plan Commission, hereinafter designated "the Plan Commission", and the Vanderburgh County Commissioners, hereinafter designated "the Commissioners", as follows:

RECITALS

1. Pursuant to the terms of a certain Trust Agreement dated March 25, 1976, the Sol and Arlene Bronstein Foundation was established following the death of Arlene Bronstein on November 30, 1977. The said Foundation has petitioned to amend the zoning map of Vanderburgh County, Indiana by Ordinance Number VC-7-83 from an agricultural zone classification to an R-4 zone classification, respecting the following described real estate in said County and State, to-wit:

Part of the Southeast Quarter of the Northwest Quarter of Fractional Section Thirty-One (31), Township Six (6) South, Range Eleven (11) West in Vanderburgh County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the said Southeast Quarter of the Northwest Quarter of said Section 31; thence South 1 degree, 56 minutes and 19 seconds West along the East line of said quarter, quarter section for 1341.70 feet to the Southeast corner thereof; thence North 89 degrees, 22 minutes and 52 seconds West along the South line of said quarter, quarter section for 2430.62 feet to the Southwest corner thereof; then North 2 degrees, 08 minutes and 54 seconds East along the West line of said quarter, quarter section, for 976.60 feet to a point on the Southeast right-of-way line of State Highway #62, (F-project No. 845); thence North 33 degrees, 24 minutes and 41 seconds East along the said right-of-way line for 405.20 feet to a point on the North line of the

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Southeast Quarter of the Northwest Quarter of said Section 31; thence North 89 degrees; 59 minutes and 11 seconds East along the said North line for 2216.13 feet; to the place of beginning and containing a gross area of 73.21 acres, more or less.

The above described real estate is subject to an easement to Southern Indiana Gas and Electric Company, Inc. on which is located an overhead electric transmission lines, and other easements of record.

hereinafter designated "the Real Estate".

2. The Plan Commission and the Commissioners, in response to the suggestions of other interested parties, desire to assure the planned development of the Real Estate according to criteria which may equal or exceed the requirements of applicable land use codes and regulations.

3. When the rezoning ordinance is approved and the fee simple title to the Real Estate is acquired by the Foundation, the Foundation wishes to cooperate with the Plan Commission and the Commissioners in regulating the use of the Real Estate in those matters as to which the interests of the Foundation coincide with the interests of the Plan Commission, the Commissioners and other interested parties.

4. The Foundation is the holder of a legal and binding option to purchase fee simple title to the Real Estate which option, if exercised by the Foundation, empowers the Foundation to bind itself regarding the use and development of the Real Estate.

NOW, THEREFORE,

The Foundation covenants and agrees with the Plan Commission and the Commissioners that:

1. If the Zone Maps of Vanderburgh County are amended by Ordinance Number VC-7-83, duly enacted and promulgated according to law, to zone classification R-4 under the Vanderburgh County Code, thereby permitting the construction and occupancy of low density multiple dwelling units pursuant to said Code, the Foundation shall opt to purchase the Real Estate and shall cause to be constructed upon the Real Estate facilities for the housing and care of the elderly of first quality construction. The Foundation shall further regulate and restrict its use of the Real Estate by setting back any and all above ground improvements west of McDowell Road a distance of 120 feet from the north line of the the Real Estate. From such north line set-back area, the Foundation shall reasonably maintain the natural trees and foliage.

2. These covenants and restrictions shall not convey or grant any interest in the Real Estate or any other real estate of the Foundation, nor any interest servient to or for the benefit of any real estate. However, all of these covenents and restrictions expressed herein shall be enforceable by the Plan Commission, or its successor body, by a suit in equity for specific performance, by injunction or by other jurisdiction over such matters, until December 31, 2008, or until the Real Estate is sooner rezoned.

3. These covenants and restrictions shall terminate, regardless of any other time limitation, should this property again be rezoned.

IN WITNESS WHEREOF, the Foundation has executed these Commitments at Evansville, Indiana, this 16th day of September, 1983.

SOL AND ARLENE BRONSTEIN FOUNDATION

by Howard P. Trockman, Trustee"

Attorney Flynn continued by introducing Dr. David Rice, President of Indiana State University, who offered his comments on the rezoning of this property. He said the property is adjacent to I.S.U.E. and they feel the living environment that Arlene Bronstein wishes is very compatible with the University and the complimentary scheduling of the university facilities will be quite good. They have had a series of meetings with the neighbors and each has received a set of plans for the Solarbron Retirement Center.

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He said this has provided the neighbors with an opportunity to critique the plans and he believes all of the questions have been addressed. Dr. Rice noted that several communities in Europe, as well as other places, are building centers like this. He thinks this movement will one day move to America. He said he thinks this center will be a fine addition to the community and lauded the Trustees of the Sol-Arlene Bronstein Foundation for locating the center on the West Side of Evansville.

Commissioner Borries expressed his appreciation to Dr. Rice for his recent role in the Leadership Evansville meeting as well as attending tonight's meeting. He said he feels this is an exciting concept and he appreciates Dr. Rice's leadership role in relation to suggesting a natural marriage between the elderly and the youth served at I.S.U.E.

In response to Commissioner Cox's question regarding Cynderella Miller's residence, Mr. Flynn stated she intends to continue to live on this site. There is a drive back to her residence.

Attorney Miller emphasized that while he is sure these commitments are given in totally good faith by the Trustees of the Foundation, by reason of State law as it has been interpreted by our courts, the Area Planning Commission does not have any authority to enforce -- even though that power is given in these commitments --to allow the Planning Commission to enforce. It is the present state of Indiana zoning law, as he understands it, that the Planning Commission would not have any enforcement power. He reiterated that this has nothing to do with the quality or lack of quality of this particular project -- it is, however, something the commissioners should know. Commissioner Cox commented that these men have integrity and reputation and she feels they will stick by their word. President Borries said he also feels it is important that there has been publicity concerning the plan, because originally the Trustees had looked at another location on the East side of the county which was rapidly developing and there were some problems. He said this is an exciting concept for the elderly, because it is not a nursing-home type of facility. The proposed Retirement Center envisions the type of place where elderly people can remain productive as long as they're able to do so. Mr. Flynn said the plans feature 82 independent living units and each will have direct access from the unit to the outdoors. In case of inclement weather, there will be a covered walkway to the dining facility of the university.

President Borries expressed his appreciation to Dr. Rice and Mr. Flynn, and asked if any remonstrators were present at the meeting who wished to comment concerning this rezoning petition.

Richard Henry: Mr. Henry said he lives at the corner of McDowell and Farmington Roads and he has been in favor of the project from the beginning. He does, however, have some questions concerning the green space and the access road. For instance, if this large lot or green space were sold, could a large access road be built there without a change in the zoning law? Things change, people change, and sometimes the law changes. The commissioners advised that the representative of the Bronstein estate have given us their commitments and we will just have to accept their word in the matter. It was pointed out, however, that there will be a driveway around the facility -- but not in the area of the woods, etc. There will be no above-ground construction in this area. Commissioner Borries reiterated again that the representatives of the Bronstein estate have given us their commitments and these could demonstrate good faith -- which we have every reason to believe they will - but we cannot enforce them from the standpoint of any kind of legal situation. You will just have to accept their word at this time that that is not part of their plan. Mrs. Cunningham pointed out that this request for rezoning was amended from an R-5 to an R-4 classification, which alleviated many fears or concerns of the neighbors.

Commissioner Willer made the motion that this petition for rezoning be approved as presented. Commissioner Cox made a second to the motion and President Borries called for a roll call vote: Commissioner Willner - yes; Commissioner Cox - yes; and Commissioner Borries - yes. So ordered.

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RE: VC-8-83 - Third Reading - Petitioner, Gregg J. Gormley

President Borries announced that discussion on this petition would be tabled until the commissioners meeting scheduled for Monday evening, October 17th.

RE: VC-9-83 - First Reading - Petitioner Robert T. Knight

It was noted that the premises affected by this petition are located on the west side of U.S. Highway 41, north of the corner formed by Shawnee Drive and Highway 41 South. The proposed use for this land is for mobile home sales facility.

Commissioner Willner made a motion that this petition be approved on the first reading and forwarded to the Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: Special Use Permit - 22-83-APC - Applicant, Christian Fellowship Church

Commissioner Borries announced that this petition has been withdrawn and he read the following letter, requesting that it be made a part of the proceedings of this meeting:

"Area Planning Commission
Room 312
Civic Center Complex
Evansville, IN 47708

Attention: Sandy or Virginia

Gentlemen:

Please be advised that we hereby withdraw our request to implement mobile or modular units on our facility here at CHRISTIAN FELLOWSHIP CHURCH.

We thank you for your time and consideration.

Sincerely,

Wm. Andrew Certain
CHRISTIAN FELLOWSHIP CHURCH
Building Committee"

Letter received.....and filed.

RE: Special Use Permit - 29-83-APC - Applicant, Gloria Falcone

This is for a beauty shop in a residence at 5322 Upper Mt. Vernon Road. Motion was made by Commissioner Cox that this application be approved on the first reading. Motion was seconded by Commissioner Willner. So ordered.

RE: Special Use Permit - 31-83-APC - Applicant, Gregg Gormley

It was noted that the rezoning petition submitted by Mr. Gormley had to be continued because he had to obtain a Special Use Permit. There has already been a first reading on the rezoning application and this is the first reading on the Special Permit Application. This for special use of a Veternarian Office at 6805 Darmstadt Road. Commissioner Willner made motion that this application be approved on the first reading and forwarded to the Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

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RE: COUNTY ATTORNEY REPORT - David Miller

President Borries called on County Attorney David Miller, who reported he had nothing at this time to bring before the commissioners.

RE: COUNTY HIGHWAY DEPARTMENT - Bill Bethel

Continuing, President Borries called on Bill Bethel of the County Highway Department for his report.

Weekly Absentee Report: Mr. Bethel submitted the Weekly Absentee Report of the employees at the County Highway Garage for the period September 12 thru September 16, 1983. Report received.....and filed.

Weekly Work Report: Mr. Bethel submitted the Weekly Work Report of the county garage employees for the period September 12 thru September 16, 1983. Report received.... and filed.

In giving a brief rundown of the work accomplished, Mr. Bethel said Gradeall equipment was out on Middle Mt. Vernon Road, Pollack Avenue, Old Boonville Highway, Wallomar Rd., and Kroft Road. They rocked the shoulders of Old Boonville Highway. Tree crews were out on Old Henderson Road, Millersburg Road, Hedden Road, Darmstadt Road, etc. Mowers were out on Millersburg Road, Green River Road, Hedden Road, Orchard Road, etc. The commissioners commended Mr. Bethel on the work accomplished and expressed hopes that the weather will hold out until they complete all needed work on the roads.

RE: LETTER TO EUTS FROM DEPT. OF NATURAL RESOURCES

President Borries read the following letter concerning the Pollack Avenue improvement program and asked that it be made a part of the record:

"Ms. Michelle Childers
Evansville Urban Transportation Study
Room 312, Civic Center Complex
Evansville, IN 47708

RE: DMR #2131 Pollack Ave. Improvement, Vanderburgh County

Dear Ms. Childers:

The above referenced project has been reviewed by the Indiana Department of Natural Resources, Division of Historic Preservation and the following comments are offered for your information.

As long as no structures are demolished or removed, no known historical or architectural sites will be affected. Before this project can be approved, federal regulations require that the applicant submit a letter from a qualified archaeologist discussing the results of a records search and the need for reconnaissance.

We appreciate this opportunity to be of service. If we can be of further assistance, please do not hesitate to contact me.

Sincerely,

James M. Ridenour, Director
Department of Natural Resources"

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There was brief discussion, then a suggestion from President Borries that contact be made with archaeologist at Angel Mounds to ascertain how much it would cost to obtain a written opinion to submit to the Department of Natural Resources. By way of explanation, Mr. Borries said they have had some inquiries because of the safety hazards on Pollack Avenue and, in particular, with regard to the very deep ditch with no shoulder on the south side. Traffic is increasing constantly due to the various apartment complexes and residential areas opening up in the area. He said we are trying to do as much of this work in house as possible to save money. However, we must have this report from the archaeologist to submit to the Department of Natural Resources. It was the concensus of the commissioners that contact should be made with Angel Mounds personnel, and a copy of that letter should be sent to EUTS for their information.

RE: BUCHTA REQUEST TO MOVE HOUSE FROM PETERSBURG ROAD TO BAUMGART ROAD

The meeting continued with President Borries reading a letter from William Zimmerman, Building Commissioner:

"To: County Commissioners Date: September 14, 1983

From: Wm. Zimmerman, Bldg. Commissioner Re: House Move

Elmer Buchta, Inc. requests a permit to move a house from 7420 Petersburg Rd. to Baumgart Rd. They will move it across a field. They would like to make this move around the first week of October, providing they notify public utilities of the date of this move. The owner is Ralph Hocker at 2618 Lake Dr. in Evansville."

Motion to approve Mr. Buchta's request was made by Commissioner Willner, with a second from Commissioner Cox. So ordered. (Both letters received....and filed.)

RE: SURVEYOR'S REPORT

In the absence of Mr. Brenner, Commissioner Borries called on David Guillaum for the surveyor's report. Mr. Guillaum said other than the routine miscellaneous work (weed cutting, painting of guardrail, etc.) his crew had rebuilt the retaining walls for a bridge structure on Old Petersburg Road west of Highway 41--it was washing out pretty badly and they built the bank back up. The crew has also been busy stabilizing the banks for the 1st Avenue Bridge, etc. Additionally, they hope to have the clean-up on Old Petersburg/Baseline Roads completed in about a week. President Borries expressed the commissioner's appreciation for Mr. Guillaum's report and commended him on the good work.

RE: SUPPLEMENTAL AGREEMENT - MORLEY & ASSOCIATES/VANDERBURGH COUNTY

President Borries read the following letter from R. Andrew Easley, Jr., which he asked be included as part of the record of the proceedings of this meeting:

"September 19, 1983

Mr. Richard J. Borries, President
Vanderburgh County Board of Commissioners
305 Administration Building
Civic Center Complex
Evansville, Indiana 47708

Dear Mr. Borries:

On January 17, 1983 the Board of County Commissioners signed a Supplemental Agreement for engineering services with Morley and Associates, Inc.

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'This agreement, a copy of which is enclosed, contains Change Order #2, which establishes the cost of preparing the legal descriptions and survey plats for the Temporary and Permanent Right-of-way for the project at $1,680.00

It is requested that the Board of County Commissioners authorize the undersigned to send Morley and Associates a letter to proceed on the work to be performed under change order #2, with the understanding that the $1,680.00 engineering fee will be paid by the County Commissioners out of the Local Roads and Street Account.

If you have any questions, please contact the undersigned.

Very Sincerely,

R. Andrew Easley, Jr.
County Highway Engineer"

Commissioner Borries explained that this project has to do with the Burkart Road improvement,which is going to move into construction in 1984. He said he thinks this will enable us to complete all the necessary items on that particular Burkart Road widening project so that it cn go into construction in 1984. It was explained that there have been three (3) Change Orders, as follows:

Change Order #1 -	increase in soils work necessary to meet IDOH soils section	$ 66.25
Change Order #2 -	additional engineering work required to prepare survey, description, etc., for temporary and permanent right-of-way necessary to complete the project	1,680.00
Change Order #3 -	Reduction for actual services performed because a full environmental impact statement was not required.	2,299.39

In other words, the net of all these change orders would reduce the maximum amount payable by $553.14.

Motion to approve Change Order #2 was made by Commissioner Willner, with a second from Commissioner Cox. So ordered. Commissioner Borries said Mr. Easley will be instructed to ask Mr. Morley to proceed.

RE: TAX ADJUSTMENT BOARD

President Borries said the Tax Adjustment Board met last week and made their cuts. Mr. Borries has a petition to appeal to the State Board of Tax Commissioners regarding the action of the Tax Adjustment Board of Vanderburgh County, Indiana. He said, for the record, the local Tax Adjustment Board made the cuts down to the frozen levy and took these out of the Commissioners' Budget. He said he understood one of the reasons for that would be is that the Commissioners' Budget is where most of the appeals are directed anyway. He said the nature of these appeals (amount is $1,054,574) Sheriff's Department, EARC, Mental Health, Emergency Medical Services, Change of Venue, School Transfer Tuition, cost of Reorganized Courts, etc. Mrs. Cox questioned what impact this would have on the tax rate. Mr. Borries indicated he did not know, that the County Auditor would have that figure. President Borries asked that these figures be entered into the record at the next commissioners meeting. President Borries called for a roll call vote to proceed with the filing of the petition. Commissioner Willner - yes; Commissioner Cox - yes; Commissioner Borries; yes.

RE: COUNTY INSURANCE - 1983

Commissioner Borries said he has a copy of a letter from the Insurance Bookkeeper concerning County Insurance for 1983. He read the letter to the commissioners and asked that it be made a part of the record of this meeting.

"ATTENTION OFFICEHOLDERS:

Please inform your employees of the following information about the County Insurance.

(continued)

'Points to remember:

1. Open Period for Blue Cross is the Month of May.

   a. Any changes should be made at that time.

   b. It may be dropped anytime, but additions must wait until that Month. This can vary because of circumstances.

   c. Sign up for Dental-Vision Insurance only during the Open Period.

2. Maxi-Care Insurance Open Period is during the Month of January.

3. Dental-Vision Insurance is optional and the employee must pay the full premium which is $20.90 for a family and $6.70 for a single policy.

4. The Employer (County) pays the same percentage of the premium for both Blue Cross Health and Maxicare.

   a. Employee's share for 1983 is:

      Blue Cross - Family $20.00
      Single $10.00

      Maxi-Care - Single $ 8.00
      Two $16.00
      Three or more $17.80

   b. Please remember these figures are only for 1983 until further notice.

Dolores M. Gugin
Bookkeeper, Insurance"

RE: SIDEWALKS ON LINCOLN AVENUE

President Borries read the following letter from Mrs. Bonnie Brill concerning the installation of sidewalks on Outer Lincoln Avenue:

"September 9, 1983

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

Dear Mr. Borries, Mr. Willner, and Ms. Cox,

I would like to take this opportunity to thank you and congratulate you for the installation of the sidewalks on the North side of Outer Lincoln Avenue. It was a wonderful way to start a new school year. I appreciate the time and the effort you put into this problem.

I also would like to tell you that I have personally written a letter to the property owners involved expressing your appreciation of their cooperation in this matter.

Sincerely,

Mrs. Bonnie Brill"

RE: CONTRACTUAL DATA PROCESSING SERVICES/PULSE SYSTEMS

Commissioner Borries said he had a letter from Pulse Systems in regard to their bid on Contractual Data Processing Services. He said at last week's meeting the

(continued)

Commissioners had asked for clarification and approval to submit this bid to other individuals to give us independent evaluations of the bids received. He said he also received a packet from Pulse Systems, but he is not prepared to submit it at this time. However, he wants the Pulse System reply made a part of the record of tonight's meeting:

"September 14, 1983

Mr. Richard J. Borries, President
Board of County Commissioners
City Center Complex
Evansville, IN 47708

Dear Sir:

We appreciate the opportunity to bid on the contractual data processing services to the City and County.

Our request for confidentiality was made to protect us in the event that all bids were thrown out and that a rebid was required. We find no breach of confidentiality if our proposal is disclosed for evaluation purposes. It was our intent that our proposal not be made available to anyone who competes with us directly in offering data processing services or markets computer hardware as a profit making business. This restriction would not apply to data processing professionals in the teaching profession or banking industry.

We thank you for the opportunity to bid on this service and your consideration of our proposal.

Very truly yours,

David P. Goad, Vice President
PULSE SYSTEMS DIVISION
CHARLES LEICH & COMPANY

Mr. Borries said he has some contact with the City and they will also want to evaluate that bid as quickly as possible, if we are to reach any decision by October 1st.

RE: MONTHLY REPORT FROM ALEXANDER AMBULANCE SERVICE, INC.

Mr. Borries said this report will be received and filed. He pointed out that we are receiving payment on some of the letters we have received and are very encouraged by the fact that some payments are now coming in -- which will lessen the obligations of the County with regard to the funding of this program.

RE: HARTFORD INSURANCE SEMINAR

President Borries said he had one letter, which he believes the commissioners previously approved, directed to Alice McBride, County Auditor, requesting the transfer of $300.00 from the County Commissioners budget - Acct. 130-341 to Acct. 133-13 Travel to cover the lodging and mileage of Mr. James Lindenschmidt to attend the Hartford Insurance Seminar the week of October 24, 1983. However, he again asked for a motion to approve the transfer of these funds. Motion made by Commissioner Cox, with a second from Commissioner Willner. So ordered.

RE: CLAIMS

Ohio Valley Reporting Services, Inc.: This covers charge of one copy of deposition of David Guillaum at 80¢ per page for 33 pages or total of $26.40 and deposition of Martin Nussmeyer of Southwest Engineering in the amount of $162.40 or total of $188.80. He questioned if there are funds available to pay the cost of these depositions at this time. (This would be from Acct. 130-317)

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Commissioner Willner asked if this concerned the bridge on Hirsch Road? He asked if this could come from the bridge fund. Mr. Borries said, as he understands it, this would come from depositions line account -- but Mrs. Cox interjected that this should come from Judgments and Awards, but, again, Commissioner Willner said he wondered if this couldn't come from the bridge fund. President Borries said he could only refer this to the County Auditor. Commissioner Willner made a motion that this claim be denied. There was a second by Commissioner Cox. So ordered.

Commissioner Cox asked Pat Tuley to check with the State Board of Accounts to see if any claims that arise or any court judgments that arise concerning bridge work can be paid from the Cumulative Bridge Fund. Commissioner Willner interjected, "upon proper appropriation -- we'd probably have to go to the County Council". Mrs. Cox agreed. Mr. Tuley said he would check this out with Mrs. McBride and the State Board of Accounts.

Commercial Ditch Cleaning Co.: President Borries said he has, again, the claim previously considered -- which has now been signed and everything is in order. This covered mowing of weeds on the vacant lots along Peachtree drive and the ditch -- in the amount of $500.00. The work was inspected on 9/17/83 and the claim has been signed by Mr. Zimmerman. This work was on tax sale lots and has been completed.

Claims from Prosecutor's Office: We have two claims from the Prosecutor's Office. One is for a Deputy Prosecutor who attended a State-ordered Seminar; however, the claim is over what is allowed by the ordinance -- both the room and the meals. The same was true on the second claim, from another Deputy Prosecutor. This was a IV-D Seminar. Mrs. Cox questioned if the funds for this wouldn't come from Unappropriated State Funds. After brief comment, President Borries indicated that the Commissioners should get clarification from the Prosecutor on these two claims.

RE: EMPLOYMENT CHANGES - APPOINTMENTS

Data Processing				
Valerie K. Brown	115 Buckingham Dr.	-199	$ 4.50/Hr.	Eff. 9/19/83
Vanderburgh Superior Court				
James T. Barron		Bailiff	$11,775/Yr.	Eff. 9/12/83
Circuit Court				
Shirley A. Roll	1709 S. Vann Ave.	P/T Librarian	$ 5.00/Hr.	Eff. 8/29/83
Paul N. Aarstad	626 S. Norman Ave.	P/T Librarian	$ 4.00/Hr.	Eff. 8/29/83
Sara Willett	1531 Jeanette Ave.	Bail Bond P/T	$ 3.35/Hr.	Eff. 8/29/83
Burdette Park				
Britt Heathcotte	3512 Koring Rd.	Ext. Guard	$ 3.35/Hr.	Eff. 9/2/83
Perry Gostley	R.R.#1, Box 40	Rink Guard	$ 4.00/Hr.	Eff. 9/7/83

RE: EMPLOYMENT CHANGES - RELEASES

Sheriff's Department				
Lori Lei Barron	1805 N. Red Bank	Jail Nurse	$16,076/Yr.	Eff. 8/27/83
Vanderburgh Superior Court				
Lisa R. Sartore		Ct. Reporter	$16,217/Yr.	Eff. 9/9/83
Solomon Maurer	(Leave of Absence)	Bailiff	$11,775/Yr.	Eff. 9/9/83

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Circuit Court

Danny J. Lottes	2809 Jeanette Ave.	Law Clerk	$160/Wk.	Eff. 9/9/83
Paul N. Aarstad	626 S. Norman Ave.	Special Intern	$3.50/Hr.	Eff. 8/26/83
Jon K. Aarstad	626 S. Norman Ave.	" "	$140/Wk.	Eff. 9/2/83
Bracken P. Darrell	1311 Parrett St.	" "	$140/Wk.	Eff. 9/2/83
Todd Richardson	2068 E. Gum	" "	$140/Wk.	Eff. 8/29/83

Vanderburgh County Cooperative Extension Service

Anne Buthod	703 S. Willow	Part-Time	$22/Day	Eff. 9/1/83
Daniel Miller	1616 W. Indiana	"	$22/Day	Eff. 9/1/83
Christine Wagner	5315 Millersburg Rd.	"	$25/Day	Eff. 9/1/83
Patrick Garnett	1200 April Dr.	"	$22/Day	Eff. 9/1/83
Brad Korff	2000 W. Boonville	"	$22/Day	Eff. 9/1/83
Sandra Carroll	6611 Rosser	"	$22/Day	Eff. 9/1/83
Dwayne Brazelton	5100 Happe Rd.	"	$28/Day	Eff. 9/1/83
Warren Korff	Route #7	"	$22/Day	Eff. 9/1/83
Candice Garnett	1200 April Dr.	"	$22/Day	Eff. 9/1/83
Mark Roth	Route #8	"	$22/Day	Eff. 9/1/83
Matthews Roth	Route #8	"	$22/Day	Eff. 9/1/83

Burdette Park

*Britt Heathcotte	3512 Koring Road	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
John Winiger	2308 N. Heidelbach	Reg. Guard	$3.50/Hr.	Eff. 9/6/83
Rick Murray	3915 W. Maryland	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Greg Franklin	2154 E. Monroe	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Kathy Bullock	1311 Genesta	Rink Guard	$4.00/Hr.	Eff. 9/6/83
Linda Owens	2852 Pennsylvania	Reg. Cashier	$3.50/Hr.	Eff. 9/6/83
Kelli Richardt	4012 W. Columbia	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Tracy VanZant	101-B Peerless Rd.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Sally Behme	3196 Droll Ave.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Perry Gostley	R.R.#1, Box 40	Reg. Guard	$3.50/Hr.	Eff. 9/6/83
Judy Oberhausen	4218 Treemont	Asst. Pool Mgr.	$ 35/Day	Eff. 9/6/83
Bryan Norman	R.R.#2, Box 63	Head Guard	$ 35/Day	Eff. 9/6/83
Jenny Oberhausen	4218 Treemont Rd.	Pool Mgr.	$ 48/Day	Eff. 9/6/83
Jane Hutchison	2026 W. Michigan	Head Guard	$ 35/Day	Eff. 9/6/83
Lori Sinclair	613 Walden Lane	Reg. Guard	$3.50/Hr.	Eff. 9/6/83
Kim Hankins	2908 Lakeview Blvd.	Reg. Guard	$3.50/Hr.	Eff. 9/6/83
Robb Bumb	3225 Lemear Lane	Reg. Guard	$3.50/Hr.	Eff. 9/6/83
Brad Norman	R.R.#2, Box 63	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Melissa Eberhard	7516 E. Chandler	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Greg Topper	1906 S. Red Bank Rd.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Tracey Bough	7610 Mulberry St.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Wayne Ellis	6800 Rosser Drive	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Angela Brown	2837 Egmont St.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Leisa Michelle Goad	11540 Village Ln.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Darren Flenner	5120 West Lake Dr.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Warren Tracy Hankins	2908 Lakeview Dr.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Lori Kerner	2225 Adams	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Janna Gartner	1931 Carol Drive	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Mary Theby	2309 Bayard Park	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
Jenny Majewski	401 Kings Valley Rd.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83
*Britt Heathcotte	3512 Koring Rd.	Ext. Guard	$3.25/Hr.	Eff. 9/6/83

Motion to approve all foregoing employment changes was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: SCHEDULED MEETINGS

President Borries indicated he had no scheduled meetings on his agenda, and asked the other Commissioners if they had any. Commissioner Cox indicated there was a Subdivision Review Committee Meeting scheduled for 9:30 a.m. on Tuesday, September 20th.

(continued)

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There is also a Southwestern Indiana Mental Health Meeting scheduled at Southwind on Tuesday evening, September 20th, at 6:00 p.m.

President Borries advised that there will be no Drainage Board Meeting tonight following the Commissioners Meeting; rather, it will be held next week.

There being no further business, President Borries declared the meeting recessed at 9:40 p.m.

PRESENT:

COUNTY COMMISSIONERS

Richard "Rick" Borries
Robert L. Willner
Shirley Jean Cox

COUNTY AUDITOR

Pat Tuley

COUNTY ATTORNEY

David Miller

COUNTY SURVEYOR

David Guillaum

COUNTY HIGHWAY

Bill Bethel

OTHER

Emil Becker, Atty.
News Media
Dr. David Rice, President/ISUE
Petitioners and Remonstrators on Rezoning Petitions
Trustee Representative, Sol-Arlene Bronstein Foundation

AREA PLANNING COMMISSION

Barbara Cunningham

SECRETARY: Joanne A. Matthews

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

COUNTY COMMISSIONERS MEETING
SEPTEMBER 26, 1983

The meeting of the County Commissioners was held on Monday, September 26, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: POOR RELIEF....PIGEON TOWNSHIP

Applicant: Kelly Schroeder, 614 Main Street, Evansville, Indiana 47708
Case Worker: Mr. Bill Goff, representing Pigeon Township Trustee's office

Ms. Schroeder was present and stated she is now staying at 200 Olmstead instead of 614 Main Street, which is stated on her application (The Main Street address is the Civic Plaza Hotel). She said she was denied rent assistance by the Trustee's office at 614 Main and was told it was because she had other means, which she does not have. Her Grandmother told her she could stay with her for a short while, however, she is not financially able to let her stay there for good. She has also stayed with her sister for a night or so, but she cannot afford to take care of her either.

President Borries asked Ms. Schroeder if she receives any other assistance, such as food stamps.

Ms. Schroeder said she received food stamps when she was living at 614 Main Street, but was told she would not receive them while living at her Grandmother's. She is wanting only one (1) month's rent, that she is going into the Army Reserves on November 1st. and she needs rent assistance until that time.

Commissioner Cox asked if the 200 Olmstead address is the Grandmother's home and Ms. Schroeder replied yes. Ms. Cox asked Ms. Schroeder how much behind on her rent she is at the Main Street address and she replied she is paid up as of now, but she needs one (1) more month's rent until she starts boot camp the first of November. She said the Trustee paid her rent last month.

Ms. Schroeder said she has gone out daily looking for a job, however, many places turned her down because of the fact she is going to be going into the Army in November.

Mr. Goff came forth and stated Ms. Schroeder came to the Trustee's office in June requesting assistance and at that time we granted her assistance by paying a month's rent at the Hotel. They also granted her a month's rent for the month of July at the Hotel and at that time she was told they would not pay anymore rent for her. When she recently came in asking for a rent voucher, she informed us she stayed the night before with her sister, who lives in Knight Township and that she had been staying with her sister some and with her Grandmother some.

Ms. Schroeder stated the Trustee's office said she has alternative means, but living with her sister and grandmother, to her, is not an alternate source, that neither one of them can afford to take her in.

Ms. Schroeder is twenty three (23) years of age, was married for two (2) years, which ended in divorce in September of 1982 and she has no children.

Commissioner Willner asked what was Ms. Schroeder's last place of employment and she replied she worked for Kelly Services, which is an Employment Service for temporary work and the last time they called her for a job was in March of this year, however, she has constantly kept in touch with them and they tell her if anything opens up they will contact her.

Commissioner Willner asked Ms. Schroeder if her Grandmother or sister could keep her until she goes into the Army in November and she replied absolutely not.

President Borries asked if the November date is a confirmed date for the Army and Ms. Schroeder said yes it is confirmed and she has documents stating such, however, she does not have them with her but can supply them to the trustee.

Commissioner Cox said the Trustee has a work back program, whereby people receiving assistance work to pay back the Trustee's office and she asked Ms. Schroeder if she would be willing to work for her assistance and she replied very definitely yes.

President Borries said also, if it were legal, could a portion of her salary she will get from the Army be paid back to the Trustee and Mr. Goff said he has known of no instance where money was ever paid back, however, they do have their work back program as mentioned by Ms. Cox.

President Borries instructed Ms. Schroeder to get back with Mr. Goff and try to work out a work schedule whereby she would work in exchange for her rent until she goes into the Army the first of November.

RE: PRESENTATION BY PULSE SYSTEMS CONCERNING DATA PROCESSING

President Borries said representatives of Pulse Systems are with us today regarding the proposal they submitted concerning a computer system and conversion system that would be considered and approved by this Commission, applicable to Vanderburgh County. We are faced with some extremely difficult decisions concerning data processing and the most obvious is that we have reached our capacity in relation to the demands for data processing in the county. Through a series of very confusing and elaborate events he believes it would by safe to say at this time that we have a bid that we have taken under consideration and this bidder has asked for time today in which to explain their program to the Commissioners, and this will be taken under advisement.

Mr. Robert Leich, President of Pulse Systems, was present and stated he appreciates the opportunity to appear here today and will try to answer any questions anyone might have concerning their system. At this time Mr. Leich gave a brief background of the family owned company since 1854 and that Pulse was founded in 1974 and he named several firms in which their systems have been installed.
Mr. Leich submitted the following letter to each of the Commissioners, dated Sept. 23, 1983.

Dear Commissioners:

We appreciated the opportunity to meet with Mr. Borries yesterday, and hope that we satisfactorily answered you major questions concerning the proposed City/County computer operations. Per your request, we have prepared additional data concerning the projected annual savings which will be realized under our bid proposal. These annual savings total $470,000 over the five year contract period ($94,000 per year).

Our computer hardware specifications include two (2) Honeywell DPS6/95 Central Processing Units with two (2) megabytes of main memory. In addition to the required printers, CRT stations and tape units, the system features six (6) disk storage units with 1536 megabytes of storage capacity. In layman's terms this system will provide four times the processor power and two times the storage capacity of the present systems (Sperry Univac, Digital, and NCR). Exhibits outlining the system configuration and performance comparisons to competitive systems are attached.

Exhibits #1 thru #3 attached, detail the cost data that you requested. Exhibit #1 outlines the $470,000 saving possible under the combined City/County operation based on a 16 hour per day/5 days per week staffing of the data center (same as current). There will be no charge for system use during periods when the data center is not staffed.

Given the current problems with the computer system in the Controller's office, we can well understand Mr. McDonald's questions as to the feasibility of merging in his computer operation after the County is up and running smoothly. Exhibit #2 shows the savings realized with the County alone on the new system. Should this course of action be adopted, the County operation could be converted by 1 January, 1984, and the City could be brought on line in the 1st or 2nd quarter of 1984, after Mr. McDonald is satisfied as to the operating efficiencies of the new system. Our hourly data center staffing charge would be reduced from $100 to $83 per hour, during the months that the County alone was utilizing the system.

Letter from Pulse Continues

Again, we appreciated the opportunity to answer your questions. As you requested, we have provided copies of the exhibits for the independent County Computer Consultant. We would be pleased to provide any other information that you require.

We look forward to an affirmative response to our bid proposal.

Sincerely yours,
PULSE SYSTEMS Division
CHARLES LEICH AND COMPANY

Robert M. Leich, Jr., President

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Mr. Leich said concerning the $470,000 savings, Exhibit #1 shows the following cost analysis:

PROPOSED COST TO JOINT CITY/COUNTY

$100/hour for 16 hours a day, five days per week staffing charge. Any additional system utilization, such as third shift and weekend time will be at no charge.

Therefore, maximum yearly cost is $416,000 to City/County

PROPOSED SAVINGS TO JOINT CITY/COUNTY

Present City/County yearly cost is approximately	$510,000
Less Proposed	$416,000
Approximate Annual Savings	$ 94,000
X 5 Years	$470,000

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He said the systems manufactured by Honeywell, that they are including in their proposal are absolutely the newest things available, which means you get a tremendous amount of processing power for relatively lower cost than you might have paid before. You will have four (4) times the processing power and two (2) times the storage capacity as the present systems (Sperry Univac, Digital, and NCR).
He said he understands Mr. McDonald's concern, that the city has had problems in the past and he would like to see the county go into the new system first and then bring the city into the operation at a later time. He said Exhibit #1 shows the cost analysis for the county alone, which is as follows:

PROPOSED COST TO COUNTY ALONE

If City is not on the system, the County's cost would be $83/hour for 16 hours a day, five days per week staffing charge. Any additional system utilization, such as third shift and weekends, will be at no charge.

Therefore, maximum yearly cost to county alone is $345,280

PROPOSED SAVINGS TO COUNTY ALONE:

Present County yearly cost is approximately	$426,000
Less Proposed	$345,280
Approximate Annual Savings	$ 80,720
X 5 Years	$403,600

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Mr. Leich said if this bid were awarded, as they would hope it will be, they would put the county on effective January 1, 1984 and then in the first or second quarter of 1984, when Mr. McDonald is satisfied, they would put the City on the system.

Mr. Leich said Exhibit #3 shows the cost analysis for the city to be as follows:

PROPOSED COST TO CITY

If City is on the system, it's cost would be $17/hour for 16 hours a day, five days per week staffing charge. Any additional system utilization, such as third shift and weekends, will be at no charge.

Therefore, maximum yearly cost to City alone is $70,720

PROPOSED SAVINGS TO CITY

Present City yearly cost is approximately	$84,000
Less Proposed	$70,720
Approximate Annual Savings	$13,280
X 5 Years	$66,400

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Mr. Jones said is it not a mistake, that when it is a joint operation, it shows the cost of $100.00 per hour, that it seems to him it should be less when both the city and county are using it, but this shows only $83.00 if the county alone is on it.

Mr. Leich responded by stating basically everything was designed for both the city and county, but if you want to hold one out, what they will in effect do is see how much the city will use, so they will not need quite as many CRT's (desk terminals) and we may not need a disk unit, or two, so since you would not be using the full hardware the county would not be charge the full amount, and then some months later when the city come on, the charge will increase from $83.00 to $100.00. He agrees this is a bit confusing, but they have attempted to save the county for the period of time the city is not on the system.

Mr. Jones said at this point and time there is no contractual relationship between the county and the city, that the county could accept and the city reject, or visa-versa.

Mr. Leich said this concludes his presentation and if there are questions too technical for him to answer, he will get back with the answers as soon as possible.

President Borries said for clarification purposes he would say the bids were considered on a combined facility.

Mr. Leich said there are a number of details that will have to be worked out and some of them will have to be done after such time as the contract is awarded.

President Borries said the major concern of his was in relation to the fixed dollar amount because we have to budget in that fashion and he appreciates the figures presented today.

Mr. Jones said concerning the period of transition, that we may or may not have an attempt to yank our computers in three (3) days, however, he does not think that is going to happen, that he believes under our exising contracts that cannot be done without the Commissioners approval of it being done. Assuming this bid of Pulse is accepted, how soon would you anticipate the transition would begin.

Mr. Leich said it would begin almost immediately, that in converting the programs it is very critical to them to move as quickly as possible, and he is not trying to stampede anyone into an important decision such as this, but as part of the bid specifications there were a series of time deadlines that they addressed themselves to in their quote. He said they do not plan on having a gap, and again he cannot control what the present vendor does, but they plan on having it converted over by January 1, and that is assuming the present system remains here until January 1.

President Borries thanked Mr. Leich for his presentation here today and for the figures submitted for the Commissioners' study.

At this time President Borries said there will be a meeting Thursday, September 29, at 1:00 p.m. in the City/County Council Chambers to reach a final decision on this matter.

RE: JAMES McINTYRE OF VOTERS REGISTRATION CONCERNING INDIAN WOODS APARTMENTS

Mr. McIntyre submitted the following letter, dated September 20, 1983, concerning the Indian Woods Apartment project in Knight Township.

Voters Registration:

It has been called to the attention of the Vanderburgh County Election Board that your office may not be registering qualified voters residing in the Indian Woods Apartment Project in Knight Township and also some persons residing on the east side of Hoosier Avenue in Knight Township for the upcoming city election.

This letter will advise you that Indian Woods was annexed into the City on December 21, 1981, and the east side of Hoosier Avenue has been in the City for some time prior to that date.

I.C. 3-1-8-3 provides that if the boundaries of the City are extended prior to March 1, before a City primary or prior to September 1, before a City election and such boundaries have not been rearranged into the City precincts, than voters within such extended boundaries will be permitted to vote, if otherwise qualified.

The deadline for registration of voters is fast approaching and we are sure your office desires that all eligible voters be registered to vote in the City election.

Accordingly, the Vanderburgh County Election Board would request that you take whatever steps are necessary to register qualified voters in the above areas.

Thank you very much for your prompt attention to this matter.

Very truly yours,
THOMAS H. TERRELL
Attorney for the Vanderburgh
County Election Board

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Mr. McIntyre said these were formally in Knight I and voted in county elections, state elections and national elections.....no city elections. We are taking the steps to notify these people that were previously registered in K-I, that they will be eligible to vote in the city election, this year and that they are now in Ward I, Precinct 20. He is also going to contact the news media and possibly have a diagram put in the paper which might also help to reach everyone. A letter will also go to Helen Kuebler, Clerk.

President Borries said he is glad to see things moving forward on this, that it has been a very confusing thing. There are people moving in the apartments everyday and some of those will not be able to vote this year, but for those already registered, they can.

Commissioner Cox asked Mr. McIntyre if the Voters Registration office authorized sub-stations around the city, for registration.

Mr. McIntyre said no official sub-stations were authorized through his office.

Commissioner Cox said there were card tables set up at different locations around the city with workers registering people and she is wondering if this is legal.

Mr. McIntyre said that was individuals registering people and they always have done it.

Commissioner Cox said just because they always have, that may not make it legal, because the law grants certain privileges to deputy registration officials and she believes this is misrepresenting the registration process to the people being registered because always before when sub-stations were set up, this was done on a bi-partisan basis.

Mr. McIntyre said on official sub-stations, authorized through the Voters Registration, it would be set up on a bi-partisan basis, but his office had no part in setting up any sub-stations this week.

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RE: OPENING OF BIDS ON THREE VANS FOR THE CIRCUIT COURT

Commissioner Cox moved the County Attorney be authorized to open bids for the three (3) vans for Circuit Court. Commissioner Willner seconded the motion. So ordered.

RE: DICK EIFLER, CITY ENGINEER IN REGARDS TO WALNUT STREET WIDENING

Mr. Eifler approached the Commissioner's desks' and opened out the plans for the widening of Walnut Street. He showed them the section of Walnut Street, along side the Auditorium and stated they have not yet prepared any legal descriptions, but said the "dash" line is the curb line, all the way through. He said they need to move the walk back, on county property, about ten (10) foot. He pointed out where the left turn lane would be, going onto Eighth Street. He merely wanted to present this to the Board today for preliminary approval and they would then proceed with preparing the proper legal descriptions and all legal documents and then present all of that to the Commissioners later. What this will effect basically, is our loading dock at the Vanderburgh Auditorium.

Commissioner Cox asked if Mr. Easley has seen these plans and he replied he had not.

Commissioner Willner said he has no problem with it.

Commissioner Cox said she would not have any problems either, as long as we aren't going to have the customers that are paying to use our Auditorium, have their vehicles sticking out in the line of traffic on Walnut Street.

Mr. Eifler said he will leave these plans for the Commissioners' records and he will prepare final documents for the Commissioners' signature at a later meeting.

RE: KIM BITZ....VANDERBURGH COUNTY AUDITORIUM

Mr. Bitz said he has noting large to report, only wanted to make the Commissioners aware of the fact the revenue for 1983 is up and there is a slight increase in the bookings. In the past couple of months he has been working on trying to get a couple of Theatre Productions into the Auditorium and in November he has the Chamber Theatre Productions, which is a small childrens' traveling theatre troupe and this will be their first visit here and hopefully this will become a yearly event for them. On January 7th we will have the Ante-Theatre Group, which is the national touring graduate theatre student show, which is a pretty prestigeous booking and hopefully this too will become a yearly event. He got this through the cooperation of the University of Evansville.

Mr. Bitz said they are moving ahead on Phase II of the Task Force, that he and Mr. Daniels are presently looking at the management policies, rate structures, etc. and trying to streamline some of these things. He will keep the Commissioners abreast of what is happening.

Mr. Bitz asked the Commissioners if it would be possible for him to put a hold on signing any 1984 contracts until the new rates have been established.

Commissioner Cox said perhaps a clause could be inserted in the contract stating the 1984 rates have not yet been established.

Commissioner Willner said we should go ahead and book them.

Mr. Bitz said he has continued to book them, he just wanted to put a hold on sending out the contracts until the rates are established.

Mr. Bitz said concerning the money we have coming in 1984 for Phase IV, which is $160,000.00, he thought it would be wise to start work on these things, such as the stage draperies, which will take several months to get, once the bids are out.

Commissioner Willner said it can be worked on, however, a contract cannot be signed because this is 1984 money, however you can start working on the specifications and work with the Purchasing Department to get as much done, as early as possible.

Commissioner Cox said anything over $15,000.00 has to be bid and anything under that amount, she as a Commissioner, would certainly like to have invitational bids on.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Lant Manor Subdivision: Mr. Easley presented the following report on Lant Manor, dated September 26, 1983.

Re: Maintenance of Drainage Swales in Lant Manor Subdivision

Dear Mr. Borries:

The undersigned has inspected the storm drainage swale on the south side of Mr. Stanley Taraska's residence at 6241 East Oak Street in subject subdivision on the east side of Evansville.

As the letter from Mr. Danny W. Gardiver, dated August 29, 1983 states the 21" diameter storm drain from Lincoln Avenue does discharge into the swale behind the Taraska residence. The storm water has caused some erosion in the flow line of the swale just down stream of the 21" drain, but the erosion problem can be easily corrected with a small quantity of handlaid stone riprap. The developer of the subdivision will be requested to place this riprap prior to the undersigned recommending that the Board of Commissioners accept the street and storm drainage improvements for maintenance.

I did not observe any large silt deposits in the swale, but did see come cat-tails and tall grass that could probably be removed or cut by hand, in an hour or so, with a machete or similar tool. The grass swale two (2) lots east of the Taraska property is smooth enough that it is mowed with a lawnmower. I admit that you cannot mow a rip-rapped area in a swale, but if the property owners will spend a little more time on maintenance the appearance of the swale will be greatly improved.

The County work forces do not have time to mow grass and cut weeds in drainage swales of this type within or adjacent to farm fields in agricultural areas, so the farmers take care of their individual ditches. Likewise the individual residential property owners must maintain the smaller grass swales of this type.

If you have any questions, please contact the undersigned.

Very sincerely,
R. Andrew Easley Jr.
County Highway Engineer

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Mr. Easley said upon approval of the Commissioners he could send a copy of the above letter, along with a transmittal letter, to Mr. Taraska. A copy of the letter will also go to the developer, who's engineer also agrees this should have a little more riprap.

All the Commissioners agreed to Mr. Easley's suggestion that he send the copies out.

Acceptance of Streets in Eastland Estates - Section B. Mr. Easley submitted the following letter to the Commissioners, dated Septmeber 26, 1983.

Re: Acceptance of Streets and Storm Drainage Improvements in Eastland Estates - Section B Subdivision.

Dear Mr. Borries,

On September 22, 1983, Mr. Bill Bethel, Lee Stuckey and the undersigned made an inspection of subject street and storm drainage improvements in the company of Sam Biggerstaff, the engineer for the subdivision.

All streets are paved with 6 inches of concrete and have been constructed in accordance with the approved plans. All joints in the pavement have been sealed and the curbs have been properly backfilled. All storm drainage inlets and storm sewers have been constructed in accordance with the approved plans.

The developer has constructed a temporary field drain inlet approximately 20 feet northeast corner of Greencove Avenue and Greenfield Drive. Sam Biggerstaff said he would have the developer place a grate or debris rack over the inlet made of ½" diameter steel bars spaced at 4" center to center each way to keep debris out of the storm drain.

The inspection team was in agreement that the street and storm drainage improvements were in excellent condition and with the exception of the missing grate discussed above, we could find no repairs to be made or descrepancies to be corrected.

Enclosed is a copy of the report on the subgrade compaction tests, together with a copy of the report of the concrete cylinder and core tests which give strength and thickness of the concrete in the pavement.

It is recommended that the street and storm drainage improvements in this subdivision be accepted for maintenance.

If you have any questions, please contact the undersigned.

Sincerely,
R. Andrew Easley Jr.
County Highway Engineer

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Mr. Easley said they do face a deadline on their FHA financing, that the loans are not eligible for FHA unless they are accepted and with the exception of the small grate he spoke of in the letter, which does not amount to very much, and Mr. Biggerstaff assured him it would be installed, he would recommend approval of the streets. He would have to say these are the finest street improvements that he has ever had the opportunity to inspect, that they are simply excellent.

Commissioner Cox moved the streets in Eastland Estates - Section B Subdivision be accepted, along with the Storm Drainage Improvements. Commissioner Willner seconded the motion which carried unanimously in the affirmative.

Mr. Easley said he will continue to monitor this subdivision and make sure the grate is installed.

Street Plans for Green River Estates-Section B. Mr. Easley submitted another set of street plans, those being for Green River Estates - Section B, on Millersburg Road, between Oak Hill and Green River Road. He has reviewed the storm drainage calculations and the street grades.

Commissioner Cox asked if the drainage plans have been approved on this subdivision yet, that she does not recall it being before them.

Commissioner Willner said the plans state the drainage plans were approved by the Drainage Board on March 12, 1979.

Mr. Easley said if the Commissioners choose to, this can be taken under advisement.

Commissioner Cox said she would rather do that and let the Surveyor's office check it out and Mr. Easley can give us an updated report possibly next week.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of September 19 thru 23, 1983...report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of September 19 thur 23, 1983...received and filed.

Mr. Bethel gave a brief rundown of where the crews worked the past week, as indicated on the work report just submitted.

President Borries said the residents on Earl Avenue very much appreciate the road work done there and they are very pleased with it.

Mr. Bethel said he received a very nice letter from those residents on Earl Avenue.

Commissioner Cox asked Mr. Bethel if he has a crew with a flat bed truck, with "Vanderburgh County Highway" written on the side of it, or would that be the bridge crew and Mr. Bethel replied it is not his crew.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of September 19 thru 23, 1983. Report received and filed.

Wimberg Road: Mr. Guillaum said he would like to send a letter to the Traffic Engineering Department, that we need to have the signs modified at the new bridge. We have some "Narrow Bridge" signs out there that no longer apply.

Peerless Road: Mr. Guillaum said on Peerless Road, west of Hogue Road we have had a couple of accidents and have recieved requests for signs to be installed there.

Commissioner Willner instructed Ms. Meeks to contact the Traffic Engineer and inform him of the signage problems on Wimberg Road and also Peerless Road and ask the sign department to correct them.

Commissioner Cox asked if we, the county, are responsible for a five foot culvert under a city street, and it is forty foot long. It does not need replacing, only cleaned.

Mr. Guillaum said we have the responsibility of the city bridges and many times we have included pipes, which are in that catagory, therefore, we probably could handle it.

Commissioner Cox said this is in the 900 block of South Bosse Avenue. There has been construction going on on the east side of the road and the culvert is silted pretty good, therefore, if this would qualify, she would appreciate it being cleaned out.

David said he too believes they could handle it and he will see it is done.

RE: COUNTY ATTORNEY....DAVID JONES

Bids for three (3) Vans: Mr. Jones said there were two (2) bids recieved for the three (3) vans advertised for Circuit Court, and they are as follows:

Kenny Kent Chevrolet, Inc. A unit price of $8,674.34 and a total package for three (3) would be $26,023.02. The bid is in order.

Hendrickson Enterprises, Inc. A unit price of $7,473.45, however the bid shows alternate wheel bases with different unit prices and he would note that some of the options listed are not included in the total amount, or called for in the bid, so there is no way to compare the two (2) bids without breaking it down, which he cannot do at this time. The bid is in order.

Mr. Ben Evans, Purchasing Agent recommended the bids be taken under advisement for one (1) week, at which time he will render a recommendation to the Board.

Commissioner Willner moved the bids be taken under advisement for one (1) week and referred to the Purchasing Department for their recommendation. Commissioner Cox seconded the motion. So ordered.

Consultant Agreement on St. Joseph Avenue and also Lunch Road: Mr. Jones submitted a revised Consultant Agreement in regards to (1) St. Joseph Avenue and (2) Lynch Road, that this is for the cunsultant to conclude the settlement in the Engineer Associates' matter. Apparently he had not written it all correctly when the Commissioners signed it before, but this today is the correct version of the agreement. It still calls for a maximum of $1,000.00 or fifteen (15) hours. We are scheduled for Mr. David South to be here tomorrow morning and they will attempt, in one (1) day, to run this stuff through the computer and to come up with the numbers to plug into the settlement agreement. Hopefully he will be able next week to bring this back to the Commissioners and then forward it on to the state and get these two (2) contracts closed out.

Law Suit...Sabovik vs Vanderburgh County: Mr. Jones said he gave copies to each of the Commissioners of a copy of a letter that Assistant City Attorney, Winternheimer sent to Jeff Frank, who is an attorney for The Hartford Insurance Company, who handles the city's roads and streets insurance. There is a matter of a suit, now in Warrick County Circuit Court which is referred to Sabovik vs Vanderburgh County and results from a highway case. Mr. Frank defends the county for The Hartford Company, but apparently what he has done is now filed a cross claim against the City of Evansville and the City's response is contained in the letter which he set before the Commissioners today. He simply advised the City that he knew of no action which the Commissioners had taken

which authorized the county to file suit against the city, particularly where it relates to highway traffic signs and as the city attorney has correctly pointed out, if that becomes the case then theoretically every single accident in the city, they could put the county on notice and attempt to do that. Now it may be that that kind of thing we are locked into by the terms of our insurance policy, he does not know, but if this body has authorized anything he is not aware of it and he would stand corrected and advise them, if authority was given. He thinks Mr. Winternheimer's response to what was done was evident and as a matter of fact, because this particular attorney has also filed suit against the county over a highway case, that we previously had asked that they be disqualified from doing anymore insurance work for the county and the insurance manager at The Hartford had assured us that would be the case. What has now happened is that because of the amount of work that is involved in this case they asked could that law firm still stay representing the county in this case so that they wouldn't have to bring in all new attorneys and incur that expense and at that point he thought that would be acceptable and no more than a week later that same attorney turned around and sued the city. He assured the city attorney that the county was not advocating this and where this thing will go from here, he does not know, that he has not seen a follow-up to this letter, but he felt like the Commissioners needed to be advised in case they hear something from the City or the insurance company.

Discussion on Sperry-Univac Computer Services: Mr. Jones said he has with him a compellation of the letters which have been received within the past three (3) weeks, from Sperry Univac. He believes as several people have said from this microphone, that are in this business, that they have never seen anything like this before. He has made some phone calls to some computer companies not involved in this, for his own edification and to see what kind of response they would have in this situation. He is comfortable in believing that this is a very unique situation, that the typical company that deals with the unit of government in something like this does not behave this way. He thinks a review of this correspondance indicates that the same day we are getting threatened by somebody in Chicago, that someone from this same company in Cincinnatti is writing hearts and flowers letters to us. The position that the different representatives of this company has taken are inconsistent, often times adverse and he questions severely the legality of many of their moves. He seen where a certain letter appeared in it's thrust in the news media even before the commissioners received the letter. He notes this campaign which they have conducted against the county has been done largely through the media, rather than face to face, or at least through negotiations which are usually done in these matters, at least on a professional basis, so they have chosen to take a non-professional course in dealing with this matter. He would advise the Commissioners that Sperry has terminated, or cancel our contract, as a matter of law, and that was done by letter dated September 19, 1983, which says they are therefore cancelling the contract without prejudice to their rights and they also said they would be making arrangements to remove the equipment on the 29th of September, which he notices is the same day that action is to be taken to accept a bid. They have advised us the maintenance contracts will no longer be honored, therefore he recommends the following things be done.

1. A letter sent to Sperry advising them that all further communications are to be done through the county attorney and that there be no further communications except through the attorneys, because this business of calling one commissioner and then another commissioner and one employee of county government and getting different responses is not going to be beneficial since we have been threatened with litigation and if they carry through with it, statements made can be used as admissions, so in order to keep the county's position consistent, it needs to go through one (1) voice. He is comfortable in advising the Commissioners that he believes our legal position is sound and secure, that we have not defaulted, in anyway and having met with the Treasurer's office and with Mr. Bob Fortune and reviewed the history of the contracts that there is nothing abnormal in the frequency or in the processing of claims from this company since the inception of these contracts since 1977, that the normal course of claims has been adhered to in this matter and the most recent letter acknowledges they received a payment after they sent us the letter cancelling it. There are two (2) monthly payments being processed right now and one of them include the month of September. They have accepted this manner of doing business and paying claims for seven (7) years now.

2. The county reserves it's rights, that we understand they have terminated and we reserve our rights under those contracts and that we seek to negotiate the removal of their equipment at sometime convenient to us, but not before we are ready to put the replacements in place, which sounds like sometime in December. They have breached their contracts and have defaulted by their actions and it is in the records that the county has not defaulted in any terms of the contract and their actions in cancelling

the contract without a rightful basis to declare default is a breaching of itself and we will look to them for all damages. Their conduct in discussing the amounts of bids prior to the bids being let with other bidders may or may not violate state law and he thinks when all of this is gathered up that parts of it should be turned over to the Prosecutor and forwarded to the Attorney General to look at and with the Commissioners approval he intends to do just that. He still believes we should give notice to Sperry that we intend to terminate, notwithstanding the fact that the contract probably has been cancelled, but that we excercise our option to carry it out through the end of this year and in the event that anyone attempts to take the equipment out of the Data Processing Department, that you folks are opposed to that and any such conduct would be treated as trespassing, and the Sheriff would be so advised.

Commissioner Cox said under the provisions of the contract that we have with Sperry, she believes there is a ninety (90) day period in which we have to give them notice of our intention to terminate, so we would be able to meet that deadline.

Mr. Jones said yes, that as a practical matter, what he is saying is that since they cancelled the contract it is at an end and there is no need to do that. What he would propose to do is after the Commissioners have made the decision on Thursday, to go ahead and send a notice saying that we will exceed to the termination but we peg the date in which they can come and get their equipment and that be the ninety (90) days, in the event that for some reason their notice is later deemed to be ineffectual and that way the county's position is protected all the way around, that we can hold the equipment until we are ready to have a smooth transition and then they are free to come and get it and free to file all the claims they choose to file and free to litigate anything they want, but we are also free to file a counter-claim against any litigations they initiate.

Commissioner Willner said can this decision be made next Monday, after we see what happens at our Thursday meeting and Mr. Jones replied....no sir.

Commissioner Willner moved the Commissioners oppose to Sperry removing any equipment until the ninety (90) day provision is completed and that the time start on October 1, 1983. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Commissioner Cox said since Thursday's meeting is a Special meeting of the County Commissioners could we not at that time make a motion to include other items that Mr. Jones has discussed with us today and Mr. Jones said yes, that can be done Thursday.

RE: AMENDED PETITION TO APPEAL TO THE BOARD OF TAX COMMISSIONERS

President Borries said before the Board today is an amended Petition to Appeal, that the Commissioners signed a Petition to Appeal at the last regular meeting, however at this point we are amending the appeal to not only the action of the Tax Adjustment Board but it will also include Relief from Levy Limitations.

Commissioner Willner moved the amended Petition to Appeal be approved. Commissioner Cox seconded the motion. So ordered.

RE: MONTHLY REPORT OF THE CLERK OF CIRCUIT COURT

Received and filed was the monthly report of the Clerk of the Circuit Court, for the month of August, 1983.

RE: MONTHLY REPORTS FROM THE BUILDING COMMISSION

Received was two (2) monthly reports from the Building Commissioner for the months of June and July. Received and filed.

RE: TWO (2) CHECKS RECEIVED FROM UNDERWRITERS ADJUSTING COMPANY

Received was two (2) checks from the Underwriters Adjusting Company, in the amounts of $1,368.97 and $538.31, for the Sheriff's boat, which struck a submerged object.

Commissioner Willner moved they be approved and signed. Commissioner Cox seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was received for the Heart Assn - American Indiana Affilate, for a dinner at the Civic Center Gold Room on October 2, 1983...received and filed.

A certificate of insurance was received for Laverne Meier School of Dance for a talent competition for area school children on October 23, 1983....received and filed.

A certificate of insurance was received for Gaither Music Co., Inc for the theatrical performances of the Bill Gaither Trio on October 18, 1983...received and filed.

RE: CLAIMS

A claim was submitted for Roger Bannister, in the amount of $46.00 for a refund on a permit. Claim signed by the Building Commissioner, William Zimmerman.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was received from Helfrich Insurance Company for Business Auto Policy, to delete fellow employee exclusion from The Hartford Policy, in the amount of $289.00.

The Commissioners questioned the claim and referred it to Margie Meeks to contact Helfrich and get a clarification and put it through next week's meeting with an explanation.

RE: CHECK RECEIVED FROM RICHARD AND JUDITH KITCHEN

President Borries said we have received another check toward payments on Ambulance runs made by Alexander, that the check before him today is in the amount of $215.62 and is from Richard and Judith Kitchen, Cynthiana, Indiana.

Commissioner Willner moved the check be signed and forwarded to Alexander Ambulance Service. Commissioner Cox seconded the motion. So ordered.

The check was given to Mr. Jim Lindenschmidt to forward to Alexander, after it is recorded in the Commissioners record.

Mr. Lindenschmidt said the county has collected approximately $1,300.00 toward the bills owed to Alexander.

RE: SCHEDULED MEETINGS

President Borries said as previously mentioned there will be a meeting Thursday, September 29, at 1:00, between the Commissioners and the City's Work's Board, regarding the bids on Data Processing.

There is to be a Highway Funding Study Committee meeting on October 12th, at 10:00 a.m. in Room 4A-6, State House, Indianapolis, Indiana.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VOTERS REGISTRATION

Beverly E. Jones	841 E. Gum Street	Parttime Clerk	$30.00 Day	Eff: 9-19-83

BURDETTE PARK

Carol Wilson	3918 Claremont	Urban Reforest.	$3.50 Hour	Eff: 9-14-83

VANDERBURGH COUNTY DATA PROCESSING

LaDonna Ralph	R.R.1 Box 210	$20,929.00 Yr.	Eff: 9-23-83
Betty J. Denk	1254 Western Hills	$15,500.00 Yr.	Eff: 9-23-83
Katie D. Hewins	2315 E. Powell	$ 8,300.00 Yr.	Eff: 9-23-83

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY BOARD OF REVIEW

Janice E. Lindauer	1415 John St.	Clerk	$30.00 Day	Eff: 9-15-83
Frank W. Zaieck	1508 Greenfield	Laymember	$40.00 Day	Eff: 9-15-83
Robert Kollker	545 Lodge	Laymember	$40.00 Day	Eff: 9-15-83

BURDETTE PARK

Joseph Hunter	639 John Street	Urban Reforest.	$3.50 Hour	Eff: 9-1-83
Doug Wilcox	3065 Cottage Dr.	Ground Crew	$4.00 Hour	Eff: 9-12-83
Tony Chilelli	1317 Maryland St.	P/T Grd. Crew	$4.00 Hour	Eff: 9-14-83
Mark Cooper	732 E. Iowa	P/T Grd. Crew	$4.00 Hour	Eff: 9-26-83

VANDERBURGH COUNTY DATA PROCESSING

Keith McIntosh	5124 Hogue Rd.	$20,929.00 Yr.	Eff: 9-23-93
LaDonna Ralph	R.R.1 Box 210	$15,500.00 Yr.	Eff: 9-23-83
Katie D. Hewins	2135 E. Powell	$4.50 Hour	Eff: 9-23-83
Betty J. Denk	1254 Western Hills	$8,300.00 Yr.	Eff: 9-23-83

There being no further business, President Borries declared the meeting recessed at 4:30 p.m..

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley,(Chief Deputy Auditor)	David Jones
SECRETARY:	Janice Decker		

Richard Rick Borries

Robert L Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

SPECIAL JOINT MEETING
VANDERBURGH COUNTY COMMISSIONERS
CITY OF EVANSVILLE INTERNAL BOARD OF WORKS

A special joint meeting of the Vanderburgh County Commissioners and the City of Evansville Internal Board of Works was held on Thursday afternoon, September 29, 1983, in the City-County Council Chambers, with County Commission President Richard Borries presiding.

The meeting was called to order at 1:10 p.m., with President Borries stating the purpose of the meeting is to consider a bid proposal from Pulse Systems, Inc., regarding data processing services for the City of Evansville and Vanderburgh County. Continuing, he said independent evaluations have been received from individuals at the University of Evansville who were asked by the County to evaluate this proposal. Additionally, Indiana State University personnel have assisted the Internal Board of Works in evaluating the proposal. He said this proposal has been very confusing, perhaps because of the fact that technology in computers and data processing are rapidly changing areas and the demands are constantly changing and increasing. He said representatives from Pulse Systems are seated in the audience today for purposes of clarifying any questions from either the County Commissioners or the Internal Board of Works.

President Borries then asked the Internal Board of Works if they had any questions which needed clarification prior to any motions to be entertained concerning the acceptance of this bid. Mr. Jim Helfrich indicated the "Board" did have a couple of questions and Frank McDonald II would serve as spokesman for the group.

Mr. McDonald said that in the bid it stated that both City and County government would be converted by January 1, 1984, and it was previously indicated the City -- outside the conversion of City payroll by January 1, 1984 -- would perhaps be willing to wait on the rest of the conversion until a bit later during the early part of the year. He asked whether Pulse Systems, Inc., would be willing to be flexible in working with the City on the balance of the conversion. In response to Mr. McDonald's question, Mr. Robert Leich, president of Pulse Systems, Inc., said they would be more than willing to do that. As discussed in a meeting with the County Commissioners on September 26th, for the period the City would not be on the system (whatever months that might be) a slightly lesser rate would be billed to the County, which would reflect that. He said this has nothing to do with the allocation of costs, that they would just be trying to reflect the phasing-in of the City and they, of course, would be very flexible. In fact, given the late hour at which this proposal is being considered and the conversion deadlines established, it would probably assist his firm greatly in insuring a smoother conversion for the County.

Secondly, Mr. McDonald asked if there would be any problems on the City's side if they were to try to shoot for a total conversion by April 1, 1984. Mr. Leich said he did not foresee any problems. While it is possible for Pulse Systems to do everything by January 1, 1984, it would be a lot more palatable for them to adopt an April 1st schedule for the City to come on the system the rest of the way.

City Attorney David Bunner said the motions made by the Works Board today will, of course, be contingent upon satisfactory contractual language being drafted which is agreeable to all parties. If possible, the City would be interested in two separate agreements. This was not necessarily indicated initially, but he asked whether Pulse Systems has yet had an opportunity to look into the feasibility of this.

Mr. Leich said this was mentioned to him yesterday for the first time and Pulse would be willing to consider this. However, there are a number of contractual things to be worked out between the City, the County and Pulse. He said Pulse is ready now to proceed with what the bid and proposed contract contained. However, he prefers that all other things be considered in advance so that on a long-range basis everytime someone wants to make a change they don't have to decide how much it is going to cost. He sees no problem in doing this, but all of this does need to be spelled out in advance. With regard to separate types of contracts, on the surface he does not think this would be a problem. He hopes we do not get embroiled in a complicated

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thing here which none of us thoroughly understand. He said this probably won't bear any relation to the $83.00 per hour and $17.00 per hour cost because if the County were not to be there, for whatever reason, then Pulse still has the staffing cost, etc., and all they're going to drop off is some hardware and all of that has to be calculated. He does, however, feel Pulse can write an agreement which contains nothing about allocating the cost or how the City-County are to be billed -- but, at the same time, develop a fairly detailed estimate of who's really using what and allocate it with separate contracts, if this is what is desired. Mr. Leich emphasized that Pulse Systems personnel have not talked to the Vanderburgh County Director of Data Processing since several weeks prior to the bid opening and, under his orders, no one at Pulse Systems has had any conversation with Bob Fortune. This is, however, a definite need. He proposes that if the contract is let today, then representatives from Pulse and Honeywell should sit down with Mr. Fortune tomorrow and explore some of these things -- if Mr. Fortune is going to be available.

Mr. Bunner said he thinks the reason the City has approached this separate contract area is because Pulse, perhaps unfortunately, is dealing with two separate units of government in one bid that, in future years, may decide to go separate ways insofar as their data processing functions are concerned. He feels that both governmental units need protection in regard to the service being available while, at the same time, affording Pulse Systems the degree of protection they need to make the investment they obviously need to make. Mr. Leich commented that he feels this is an excellent point and he thinks Pulse can spell things out.

Commissioner Shirley Cox raised a couple of questions. She first asked Mr. Leich to confirm that the proposal from Pulse is for a 5-year period, to which Mr. Leich replied, "yes. Mrs. Cox then said, "According to the specifications, Pulse proposes to furnish all hardware, software, and maintenance for $100 per hour?" Mr. Leich again responded, "yes". Mrs. Cox said, "This is a 16-hour day, five (5) days a week -- and costs are calculated and locked in?" Mr. Leich replied, "yes". Mrs. Cox commented that at this time there are things in the specs which the County is not able to use --such as accrual. Therefore, in the future, when this is added on, will this be covered under the $100? Mr. Leich said that, of course, part of it would be. However, these are some of the details which need to be worked out. It is no great mystery, but we do need to sit down and analyze these things after which he intends to propose some means by which these additions can be made and how the costs will be determined, so there will be no argument about it when the time comes. For example, in terms of staffing, there will be no cost for that -- they are staffing and operating a center for that purpose. However, should six (6) more CRT tubes be required (which cost about $700-$1,000 each) then charges for these would be additional item. Mr. Leich proposed that parties to the contract(s) should sit down and work these things out within the next month or so -- then it can be spelled out in the procedures just exactly how these requirements will be handled. Basically, there will be no change in Pulse's charges. However, if additional equipment is required over and above that which is included in the bid, these types of additions would be at additional cost. Therefore, Mr. Leich feels it is important to address these things now and work out some mutually agreeable procedure. Mrs. Cox stated that, for instance, the Treasurer's office, the Auditor's office, Accrual Accounting, items for the Sheriff and the Prosecutor, Misdemeanor Court, etc., want on the system but under the present system there was no capacity to add them on. She was under the impression that those things in the overall requirement for hardware or whatever, had been included. Mr. Leich replied "thay have been". He said, again, he is thinking of "response time". He talked with a lady in the hall on Friday afternoon and she said from the time she entered data in the CRT it took seven (7) minutes for the computer to come back. He said this is unbelievable -- he's never heard of anything like that. He said they have a clinic down in Madisonville operating on a system similar to this one and it's not anywhere near this powerful -- and they get about a one (1) second response time on 56 CRT terminals hooked in. He said if we get all of this together, he predicts that if people see what all the system can do, there will be all kinds of needs that, in good faith, none of us has in here now.

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President Borries said that, because of some confusion and controversies due to his role not only in County government but due to his agreements with the City -- Mr. Fortune has not been consulted nor asked about some of the very technical questions that need to be answered. That is another reason there were some communication problems between Pulse and the persons selected to render some evaluations to us. But, many of the problems from the County's standpoint have stemmed from the rapid growth in computers. There were agreements made by persons within the Data Processing Department or persons in County government who did not notify the Commissioners. Despite the fact they might always suspect the expertise of the Commissioners, legally the Commissioners have the authority which they must act in relation to signing contractulal agreements. Therefore, for the record, should there be any changes in regard to added equipment, etc., after consulting whoever the County and the City might employ as an agent or representative for the individual units with Pulse as the vendor, all contracts would come before the Commission and be explained by Pulse to the Commissioners in layman's terms so that everything contractually at this point would be together and not divided into various sections of County government. Mr. Leich indicated this was his understanding.

Commissioner Willner asked Mr. Leich if they have looked at the computers in the County Auditor's area. Mr. Leich said he personally has not. However, Pulse has evaluated the NCR system (which is in use in that area) and included that capacity in the specifications they bid. Mr. Willner asked if, in Mr. Leich's opinion, there would be a cost savings if we studied that at a later date? Mr. Leich replied he was certain there would be but, at this time, he cannot say what it would be. But it was one of the stated goals along the way to phase that in. Generally, anytime you can eliminate a free-standing system within the same building and include it in a larger system -- there will be substantial savings. He believes most people in data processing would agree with this general rule. Everything in this building can be directly attached and there should be no communication problems. Mr. Willner then asked if all of the existing software adapt to Pulse's computer? Mr. Leich said, "yes sir". He said there are a large number of programs to be converted and their plans are to convert all of the programs now operating on the Sperry-Univac by the first of the year and, in addition, that would include the City payroll which Mr. McDonald has outlined.

It was noted by Commissioner Willner that perhaps some of the problems encountered by the County are due to the fact that they use part-time students to man the computers. He asked if Pulse intended to have full-time personnel on their payroll --as a full means of their employment and not part-time people -- and their turnover will not be on the hour rather than on the month? Mr. Leich said Pulse planned on staffing the operation with a stable employee force. However, he did point out that he has received a number of applications from qualified systems programmers who want to work part-time on this during the conversion period. He said they will probably have everyone who can help us in this conversion -- so there will be a lot of different faces -- some part-time, some college students, some fellows who work for the banks, some who work for Pulse and some who work for Honeywell. However, in terms of the daily operation, Pulse hopes to staff it with permanent employees. One of the things he has asked his people to do when they meet with the data processing department personnel who are now on the County payroll, with the exception of Mr. Fortune, he feels Pulse should give them an opportunity to apply for any jobs they have. He said it makes sense to him that if we have personnel with a good rating, rather than to just drop them out and put somebody else in there -- they should be given the opportunity to apply for these positions. In other words, after the conversion period at which time everybody will be involved, Pulse hopes to staff the operation with permanent employees. Commissioner Willner said that what prompted the questions is that about a year ago the Commissioners decided to put Voter's Registration on the computers. At that time they were told that it would be two or three months and by the time of the next election they would be computerized. Today, we still aren't. He does not like that kind of a business arrangement. If you can do it and say you can do it -- he expects it to be done within a reasonable period of time. Mr. Leich said he does not anticipate any problems of this nature. However, in any conversion as large as this there will be problems -- there has to be. But, Pulse Systems intends to make the conversion as smooth as possible and hope to run a first-rate operation. Therefore, he feels if we sit down to work out details prior

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to finally getting into this, we will all be a lot happier and it will be a partnership the County will be pleased they initiated.

Mr. Bunner then raised the question concerning the termination provisions, in the event we go for more than one contract, -- by that he means the event of the add-on situations -- he assumes there would be additional or supplemental contracts and the terms will be uniform. Secondly, Mr. Bunner asked if Pulse intends to submit a proposed contract form or if the County do so? Mr. Leich said Pulse has a number of friends who are very large in this inudustry and when Pulse first started getting involved in it -- rather than"reinvent the wheel", they called these contacts and asked them what they did for Eli Lilly, Indiana University, etc., He said they have copies of the contracts which they will modify, after we've worked out some of these questions brought up, and this will be submitted for review by the City-County attorneys before Pulse has their attorneys review same.

Attorney Bunner then commented that he feels also to be included would be a statement that "it is clearly understood by all the parties that the two contracts between Pulse and the County and Pulse and the City are not interdependent in any way". In other words, if one or the other of the governmental entities decides not to enter into the contrat then the contract of the other is not dependent in any way. To clarify, Mr. Leich said "You're saying that if one of the governmental units decided to somehow invoke this non-funding clause which would be one way to terminate the contract, then the other would not be shut off? Mr. Bunner said his question really is, "that if, in the next few minutes, either one votes to accept and the other rejects, is it understood that that acceptance is there and it is not contingent upon both units accepting? They were bid together. He does not think this was expressly addressed anywhere. Mr. Leich said that this was where a bit of confusion existed when Pulse quoted a reduced rate for the few months to the County so that the County would not have to pay for the whole thing alone if the City hadn't come onto the system. He said he hopes this can be solved within the next few minutes by both units voting to accept. However, Pulse can do either group for $100 per hour.

Mr. McDonald said that if two or three years down the road one unit of government, perhaps because of lack of funding or whatever, would choose to pull out -- he cannot visualize that Pulse Systems would leave the other unit of government hanging high and dry without benefit of any type of a computer service. He said he has had the pleasure of knowing Mr. Leich for some three and a half years and that is not his style. President Borries said he concurs. He has known Mr. Leich for a longer period of time and that would not be his style.

The meeting proceeded with motions from the two governmental units concerning Pulse Systems' bid proposal. President Borries asked for a motion from Vanderburgh County Commissioners first. Commissioner Willner moved that the County accept Pulse Systems' proposal and that, contingent upon a contract mutually agreed upon, The motion was seconded by Commissioner Cox. President Borries then asked for a roll call vote:

Commissioner Cox - Yes
Commissioner Willner - Yes
Co-missioner Borries - Yes

On behalf of the City, Frank McDonald II moved that Pulse Systems' bid proposal be accepted, subject to working out the contractual arrangements and details insofar as the billing, time scheduling, funding clause, etc.,(all of which he feels can be worked out in a gentlemenly-like manner). Mr. Jim Helfrich interrupted by asking if a Fireman's Bond is required for the 5-year contract period. Brief comments revealed this was not required. Mr. Jim Helfrich then seconded Mr. McDonald's motion. So ordered.

Mr. Leich expressed his appreciation to both the County and City representatives for their confidence and indicated Pulse would do their best in working with Honeywell and not let the governmental units down.

(continued)

President Borries indicated the County Commissioners needed to continue the meeting for purposes of terminating their contract with Sperry-Univac and indicated the members of the Internal Board of Works were welcome to remain. However, the City representatives chose to leave.

Proceeding, Commissioner Borries advised Mr. Leich that the Commissioners are still in session because other contracts are currently in place and prior to terminating same, the Commissioners need to know from Pulse if their system can come on board and be activated so that notice can be given to the other parties who had contracts as to date of termination.

Attorney David Jones said, more specifically, when would Pulse desire to have the Sperry equipment removed from its present location? Mr. Leich indicated that January 1, 1984 would be the date to shoot for. Mr. Jones asked if the equipemnt were removed by midnight on December 31st, -- would this be satisfactory and not impede Pulse's coming on board and being on line. Mr. Leich said this would be satisfactory as long as Sperry-Univac did not begin dismantling or doing anything prior to that. The Honeywell representatives concurred with Mr. Leich's comments.

Commissioner Willner then asked if it would be proper to terminate the contract and if there were any over-runs it would be up to Mr. Leich to deal with the present system as to the length of time they stay and the cost involved? Attorney Jones said it was his humble opinion that there will be very little difficulty in extricating them from the County and we can do this in a way that is desirable to the County. It's a matter of simply trying to get as fine a margin as we can. He said he personally does not have a feel for what we're talking about in terms of when you pull the plug and start taking something out and when you can put the new plug in and get it cranked up. So, he does not know how much time it takes to get in and out. From his perspective as the focal point who is dealing with the present vendor, that is the information he needs. He said that from the County's viewpoint, this is probably the slowest time of year anyway. However, Commissioner Cox pointed out that the Support Office will be utilizing the equipment because it is month's end.

Mr. Leich pointed out that establishing a priority list is one of the primary reasons Pulse personnel want to meet with Mr. Bob Fortune -- in other words, they can work on things which are absolutely critical. It is Pulse Systems' intent to have their equipment on line and operating even before January 1st. In other words, we will be running two systems parallel on certain applications the last two or three weeks of December.

It was noted by Commissioner Cox that January 1st falls on a Sunday; the New Year holiday will be observed by the County on Monday, January 2nd.

Attorney Jones pointed out that we have a unique situation here in that Sperry-Univac has already given us notice and it's a question of who went first and which one is effective. He recommends that we reserve all of our rights under the contract; secondly, we should accept their cancellation effective as of a certain date, and thirdly, state in the alternative that even if their cancellation isn't effective, the County is giving them notice we're terminating; and, fourthly, propose that we meet to negotiate the removal and simply state what our requirements are for the removal and the time period. Commissioner Cox interjected that none of the software belongs to Sperry-Univac -- the County owns that. We have paid Mr. Fortune and his staff to develop it, so they can't pull our software. Attorney Jones said they have indicated, as late as yesterday afternoon, that they will not yank any of our equipment and I simply stated the County is going to pay what it owes and not one dime more and their existing claims are being processed in the same manner in which they have been for the last seven years. And, upon that assurance, I was given assurance that no equipment would be yanked and it was my understanding the maintenance will continue. Further, I said we would communicate the County's intentions after this meeting. He further explained that he has received letters from their attorney and each Commissioner is receiving letters and calls from different cities around the country and some of them are flatly inconsistent, as pointed out by Mr. Jones. He said the company was not speaking with the same voice on these things. He said he promised to sit down and talk with them, regardless of the decision made in today's meeting. It is his hope that this will work out in a cordial fashion and the County will pay what it owes -- it always has. It is Mr. Jones understanding this will be

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paid by the 10th. We will then either agree to step off 90 days from the date of their notice or step off 90 days from the date of our notice. If it's not a big thing with them and we have otherwise settled it, then I will assume they will work out a good date with us and there will be no problems. Mr. Leich interrupted by stating that whatever the County does, they should maintain their present service through the end of the year....and don't let Sperry-Univac tell him anything different. If worse comes to worse, and the firm does not wish to have its name acknowledged, Pulse has located a Univac user with two systems like the County's and within a 200 mile proximity of Evansville who, in a pinch, can assist us. But that is an expensive alternative and it would be much better for everyone concerned to continue the existing service to the end.

Mr. Jones says Sperry-Univac has been advised that if this happens they will be held liable for any damages incurred or extraordinaty expense the County incurs to maintain the computer systems they will be held ultimately responsible for. We have no other choice -- government services have to be maintained. But, again, he hopes that is something we don't have to get into. It's simply a matter of negotiating this thing and having as smooth a transition as possible.

Commissioner Willner said he imagines it would be advantageous to leave Mr. Fortune in his present position past the transition, but asked if, on a permanent basis, Pulse needs a County employee in that position. Mr. Leich said it would be up to the County as to what they do. Pulse's bid, however, is to supply a person to handle a lot of those tasks. He knows Mr. Fortune is a competent individual; however, Pulse has individuals of equal competence in their firm. As to whether they will have someone of Mr. Fortune's competence sitting there is another matter. That individual may be at Pulse overseeing others who are here. He said he had assumed that Mr. Fortune would remain with the County, as the County is going to need someone with some technical expertise to serve as a liaison. He said the County can trust Pulse, but he feels the County needs someone and he hopes they might keep Mr. Fortune until at least the end of next year. Commissioner Cox emphasized that it wouldn't be that the County can't trust Pulse, but she does not feel the County can afford to not have a technical advisor -- as large as we are and as many things as we know out there with the potential to go on data processing --and, as a County Commissioner, she definitely feels we need a capable person on the County payroll to work with these other offices. Ultimately, this technical person can work out a lot of bugs and save a lot of money in having a representative from Pulse come in and sit down, etc. Mr. Leich concurred completely. He attributed the present status of the department largely to Mr. Fortune's efforts and feels he would be a valuable person to have.

The Commissioners then asked Attorney Jones for his recommendation on a motion. His recommendations were as follows:

1) Give notice of termination to Sperry-Univac under provisions of the contract for reasons of non-funding

2) That you accept their prior termination

3) That the County reserves all rights it has under each of those contracts

4) That the County authorize David Jones to negotiate a date for removal of their equipment, which the County desires to be the 31st day of December 1983.

Commissioner Cox moved that notice of termination be given to Sperry-Univac in the manner outlined by Attorney Jones. Motion was seconded by Commissioner Willner. President Borries repeated the motion as follows:

> Motion that Sperry-Univac would receive a notice of termination for reasons of non-funding, that Vanderburgh County recognizes Sperry-Univac's Notice of Termination, that Vanderburgh County reserves all of its rights in this matter, and that the time of removal of Sperry-Univac equipment will be on December 31, 1983.

Mr. Borries said the motion had been made and seconded and he asked for a roll call vote:

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Commissioner Cox - Yes
Commissioner Willner - Yes
Commissioner Borries - Yes

President Borries announced that since there is no further business to be discussed as stated in the advance notice of this Special Joint Meeting, he declares this meeting adjourned at 2:00 p.m.

PRESENT:

COUNTY COMMISSIONERS

Richard "Rick" Borries
Robert L. Willner
Shirley Jean Cox

COUNTY ATTORNEY

David Jones

CITY INTERNAL BOARD OF WORKS

James Helfrich
Frank McDonald II
David Bunner, Attorney
Kevin Winternheimer, Attorney

OTHER:

Robert Leich/President, Pulse Systems, Inc. and other Representatives of Pulse & Honeywell
News Media Representatives

SECRETARY: Joanne A. Matthews

Richard Rick Borries
Richard Borries, President

Robert L. Willner
Robert L. Willner, Vice President

Shirley Jean Cox
Shirley Jean Cox

COUNTY COMMISSIONERS MEETING
OCTOBER 3, 1983

The meeting of the County Commissioners was held on Monday, October 3, 1983, in the Commissioners Hearing Room with President Borries presiding.

The meeting was called to order at 2:30 p.m. by Sheriff Clarence Shepard, who declared the meeting in session pursuant to adjournment.

President Borries called for a motion to approve the minutes of the previous Commissioners Meeting as well as the Special Joint Meeting held with the Internal Board of Works on Thursday, September 29th, as engrossed by the County Auditor and requested reading of same be waived. Motion to this effect was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

The meeting proceeded with President Borries recognizing Mr. Mark Acker, Assistant Veteran's Service Officer --effective today, who was seated in the audience. Mr. Acker is replacing Mr. Carl Wallace.

RE: APPEAL REQUEST - POOR RELIEF ACTION - HUBERT GILLES

President Borries called on Ron Saulman, Knight Township Trustee, to recap the poor relief request of Mr. Hubert Gilles. The applicant resides at 2218 S. Kentucky Avenue and had applied to the Trustee's office for medical assistance on a bill at Welborn Hospital in the amount of $128.00. Applicant suffered an accident at home (cut his hand severely on a tin can lid) and does not have any health insurance. He is employed only three (3) days per week and earns $276.28 per month. Applicant also receives $34.00 in food stamps. Mr. Saulman said Mr. Gilles has received assistance via the Trustee's office previously (eye drops -- because he has cataracts), etc. However, when making application, Trustee's office did not know he was employed part-time. They requested him to provide his payroll check stubs and have determined his earnings are over the $250.00 limit as provided in the standards set for Knight Township. Commissioner Borries said he can appreciate Mr. Gilles' struggle on the low income he receives and, at the same time, it does appear his earnings are over the standard limit set for Knight Township. He asked Mr. Saulman if he had checked to see if the hospital would accept partial payment.

Mr. Jim Ethridge of Legal Aid was also present to speak in Mr. Gilles' behalf. He indicated these standards are flexible. Mr. Gilles pays $37.10 per week for rent, which is $162.10 per month. That leaves him $87.50 to pay for all other necessities; i.e., clothing, auto operating expenses, medical, laundry, etc. He said Mr. Gilles is 58 years old-- and therefore not eligible for medicare/medicaid. He also indicated Mr. Gilles is a veteran. Commissioner Willner asked if he had been to see the Veterans Service Officer to see if assistance were available thru them and he indicated he had not. He said he didn't know if he would be eligible, since he only served three months in the service prior to receiving an honorable discharge. He did indicate, however, that the V.A. paid a $2100 hospital bill for him about three years ago. Commissioner Willner said if they did this, he believed he would be eligible for further assistance from them and urged Mr. Gilles to check this out. Additionally, President Borries asked Mr. Saulman to work with Mr. Gilles in determining if Welborn would accept small payments until the outstanding bill is paid off, unless the V.A. can offer some medical assistance to Mr. Gilles.

RE: CONTRACT ON THREE (3) VANS FOR CIRCUIT COURT

Meeting continued with President Borries calling on Ben Evans, Purchasing, to give a run-down on the three (3) vans to be purchased for Circuit Court. Mr. Evans indicated he had bids from Hendrickson & Son and Kenny Kent Chevrolet. His recommendation was that the Commissioners accept bid from Kenny Kent Chevrolet for three (3) 1984 Chevrolet Vans, Model CG 21005, which are heavier type vehicles and more powerful. Unit price was $8,674.34 or a total of $26,023.02 for the three vehicles. Motion to award contract to Kenny Kent was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

(continued)

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RE: BID SPECIFICATIONS FOR CALCIUM CHLORIDE & BURDETTE PARK SKATING RINK

Mr. Evans then provided the Commissioners with copies of the Bid Specifications for Calcium Chloride and the Burdette Park Skating Rink. Bids are to be advertised in the Evansville Courier and Press on October 6 and 13, with Bid Opening to take place on Monday, October 24, 1983. Bid specs received.....and filed. Motion to approve bid specs as presented was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: VANDERBURGH AUDITORIUM

Kim Bitz, manager of Vanderburgh Auditorium, informed the Commissioners he had two claims from Biagi Engineering in connection with the boiler replacement at the auditorium in the following amounts: Application #4 - $4,991.09 and Application #5 - $5,775.34. He had a brief meeting with Biagi concerning these claims and told them he did not have enough information together to recommend payment of same. Commissioner Cox pointed out that the County has already paid Biagi some $42,000-$46,000. After brief discussion, the Commissioners instructed Mr. Bitz to get all documents, etc., together so the Commissioners could go over the entire matter with regard to amount originally budgeted, amounts paid to date, etc. Mr. Bitz agreed to do this and get back to the Commissioners. (A correction to this was made on 10-10-83)

RE: COUNTY ATTORNEY - DAVID MILLER

Hartford Insurance Co.: Attorney Miller submitted the following letter for the Commissioners' signatures:

Mr. C. Rodney White, Claims Manager
The Hartford Insurane Group
1016 South Weinbach Avenue
P. O. Box 2268 - Station D
Evansville, Indiana 47714

Re: Diane Sabovik and Steven Sabovik vs. Vanderburgh County, Indiana, et al, Warrick Circuit Court, Cause No. C-83-101

Dear Mr. White:

Regarding the recent third-party complaint filed by defense counsel retained by Hartford in the above-captioned cause, it is the unanimous opinion of the Board of Commissioners of Vanderburgh County that neither the City of Evansville, nor Vanderburgh County intended to create or assume liability with respect to each other in entering the Joint Traffic Department agreement. As you may know, it is the Joint Traffic Department which has become the basis of the third-party complaint filed by Mr. Frank against the City of Evansville. Certainly, nothing in the Intergovernmental Agreement between the city and the county with respect to the Joint Traffic Department expresses any intention of either unit of government assuming liability on behalf of the other by reason of any acts of the joint department. It is our opinion that it was the intent of the parties that each unit of government assume liability solely for acts or commissions which occur within their respective jurisdictions and not with respect to each other.

It is the further opinion of this Board that in the event that subrogation claims of this nature are filed against the City of Evansville that it could indeed create a situation whereby the city would seek to file claims against the county's insurance carrier on a reciprocal theory for all accidents which occur within the City of Evansville. The county recognizes that the Hartford Insurance Company has subrogation rights, as well as certain other rights with respect to the assumption and control of the defense of this cause under the terms of existing policies of insurance. However, the purpose herein is merely to set forth that it has never been the intent of Vanderburgh County to assume

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or transfer any obligations or liability of Vanderburgh County to the City of Evansville by virtue of any relationship it has with the City of Evansville in the Joint Traffic Department.

Very truly yours,

Richard J. Borries, President
Vanderburgh County Commissioners

cc: Kevin Winternheimer
David Jones

Motion to approve signing of above letter was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: INVESTMENT RESOLUTION

Attorney Miller then introduced the following Investment Resolution for approval and signatures of the Commissioners:

INVESTMENT RESOLUTION

WHEREAS, the Board of County Commissioners of Vanderburgh County (the "Board") pursuant to Indiana Code 5-13-1-1 et. seq. (Acts 1975, P.h.44, 81, p. 222) is vested with authority to direct the County Treasurer to invest County funds under the control of the Board pending distribution to units of government; and,

WHEREAS, the Board desires to provide flexibility in meeting the financial obligations and budgetary considerations of the County while maintaining a maximum interest yield on invested County funds;

NOW: THEREFORE, BE IT RESOLVED, BY THE BOARD:

1. The prior resolutions of this Board concerning investment of County funds are expressly repealed to the extent that they may be in conflict with anything contained herein.

2. The Vanderburgh County Treasurer is hereby authorized and directed to invest the maximum amount of tax collections and individual County funds which are not otherwise governed by Federal or State statute which in the judgment and discretion of the County Treasurer are not needed by units of local government in such amounts and upon such terms as will at all times maximize the amount of interest to be earned upon such invested funds.

3. The Vanderburgh County Treasurer shall report to the Board of County Commissioners at the first regular meeting of the Board of County Commissioners of each month the amount invested, the term of each investment, the rate of interest, due date and amount of interest to be earned for each investment and such other information pertaining to investment of County funds as may be requested by the County Commissioners.

4. Until further instructed by this Board the County Treasurer is directed to place all interest monies earned from investment of County funds into the County General Fund until the sum of $1,150,000.00 has been realized and deposited into such fund in the year 1983, or as otherwise directed by the Board.

APPROVED THIS 3 day of October, 1983

BOARD OF COUNTY COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

(Signed by: Richard Borries, President; Robert L. Willner, Vice President; and Shirley Jean Cox, Member. Attested to by: Alice McBride, Auditor and Approved, David Miller, County Attorney)

(continued)

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Motion was made by Commissioner Willner that the Investment Resolution be approved and signed. Motion was seconded by Commissioner Cox. So ordered.

RE: FARM SERVICE & SUPPLY PROPERTY TAXES SETTLEMENT

Attorney Miller said he had been advised by Lewis Volpe, Country Treasurer, that Farm Service and Supply (an Illinois firm) owed some $40,000 over a six-year period for trucks licensed in the county. Volpe had tried unsuccessfully for a number of years to collect these monies from Farm Service. Attorney Miller explained that the $40,000 figure involves a false property tax assessment of $100,000 that was filed "to get the company's attention". "It got their attention", he said. According to Matthews, the firm actually owes about $15,000 in back taxes for the years 1975 - 1981. He said the firm has offered to pay $5,000 per month during October, November and December -- which he feels is reasonable.

Motion to accept the $15,000 out of court settlement at the rate of $5,000 per month beginning in October was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: TREASURER'S REPORT - Lewis F. Volpe

The Commissioners were furnished with copies of the following Treasurer's Report, which was received.....and filed.

TO: COUNTY COMMISSIONERS
COUNTY COUNCIL

Interest has been receipted as follows:

COUNTY REVENUE	$669,556.07
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	8,363.64
CONGRESSIONAL SCHOOL	211.24
	$680,478.87

Outstanding investments are:

1. Certificate of Deposit, $500,000.00 dated July 6, 1983, due December 29, 1983. Estimated income $21,380.00. Rate 8.75%.

2. Repo, $900,000.00 dated June 20, 1983, due October 4, 1983. Estimated income $23,105.44. Various rates.

3. Investments $2,000,000.00 dated June 13, 1983 due December 28, 1983. Estimated income $88,600.00. Rate 9.50%.

4. Repo $700,000.00 dated July 28, 1983, due October 12, 1983. Estimated income $12,993.54. Various rates.

5. Investments $1,000,000.00, dated August 2, 1983, due October 18, 1983. Estimated income $18,925.00. Various rates.

6. Repo $500,000.00, dated August 24, 1983, due October 12, 1983. Estimated income $5,739.78. Various rates.

7. Investments $3,000,000.00, dated August 30, 1983, due October 11, 1983. Estimated income $31,650.00. Rate 9.05%.

8. Repo, $500,000.00, dated September 9, 1983, due October 4, 1983. Estimated incomd $3,081.60. Rate 8.875%.

Total estimated income is $205,475.36.

Lewis F. Volpe
County Treasurer

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RE: COUNTY HIGHWAY DEPARTMENT - BILL BETHEL

Work Schedule for Week September 26 thru September 30 : Work Schedule was received .....and filed. However, in giving recap, Mr. Bethel said Gradall had been out on Peck Rd., Boonville-New Harmony, Wallenmeyer Rd., Rosenberger Rd., Hogue Rd., and Highway 62, Campbell Park Rd, Brom Rd, Henze Rd and Marx Rd. Paving was accomplished on Hirsch, Green River Rd., and spot paving on Bergdolt. Patching was done on Old Henderson Road, Cypress-Dale Rd, Red Bank Road, Old Petersburg Rd., West Franklin, Old Mt. Vernon, Bayou Creek, Oak Hill, Clark Lane, Schutte Rd., and Venetian Drive. The tree crew worked on Jones Lane, Bobcourt Cr., Old State Road, Old Henderson Road and Mt. Pleasant Road. The trash crew was out on Pollack Avenue, Darmstadt Road, Old State Road and Lynn Road. Mowers were out on Outer St. Joe, Baseline, Middle Mt. Vernon, Jobes Lane, Buente Camp and St. Wendel. The grader was out on Old Henderson Road.

Absentee List September 26 thru September 30: Absentee Report for County Highway Employees was received....and filed.

RE: LETTER CONCERNING BERGDOLT ROAD

President Borries read the following letter from Ralph Rothert of Bergdolt Road:

Vanderburgh County Commissioners:
Bob Wilner
Rick Borries
Shirley Jean Cox

Greetings:

It is my belief and understanding that the matter of this instance has been before your board on numerous occasions heretofore, and I wish now to make formal request for relief.

The matter has to do with a needed road repair in 2900 block of Bergdolt Road. The problem is caused, in part, by a large bump and dip in the roadway as a result of replacement of a concrete culvert which drains the roadway across private property at 2901 Bergdolt Road, which is within a few feet of my home.

The noise and vibrations arise when speeding, heavily loaded large trucks, as well as speeding autos and pickup trucks traverse the roadway. As a result of this condition, windows and dishes rattle in my home at all hours, and I am concerned about possible damage to the main structure of my house.

Please give this matter your immediate attention.

Ralph Rothert
2821 Bergdolt
Evansville, IN 47711

The following letter concerning Bergdolt Road was also read by President Borries:

Bob Wilner)
Rick Borries) VANDERBURGH COUNTY COMMISSIONERS
Shirley Jean Cox)

Greetings:

Please regard this as a follow-up request for corrective action on a most inequitable situation as regards damage to private property account of needed repairs on a public road.

As heretofore stated there is a broken area in the pavement where a small culvert drain was replaced several months ago; (this being the same public drain installed across my residential property at 2901 Bergdolt Road). There is

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heavy truck traffic on this road -- which in the first place was not constructed for heavy traffic. However, fast driven autos and pickup trucks are sufficient to rattle windows, dishes and other items in my home as they pass, with the disruption much worse when large heavily loaded trucks speed by.

This condition continues to deteriorate and to depreciate my property, including, but not limited to, cracks in my basement walls.

Therefore, I once again beseech you to take proper action to prevent further demage. My nearest neighbors have also discussed this situation.

Katheryn McLaughlin
2901 Bergdolt Road
Evansville, IN 47711

Mr. Bethel advised that spot-paving has taken place on Bergdolt Road. However, discussion continued on the fact that heavy trucks are using Bergdolt and Petersburg Roads and the possibility of their using these roads and thence going to Hillsdale to get to U. S. Highway 41 (probably bypassing weigh station scales). Mr. Bethel and Andy Easley will endeavor to obtain the names from the trucks utilizing this route and have the sheriff monitor this route more closely. Mention was made that none of these roads have posted signs which say "No Truck Traffic" on them and Commissioner Cox questioned the feasibility of having such signs. This is to be checked out and Messrs. Bethel and Easley are to get back to the Commissioners with any information on names of individuals utilizing these roads who are driving heavy-duty vehicles. (A correction was made to this on 10-10-83)

RE: COUNTY SURVEYOR'S REPORT - David Guillaum

Mr. Guillaum submited the Bridge & Guardrail Repair report for week of September 26th thru September 30th. He pointed out the following accomplishments: Cleaned clogged pipe on South side of pipe on Duesner Road; Cleaned clogged pipe on North side of pipe on Duesner Road; Rip Rapped Cemetery Road and Old Petersburg at Highway 57. Also Rip Rapped were Mann Road, Buente Road and Slate Road & McCutchan. No. 44 Bridge was also rip rapped. Painted guardrail and placed posts on Boonville-New Harmony Road, #6 School Road and Mesker Park Drive. Report received....and filed.

Mr. Guillaum said he met this morning with Owen Barnett of Barnett Construction concerning a few random areas which need smoothing on the First Avenue Bridge Project. Contractor was already aware of these spotted areas and is most cooperative. It was pointed out that a deep broom finish will be utilized on the approaches at both ends of the bridge, which will give more friction during inclement weather. The smooth concrete surfact to which we were so accustomed is no longer being utilized.

RE: COUNTY-STATE AGREEMENT - VANDERBURGH - IDOH, BRIDGE INSPECTION/PROJECT #BRZ-9982

President Borries briefed the Commissioners on the above agreement to be executed and returned to the Indiana Department of Highways. (Copy of agreement received.... and filed.) He explained that Vanderburgh County prefers to perform bridge inspections with the County's own engineering staff and we have requested Federal funds at a rate of 80% participation. He said the agreement needs to be executed and returned to the IDOH for further processing. An executed agreement will be returned to the County at a later date and notice to proceed will follow obligation of Federal funds. A motion was made by Commissioner Willner to sign the Agreement. Motion was seconded by Commissioner Cox. So ordered. (A correction was made to this on 10-10-83)

RE: COUNTY ENGINEER'S REPORT - ANDY EASLEY

Mr. Easley directed the Commissioners' attention to Kolb Ditch and the need to see that cleaning is done prior to winter rains. He said this ditch is located on the Southeast side of the city near Eastland Estates Subdivision. He suggested the Commissioners get the cooperation of the Levee Authority to raise up the flapgate (it could be lowered on a four-hour notice, should we have a big flood, such as in 1937). He asked the Commissioners' permission to contact the Levee Authority concerning same. Permission was granted for Mr. Easley to contact the Levee Authority.

Again, Mr. Easley indicated he would try to obtain names from trucks utilizing Petersburg Road ...these heavy trucks should not be traveling in what is considered a residential area.

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RE: PARKS REFORRESTATION PROGRAM GRANT

President Borries read the following letter from Mark Tuley, manager of Burdette Park:

TO: Board of County Commissioners, Rick Borries, Pres.
RE: PARKS REFORRESTATION PROGRAM GRANT

Dear Rick,

The Reforrestation Projects at Burdette Park and Mesker Zoo are completed. Stocker's Landscaping, Inc., is in compliance with the contract. I see no further need to hold their bond. Please notify the Auditor's Office to return their check.

Sincerely,

Mark T. Tuley
Burdette Park Manager

At the request of Commissioner Borries, County Auditor Alice McBride agreed to see that the check was returned.

RE: TELEPHONE REQUEST - CLERK OF CIRCUIT COURT

Discussion turned to a telephone change request from the Clerk of the Circuit Court. Station No. 426-5488 (Room 200) is to be located on another desk. Estimated installation cost is $61.00 and order charge is $22 for a total cost of $83.00. Margie Meeks will coordinate any other changes at this time to avoid duplicate costs. Motion to approve Helen Kuebler's request was made by Commissioner Cox with a second from Commissioner Willner. So ordered.

RE: INSURANCE CERTIFICATES FOR ACTIVITIES AT VANDERBURGH AUDITORIUM

President Borries submitted Certificates of Insurance as follows for scheduled events at the Vanderburgh Auditorium:

1) Musicians Club of Evansville Concert - October 20, 1983. (Certificate issued September 30, 1983 by Ashby Rauscher Agency, Inc.)

2) Tradesmens Club Dance - October 7-9, 1983. (Certificate issued effective October 7, 1983 by The Hartford Insurance Group).

Motion to approve foregoing Certificates of Insurance was made by Commissioner Willner with a second from Commissioner Cox. So ordered.

RE: RENTAL OF TABLES & CHAIRS FOR 1983 CITY GENERAL ELECTION

With the City General Election only a month away, President Borries submitted a letter for approval by the commissioners for rental of tables and chairs to be used at various voting stations as follows:

Ms. Sheila Martin, Manager
Roberts Municipal Stadium &
Mesker Music Theater
2600 Division Street
Evansville, Indiana 47714

Dear Sheila,

We are requesting to rent approximately 75 folding tables and 200 folding chairs from Roberts Municipal Stadium & Mesker Music Theater for the 1983 City General Election which will be held on Tuesday, November 8, 1983.

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They are to be picked up on November 7, 1983, and returned on November 9, 1983.

Mr. Benny Gossar, an employee of the Superintendent of County Buildings for Vanderburgh County, will be responsible for picking up and returning all rented tables and chairs to the stadium.

The invoice and blue claim for the rental of the tables and chairs are to be submitted to the Vanderburgh County Election Board for payment.

Sincerely,

The Board of Commissioners of
the County of Vanderburgh

Motion to approve foregoing request was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: CLOSING OF SKATING RINK AT BURDETTE PARK

President Borries advised the Commissioners that he had a note from Mark Tuley, Manager of Burdette Park, indicating the Skating Rink will be closed this week due to the West Side Fall Festival. The Skating Rink will re-open on Sunday, October 9, 1983.

RE: CLAIMS

The following claims were submitted for approval:

Sperry-Univac: Invoices #180/20374 and #180/42036 in the amounts of $15,378.00 and $16,346, respectively. Motion to approve payment of these claims was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

Helfrich Insurance Agency: These charges cover deleting fellow employee exclusion clause, Policy #36ABMR1472E. Motion to approve payment of this claim was made by Commissioner Willner, with a second from Commissioner Cox. (It was explained that normally if one employee runs into another, there is an exclusion clause. The coverage for which this claim is submitted removes the exclusion clause -- so if there is an accident involving two (2) employees, they can file suit.)

Travel Claims: Travel claims for John Dixon of the County Treasurer's Office and Helen Kuebler, Circuit Court Clerk, in the amounts of $192.98 and $231.90, respectively, were submitted for approval. Motion was made by Commissioner Willner that these claims be approved, subject to approval by the County Auditor. The motion was seconded by Commissioner Cox. So ordered.

RE: EMPLOYMENT CHANGES - APPOINTMENTS

VETERAN SERVICE

Mark Acker	842 Jackson Ave.	Asst. Vet. Serv. Officer	$10,798.00	Yr.	Eff: 10/3/83

SHERIFF

Sondra Funk	2901 Culverson	Jail Nurse	$16,076.00	Yr.	Eff: 9/26/83

CIRCUIT COURT

John Voight	1117 2nd Ave.	P/T Bail Bond	$ 5.00	Hr.	Eff: 9/23/83
Norman Hoskinson	922 Bellemeade Ave.	P/T Bail Bond	$ 5.00	Hr.	Eff; 9/23/83
Leora Reisbeck	3712 Van Meter Ct.	Special Intern	$ 3.35	Hr.	Eff: 9/23/83
John R. Mueller	2016 E. Chandler	Transp. Officer	$13,574.00	Yr.	Eff: 9/26/83
Michael K. Peeler	1251 Crossgate Dr.	Transp. Officer	$12.980.00	Yr.	Eff: 9/26/83
Robert L. Hart, Jr.	1001 Crossgate	Comm. Services Officer	$16.679.00	Yr.	Eff: 10 /3/83

(continued)

VANDERBURGH SUPERIOR COURT

Roberta Jean Jourdan		Ct. Reporter	$15,717.00 Yr.	10/10/83

CLERK OF THE CIRCUIT COURT

Linda Webster	4100 Claremont	Dep. Clk.	$ 394.61/Pay	9/26/83
Bea Phillips	1132 Lohoff	Sup. Ct. Clk.	$ 415.30/Pay	9/26/83
Marilyn Hess	7500 E. Chandler	Dep. Clk.	$ 394.61/Pay	9/26/83
Frances Gates	4413 Riverside	Court Clk.	$ 415.30/Pay	9/26/83

CIRCUIT COURT - COMMUNITY SERVICES PROGRAM

Dennis J. Heathcott	117 Hampton Dr.	Comm. Serv. Officer	$16,679.00 Yr.	9/26/83
William Martin	3022 Forest Ave.	" "	$16,679.00 Yr.	9/26/83

VANDERBURGH AUDITORIUM

Geraldine Gass	4524 Cass Avenue	Sec./Bkkpr.	$10,210.00 Yr.	9/23/83

RE: EMPLOYMENT CHANGES - RELEASES

VANDERBURGH AUDITORIUM

Thea Patterson	811 E. Gum	Sec./Bkkpr.	$10,200.00 Yr.	9/23/83

VETERAN SERVICE

Carl Wallace	R.R.#4, Box 99	Asst. V.S. Officer	$10,798.00	8/31/83

VANDERBURGH CIRCUIT COURT

Dennis J. Heathcott	117 Hampton Dr.	Trans. Officer	$13.574.00 Yr.	9/23/83
William Martin	3022 Forest Ave.	" "	$12.980.00 Yr.	9/23/83
Michael Peeler	1251 Crossgate Dr.	Bail Bond Int.	$11.767.00 Yr.	9/23/83
John R. Mueller	2016 E. Chandler	Bail Bond Int.	$13.012.00	9/23/83
Charles Smith, Jr.		P/T Bail Bond	$ 4.83 Hr.	9/23/83

SHERIFF

Ova C. Stambush	617 Taylor	Patrolman	$16,743.00	9/23/83
Thomas A. Vachet	2610 Adams	Patrolman	$16,743.00	9/23/83

CLERK OF THE CIRCUIT COURT

Linda Webster	Sup. Ct. Clerk	$ 415.30/Pay	9/26/83
Bea Phillips	Dep. Clk.	$ 394.60/Pay	9/26/83
Frances Gates	Dep. Clk.	$ 394.61/Pay	9/26/83
Sharon Daniels	Court Clk.	$ 415.30	9/26/83

President Borries asked for a motion to approve the foregoing employment changes. Motion to this effect was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: SCHEDULED MEETINGS

In response to Commissioner Borries question as to whether the Commissioners knew of any scheduled meetings, Commissioner Cox indicated there is an Area Planning Commission Meeting scheduled for Wednesday evening, October 5th, at 6:00 p.m.

There being no further business to be brought before the Commissioners, President Borries declared the meeting adjourned at 4:00 p.m.

(continued)

558.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller
	COUNTY SURVEYOR	PURCHASING	COUNTY ENGINEER
	David Guillaum	Ben Evans	Andy Easley
	COUNTY HIGHWAY	OTHER:	
	Bill Bethel	News Media	

SECRETARY: Joanne A. Matthews

Richard Borries
Richard Borries, President

Robert L. Willner
Robert L. Willner, Vice President

Shirley Jean Cox
Shirley Jean Cox, Member

COUNTY COMMISSIONERS MEETING
OCTOBER 10, 1983

The meeting of the County Commissioners was held on Monday, October 10, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

The minutes of the previous meeting were approved, with the following corrections being made, as recommended by Commissioner Cox.

Page 2, under the heading of Vanderburgh Auditorium, it states that Mr. Bitz submitted claims from Biagi Engineering, however, the claims were not from Biagi, but from Municipal Engineering, therefore, each time the firm of Biagi is mentioned during that discussion, it should be Municipal Engineering. Also Commissioner Cox remembers stating that she thought the Commissioners had already approved those claims presented to them, when they had previously met at the Auditorium.

Page 6, under the discussion of the condition of Bergdolt Road, which heavy trucks are using, it should have stated the trucks are also using Browning Road and Kansas Road.

Page 6, under the heading of County-State Agreement, Commissioner Cox said it should have stated that Mr. David Guillaum informed the Commissioners that Mr. Hartman and the regular inspectors will do this as part of their regular 8:00 a.m. to 4:00 p.m. job.

RE: OPENING OF BIDS ON CONCRETE DECK REPLACEMENT OF BURDETTE PARK SWIMMING POOL

Mr. Ben Evans, Manager of City/County Purchasing Department was present and stated that a total of eight (8) persons picked up bid specifications for the swimming pool at Burdette Park and that four (4) returned them.

Commissioner Willner moved the County Attorney proceed with the opening of the bids. Commissioner Cox seconded the motion. So ordered.

RE: BILL ZIMMERMAN.....BUILDING COMMISSION - PROBLEM ON PERMIT FEE

President Borries said Mr. Zimmerman is not present to discuss the matter before us today.

County Attorney Jones said that he has discussed this issue with Mr. Zimmerman and he could discuss it, if the Commissioners so desired. He said apparently the problem is that the Joint Building Commission office did not pick up the fact that there are now differences in the Building Code between the City and the County. He cannot recall the particular differences, but there was a discrepancy, and Mr. Zimmerman is somewhat concerned. One of the things involved the ability to go in a house that has been condemned and cut off the utilities, etc. The second thing was that when we passed the increase in fees, apparently there is a split period of fees and they processed one at the lower rate and he told Mr. Zimmerman to advise the person that the fee is higher and collect the additional amount due, but for some reason that did not go through and Mr. Zimmerman contacted him again and asked if we had to do this and he informed Mr. Zimmerman that if he did not collect it he would not be enforcing the ordinance and when he asked if he had yet given the permit out, he did not get a firm yes or no answer. He told Mr. Zimmerman that either the gentleman pays the full amount or he doesn't get his permit, and if the permit was issued without getting the proper amount of fee, then revoke the permit....its just that simple and he does not understand why the problem. If the question becomes..."is there any provision for waiver"....his answer is no.

President Borries said at this point Mrs. Meeks is trying to contact Mr. Zimmerman and have him come into the meeting to discuss this further, if he wants to do so, however, at this point the County Attorney is recommending no waiver.

Mr. Jones said there is no basis to waiver a fee of this sort, that if their office didn't catch it, it simply will have to be corrected now.

Commissioner Cox said she too feels that Mr. Jones is right, that there have been times when people get permits and then not use them and we always come through and refund their money and she feels this person should be informed this was an oversight and if they want the permit they will have to pay the full fee, and that should end it.

560.-

RE MARK TULEY....BURDETTE PARK

Absentee Report: Mr. Tuley submitted the absentee report of the employees at Burdette Park for the period of July 28, 1983 through September 17, 1983...received and filed.

Skating Rink Inventory (Revised). Mr. Tuley submitted a revised skating rink inventory list for the Commissioners records, incase they do receive a successful proposal in regards to the rink leasing, which has already been advertised for bids.

Landscaping Completed at Burdette: Mr. Tuley said he does not know if any of the Commissioners have had a chance to visit the park, but as of October 1st, they have finished the landscaping, in regards to the Federal Grant they received to do it with and it looks really good at this time. From here on out all they will have to do is see it gets plenty of water and hopefully everything planted will make it through the winter, that the bushes and shrubs seem to be very hardy and if anything is lost it could be the trees. They did lose some that they planted in the spring, up near the camp ground, however, Stocker has agreed to replace a certain percent of them. With such a hot dry summer the ground heat was so high that we could not save them.

Financial Statement: Mr. Tuley said his bookkeeper is presently on vacation, therefore he does not have a financial statement ready to submit but that he will have it ready two (2) weeks from today.

He will also submit a final report on the grant money as soon as everything is computated.

RE: BIDS ON CONCRETE DECK REPLACEMENT ON POOL AT BURDETTE PARK

David Jones said he has opened four (4) bids received on the replacement of the deck at the pool in Burdette Park, and that they are as follows:

Happe's, Inc. Evansville, Indiana.....$11,995.00

Lichtenberger Construction, Inc. Evansville, Indiana.....$12,950.00

Deig Brothers Lumber and Construction Co. Inc. Evansville, Indiana.....$15,080.00

Key Construction Co. Inc. Evansville, Indiana.....$14,900.00

Mr. Jones said all bids were in order.

Mr. Evans came forth and recommended the bids be taken under advisement for a period of one (1) week, so that Mr. Tuley and Mr. Davis (Surveyor's office) could get together and study them and he would report back with a recommendation next meeting.

Commissioner Willner moved the bids be taken under advisement for one (1) week with a recommendation to come at that time. Commissioner Cox seconded the motion. So ordered.

The bids were given to Mr. Evans at this time.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of October 3 thru 7, 1983...report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of October 3 thru 7, 1983....report received and filed. Also attached to the Work Report was the work schedule for the same period of time, which says the Gradall was on Seminary Road, Big Schaefer Road, Folz Road, Happe Road, Bromm Road and Oak Grove Road. They paved Peck Road. Repairs on a dip was done on Bergdolt Road, Hillsdale Road and Boonville-New Harmony Road. The patch crew was on Bexley Court, Evergreen Road,Bartel Road, Red Bank Road and Outer Pollack Avenue. The tree crew was on Darmstadt Road, Evergreen Road, Old State Road, St. Wendel Road, Petersburg Road and Heckel Road.

RE: BOB BRENNER.....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report for the bridge crews for the period of October 3 thru 7, 1983...report received and filed.
He stated they are going to try to get to Bosse Avenue tomorrow and he will keep the Commissioners informed of progress out there.

Claim: Mr. Guillaum submitted the following claim for approval of payment:

BARNETT BROTHERS, INC.....FIRST AVENUE BRIDGE PROJECT

Billing #5 Attached.....$1,425,738.25
Less 10% Retainage.....$ 142,573.83
Less Previous Payments.....$1,116,194.04

Amount due.....$166,970.38

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Mr. Guillaum said he would like to submit this claim for approval, that they have verified all items on the attached statement with the exception of two (2), and that Mr. Kautzman is presently working on those, therefore he would ask approval subject to those two (2) items being verified and ask that the Auditor's office hold it until he advises them to go ahead and pay it, and that should be tomorrow.

Commissioner Willner moved the claim for Barnett Brothers be approved, subject to the verficaion of the two (2) items as recommended by Mr. Guillaum.

Commissioner Cox asked Mr. Guillaum if he know which two (2) items were in question and he replied there is a guardrail quantity that he does not think is correct and he believes the riprap is going to be different than what is shown on the statement.

Commissioner Cox seconded the motion for approval. So ordered.

RE: ANDY EASLEY.....COUNTY HIGHWAY ENGINEER

Claim: Mr. Easley submitted a claim from the State of Indiana in regards to L&N R.R. Crossing on Red Bank Road, which shows the following:

Final payment for project RRP-9982(3), in accordance with the agreement between the State of Indiana and Vanderburgh County, signed and dated October 10, 1979, computed as follows:

Total Project Cost.....$58,149.76
Less: Federal Participation.....$52,334.78

County's Portion.....$ 5,814.98

President Borries read aloud the following letter in regards to the above claim.

Dear Mr. Borries:

Enclosed is a copy of a letter from the Indiana Department of Highways dated September 26, 1983, that contains a claim form for $5,814.98. This amount is the County of Vanderburgh's share of the railroad crossing improvement and the amount appears to be correct.

It is recommended that the claim be approved for payment.

After it is paid, the undersigned will request the Indiana Public Service Commission to reimburse the County in the amount of $5,814.98 for the local share of the matching funds.

If you have any questions, please contact the undersigned.

Very sincerely,

Andy Easley
County Highway Engineer

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Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

562.

RE: LETTER FROM CLERK OF CIRCUIT COURT ON PRECINCT CHANGES BEFORE 1984

President Borries read aloud the following letter, dated October 10, 1983 and directed to the Board of County Commissioners.

Re: Precinct Changes

I, Helen L. Kuebler, respectively request the following precinct change:

Due to the annexation by the City and the additional registered voters in Ward I, Precinct 20, it is imperative this precinct be divided before the next election in 1984.

As previously stated, Knight 2 has more than 1500 voters and must also be divided, in order to facilitate the voters.

Your prompt consideration for this request will be appreciated.

Thanks,
Helen L. Kuebler, Clerk

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Commissioner Cox stated that Mrs. Kuebler would like to try to get this done before the filing period which starts on February 1, 1984.

Commissioner Willner moved the above request be referred to the Surveyor's office. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY.....DAVID JONES

Discussion of Joint City/County Ambulance Service: Mr. Jones said he received a telephone call from the City Attorney's office, which relayed a message from Jerry Linzy that the city is making a request of the county to meet together for the purpose of developing a draft of an agreement between the City and the County on the Joint Ambulance Service and before he would do such a thing, he needs to have the Commissioners approval, if there is still that interest and if there are any specific requirements that any of the Commissioners have that need to be negotiated into the agreement.

President Borries said he knows there would have to be some sort of an agreement, but he is not certain if it would be and Inter-Governmental Agreement, that he understands the city would prepare specs and perhaps this would be an agreement similar to what we have concerning Data Processing.

Mr. Jones said these are really involved specifications, that it took two and one half (2½) years to prepare the specifications for the ambulance service in Kansas City and he does not believe anyone here understands how complex this thing really is, that you could create a governmental entity with a lot of red tape and a lot of employees and high payroll costs, or it could be contracted out, or it could be a combination, that there are many ways to go into this thing. He has had the understanding all along that it would be contracted out, have an allocation between the City and the County basically based on usage cost.

President Borries said this thing is so complicated that it could even be broken down into mileage, but he too understands the discussion thus far leans to contracting it out.

Commissioner Cox said she believes the area is still gray, and that no decision has come out of the joint committee. She does not serve on this committee, but the last she read about it in the news media was that there is to be proposals submitted, however, she cannot speak in regards to the matter because she is not certain where it stands at this point and time.

Mr. Jones said this is very premature, however, he can meet with them and bring back his findings to the Commissioners unless you would rather meet with them yourselves directly.

Commissioner Willner said he thinks we should have some of the basics before it is turned over to the attorneys.

President Borries instructed Mr. Jim Lindenschmidt to contact Mr. Jerry Linzy and request copies of the Specification the city received from Kansas City and after we have looked at them Mr. Lindenschmidt can set up a joint meeting for us.

Mr. Jones said he thought the Commissioners had already recieved a copy of those specifications, that he understands they are ready and can be obtained today, if the Commissioners choose to get them.

Petitions Filed in Regards to Poor Relief Bond Issue: Mr. Jones said the petitions have been filed for initiation of the Poor Relief Bond Issue for Knight Township and Pigeon Township, that they have been duly certified by the County Auditor and at this time he would present them to the Commissioners and according to the statute he has prepared a "Finding and Order of the Board of Commissioners of the County of Vanderburgh". He said in effect, this has previously been done, but this will simply memorialize it for the record, which shows the following Townships in Vanderburgh County have deficits in the budget of the respective Townships in the following amounts,

1. Knight Township - Deficit $100,000.00
2. Pigeon Township - Deficit $150,000.00

and that the additional amount will be needed to meet poor relief obligations of said Townships in the six (6) calendar months next following the month of July, 1983, which amounts are estimated as follows:

1. Knight Township $ 80,000.00
2. Pigeon Township $500,000.00

The Finding and Order also states the Board further finds that the amount of funds required for said Townships for the purposes aforesaid, together with the costs of publishing a notice of determination to issue bonds and the bond sale notice, preparation of the bonds and the legal expenses involved in securing approval of said bonds will be $860,000.00, and the Vanderburgh County Council should be requested to authorize the issuance of said bonds for such purposes in that amount.
Mr. Jones said this would require a special meeting of the County Council. He also has submitted a Certificate that should also be signed by the Commissioners and also notarized. He also has submitted a "Notice of Meeting of County Council", prepared for the County Auditor. Also submitted is a document "Proof of Mailing".

Commissioner Cox asked if the $860,000.00 is for both Knight and Pigeon and it also includes the costs and Mr. Jones replied yes.

Commissioner Willner moved upon the Attorneys recommendation, that all documents submitted today concerning the Bond Issue for Pigeon and Knight Township's be approved. Commissioner Cox seconded the motion. So ordered.

Mr. Jones said the dates of the meeting of the County Council will have to be set by the County Auditor, however, he would recommend it be as soon as possible.

All documents were properly signed by the Commissioners and given to the County Auditor for approval from the County Council.

RE: HOLIDAYS FOR 1984

President Borries said Mrs. Meeks has prepared a list showing the 1984 Holidays, that the Courts always have very early requests for these, due to trials, etc. The list is as follows:

New Year's Day.....Monday, January 2
Washington's Birthday.....Monday, February 20
Good Friday .....Friday, April 20
Primary Election.....Tuesday, May 8
Memorial Day.....Monday, May 28
Independence Day.....Wednesday, July 4
Labor Day.....Monday, September 3
General Election.....Tuesday, November 6
Thanksgiving.....Thursday, November 22
(In lieu of Columbus Day).....Friday, November 23
Christmas Eve...(In lieu of Lincoln's Birthday).....Monday, December 24
Christmas Day.....Tuesday, December 25
New Year's Eve...(In lieu of Veteran's Day).....Monday, December 31

NOTE: New Year's Day will be observed on Tuesday, January 1, 1985, and will be included in the Holidays for 1985.

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Commissioner Cox expressed concern over a possible new Holiday...Martin Luther King Day, that perhaps it could be added as "optional", that she believes the Federal Government is going to have it. The date for this would be January 15th. If this is not on the list and we end up getting it, then the ones that will really be messed up will be the Court System. We also would have to revise the County's Personnel Policy.

Commissioner Willner moved the list, as submitted, be approved, subject to change, if the Federal Government approves Martin Luther King Day, for January 15th. Commissioner Cox seconded the motion. So ordered.

RE: NOTICE OF VOTING PLACES FOR THE CITY GENERAL ELECTION OF NOVEMBER 8, 1983

President Borries said before the Commissioners today are a list of the voting places for the November 8, 1983 election and stands ready for the Commissioners approval for advertisement of same, as required by statute.

Mrs. Meeks has suggested these locations not be advertised until October 27, 1983, which is still ten (10) days before election day, incase there should be any changes.

Commissioner Willner moved the voting places be approved and advertised at least ten (10) days before Election Day. Commissioner Cox seconded the motion. So ordered.

RE: BILL ZIMMERMAN...BUILDING COMMISSION...PROBLEM ON PERMIT FEE

Mr. Zimmerman, Building Commissioner came into the meeting and spoke at this time in regards to the problem his office encountered on a permit fee, as discussed earlier in this meeting with Attorney David Jones.

Mr. Zimmerman said he discussed his problem with David Jones and was advised to take it before this Board of Commissioners. He has three (3) permits, which should come to a total of $261.00 and the person wanting the permits has submitted $163.00. The plumber said he was not aware of the new fee schedule and he has refused to pay the additional fee. The new schedule was properly advertised in the news paper.

Commissioner Cox asked if the permits have been issued yet and Mr. Zimmerman replied no, and he still has the checks also. Commissioner Cox said when she goes to purchase an item and is told what the price is, she either pays that price or she does not get the item.

Commissioner Willner asked if our fees are the same as the city's and Mr. Zimmerman replied yes, they are the same, however, the City did not have to advertise their new fees.

President Borries said his personal feeling is that Mr. Zimmerman should provide the gentleman with documentation where it was properly advertised and inform him we would have to have the required fee before he gets his permits.

The other two (2) Commissioners agreed and Mr. Zimmerman said he would inform the man of the Commissioner's decision on the matter.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Bristow/Meyer - Mead Johnson Company for a dance to be held at the Vanderburgh County Auditorium, however, the certificate is made out to the City of Evansville instead of the County, therefore it was given to Mr. Jim Lindenschmidt to check out and have corrected and bring back when it is available.

A certificate of insurance was submitted by the Evansville Square Dance Council for a dance festival at the Vanderburgh Auditorium on October 28, 29 and 30, 1983....received and filed.

RE: CLAIMS

Two (2) claims were submitted by County Attorney David Jones for legal services, one (1) in the amount of $4,136.05 and has been itemized to the tenth of the hour and one (1) in the amount of $348.00 which has also been itemized to the tenth of the hour.

Commissioner Willner moved the claims be approved and given to Mrs. Meeks to be placed on the November County Council Call. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Tennyson Construction for the Baseline/Petersburg Bridge #44 Structure, in the amount of $9,292.54. Claim has been signed by David Guillaum and Bob Brenner.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Tennyson Construction for the Baseline/Petersburg Bridge #44 Structure, in the amount of $38,923.04, which is the final bill in the work. The claim was signed by David Guillaum and Bob Brenner.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

RECORDER

Margaret S. Blaxton	8209 Old State Rd.	Deed Deputy	$10,260.00 Yr.	Eff: 10-10-83

RE: EMPLOYMENT CHANGES....RELEASES

RECORDER

Brenda M. Cheatem	211 S. Garvin	Deed Deputy	$10,260.00 Yr.	Eff: 10-7-83

VANDERBURGH SUPERIOR COURT

Mike Kuykendall		Pro. Officer	$16,678.00 Yr.	Eff: 9-23-83

RE: SCHEDULED MEETINGS

There is to be a meeting on Wednesday, October 12th, in room 301, Civic Center, whereby the Commissioners have been asked to meet with the Trustee's Association.

Also, Product Information Network, has requested to have a meeting with the County Commissioners next Monday, October 17th, before the regular Commission meeting.

There being no further business, President Borries declared the meeting recessed at 3:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 17, 1983

The meeting of the County Commissioners was held on Monday, October 17, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: REZONING PETITION VC-8-83...THIRD READING

Petitioner: Gregg J. Gormley, 5040 Seven Hills Road, Evansville, Indiana
Owner of Record: Laura H. Workman and John Sanders, Conservator for Cecil Kuntz, Suite 12, Court Building, Evansville, Indiana.

Premises affected are situated on the east side of Darmstadt Road a distance of 150' north of the corner formed by the intersection of Kratzville Road and Darmstadt Road. The common address is 6805 Darmstadt Road and the above described real estate is presently zoned County R-1 and the requested change is to County C-4. Present existing land use is unoccupied residential and the proposed land use is veterinarian's office.

Mr. Ted C. Ziemer, Jr., attorney, was present to represent the petitioner Doctor Gregg Gormley and his wife Carol and the owner of the real estate located at 6805 Darmstadt Road, Evansville, Indiana. They are requesting the property be rezoned from County R-1 to County C-4, with uses under C-4 restricted to Use Group 2 and Special Use 25, for a Veterinarian's clinic and office. The property lying southwest of this real estate and across the street is respectively zoned C-O, for a doctor's office, C-1 for the Highland Inn Restaurant and Tavern and C-4 for Wolf's Restaurant. Property immediately adjacent to this real estate is Highland School. Other property in this area is zoned R-1. The subject property has an old residential building which has been vacant for approximately two (2) years. The land is overgrown with vegetation and the building is about to fall down and in it's present condition he believes it can be described as an eyesore. The staff field report filed by the Area Plan Commission indicates there are adequate storm and sanitary sewers in the area and that parking as provided for in the site plan will be adequate for this use and in compliance with the zoning law. He would call the Commissioners attention to the fact that in the plat and site plan as filed, the building was shown as being located 87' from the center line of Darmstadt Road and after filing that petition they became aware of the fact that there is a 95' setback line at that point, which is proposed to be changed to a 65' setback. They have agreed to move the building back the 95' so that no variance will be required. The property has on the south side, a driveway, which is presently approximately 15' in width and runs over the south 50' of this real estate and there is an easement over this south 50' to provide ingress and egress, not only to this real estate but to property east of this real estate or to the rear of this real estate, from Darmstadt Road. It is their intention to widen the present driveway to at least 30' to meet requirements established by the Evansville Urban Transportation Study, to eliminate the traffic hazard. In addition, if it is felt desirable by the Commissioners, or by neighbors in the area, or both, the petitioners are willing to dedicate this south 50' of this property as county roadway. We have tried to do everything to cooperate as much as possible with the neighbors in this area to try to establish a situation where an attractive building would be constructed and all of the concerns of the neighbors would be met and in attempting to do this we have met three (3), or perhaps four (4) times with the neighbors. Two (2) meeting were held early with two (2) of the families that live the closest to this real estate and following that we had a third meeting at Highland School, which by invitation was attended by abutting land owners and as recently as this past week we had occasion to meet with Mr.Happe, on the property. It seems to him the concerns of the neighbors really center on two (2) areas, one (1) is how will this particular property be used if rezoned, and not only today, but sometime in the future and two (2) they are concerned about creeping commercialism, and it has been our attempt to alleviate those concerns. He believes the neighbors have said if the property has to be rezoned then they feel that a building such as Dr. Gormley is proposing and the protections Dr. Gormley proposes to give them, would be the best thing they could ask for, but...they would prefer that it not be rezoned at all and stay single family residential and he believes there is one very basic problem with this thinking and that is the real estate just doesn't lend itself to a residential development of a quality that would be comparable to other residential development in the area. The topography of the real estate is such that a quality residential development could not be constructed without a great deal of

expensive earth moving and more importantly, the view from this property would inhibit a substantially quality residential development and if it isn't rezoned for a good commercial use, that could be a buffer type operation, it may well end up being sold for a small amount of money to someone who would put a low quality residential development on it. In order to fully cooperate with the neighbors we first agreed to limit our Ordinance to C-4, to Special Use 25, and Use Groups 2 and 5 and after meeting with neighbors they objected to Use Group 5, so we again amended the Ordinance and limited it to Special Use 25, Use Group 2. At this time Mr. Ziemer distributed copies of the Zoning Code showing exactly what would be included under Use Group 2, which is limited to offices. This would mean that yes, eventhough this property would be rezoned C-4,that the items under Use Group 2 are the only things this can be used for unless it is rezoned again at a later time. Also, to provide additional comfort to the neighbors, they agreed to enter into a covenant in their behalf. He understands that covenants of this type cannot be enforced by the Area Plan Commission, nor is it felt generally the courts will enforce them in favor of the County Commissioners, or the City Council, depending upon where the property is located, but there is a strong opinion that if this type of covenant runs to a named group of individuals that that group of individuals can, by going to a proper court, enforce the terms of that covenant. We have made this covenant run to all the neighbors who live within 2,000' of the real estate in question and we have provided the covenant is to run with the land to all future owners for the duration of the covenant and that it is to last for twenty five (25) years. At the suggestion of Mr. Paul Wallace, at the Plan Commission meeting, we have revised it to further include language that it can be enforced by either for damages or in equity to prevent the proposed violation. The covenant says two (2) things, that being that so long as Doctor Gormley owns this real estate he agrees he will never use it for anything but a veterinarian's clinic and he agrees he will never lease any part of the building he is going to construct on this property, to anyone else for any other purpose and he agrees he will not build anything further on this property other than the building being proposed here tonight. The covenant further says that if he ever sells it all those same things are going to happen except it could be used for anything else allowed in Use Group 2. For additional protection, if the rezoning is approved, in the warranty deed to be given by the present owners of this real estate to Dr. and Mrs. Gormley, provide that the conveyance is subject to this Ordinance and subject to this covenant, which is to be recorded so that anyone looking at this property for the next twenty five (25) years will know exactly what the restrictions are. Also, since the Plan Commission meeting they have decided to stipulate the site plan as to the location of the building on the property, the size of the building on the property, the height of the building on the property and the location of the parking on the property. He does not have reduced size copies of the new site plan for the Commissioners record, but he would like for the record to show they do have a new site plan and he would be happy to leave it with the Commissioners tonight, until he can get reduced copies. At this time Mr. Ziemer showed the site plan to the Board and pointed out the location of the building being proposed, the 95' setback, the demensions of the building and the parking area. Mr. Ziemer said he would like for Mr. Ed Hafer, the architect for this project, to come forth at this time and point out further proposals to the Board and he could answer any questions pertaining to the architects of the project.

Mr. Ed Hafer came forth and continued by stating that Mr. Ziemer has already discussed basically the site plan of the project, therefore at this time Mr. Hafer very briefly pointed the location of everything around the property (Highland School, Highland Inn and Wolf's Restaurant). He pointed out the location of the 50' access which the Gormley's would be willing to dedicate as a county roadway. He pointed out the dotted line shows the 95' setback and pointed out there will be eight (8) parking spaces across the front of the building and four (4) parking spaces further to the east, for employees parking. The exterior of the building will be brick with wood trim and a shingled roof.

Mr. Ziemer said the question arose at the APC meeting concerning any boarding of animals and outside runs, but he would point out that under the county code you cannot have boarding of animals or outside runs without a different special use permit different than special use 25. Doctor Gormley has another location, out in the country, where he boards animals, that the new clinic will be for the treating of sick animals and perhaps an overnight stay to recuperate from a surgery.

Mr. Ziemer said at this time he would like to submit a signed and notarized copy of the Covenant and he has with him tonight copies of this for anyone wanting to have one. He said for the Plan Commission to make a recommendation to the Commissioners, for or against a proposal, it must have seven (7) votes and there were only eight (8) people at the Plan Commission meeting, five (5) or which voted in favor and three (3) voted against it, therefore a recommendation could not be given to the County Commissioners.

Mr. Ziemer said this concludes his presentation, however, Doctor Gormley is present tonight and would be happy to answer any questions that the Commissioners or anyone in the audience might have.

President Borries asked if there were any questions from anyone at this time. There being none he continued by stating the record will show that Mr. Ziemer submitted an original signed and notarized Covenant from Doctor and Mrs. Gregg Gormley. Also received tonight is a petition from property owners opposing any rezoning of the property located at 6805 Darmstadt Road, and this petition has a total of sixty eight (68) signatures, which will be received, filed and made a matter of record.

Mr. Mark Ashby came forth and stated he is a resident living to the north and east of the property in question tonight for rezoning. He said the petition with the sixty eight signatures on it, that Mr. Ziemer was not happy about it, therefore he contacted each one again and he would like to submit the revised petition at this time. As Mr. Ziemer pointed out, we did have three (3) meetings, with one (1) being at Mr. Happe's home, one at Highland School and one (1) at his own home. The fourth meeting that Mr. Ziemer talked about came about when Mr. Happe saw Mr. Borries, Mr. Hafer and Mr. Ziemer in a discussion and he walked over to be involved in the conversation, but he certainly was not invited. He said he is here tonight representing twenty seven (27) families that live in that immediate area, either adjacent to, or continuing on out Darmstadt Road or to the east of Darmstadt Road, and Mr. Ziemer is present representing two (2) people who do not live in the area. He and his neighbors are personally involved and to say that this is a desirable piece of rezoning simply is not the case. The point is not whether it is a desirable piece of rezoning, but it is totally unnecessary, that there are plenty of adequate sites available within the area already zoned commercial, and he pointed this out at the APC meeting. They feel in the long run, this would devalue the property around it and while there are twenty seven (27) signatures on the petition he submitted tonight, that represents close to eighty (80) acres in the surrounding area. He said the room is full of people tonight opposing this rezoning and he asked them to please stand. Approximately 35-40 persons stood to show their objection to this rezoning. He said these people here tonight feel this would be a very great dis-service to the community. He said there are already traffic problems in the area, that he has taught at Highland School for seventeen (17) years and has been safety patrol supervisor for fifteen (15) years and everyday before school starts and when it dismisses he has people out there on patrol and if the Commissioners are familiar with the road going from four (4) lane into two (2) lanes, they will understand the traffic problem already exists. On each Monday there is a mobile classroom placed in front of the school, shuting off one (1) lane of traffic which also creates a hazard. Its easy to go out there on a Saturday or at 1:30 p.m. during the week and say....gee, this doesn't look bad, but go out there when eight (8) or ten (10) buses are there and parents are dropping off or picking up their children and it is a different story and the north park area is going to continue to grow and traffic will increase and not decrease, ever, so the problem is not good now and it would certainly be aggravated, should this be approved. In regards to this property being undesirable as residential, he would take issue to that statement, that he knows of two (2) teachers that tried to purchase that piece of property for their home and they were turned down. He said the fact is that the overwhelming majority of the people in the neighborhood want to maintain the residential integrity of the neighborhood, that Highland School itself forms a natural geographic break for commercial to the south and residential to the north. Regardless of how the building is made to look, it is not going to be a residence, people will not be living there in the evening, we will not have neighbors and they will not take the pride in this, that the neighbors have taken in their homes. A lot of the people here tonight have worked hard to maintain their homes and now to come down to spot zoning just does not make good sense. You have zoning laws and a board to enforce them and now at the whim of one individual, or two, if you allow this to happen...then he personally does not feel the Commissioners would be fulfilling their elected obligations to the community.

Commissioner Cox said she has a question concerning the traffic problem, that if there is one out there, are there any recommendations from anyone here tonight, or from Mr. Ashby. She said in reading the report from the Evansville Urban Transportation Study it states the proposed drive enters Darmstadt Road in the vicinity of a curve and a hillcrest. Sight distance from the drive is impaired by vegetation and mail boxes located on both the north and south sides of the drive. The proposed veterinarian's office could not however be a high traffic generator. With the widening of the drive and the removal of the obstruction vegetation the drive can safely accomodate a low

traffic volume generator. She knows at one time Dr. Gormley was asked about how many animals he would house in the building and she believes the maximum he could, at any one time keep, was twelve (12), so evidently EUTS feels like a veterinarian's office would not create a high volume traffic problem, but now Mr. Ashby is telling us there is already a traffic problem out there that the Commissioners need to consider, since this is in the county.

Mr. Ashby said there certainly is a traffic problem already in existance and especially on a Monday when the mobile class unit is out there, because you cannot see to the left at all.

Commissioner Cox said another point Mr. Ashby brought up is the growing of North Park and she is certain this is going to happen and Mr. Ashby is right and a good example is the growth of Green River Road. Her thought on this is that this property has been vacant for some time now and it is an eyesore and the drive is dangerous right now that goes into the property. She feels that if this doesn't go now that sometime in the future it will go and you won't have the protection that these potential owners have offered to the neighbors out there.

Mr. Ashby said to say what might happen in the future is like saying you might get sick in the future so take this little disease now because you might get something really bad later.

Commissioner Cox said what is going to have to happen is that everyone signing the petition will have to hold pat on the property they sell and there is no assurance that someone who's name isn't on this petition, living on Darmstadt Road, will get a tremendous offer from a business person for something along this same line.

Mr. Ashby said this is true.....and they will all be down here again if that does happen.

Commissioner Cox said Mr. Ashby calls Highland School a buffer, but she would call this a buffer for protection for the residents.....and she realizes Mr. Ashby does not agree. She is one that has been very very vocal on spot zoning and has strongly opposed it in the past.

President Borries said some excellent points have been brought up tonight and he knows this is a concern of the residents in the area and he knows many of them personally. He would have to say that during his time on the Board of Commissioners he has seen very few rezoning requests as well prepared as this one is before us tonight and he can also understand the neighbors alarms and consideration of this request.

Mr. Ashby said he feels that a great deal of this precise planning and precise presentation can be attributed to the neighbors who attended the meetings and voiced concern, because it was certainly not that way in the beginning, that it was requested to be rezoned only C-4, but we are not happy, at all, that there is going to be a piece of commercial property put in there when it is simply not necessary. If there were no other lands available, he still would not like it, but he could understand it, but he cannot understand this at all and sees no way it can be justified when the overwhelming surrounding land owners oppose it. He always understood the Commissioners were elected to reflect the wishes of the majority of the community and the majority of this small community in the area in question is telling the Commissioners they do not want this.

A gentleman in the audience asked Mr. Ziemer if he understood him to say the covenant cannot be enforced.

Mr. Ziemer said what he said was that the covenant runs in favor of the neighbors. It cannot be enforced by the Plan Commission, it cannot be enforced by the County Commissioners, but it can be enforced by the neighbors, in the courts.

Robin Bartholome came forth at this time and stated she has a younger brother, who is present with her tonight and also there is a younger sister still living at home and their family lives within one (1) block of the property in question tonight. Many children walk through the property in question to get to Highland School because there are no sidewalks on Darmstadt Road and very unsafe for the children to walk on. She has no idea how Dr. Gormley would accept letting the kids continue to walk through there, but she would like for the Commissioners to remember this when it comes down to a vote on this tonight, because it is a very dangerous area.

Mr. Ziemer said presently there is a 12' gravel roadway that he has seen trucks go up and down on, while he was visiting the site, that take up the entire width of this walkway. They are proposing to increase this walkway to 30' and there is a 50' easement we have offered to dedicate to the county, for road purposes, in which case even a sidewalk could be installed. There is going to be a great deal more walking area for the children then there presently is, if this is approved.

President Borries asked if anyone else in the audience would care to speak at this time.

County Attorney Paul Wallace said Mr. Ziemer has inserted everything he was asked to put in the covenant.....but the ordinance will need to be amended if there is to be a stipulated site plan and this needs to be specifically stated before the ordinance is recorded.

Commissioner Willner asked Mr. Ashby if this request does pass the Commissioners tonight is it the wishes of the neighbors to have a 50' easement so that at sometime when the property is developed to the east, that they might have this easement for ingress and egress to the property.

Mr. Ashby said he does not understand the question, so he stepped to Commissioner Willner's desk and they discussed the possibility of there ever being development to the east of the property in question.

President Borries apologized to the rest of the audience and informed them what the little discussion at the front desk was that Mr. Ashby and the Commissioners were pointing out and discussing easements on this particular property.

Commissioner Willner said to him it comes down to what he would or would not like in the neighborhood should he be living there and he likes what he sees and wishes more of the neighbors felt like he did.

Commissioner Willner moved that Ordinance VC-8-83 be approved, subject to there being a 95' setback line, that there be a stipulated site plan, that a 50' easement be dedicated for general purposes and he personally would like to see sidewalks put into the plans for Darmstadt Road. He will also do everything within his power to try to get the mobile classroom moved from Darmstadt Road that with all the land they have out there he is sure this could be situated elsewhere.

Mr. Ashby said he understands the mobile classroom is of a religious nature and cannot be placed on school property.

Mr. Ziemer said he does not think the neighbors are concerned about a sidewalk on the Darmstadt Road side, however, if it is the wishes of the Commissioners, it will be done.

Commissioner Willner said he would sure like to see them installed on Darmstadt Road.

Several of the people in the audience expressed their thoughts that sidewalks on Darmstadt Road was of no importance to them.

Mrs. Happe asked if she could please say a few words at this time. She stated she and the Ashby's are the ones really victimized over this rezoning. She said she has known the Kuntzs' for years and they are very nice people, that she cooked them hot meals everyday so that they could survive but perhaps she was wrong in doing this, but being a christian woman she felt she should. She has always tried to be a good American and a good citizen and she appreciates all these people who cared enough to appear here tonight and she was always taught that in America, the majority rules, but obviously it is not that way any longer. She has always voted and worked at the polls but she feels like she is being victimized and for all the good it has done tonight, they might just have well stayed at home.

Mr. Ed Conder, 7106 Darmstadt Road was present and stated he believes the nail was hit directly on the head when it was mentioned "Creeping Commercialism" and we are very concerned, that in their area the people have probably invested anywhere from one and a half million to two million dollars in Vanderburgh County. They all pay their taxes regularly and are in good standing in the community and they are all here tonight to express to the Commissioners they do not want this piece of property zoned commercial and would appreciate negative votes at this time.

Commissioner Willner amended his motion to include the Covenant, as submitted.

Mr. Ziemer said only one more statement and that is concerning Mrs. Happe's statement in regards to being a good American and a good citizen, that one of the things that makes this country so great is what has taken place as far as this rezoning is concerned, that we started out in the beginning not knowing what anybodies concerns were and because of strong concern they repeatedly changed and changed and changed their request until it is now at the point of the very most limited use that they are asking for this parcel of land.

Commissioner Cox seconded the motion as stated by Commissioners Willner. Motion carried with all three (3) Commissioners voting in the affirmative.

RE: SPECIAL USE PERMIT 31-83-APC....GREGG GORMLEY

President Borries said in connection to the rezoning petition just approved, there is a special use permit which also needs action tonight.

President Borries asked if there were any remonstrators present....there were none.

Commissioner Willner moved Special Use Permit 31-83-APC, for applicant Gregg Gormley be approved on third and final reading.

Commissioner Cox said she wants it plain that this special use is for only Special Use #25, Group Use 2.

Mr. Ziemer said this is correct.

Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: REZONING PETITION VC-9-83...THIRD READING

Petitioner: Robert T. Knight, P.O. Box 417, Henderson Ky.
Owner of Record: Randy McClaskey, 1661 S. Parker, Evansville, Indiana
Lessee: Robert T. Knight P.O. Box 417, Henderson, Ky.

Premises affected are situated on the west side of U.S. Highway 41, at the corner formed by the intersection of Shawnee Drive and Highway 41 south. The common address is 4601 South Kentucky Avenue and the above described real estate is presently zoned Ag. and the requested change is to C-4. Present existing land use is a service station and the proposed land use is a mobile homes sales.

Mr. Vern Johnston was present and stated that Mr. Knight could not be present tonight therefore he is present to represent him and would be happy to answer any questions anyone might have.

Commissioner Cox said there were several things brought up when this was before the Area Plan Commission, and the Transportation Department recommended that the western drive to Waterworks Road be closed and Mr. Knight informed them at that time that he had a log across it and his intent is to close it. It was also pointed out that there would be no one living in any one mobile home on that property, that they could have a watchman working out there, but it could at no time serve as a residence, because we have had problems like this in the past, in some areas, so this needs to be clearly understood and also there is not to be a mobile office.

Mr. Johnston said all of these things are clearly understood and the office will not be in a mobile home that it will be in the building that is presently there.

President Borries asked if there were any remonstrators present in regards to VC-9-83. There were none.

Commissioner Cox moved VC-9-83 be approved on third reading, subject to the curb cut closed on Waterworks Road, that no one can reside permanently on the property and that mobile homes will not be used for office buildings.

Commissioner Willner seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 29-83-APC...THIRD READING

Applicant: Gloria Falcone.

President Borries said this special use permit is continued until November 21st.

RE: SPECIAL USE PERMIT 33-83-APC...FIRST READING

Applicant: Indiana State University

President Borries said this special use permit includes utility installation, with electric power and steam generating plants, and radio and television towers. By this special use request, Indiana University wishes to bring their tower for station WSWI into compliance with the Vanderburgh County Code.

Commissioner Willner moved special use permit 33-83-APC be approved on first reading and forwarded to Area Plan. Commissioner Cox seconded the motion. So ordered.

RE: SPECIFICATIONS AND NOTICE TO BIDDERS..XEROGRAPHIC PAPER AND LIQUID ASPHALT AE-150

President Borries said we have presented before us today the specifications and notice to bidders for dual purpose xerographic paper for the city and county and also for liquid asphalt AE-150. They both are to be advertised in the Courier and Press on October 20 and 27, 1983, with bids to be opened on November 7, 1983.

Commissioner Willner moved the specification and notice to bidders be approved and properly advertised with bid opening on November 7th.
Commissioner Cox seconded the motion. So ordered.

RE: MR. JOE BROWN - UNITED CONSULTING ENGINEERS

Mr. Joe Brown, representative of United Consulting Engineers stated he was present in regards to the Eichoff/Koressel project contract, that he has the final draft of the agreement with him, which is the same as the copy he delivered to the Commissioners office last Thursday and also he gave a copy to Mr. Gerard in the EUTS office and also a copy went to the County Engineer. In checking with those persons today no one finds a problem with the agreement, as submitted. The final figure on this as of today is $25,435.00, which is for the catagorical exclusion, environmental assessment and the corridor location study. The original fee was set at $25,070.00, so it is some $365.00 higher than the original figure, but there was some changes made by the state. There is nothing that has to have the Commissioners signature tonight, that if it is approved then it will go back to the state in it's final draft and once the state approves it, it will come back for the Commissioners final approval and signatures.

Commissioner Willner said the amendments were bargained for and he feels like we got a good price and he thinks Eichoff/Koressel needs to move ahead, therefore he would move the agreement be approved. He believes he is correct in thinking we are looking at a four (4) lane width, but with only two (2) lanes approved and at anytime that could be either up graded or down graded.
Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY.....PAUL WALLACE

Settlement with Farm Services and Supplies, Inc: Mr. Wallace said he understands from Mr. David Miller that on October 3, 1983 he described a proposed settlement between Vanderburgh County and Farm Service and Supplies, Inc. with regards to some delinquent property taxes. He has this agreement with him tonight for the Commissioners review and signatures. It spells out the manner of payment, which is approximately $5,000.00 per month, beginning October 20, 1983, with two (2) monthly payment each, after that, and this will settle the matter once and for all.

Commissioner Willner moved the settlement agreement be approved. Commissioner Cox seconded the motion. So ordered.

RE: KIM BITZ....VANDERBURGH COUNTY AUDITORIUM

Discussion of the Auditorium Parking Lot: Mr. Bitz said in regards to the parking lot he is sure the Commissioners are all very much aware of the past problems. Since he has taken over management of the Auditorium he has had to replace the wooden arm to the entrance, three (3) times, and due to jamming of the coin mechanism he has had to send it off to be repaired once. The machinery itself is very old, that he understands it was at one time used on the city lot, before being placed on the Auditorium lot. In all fairness to those who use it, it tends to breakdown often, without the help of anyone using it, at least once every two (2) weeks. He has not experienced what it does

in cold weather but he understands it averages being down at least twice a week, that cold weather tends to increase the problem. In addition to the problems it is very possible to get into the lot free and anywhere from perhaps fifteen (15) to twenty five (25) vehicles get in free everyday. In the past there have been several cars damaged and presently there are three (3) claims against the lot, that were filed only last week. He believes part of the damage is due to the fact they are trying to get into the lot free, but when you have no one out there to witness the damage, there really is not much you can do about it. The average daily collection from the lot is $45.00 and if the lot is full we should be collecting $75.00 daily, since there are 150 slots on the lot and we are charging 50¢ per slot. We do not ever have a full lot because people do not feel like they have the security there that they once had when Ruby was out there stationed on the lot, therefore they go to the back free lot. He is proposing we get rid of the coin mechanism, which would make many people happy, and placing a person back out on the lot. Along with that, he would recommend we increase the fee for parking for a full day to a minimum of 75¢ and at the Commissioners discretion....$1.00 and keep the general parking fee at 50¢. If the lot was full, at 75¢, we would make $112.50 per day, as opposed to the $45.00 we are now making. For one (1) full year under the present system of $45.00 average, we are making $11,250.00 and at full capacity, at 50¢, we would make $18,750.00 and full capacity at 75¢ would be $28,125.00 per year and full capacity at $1.00 per day would be $37,500.00 per year, and he believes that 75¢ per day would help counter balance what we would be paying out in wages. He would recommend that Ruby Norris, who is a union member, be placed out on the lot until about 9:30 a.m. and from that point, hire part-time personnel to take over. He would say the figures he quoted are for a normal work week, Monday through Friday and does not include night or weekend parking for events at the Auditorium. In addition to these things happening you must take into consideration when it does breakdown he has to send a man out to repair it and over a course of one (1) year it would run about $700.00 in time and he is taking him out of the building when he should be inside doing things that need to be done, so really, we are talking about $1400.00 or $1500.00 per year in work and wages we are losing inside the building. Also he occasionally has to place a person on the lot to collect fees, when the machine is down.

President Borries said we have considered this lot before and battled problems in the past and Mr. Cooper recommended the coin mechanism in an effort to rid ourselves of some rather labor intensive kind of help. He asked Mr. Bitz if this arm is used at night and he replied it is unless the event renting the Auditorium does pre-pay for the lot and that charge is $150.00, which is $1.00 per vehicle and they then raise the arm for the night.

Commissioner Willner asked Mr. Bitz if we have had any damages done to vehicles at night, in regards the arm and he replied, no, it has all been done during the day.

President Borries said to have a person out there for a full eight (8) hours seems excessive to him, so what are the really prime times.

Jim Lindenschmidt said in his viewing of the lot it seems like the time between 7:30 a.m. until 9:00 a.m. are the heaviest times.

Commissioner Willner said he would like to give this a week's thought that he is sort of leaning toward a daytime permit that would be sold at the Auditorium office, but leave the arms there for night time and weekend performances.

The matter was deferred for a more indepth study with a decision to come later.

RE: MARK TULEY....BURDETTE PARK

Awarding of Bid for Concrete Deck Replacement at Pool: Mr. Mark Tuley said in regards to the awarding of the bid for the concrete deck replacement of the pool at Burdette Park, Mr. Ben Evans of the Purchasing Department could not be present tonight, however he did send the following written recommendation.

> Having reviewed bids for this project and being aware that the bidder did inspect the premises and meets the specifications of the County Surveyor's office, I would agree that the bid be awarded in the amount of $11,995.00, to Happe's Inc. D/B/A Art's Remodeling.

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Mr. Tuley said he also met with these people and would agree the bid should be awarded to Happe's.

Commissioner Cox asked if there is a time frame in regards to this work and Mr. Tuley said yes, that it is between 15-20 days and they plan on starting on the project next Monday. Happe's said if the weather is good they should complete it within ten (10) working days.

Commissioner Cox said they may have to haul some fill in there also, because it is hollow under the concrete.

Commissioner Willner said they will probably use fill sand.

Mr. Tuley said the Commissioners are all aware there is a drainage system right under the concession area and until we get that top taken off of it we will not know what shape it's in and if it is bad and cannot be used, that extra expense is not figured in on the bid and he will have to come before the Commissioners with an extra work agreement, however, he knows the Commissioners are aware of that.

Commissioner Willner moved the bid be awarded to Happe's Inc. for the amount of $11,995.00. Commissioner Cox seconded the motion. So ordered.

Financial Statement:

Mr. Tuley submitted the following financial report:

1983 Starting Budget

1983 Budgeted	$509,237.00
1982 Encumbered by P.O.	17,475.92
1982 Encumbered by Contract	67,764.92
1982 Insurance Reimbursement	6,116.44
Total 1983 Budget	$600,594.28
Returned to General Fund	-$ 41,500.00
Remaining 1983 Budget	559,094.28
Insurance Reimbursement	2,116.00
Total 1983 Budget	$561,210.28

1983 Expenditures and Balance 1-1-83 to 9-30-83

Total Expenditures	$443,367.33
Total Balance	$117,842.95

Income 1-1-83 to 9-30-83

Pool	$89,435.90
Rink	31,346.13
Rentals	50,394.77
Misc.	13,379.82
Total	$184,556.62

9-30-83

Total Expenditures	$443,367.33
Total Income	$184,556.62
Total Deficit	$258,810.71

Also attached to the financial report was a page showing a daily breakdown.

Reports received and filed.

President Borries suggested to Mr. Tuley that he begin a study of the rates for 1984 so that he can submit recommendations and Mr. Tuley said he is to have a meeting with the Advisory Board real soon and that will be the first order of business.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of October 10 thru 14, 1983...report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of October 10 thru 14, 1983...report received and filed.

Mr. Bethel gave a brief rundown of where the work crews were at the past week, as shown on the work report just submitted.

Commissioner Cox said she received correspondence this week from Mr.Bethel concerning him appearing before the County Council with a transfer request, however, she is wondering if he will have enough left in his stone, gravel, etc. to finish up the projected paving program and Mr. Bethel said yes he will have.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the county bridge crews for the period of October 10 thru 14, 1983. Report received and filed.

Request to Appear Before County Council Concerning Volkman Road: Mr. Guillaum said he would like to get permission to be placed on the County Council agenda for funds in regards to Volkman Road, which is a structure they have been putting together for some time now, that they needed right-of-ways and needed to modify the plans and all of this is completed so at this time they would like to have the monies appropriated. They will be asking for $100,000.00 for the project.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Janice Decker informed Mr. Guillaum that it was already too late to be placed on the November call, that it would have to wait until December, which he said would be perfectly alright.

Claim: Mr. Guillaum submitted the following claim, in regards to Hirsch Road, for approval for payment.

> A claim from Deig Brother Lumber and Construction Co., Inc. for labor and material as per attached itemized statement for Hirsch Road Bridge #93, in the amount of $8,377.78.

Mr. Guillaum said this is the retainage for this particular project and would recommend approval, that overall they were approximately $6,000.00 under Deig's quote to us for the project and approximately an additional $10,000.00 under the original contract that we had with Southwest Engineering.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

"X" Bridge at Baseline and Petersburg Road: Mr. Guillaum said right now we have traffic stopping in both directions at the X bridge at Baseline and Petersburg Roads and it is the Surveyor's office feelings that a decision should be made to have only one (1) of them to stop, and they would like to see Baseline Road have the priority, and have Petersburg Road traffic stop.

President Borries said Mr. Guillaum should discusss this matter with the Traffic Department and also he should get traffic counts from EUTS.

Mr. Guillaum said he would do this and they would try to work it out and come back before the Commissioners with a recommendation.

Upon recommendation of Commissioner Willner the Board set up a meeting at the X bridge, for a dedication service of the new structure, with the date and time being October 19, 1983 at 1:30 p.m.

Commissioner Cox said it would be nice to have a decision on the "STOP" sign by that time and Mr. Guillaum said they may have a decision, but he doubts if the sign would be installed because today is already the 17th, but he will get right on it.

RE: ANDY EASLEY.....COUNTY HIGHWAY ENGINEER

President Borries said Mr. Easley is not present tonight, however, he has submitted some written correspondence for the Board's review, with the first letter being as follows:

Re: Storm Drain Inlets at
2517 Westchester Drive

October 12, 1983

To: Mr. Bill Bethel, Supt. Vanderburgh County Garage

The homeowner at subject address called my office and reported that the storm drain inlets on the street are clogged and do not take any storm water.

I have inspected the inlets during the rain today and they do not appear to be accepting any storm water. I doubt if we have any as built improvement plans for the inlets and the storm drains they are connected to.

When time permits, it is recommended that the inlets be cleaned to see if they can be made to function. If the storm drains are full of mud, it may not be worth the effort to clean the drain pipes, as the storm water will bypass the inlets and flow down to St. Joseph Avenue.

If you have any questions, please contact the undersigned.

Very sincerely,
R. Andrew Easley, Jr.
County Highway Engineer

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Letter received and filed.

President Borries said Mr. Easley has also submitted a rather lengthy (6 pages) report on the acceptance of streets and storm drainage improvements in Romain Park and Romain II subdivisions. Mr. Easley has indicated he would not recommend approval of these streets until the recommendations stated in his letter is done. We will take no action on either of the two (2) letters submitted tonights, only show them received and filed.

Commissioner Willner asked if Mr. Easley has sent his recommendations to Ronald Romain and President Borries said he would think he probably has.

Mrs. Meeks, Commissioners' secretary stated they are in her office, ready to be mailed.

Commissioner Willner said he would like for Mr. Easley to hand deliver this correspondence to Mr. Romain so that it can be personally discussed.

Mrs. Meeks said she will return it to Mr. Easley with the Commissioners wishes that he hand deliver it to Mr. Romain.

RE: PIGEON TOWNSHIP TRUSTEE'S STANDARDS AND GUIDELINES

President Borries said the Pigeon Township Trustee has submitted their standards and guidelines for the Commissioners records, however, he does not know if the other two (2) members have seen this document, which is very lengthy, or not.

After a very brief discussion the Commissioners decided they would like a week to review the document.

Commissioner Cox said she is rather certain the Township Trustee has the prerogative to establish their own guidelines and she is sure Mrs. MacGregor has done so within the confines of the law.

Commissioner Willner asked if the Commissioners have the guidelines from all townships and President Borries replied he believes only from Knight and Pigeon.

President Borries said the Board will take Pigeon's document under advisement and he also instructed Mrs. Meeks to contact all other Trustee's and ask that they also submit their standards and guidelines, so that they will be a matter of record in the Commissioner's office and also the County Auditor's office.

RE: THREE (3) LETTERS RECEIVED FROM HELEN KUEBLER, COUNTY CLERK

President Borries said the following three (3) letters were received from Mrs. Helen Kuebler, in regards to Election Day.

Re: Use of portable copy machine October 12, 1983

Dear Commissioners:

We respectfully request permission to use the portable copy machine from the Auditor's office for the counting center on Tuesday, November 8, 1983.

We are again planning to furnish precinct printouts on election night and the above mentioned copier works out just great.

Sincerely,
Helen L. Kuebler,
Secretary Vanderburgh County Election Board

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Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Re: Polling Places October 12, 1983

Dear Commissioners:

This is to serve as a reminder that October 29, 1983, is the last day before the General Election for the Board of County Commissioners to fix voting places in each precinct for the election to be held November 8, 1983, and give ten (10) days notice thereof by one (1) publication in two (2) newspapers of general circulation of opposite politics, printing and published in such county, if there be such. If not, such notice may be published in any two (2) newspapers of general circulation printed and published in such county, or if there is only one (1) newspaper published in such county, then publication in such one (1) newspaper shall be sufficient notice.

If a change is made after the giving of notice, a like notice must be given of the change. No change in voting places can be made within two (2) days of the General Election. 3-1-8-5, 3-1-8-6.

Helen L. Kuebler
Secretary Vanderburgh County Election Board

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Letter received and filed.

President Borries said the Polling Places are all ready and will be advertised on October 27, 1983.

The following is a letter sent to the Democrat County Chairman, from Mrs. Kuebler, dated October 12, 1983.

Attn: Mayor M. Vandeveer

Election is just a few weeks away and in the preparation, we need to identify the problem polling places that will have need of tables and chairs.

We will have people making delivery of the necessary tables and chairs from the County Commissioners' office, however, we need to know in advance what is needed and where.

If you will let us know immediately of your problem precincts, this will facilitate this job. Your cooperation will be appreciated.

Sincerely,
Helen L. Kuebler, Clerk/Secretary
Vanderburgh County Election Board

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President Borries said there is a note written from Mrs. Meeks stating this matter is being taken care of.

RE: REQUEST FOR DRAINAGE BOARD AND COUNTY COMMISSIONERS TO BE ON COUNCIL CALL

President Borries said there are some requests to go before before County Council in November, one (1) concerns the Drainage Board, which the three (3) Commissioners serve as this Board. The amount of $700.00 was requested at budget session and the Council allowed only $350.00 and that amount has all been expended, therefore additional funds are being requested in this account.
Also, in the Commissioners budget, items to be requested are as follows:

Patient and Inmate Care	$108,694.92
Change of Venue	$136,215.76
Legal Advertising	$ 6,000.00
Legal Services	$ 5,492.05

Commissioner Willner moved the items be placed on Council Call. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted for Alice McBride, for attending the Auditor and Treasurer's meeting in Columbus, Indiana on September 21 and 22, 1983. Certification from the state was attached, as was hotel and meal tickets. Amount of claim is $198.82

A claim was submitted for Peggy Powless, County Auditor's office, for attending the Auditor and Treasurer's meeting in Columbus, Indiana on September 21 and 22, 1983. Claim shows meals for two (2) days and only $8.20 for the hotel, because she and Mrs. McBride shared the hotel room. Certification from the state was attached to claim, which is in the amount of $50.20.

Commissioner Willner moved the two (2) above claims be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Ohio Valley Reporting Service, Inc., for depositions in regards to the suit of Farm Service and Supply Inc., which settlement was discussed earlier in this meeting. Amount of claim is $30.00.

Commissioner Willner moved the claim be approved, subject to the money being available. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Alexander Ambulance Service in the amount of $23,331.95, with an itemized statement, less the advertising cost. This is for the quarter ending 9-30-83.

After reviewing the statement there were several things the Commisisoners needed clarification on, therefore Commissioner Cox said she would contact them and report back next week. The claim was deferred for one (1) week to gain additional information.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SHERIFF

David L. Wires	1716 Irvington	Civ. Jailer	$11,808.00 Yr.	Eff: 10-17-83

VANDERBURGH COUNTY ELECTION BOARD

Carol J. Primm	805 S. Villa Dr.	Deputy Clerk	$3.75 Hour	Eff: 10-10-83

VOTERS REGISTRATION OFFICE

Jo Ann Duggins	1024 Jefferson	Part time Clerk	$30.00 Day	Eff: 9-29-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Dorothy J. Schaefer	4510 Pennington	Bookkeeper	$444.30	Eff: 10-10-83
Regina Casey	1722 E. Columbia	Deputy Clerk	$394.61	Eff: 10-10-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Sam Robinson	1510 S.E. Riverside	Greaseman	$6.77 Hour	Eff: 10-11-83

Appointments Continued

CIRCUIT COURT

John W. Voight	1117 Second Ave.	P/T Bail Bond	$4.50 Hour	Eff: 10-3-83
Norman G. Hoskinson	922 Bellemeade Ave.	P/T Bail Bond	$4.50 Hour	Eff: 10-3-83
Thomas L. Montgomery	1274 Woodbine Lane	Law Clerk	$3.35 Hour	Eff: 10-3-83

CENTER TOWNSHIP ASSESSOR

Henry D. Fritchley	425 E. Mill Road	P/T R.E. Deputy	$30.00 Day	Eff: 9-30-83
William Middleton	510 Peiffer Road	P/T R.E. Deputy	$30.00 Day	Eff: 9-30-83

RE: EMPLOYMENT CHANGES....RELEASES

PROSECUTOR

Roberta J. Jourdan	Red Bank Road	Legal Secretary	$13,000.00 Yr.	Eff: 10-10-83

CENTER TOWNSHIP ASSESSOR

Jeffrey A. Toon	11,051 Dahre Court	P/T R.E. Deputy	$30.00 Day	Eff: 9-30-83

CIRCUIT COURT

John W. Voight	1117 Second Ave.	P/T Bail Bond	$5.00 Hour	Eff: 10-3-83
Norman G. Hoskinson	922 Bellemeade Ave.	P/T Bail Bond	$5.00 Hour	Eff: 10-3-83
Thomas L. Montgomery	1274 Woodbine Lane	Probation Officer	$75.00 Week	Eff: 9-26-83

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Homer Ray	247 S. Barker Ave.	Greaseman	$6.77 Hour	Eff: 9-30-83
Sam Robinson	1510 S.E. Riverside	Laborer	$6.47 Hour	Eff: 10-10-83

CLERK OF CIRUIT AND SUPERIOR COURTS

Nora M. Gresser	3355 W. Franklin St.	Bookkeeper	$444.30	Eff: 10-10-83
Dorothy M. Cole	521 S. Congress	Deputy Clerk	$394.61	Eff: 10-10-83

VOTERS REGISTRATION

Agnes Deer	915 Varner	P/T Clerk	$30.00 Day	Eff: 10-12-83
Marie Luker	2100 Schutte Rd.	P/T CLerk	$30.00 Day	Eff: 10-12-83

There was also an employment change from County Assessor stating one of his employees would be on Leave of Absence and Commissioner Cox questioned whether the Board needed to approve the insurance or not. The paper was given to Mrs. Meeks to seek clarification on and bring back next week.

RE: SCHEDULED MEETINGS

President Borries said the Vanderburgh County Commissioners received a phone call from the Warrick County Surveyor's office and we will all be meeting with representatives from Warrick and Gibson Counties at the Darmstadt Inn, on Wednesday, October 19th at 11:00 a.m.. The meeting will be to discuss problems with Pigeon Creek as it runs northernly to Warrick and Gibson Counties.

The Commissioners also received a letter from Indiana Association of County Commissioners informing us there will be a Southwest District Meeting on Wednesday, October 19th, at 5:00 p.m. (Social Hour) and 6:00 p.m. (Dinner)...at the Elks Home in Mt. Vernon, Indiana.

The Commissioners also received word from the Indiana Association of Counties informing us there will be a Southwest District meeting, Thursday, October 27 at the K of C Hall, 811 Main Street, Jasper,Indiana, at 5:30 (Hospitality Hour)and 6:30 p.m.(Dinner).

President Borries said two (2) letters were received concerning the Deferred Compensation Plan, and this subject will be addressed at the Indiana Association of County Commissioners meeting he announced a few minutes earlier, on Wednesday, October 19th, in Mt. Vernon. The letters were received from Otis E. Cox, Auditor of State and from Sue Griffin, Vice President of Operations for the Deferred Compensation Plan.

Commissioner Cox asked if we ever received correspondence from the Deferred Compensation Plan, that our county employees are involved in, and we asked them to meet with us concerning some problems Mr. Volpe brought up.

President Borries replied he had not received any word.

Also received was a reservation card for the County Commissioners to fill out and send back, in regards to the County Commissioners Winter Conference, scheduled for December 5-6-7, 1983 at the Indianapolis Downtown Hilton.

President Borries said he will be unable to attend this conference, however, if either of the other Commissioners could attend they may have the reservation card.

There being no further business, President Borries declared the meeting recessed at 10:15 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Chief Deputy Auditor)	Paul Wallace(Acting County Attorney)
SECRETARY	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 24, 1983

The meeting of the County Commissioners was held on Monday, October 24, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: OPENING OF BIDS FOR CALCIUM CHLORIDE AND MANAGEMENT OF BURDETTE SKATING RINK

President Borries said bids are to be opened today for calcium chloride and also for the management of the Burdette Park Skating Rink.

Commissioner Willner moved the county attorney proceed with the opening of the bids. Commissioner Cox seconded the motion. So ordered.

RE: POOR RELIEF.....KNIGHT TOWNSHIP TRUSTEE

Applicant: Ellen M. Williams, 4314 Kathleen Avenue, Evansville, Indiana
Case Worker: Judy Bensman, Knight Township Trustee's office.

Mrs.Williams was present and stated her husband passed away last year and she is request-temporary help on shelter and medical expenses until she can get back to work. When her husband passed away last year they had no insurance of any kind therefore she still owes his funeral expenses plus a $10,000.00 hospital bill for him before he died. She is under a doctor's care and unable to work at the present time eventhough she does have her application in several places, but jobs are not very easy to find.

President Borries said attached to Mrs.Williams application from Knight is a doctor's statement in regards to Ms. Williams being a patient of his. He asked Mrs. Williams what is her amount of income now and she replied she has no income whatsoever.

Mrs. Williams said she did work for Drury Inn, however, she has not worked for about a month now, due to her illness.

President Borries said attached is a letter from the Drury Inn stating Mrs. Williams' income in September was $449.00 and her income for October is only $219.00, with only a maximum of 3 scheduled work days per week during the balance of the month.

Mrs. Williams said the doctor told her she could go back to work November 1st and see if she is able to work a couple of days a week.

Commissioner Cox asked Mrs. William what assistance is she requesting from the Trustee and she replied house payment, medical assistance and help on burial expenses for her late husband. Her house payments are $148.00 per month with the next payment due on November 5th. Her utility bill in the amount of $145.00 will be overdue tomorrow.

Mrs. William said she had a gas leak in her garage and that is why her bill was so high, but she has the leak repaired now.

Commissioner Cox said a lot of times the gas and electric company will adjust your bill down if there is a gas leak.

Commissioner Cox asked Mrs. Williams if she lives alone and she replied yes, that she has a 22 year old daughter, however, she does not live at home. Her daughter is from a first marriage and since she had no children by her husband who died last year she is not eligible for social security. She received some burial benefits because her late husband was in the military, however, it did not pay for all expenses.

Commissioner Willner asked Mrs. Williams if she is receiving food stamps and she replied she paid $10.00 and received $20.00 worth of food stamps, but at the time she applied for them she was over incomed to receive more.

Commissioner Cox asked Mrs. Williams if she has made arrangements with the hospital to pay her late husband's bill and she replied yes, she has told them she would pay whatever she could, when possible.

Commissioner Cox said she would think Mrs. Williams would be eligible for some help from the Welfare Department and Commissioner Willner said she would be next month, but when she went to them at the beginning of this month she was over-incomed, but she should immediately go back to Welfare and get food stamps because she will be eligible for them come the first of November.

Ms. Judy Bensman, Investigator from Knight Township Trustee's office was present and stated Mrs. Williams came into the office on October 10th and made application and according to that application she shows income of $401.81 for that given month. We go by net income and she showed $176.90 on 9-20-83 and $185.25 on 10-4-83. She receives a Veterans pension of $39.66 per month and according to their standards and guidelines which is $250.00 for one (1) person, this made her over-incomed at the time she made application. She said she also has a complete report of all bills owed by Mrs. Williams that she would submit to the Commissioners if copies have not already been distributed. Since Mrs. Williams was paid every two (2) weeks, to be fair to her, we went back on the week of 9-20-83 and also 10-4-84 (both for two week periods) and this is how we came up with the figures submitted today. We must figure what they made in the past thirty (30) days. Ms. Bensman said Mrs. Williams cannot reapply in their office until November 10th, that there must be a thirty (30) day waiting period between filings.

Commissioner Willner said the same applies on food stamps, that Mrs. Williams is now eligible for them and should apply for them on November 1st. and then on November 10th go back to the Trustee.

President Borries asked Mrs. Williams if she understands there are certain guidelines that must be followed and she replied yes. Ms. Bensman is to direct her to the office to reapply for food stamps and she is also to go back to the Trustee on November 10th and make application for assistance once again.

Commissioner Cox said by applying for food stamps she would also qualify for an emergency food and non-food order, through the Trustee's office, however, she would not be eligible for utility assistance until she receives a shut-off notice.

Matter referred back to Knight Township Trustee.

RE: RICHARD LYTHGOE - COMMENTS ON LITTLE PIGEON CREEK FLOODING

Mr. Lythgoe said he understands the Commissioners have been in session with other counties concerning Little Pigeon Creek, that it dates back many years and has always been a problem for us. It is not news that Little Pigeon Creek is inadequate and not able to take care of existing flood waters. He is asking that this Board of Commissioners put the brakes on the Airport Expansion Project until such time the impounding of the water which flows into Little Pigeon Creek can be either impounded on Airport property, by the Airport Authority or else impounded off Airport property by the County. He is not here today to talk about the Airport Expansion Project, but wants everyone to know he is not an Airport critic, but rather an Airport taxation critic. Since 1972, when this plan was implemented we have known that Little Pigeon Creek was a problem and back in those days the Chamber recommended these impounding structures at that time. The Chamber recommended strongly that the flooding should be handled before the highway would be moved.

Mr. Lythgoe continually distributed documents to each of the Commissioners while he made his presentation and stated although he is not going to read any of the correspondence he is handing out he does want to leave copies for each Commissioners for them to study at their own convenience.

He stated that in the 1970's Mr. Tom Pugh, who worked for the United States Soil Conservation, conducted about a four (4) or five (5) year study in regards to this problem and his conclusions were, and they are a matter of record, that the water should not be bussed off of the Airport property but it should be impounded preferably on the Airport property, but if not, somewhere that would keep our homes and businesses from being flooded. In 1975 the Suburban Fire Department appeared before the Air Board because they had flooding in highlying road areas and they asked the Airport Board to put brakes on this thing until such time that the impounding of the water problem would be solved, but they have never had an answer and we have never had an answer and the Airport is now proceeding to bus that water into Little Pigeon Creek and even as we talk today there are

large earth moving equipment filling the flood plain, which he just gave each one of the Commissioners a picture of. He submitted this same picture to the Council of Governments, when he made a personal appeal to them. Prior to this meeting today he has sent the Commissioners reports by the Master Plan people and they had six (6) reasons why they did not want to go along with this proposition, and one (1) of the reasons was the high cost of the wrecking of five hundred twenty (520) acres and the removing of same from the tax rolls and the wasting of 120,000 square feet of industrial property and also the major flooding.
He submitted a large drawing and pointed where the relocated Highway 57 is going to be, looking south on Baumgart Road. They have plans to construct the new Highway 57 under a tunnel at a certain location and we will have a Diamond Avenue Expressway type of a pumping system to empty the water.....and he personally believes that will work, however, he questions.....where are they going to pump it? The Airport says it is not their problem, that they will get it off the Airport property. He talked to the state and they say it's not the states problem. He talked to the Federal officials and they told him to talk to the County Commissioners because they are the drainage officials for Vanderburgh County and they will do whatever the County Commissioners tell them to do, so he is respectively asking this Board of County Commissioners to put the brakes on this until the water problem can be resolved. He would ask the Commissioners to get Tom Pugh back here and discuss the situation with him and get his recommendation, because he did four (4) years work on this and he has maps, charts, color slides and any information anyone would want. He would also like for the Commissioners to talk to the Corps of Engineer's, because in 1981 they mapped this area and warned against what the Airport is now doing that they said if the location now being filled is done, it will cause major flooding in surrounding area. The Airport has 1.3 million dollars in revenue each year and they have 1.7 million dollars in certificate of deposits, therefore the Airport can more afford to build these impounding structures than what the county can.

Mr. Lythgoe said this ends his presentation, however, he would be happy to answer any questions.

Commissioner Cox said in looking at the pictures Mr. Lythgoe has presented of the flooding, she would like to know how often this occurs, that the picture is dated 1981 and she would need to know if this occurs annually.

Mr. Lythgoe said all he can say is this is mapped by the flood insurance people, the Army Corps of Engineers, the Airport and also the Master Plan Consultant said this is a major problem. When you, Commissioner Cox, ask how often this floods, that really isn't relevant, because in the future if you put this runway in and the terminal and a 1,000 car parking lot, then that will tend to make it worse.

Commissioner Cox said that is understandable, but when you try to solve a problem you have to know how often this problem occurs and she serves on the Subdivision Review Committee and many of these that come in for development and they show a 100 year flood plan and that developer has recommendations made to him just what he can build in that particular area, that they are alerted they will be flooded no matter what you do.

Mr. Lythgoe said concerning numbers, he would say the flooding occurs once or twice a year.

Commissioner Cox said have our plans that have been submitted and have been approved by the Federal and State governments been looked at by Mr. Pugh.

Mr. Lythgoe said he does not know, but he doubts it because Mr. Pugh works for the Soil Conservation Service and that is why he would recommend the Commissioners use its influence and have Mr. Pugh come here and discuss this with us.

Commissioner Cox said she certainly does not, as a Commissioner, want to add to anyones drainage problem and she would like to get some technical expertise from Mr. Pugh, and the Corps of Engineer. This report from Mr. Pugh is several years old and she would like to see an updated report because things do change over the years.

Mr. Lythgoe said lets put the brakes on and find out if the Airport is the one responsible for the impounding because its their water.

Commissioner Cox took issue with that stating no, it really isn't their water, that whoever lives high above that Airport, like Melody Hills, etc., it really is their water draining down to the Airport, so we can't say this is just an Airport problem.

Mr. Neil Broshears, a businessman, owning property at Highway 41 and 57 was present and stated he is not an engineer and he is certainly not against progress. He talked to Mr. Lythgoe concerning this flooding for the first time last week. He wants the Commissioners to know he is not against the expansion of the Airport, but if there is any truth in what Mr. Lythgoe says about the flooding he would certainly appreciate the Commissioners taking a strong look at it. He has had only one severe problem with the flooding since he has been located out there.

President Borries said this is one of the many problems the Commissioners have to deal with and are properly aware of the situation and in regards to Little Pigeon Creek, we have had discussion with the Warrick and Gibson County officials to try to resolve the problems. He would have to say that some of these problems may have been addressed in the plans for the project.

Mr. Lythgoe said the impounding structures were not and the new terminal is not.

Commissioner Willner told Mr. Lythgoe that he has got to remember that anytime you buy a stepping stone made of concrete and lay it on the soil....you add extra water to some one else.

Mr. Lythgoe said this is very correct and that is why the engineers are not recommending that the Airport wants to do, that is, to pour all that concrete out there.

Commissioner Willner said okay then lets back up a little bit, that Mr. Broshears just stood before us and he recently constructed a new building on the corner of Highways 41 and 57 and he layed a new parking lot, therefore, he also added to the watershed in that area, so what if we would have told him he could not improve his business and for him to keep his water on his property and for him not to let it run off to other ground and Mr. Lythgog said...beg your pardon....he did not, because he did not raise his ground up any higher.

Commissioner Willner said it matters not that he did not raise it any...but he covered it with concrete and structures and that water that once absorbed into the ground now has to go elsewhere to soak in.

Mr. Lythgoe asked Mrs. Cox if she would make a motion to have Mr. Tom Pugh and the Army Corps of Engineer come to us and discuss this matter with them.

Commissioner Cox said she has concerns therefore yes, she would move the Commissioners take the Resolution, as prepared and submitted by Mr. Lythgoe, under advisement pending the contact of Mr. Tom Pugh of the National Soil and Conservation office for an updated dated opinion and an overview of the Airport plans, as far as the flooding is concerned, but not for the merits if we need a new terminal, because that is not the subject here today.

Mr. Lythgoe asked Mr. Willner if he would second that motion and he replied no, because for one thing Tom Pugh is a personal friend of his and he does not believe he will come in and also we have Mr. Pughs' replacement here locally, that he is a very capable gentleman and he does not believe Mr. Pugh will step on his toes or override his authority here locally. He would be willing to listen to Mr. Morley or anyone from the Airport in regards to the flooding because he would certainly have to have their input before he would be willing to vote on anything.

Commissioner Cox said she thinks we are missing the point that she believes the people that have concerns do not have the confidence in the Airport Authority and in the engineers that have designed this, so all we need to have is a write-off from these different agencies that these plans are approved or not approved and if they are approved then she personally would not want Mr. Lythgoe before her anymore criticizing drainage plans. She will amend her motion to name not Mr. Pugh specifically, but rather to our local representative of the Soil and Water Conservation Department to appear before us concerning the flooding matter as set out by Mr. Lythgoe.

Commissioner Willner said he would have no problem with that and would second her motion. So ordered.

President Borries said he will contact Mr. Morley.

RE: COUNTY ATTORNEY....DAVID JONES

Bids for Calcium Chloride: Mr. Jones said there was only one (1) bid recieved on Calcium Chloride and that being as follows:

Orbie of Illiana, Inc. of Crawfordsville, Indiana (Bid in Order)

#1	40,000 gal, more or less	32% Liquid Calcium Chloride.....43¢
#2	8,000 gal, more or less	35% Liquid Calcium Chloride.....45¢
#3	8,000 gal, more or less	38% Liquid Calcium Chloride.....47¢

Deliveries to be made by 4,000 gallon highway tanker. Deliveries to be made on 48-hour notice. This is a firm bid with no escalation through 12-31-88

Commissioner Willner moved the bid be referred to Ben Evans for a period of one week, with a recommendation coming at that time. Commissioner Cox seconded the motion. So ordered.

Bids for Management of Burdette Park Skating Rink: Mr. Jones said there was only one correspondence received in regards to the management of the skating rink at Burdette Park and that comes in the form of a proposal and is as follows:

Proposed agreement between David P. Austill and Vanderburgh County for the lease of the Burdette Park Skating Facility

Austill proposes to lease the skating facility under the following terms:

Begin operations January 1, 1984 with a lease extending until December 31, 1984. At the Leasee's option the lease may be estanded with the same terms for an additional four (4) year period expiring on Dec. 31, 1988.

The Leasee shall have the right of first refusal of any new operating agreement (lease) of the skating facility. If a ninety (90) day notice of lease termination, is not given prior to the lease expiration by either party, the lease shall automatically be extended for one year.

The County shall maintain the outside of the skating facility, the parking lot, and the air conditioning system.

The County shall furnish and pay for: water, sewer, trash pick-up, and telephone intercom services.

The County shall provide liability protection for the Leasee by placing the Leasee as an additional protected on the County's insurance policy. The County shall maintain comparable liability insurance for the term of the lease.

If the County imposes a park admission fee, some provision must be provided for admitting skating patrons free.

The Leasee (Austill) shall:

1. Pay the gas bills for heating.
2. Pay the County 10% of all admissions.
3. Not be liable for personal property taxes on County owned personal property.
4. Not be liable for real estate taxes on County owned real estate.
5. Maintain the inside of the skating facility (excluding A/C System.)
6. Maintain all existing County personal property except for normal wear.
7. Have complete control and income from vending, pay telephone and game machines.
8. Pay the County $200 per month for electric service or if the County installs a private electric meter, pay the County for the electric service, at the lowest rate per kilowatt hour that is paid by the entire Burdette Park.

Terms of this proposal may be negotiable,

David P. Austill
10-24-83

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Commissioner Cox asked Mr. Jones if there is anything concerning the operating hours of the rink and he replied no, not in the proposal and the bid specs are silent.

Commissioner Willner said originally the County Council asked the Commissioners to see if we could get a private individual interested in taking over the management of the rink at Burdette because their feelings was that it was losing quite a bit of money, which was true. We have received only one (1) bid, and he would recommend it be taken under advisement for a one (1) month period, that it be referred to the Park and that a recommendation be brought before the Board at the end of the month's study and he would make a motion to that effect.

Commissioner Cox seconded the motion. So ordered.

Office Lease Agreement between Mr. Shively and Prosecutor's Office: Mr. Jones said he has reviewed and approved the office lease agreement with Mr. Ronald R. Shively for the space to be occupied in the Shively Building, at 615 Main Street, for the Prosecutor's office, or for one (1) of the divisions of the Prosecutor's office. Basically this is a renewal of the prior lease which expires at the end of this year.

The Agreement was taken under advisement and given to Mrs. Meeks to check with the Prosecutor's office on, since none of the Commissioners knew exactly what the lease fee is at the present time.

Meeting with Sperry-Univac: Mr. Jones reported that he and President Borries are to meet with Sperry-Univac, at 2:30 p.m., on Wednesday, October 26th, in his office, for the purpose of resolving our differences and hopefully terminating and concluding our relationship with them in an amicable manner and he will report back next week on that meeting.

Flooding of Pigeon Creek: Mr. Jones after the meeting with the Commissioners from Warrick and Gibson Counties he would report they reviewed a number of statutes, those being the Cumulative Bridge Statute, the Major Bridge Fund Statute, the Water Courses Statutes, of which there are many and several local government statutes. It is his opinion that we cannot clear Pigeon Creek with monies from any of the bridge funds, that Mr. Brenner was correct in that there is a statute for clearing streams that specifically provides for that and that the language in the Cumulative Bridge Fund Statute just would not allow for it unless and until some log jam actually damaged a particular bridge.

Commissioner Cox said that certainly does not make good sense that if a log jam damages one of our bridges we would be out $8,000.00 rather than to be out $4,500.00 now, before any damage does occur.

Mr. Jones said perhaps we could transfer some of the interest monies from the Bride Fund and put it into an account for this purpose.

Commissioner Cox said she believes we have already given it all to the County General Fund, however, she read in the paper that Mr. Volpe anticipates more interest monies then he originally anticipated, so perhaps we could check with him and see and we could draft an Ordinance instructing Mr. Volpe to place excess interest, in the amount of some $4,500.00 be put into an account for this purpose in regards to Pigeon Creek log jams. She asked Mr. Jones if we could make a loan from the Cumulative Bridge Fund and he replied that is a possibility and he will check it out and report his findings.

The Commissioners all agreed to go on Council Call in December, pending research by Jones.

County Auditor Alice McBride said if you can use that interest money and Mr. Volpe is certain that he will receive the money then you can go ahead and appropriate it on that assumption because you do not have to have the cash in hand if Mr. Volpe says he is going to get that in.

Bond Issue for Poor Relief for Knight and Pigeon Townships: Mr. Jones said in relation to the bond issue for Knight and Pigeon Townships, first of all, tomorrow evening at 3:30 p.m. there is a special meeting of the County Council for purpose of approval of the bond issue and the ordinance. There has been at least two (2) articles that he is aware of written in a local newspaper concerning this bond issue and while he has been County Attorney he has never responded to any of those comments which may have touched upon his performance as an attorney, rather he has called the individual or attempted to find out who wrote the article and registered what he thought would have been an error in the story. He has never responded to the philosophy or the policy matters because that is not his place as county attorney to do so. However, there was an article which criticized the advise which was given to this body with respect to approval of the bond issue. It called it "bad advise" and it implied there was another alternative and it

identified the Commissioners as having taken some wrongful action and it further made reference to the President of the Indiana Association of Townships and said that he was also wrong. To the extent that that may or may not effect the County Council's decision he thinks it is appropriate to respond because there were legal factual errors in that story. He has called the editor of the newspaper and also the person who wrote the article and pointed this out to them and cited the law to them and he was invited to respond and he said he does not deem it proper for him, as county attorney, to be doing so and he would not do so without the approval of the County Commissioners and perhaps what he proposes to respond with (each Commissioner had a copy) may be too strong. There are statutes which he would in any event propose at least to send to them because as he previously advised the Commissioners, under the law there is no alternative and if you choose to ignore the law and choose to ignore your sworn duty as officeholder then yes there is an alternative.
He intends to provide a copy of his response to each member of the County Council tomorrow.

President Borries said after reading the editorial that Mr. Jones refers to, he contacted Mr. Jones because he was concerned at this point and we must depend upon the advise of our county attorney. He was concerned in that if there were options that the Commissioners were not aware of then we needed to know what they were.

Mr. Jones said the Commissioners were given the only other alternative and that was to get into a law suit with the State of Indiana. If you don't like the system then go to the people that can change it, but no one at this county level can change the poor relief system. Even the Trustee's have no other alternative, because they cannot change the system either, locally.

Commissioner Willner said at a meeting last Wednesday night of the Southwest District of the County Commissioners Association and they are working on a law again this year to have the Legislature and the Governor's blessing on another law to replace the present system because they do realize it is extra expense to the township and to the county and they have promised to put their entire efforts toward this change. He personally cannot violate his oath of office and say he will not uphold the law, therefore he agrees with the letter from Mr. Jones and he has his personal okay to send it on.

Commissioner Cox said she feels like everyone should have a right to an explanation, therefore she would give her approval to send it.

President Borries said at this point, Mr. Jones has the Commissioners approval to forward the letter on.

Law Suit: (Kellems vs County Jail) Mr. Jones said we received a verdict in a suit brought by a prisoner (Kellems) against the jail. There was a trial last week, under Judge Shephard and the case was thrown out and judgment was given in the county's favor.

RE: RESOLUTION CONCERNING INDIANA STATE UNIVERSITY EVANSVILLE

Mr. Mike Bevers, representing the I.S.U.E. Student Government Association was present and presented the following Resolution for Commissioners approval.

WHEREAS, Indiana State University Evansville has continuously grown since its beginning in 1965. An initial student enrollment of 412 has swelled to some 3,806 today.

WHEREAS, their original campus master plan has been completed, with addition of campus housing currently under construction and curriculum continues rapid expansion, particularly in the growing area of computers.

WHEREAS, the Commission for Higher Education is presently studying independence for the I.S.U.E. campus and the Indiana General Assembly may consider legislation in the 1984 session.

NOW THEREFORE, The Board of Commissioners of Vanderburgh County Does hereby indorse the concept of separation of the Evansville Campus from I.S.U - Terre Haute.

THE BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Commissioner Willner moved the resolution be approved. Commissioner Cox seconded the motion. So ordered.

RE: KIM BITZ...VANDERBURGH COUNTY AUDITORIUM

Report on Roof Repairs: Mr. Bitz reported the roof they had repaired is holding up very nicely through all the rain so it looks like we have solved that problem for the present time.

Discussion on Auditorium Parking Lot: Mr. Bitz said the matter of the parking lot was discussed during the last Commission meeting therefore he is back today awaiting the Commissioners recommendation to him.

Commissioner Willner said he is going to suggest we have a sticker for the hours between 6:00 a.m. and 6:00 p.m. for the Auditorium Parking Lot and those stickers will be purchased at the Auditorium office, in the amount decided today by this Board. The arm to the parking lot would remain open between those hours, and would be in operation any other times and on weekends. The Commissioners do need to authorize the county attorney to research the laws in relation to the lot and ascertain what we can do to violators

Mr. Jones said you are free to do anything you so choose with that parking lot, by drafting an Ordinance, because this lot is not covered like the parking is under the Building Authority. You could set by ordinance the right to tow, you could set a fine not to exceed $2,500.00 and draft some provision for enforcement, and we have only one (1) law enforcement agency, that being our Sheriff.

Commissioner Willner moved an Ordinance be drafted to that effect.

Mr. Bitz requested eight (8) free spaces for the Convention and Visitor Bureau on the northwest corner of the lot and one (1) or two (2) of these eight (8) would be set aside for handicapped persons.

President Borries said he would concur with Mr. Willner but his concerns are in the matter of enforcement.

Sheriff Shepard interjected they have reinacted the special police powers, so could he appoint someone from the Auditorium as a special police officer, with police powers to write the tickets and we could specify what their duty would be.

President Borries said then we would still be able to use the arm for the evening events and for the weekend.

Mr. Bitz said since he last appeared before this board the motor on the arm started to run hot and quit working for one (1) day. It is working now, however, his maintenance man won't guarantee how much longer it will.

President Borries told Mr. Bitz to check and see what a motor would cost.

Mr. Bitz said even if we placed a person out there to collect money it would not be for very long because there would be no need to keep anyone out there after the event started.

Commissioner Willner said concerning the parking fees, are we talking about $20.00 a month, with in and out privileges all day.

President Borries said we will need to look at an increase from the present 50¢ per day parking because we will have extra costs to us by having to have tickets printed, etc. He would like to look at $1.00 per day, more so than weekly because there are more days in some months and less in some.

Commissioner Cox said for clarification the only parking that will be allowed in the Auditorium Parking Lot will be paid parking by the month, at $20.00 per month, and those designated areas for Visitors and Convention Bureau and handicapped. No other vehicles whatsoever should be parked in there, and this will be Monday through Friday from 6:00 a.m. to 6:00 p.m. and all other times the gate will be in operation.

Mr. Bitz said this is correct.

Commissioner Willner said we need to direct our County Attorney to begin working on an Ordinance in regards to this, therefore he would add that to his motion he made earlier.

Commissioner Cox said there would have to be a sign installed stating "Restricted Parking". She then seconded the motion. So ordered.

RE: SHERIFF SHEPARD

Sheriff Shepard said several weeks ago he received a letter from the State Board of Accounts in regards to their commissary fund and whether or not he should pay the outstanding debts or whether the former Sheriff should pay them, that there were some questions from him to the State Board of Accounts and at that time they ruled he would have to assume this liability and pay it out of future commissary profits. At the present time he does not have enough to pay the debt which amounts to about $22,000.00 and he asked for some advise from the County Attorney and the County Attorney told him he should appear before the Commissioners and request permission to let the County Attorney pursue the matter for possibly collecting the monies from the bonding company that had the bonding at that particular time, so he would defer any questions to the County Attorney.

Commissioner Willner asked how much profit is in this in a years time and the Sheriff said he has not been there for a year yet, however in the nine months he has been in office the fund has generated between $4,000.00 and $5,000.00....with no profits.

The Sheriff said when people come into the jail we must furnish them tooth brushes, soap, etc. and this all comes from the commissary fund and this usually runs around $300.00 per month. They try to get all this stuff on sale to get it as cheap as possible.
This is now under state statute and has been since 1981, but before that it was up to the Sheriff. For the $22,000.00 debt it will take him at least a couple of years to pay it.

Mr. Jones said he could not personally be involved in this matter of recovery because he still represents Jim DeGroote in law suits that was filed while he was Sheriff, individually and personally, therefore he would be disqualified, as would members of his firm, but what he suggested was not so much a legal action but rather a claim be filed with the two separate bonding companies and they would determine and advise us whether or not it is covered. We have a blanket public officials liability bond which covers everyone in the county and covers such things as errors and omissions.

Commissioner Cox said she understands that no one pocketed the money, that evidently it was sloppy bookkeeping and utilized commissary funds that really weren't available to use for these purposes that Sheriff Shepard said they could be used for and they didn't pay the bills that were coming in from the different vending companies, so would that be unfaithful performance by whoever was watching over the commissary.

Mr. Jones said that is a possibility because there was a duty to account for it, under statute, and it was not accounted for. He read the report from the State Board of Accounts and what he found rather surprising was that there was a second fund created and there was no authority to create that second fund, that the only authority given in the statutes to create a fund is for the commissary fund and in this case there was a "Commissary Fund" and also a bank account for something called "Sheriff's Special Fund" and he could find nothing in the statute which authorized it. He does not believe the report found the source of the problem.

Commissioner Cox said she understood the "Special Sheriff's Fund" was set up to receive donations from the community to assist with obtaining equipment and supplies and such things that the county wasn't able to purchase.

Mr. Jones said he is not making any comments whatsoever about the merits of it, or who did what, he simply said he read the report and does not feel that any conclusion was reached about how that it occurred. He believes he understands what the then Sheriff's position was, in that there was one or more deputies involved in handling these funds and the question then becomes whether or not they were negligent and that is not saying they intentionally did it. He would recommend merely the bonding company be put on notice and see if they would accept the claim, because he does not think it is clear cut either way and the bonding companies will have to make their own determination without us getting involved in it or expending anymore monies, that this should be treated like any other insurance claim.

Commissioner Willner moved the claim be filed with the bonding companies. Commissioner Cox seconded the motion. So ordered.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of October 17 thru 21, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of October 17 thru 21, 1983....report received and filed.

Mr. Bethel briefly reported were the crews worked this past week, as stated on the work report just received.

RE: BOB BRENNER....COUNTY SURVEYOR

President Borries said Mr. David Guillaum was with us earlier but due to the lengthy meeting he had to leave, however he did leave the Weekly Bridge and Guardrail Report for the bridge crews for the period of October 17 thru 21, 1983.....ordered received and filed.

Additional Drainage Board Money: President Borries said it was previously discussed that monies for Drainage Board meetings are completly depleted. There have been two (2) meetings held whereby the Board members have not been paid for and at this point and time we are trying to estimate what will be needed to pay for those two (2) plus meetings for the remainder of this year. Sometimes we have very urgent requests but we meet only as need be and have not had many meetings this year. He has a call in to the Surveyor but has not received word yet, but perhaps we could find out from Mr. Brenner if there is anything he knows of where we will have to hold meetings on for the rest of the year and perhaps we could come up with a figure, however, we are on the Novmeber Council Call already.

Commissioner Cox said the amount requested from the Council in November can always be adjusted down if we don't think we will have many more meetings.

President Borries said he will continue to try to reach Mr. Brenner concerning pending drainage matters.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Flap Gate on Kolb Ditch: Mr. Easley said he sent a letter, dated October 18, 1983, to the Commissioners, concerning the flap gate on Kolb Ditch and the letter has an error in it, that it is a 72" gate, therefore the Commissioners can make a pencil change in their copies and Mr. Easley will redo the letter before he sends the original on to the Levee Authority.

Pigeon Creek Log Jams: President Borries said he realizes Mr. Easley attended the meeting of the various County Commissioners' groups in regards to the log jams.

Mr. Easley said he realizes the Commissioners are pursuing the matter in regards to finding a way to fund it and he feels very strongly about taking those log jams out before they do bridge damage because that will certainly be much more expensive.

RE: PUBLIC OFFICIAL BONDS

Received from the American States Insurance Company were two (2) public official bonds, with one (1) being for Mr. Kim Patrick Bitz, Manager of the Vanderburgh County Auditorium and one (1) for Ms. Geraldine Gass, Secretary to the Manager of the Vanderburgh County Auditorium. Both are good for one (1) year and begin on the 13th day of October, 1983 and end on the 13th. day of October, 1984.

Commissioner Willner moved the bonds be approved and referred to the County Auditor for proper recording with the County Recorder. Commissioner Cox seconded the motion. So ordered.

RE: RELEASE OF TWO (2) PUBLIC OFFICIALS BONDS

Received from the American States Insurance Company were two (2) releases of bonds to be signed by President Borries, in regards to Mr. Conrad Cooper, former Manager of the Vanderburgh Auditorium and also for Gail Pinkston, former secretary for the Manager.

Commissioner Willner moved the releases be signed and returned to the insurance company (James Will). Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM UNITED STATES DEPARTMENT OF INTERIOR - ANGEL MOUNDS

Received was the following letter from the United States Department of Interior, dated October 17, 1983 and directed to the Board of County Commissioners.

Dear Mr. Borries: RE Angel Mounds

We are pleased to inform you that the boundary proposed for the above property has been formally established by the National Park Service. The property is listed on the National Register of Historic Places and is eligible for the benefits of listing described in earlier correspondence. We gave careful consideration to the comments we received and in some cases the documentation or boundary has been revised if the National Park Service concurred with the comments. The date of the Keeper of the National Register's signature on the enclosed form is the date the boundary was formally established.

We appreciate your cooperation and interest in the National Historic Landmarks program.

Sincerely,
Carol D. Shull
Chief of Registration
National Register of Historic Places
Interagency Resources Division

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Received and filed with a copy to be forwarded to Angel Mounds.

RE: MEMORANDUM FROM SUSAN J. KENNELL OF THE STATE BUDGET AGENCY

President Borries said the Board has received a rather lengthy letter (3 pages) from Susan J. Kennell, single point of contact for implementation of EO 12372 concerning intergovernmental review of federal programs. He said he will not read the entire letter but what they do is review various programs to see if the programs are needed and if the different agencies are doing the things they need to be doing. He needs the other Commissioners approval for him, as President to sign this, to make him the point of contact.

Commissioner Cox so moved. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT OF THE CLERK OF CIRCUIT COURT

Ordered received and filed was the monthly report of the Clerk of the Circuit Court, for the month ending September 30, 1983.

RE: NOTICE TO EXERCISE OPTION TO RENEW AGREEMENT - HAMILTON GOLF FOUNDATION

Recieved and filed was the following Notice to Exercise Option to Renew Agreement.

The undersigned, pursuant to numerical paragraph 27 of the Agreement entered into on the 26th day of December, 1972, by and between the Board of Commissioners of the County of Vanderburgh (Lessor) and Robert T. Hamilton and The Bob Hamilton Charitable Golf Foundation, Inc., an Indiana charitable corporation (Lessee), a copy of said Agreement being attached hereto and incorporated by reference herein as Exhibit A, do each hereby give their written notice to exercise their option to renew the heretofore referenced Agreement for a period of five (5) years, commencing with the expiration of the existing Agreement on May 1, 1984, and continuing for a period of five (5) successive years thereafter up to and including the 1st day of May, 1989.

The undersigned further reserve the absolute right to renew the Agreement for four (4) successive five (5) year periods commencing with the expiration of the present option on May 1, 1989, should they so desire.

Should you have any questions concerning this lease agreement, or the option to renew presently being exercised, please feel free to contact me.

Robert T. Hamilton, President
THE BOB HAMILTON CHARITABLE GOLF FOUNDATION

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Letter received and filed.

RE: REPORT FROM WESTERN ASSURANCE COMPANY, INC.

President Borries reported the Board received the report from the Western Assurance Company, Inc, concerning FICA tax recovery, with the following cover letter, dated October 21, 1983.

Dear Sir or Madam:

Thank you for your cooperation during the recent audit for FICA tax recovery conducted by our organization. Your assistance will enable us to obtain timely tax credits for the State and for your corporation as a result of recoveries for your non-teachers.

Enclosed is an original set and one copy of the revised Quarterly Report of Wages Paid for the time period covered by the audit. Please sign each one of the State's Report of Adjustments inclosed (eight signatures required per set) and mail to: Western Assurance, P.O. Box 177, Elwood, Indiana 46036. A self-addressed envelope is enclosed for your convenience. To insure you receive full credit in a timely manner, the materials should be returned to us in the next five working days. You should retain the second copy of the reports for your files and we would suggest you sign those as well.

State officials have requested that along with the reports, you also enclose and return a copy of your sick leave plan, or corporate resolution, or sign and return the statement enclosed which verifies the fact such documents exist and could be made available upon request.

Within a week to ten days after we receive the signed documents referred to above, you will receive the following:

1. A letter which will describe in detail the remaining action steps.
2. A FICA credit letter for your corporation and your non-teacher employees.
3. A listing showing the name, address, Social security number and amount of refund payable to your current/former employees.
4. A disclaimer stamp whose impression should be made on the endorsement area of each refund check that is issued to either current or former employees.
5. A suggested envelope stuffer to accompany the refund check
6. An invoice for services rendered by Western Assurance.

Within a few weeks, your teachers who are eligible for FICA refund will receive their refund checks along with a letter briefly describing what the check represents.

Again thank you for your cooperation. We have attempted to provide you with high quality service with a minimum of disruption and we hope we have been successful in that effort.

J.D. Conners
Senior Vice President

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Commissioner Willner moved President Borries sign the verification sheets and that the originals be forwarded to the Western Assurance Company. Commissioner Cox seconded the motion. So ordered.

RE: AGREEMENT FOR IMPLEMENTATION OF THE JOB TRAINING PARTNERSHIP ACT

President Borries said the Board received the Agreement for the Implementation of the Job Training Act, along with the following cover letter dated October 20, 1983.

Dear Mr. Borries:

At their September 15th meeting, the Private Industry Council (PIC) of Southwest Indiana voted to increase the size of the PIC from 30 to 33 with the recommendation that the three additional slots be used for a representative from secondary education, a representative from organized labor, and an additional business representative. The Job Training Partnership Act give the PIC the authority to determine its own size. The power to appoint PIC members, however, is given to the Mayor of Evansville and is limited by the provisions in the local agreement among elected officials.

Attached is a proposed modification of the agreement among local elected officials for your review and, I hope, your signature. This modification will alter the appointment process in order to allow for the expansion required by the PIC. Specifically, the proposed changes are:

Increase the number of business appointments from 17 to 18 with the additional person coming from the City of Evansville;

Increase the number of "non-business" appointments from 13 to 15 while retaining the requirement that at least 5 would reside outside of Vanderburgh County.

If these changes meet with your approval, please sign and return the document at you earliest convenience. If you have questions or comments please call me.

Roy L. Vanderford
Executive Director

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Commissioner Willner moved the Agreement be approved. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted for David L. South for contractual professional engineering services in connection with Lynch Road Project and St. Joseph Avenue Project, in the amount of $875.00. Also attached was an itemized statement.

Commissioner Cox moved the claim be allowed. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by James Will Insurance Agency, in the amount of $60.00 for public officials bonds for Kim Bitz and Geraldine Gass, at the Vanderburgh County Auditorium.

Commissioner Cox said do we not receive any credit for the cancellation of the bonds for Conrad Cooper and Gail Pinkston.

Alice McBride, County Auditor, said she is not certain about a refund, however, she would be happy to take the claim and call the insurance company and report back next week.

The claim was deferred for one (1) week, pending further information.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY HIGHWAY DEPARTMENT

Edward J. Bittner	R.R.7	Laborer	$6.47 Hour	Eff: 10-17-83

CENTER TOWNSHIP ASSESSOR

Brian E. Gates	3706 Van Meter Crt.	P/T Real Estate	$30.00 Day	Eff: 10-19-83

Appointments Continued

VANDERBURGH COUNTY ASSESSOR

Janice Lindauer	1415 John St.	Temp. Worker	$437.76 Pay	Eff: 10-17-83

RE: EMPLOYMENT CHANGES....RELEASES

BURDETTE PARK

Mary Beaven	2615 Glenn Ave.	Refor.Laborer	$3.50 Hour	Eff: 9-23-83
Glen Bowling	857 Prosperity Ave.	Refor. Laborer	$3.50 Hour	Eff: 9-30-83
Donald Buente	612 Hess Ave.	Refor. Laborer	$3.50 Hour	Eff: 9-16-83
John Bushrod	1931 S. Redbank Rd.	Refor. Laborer	$3.50 Hour	Eff: 9-30-83
John Campbell		Refor. Laborer	$3.50 Hour	Eff: 9-30-83
Benny Cartwright	431 Thirteenth St.	Refor. Laborer	$3.50 Hour	Eff: 9-27-83
Leonard Holmes	3511 Jackson Ave.	Refor. Laborer	$3.50 Hour	Eff: 9-30-83
Patrick Horn	5002 Fairmont Dr.	Refor. Laborer	$3.50 Hour	Eff: 9-30-83
Joseph Hunter	639 John St.	Refor. Laborer	$3.50 Hour	Eff: 9-1-83
Kraig Nance	643 Adams	Refor. Crew Chief	$5.00 Hour	Eff: 9-30-83
Scott Sublett	400 W. Water St.	Refor. Crew Chief	$5.00 Hour	Eff: 9-30-83
Susan Mayberry	1025 E. Columbia St.	Refor. Laborer	$5.00 Hour	Eff: 9-30-83
Sue Ellen Page	2819 Broadway	Refor. Laborer	$3.50 Hour	Eff: 9-22-83
Michael Taylor	R.R. 1 Box 40	Refor. Laborer	$3.50 Hour	Eff: 9-29-83
Carol Wilson	3918 Claremont	Refor. Laborer	$3.50 Hour	Eff: 9-22-83
Dan Hape	R.R.2 Wadesville	Security	$10.00 Hour	Eff: 9-30-83
Lynn Meyer	917 Varsity Dr.	P/T Secretary	$30.00 Day	Eff: 9-27-83

CENTER TOWNSHIP ASSESSOR

Henry D. Fritchley	425 E. Mill Road	P/T Deputy	$30.00 Day	Eff: 10-19-83

VANDERBURGH COUNTY ASSESSOR

Sara J. Ritter	5015 N. Harmony Rd.	R.E. Deputy	$437.76 Pay	Eff: 10-12-8[redacted]

Attached to the employment change for Ms. Ritter was the following letter dated October 18, 1983.

County Commissioners:

This is to inform you that Sally Ritter has taken a leave of absence due to the birth of her baby. She will return the last week in December.

James L. Angermeier
Vanderburgh County Assessor

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Commissioner Cox moved the Leave of Absence be approved. Commissioner Willner seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

President Borries said as mentioned earlier he and Mr. Jones will be meeting with the Sperry-Univac representatives this week.

There is also to be a special meeting of the County Council tomorrow at 3:30 p.m. in room 301 to consider the Bond Issue for Poor Relief for Knight Township and also Pigeon Township.

On Thursday, October 27th. he (Mr. Borries) will attend a meeting of the Indiana Association of Counties in Jasper, Indiana, at the K of C Hall.

There being no further business, President Borries declared the meeting recessed at 4:50 p.m.

(15) 10-24-83

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 31, 1983

The meeting of the County Commissioners was held on Monday, October 31, 1983, at 2:30 p.m., in the Commissioners Hearing Room with President Borries presiding.

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

RE: DORATHEA MacGREGOR...PIGEON TRUSTEE - CONCERNING FOOD STAMPS

President Borries said Mrs. Dorathea MacGregor, Pigeon Township Trustee is present today to discuss the change in procedures for obtaining federal food stamps.

Mrs. MacGregor said she has with her, Mr. Alan Hirt, of the Food Stamp Department, who will assist her in answering any questions that may be asked. She said she is not budgeted for food orders, that they stopped being budgeted for them when food stamps went into effect. She said the food stamp change came from the Federal Government and that on October 22, 1983 the department mailed out letters to some 2200 unstabled households in Vanderburgh County and these people must fill out this monthly report, which includes their rent, utilities, etc, and they must return it to the Department of Public Welfare by the 5th of November. If these reports are not received by the Department of Public Welfare by November 5th, then another notice goes out on November 10th and the person has until November 20th. to return that filled out report. If these forms are not returned by that last date then they will not get their food stamps for that month and when then happens they are going to be coming to her office and she certainly does not have money to give food orders with.....so what will she do, that she needs some advise from the Commissioners.

Mr. Hirt said what the people will be receiving is a form asking them to fill out all of their circumstances in October and we will then base their December stamps on that information and if they do not get that information back to us by November 20th, we will cut out the December stamps.

Commissioner Cox said they still will be covered for the month of November and Mr. Hirt replied yes.

Mrs. MacGregor said they tried this on ADC and many ADC mothers were taken off each month because of failure to comply and to her this is a reason to deny a person when they come to her office, that here is a simple little form they have been asked to fill out in order to receive food stamps and they only have to mail it back in or hand deliver it to the Department of Welfare....and they won't do it. She would like to know if this would be reason enough for her to deny them, if they fail to comply with the form and not complete it and send it back in.

President Borries said he would certainly think so.

Commissioner Willner said he too would think this would be reason enough for a denial but is there a cross reference whereby you could check with the people in your township that are on food stamps.

Mrs. MacGregor said about 93% of all the letters being mailed out are in her township.

President Borries asked if there is anyway Mrs. MacGregor can cross check them before they are mailed out and she replied she sees no way.

Mr. Hirt said he does not think this can be done that their forms are printed by computers, in Indianapolis, for the people for that month, for the M.R's (Monthly Reporting), they then come to us and we put postage on them and mail them out.

Commissioner Cox said if they don't comply by the November 20th deadline then what happens and Mr. Hirt said they will then send them a denial notice, and they will have to come back in in December and reapply.

Mrs. MacGregor said and that means a whole month without food.

Commissioner Willner asked how were they notified before when they had to go in and be recertified and Mr. Hirt said this is their first attempt of monthly reporting, other than for ADC, which has been in effect for about a year.

President Borries asked if there is anyway you could get a printed communication to those people.

Mr. Hirt said they have tried to notify everyone through bulletins, handouts, etc. for the last two (2) food stamp mailings, so they know this is coming about.

Commissioner Cox said perhaps the news media could help us out here also.

Commissioner Willner said that was his thinking also, even if we would have to pay for it.

Mr. Hirt said this has been in the paper a couple of times and even on the radio once.

Commissioner Willner said if a recipient fails to return this form by the deadline as set forth and then they go to Mrs. MacGregor for assistance, he believes she would have to deny them because there are alternate resources available to them, that all they would have had to done was fill out the form and send it in or even hand deliver it.

Mrs. MacGregor said if a person is denied one (1) time, perhaps it will get them to moving and they will then fill out the monthly form, as asked.

Commissioner Cox asked if the Housing Authority could help us by posting notices in their buildings and Mr. Hirt replied the relationship between the Housing Authority and his office is not too good at the present time.

Commissioner Willner said Mrs. MacGregor could perhaps do that, at least to the housing in her township and she replied yes, she could, at Covert Square and Sweetser Projects anyway.

Mr. Hirt said if they send the form in and it is not complete, the office circles in red what additional information they will need and send it back to the recipient, because they don't want to see the food stamps delayed either because it will mean we have to start all over again and there is so much paper work involved. This way they don't even have to come into the office that all we need is that completed form. He said anyone on food stamps now have had this information mailed to them three (3) times and everyone coming in now is either new or reap's and they get this handed to them in his office.

Commissioner Willner said these letters that went out to everyone, are they in plain English, or do you have to be a lawyer to understand it and Mr. Hirt said his office drafted the letter, so that there would be no understaning problems of it, that it is very plain and understanding. Mr. Willner said it sounds to him like they have done everything they can possibly do.

President Borries said he too believes the department has acted in good faith and done everything possible to make this understood.

Commissioner Willner said Mrs. MacGregor could post a sign outside her office telling the people that if they have not applied for their food stamps they will not be eligible for any food orders, that he sees nothing else to do.

Commissioner Cox said she knows of nothing else either.

Mrs. MacGregor said she has already paid the School Corporation some $39,000.00 for school books for this year and Friday they handed her another stack of bills which probably will amount to about the same. She said two or three years ago the Commissioners told her she could issue a denial if the person had Cable TV and HBO, etc and two (2) or three (3) telephones, things that we call luxury items, so now will that apply to school books also, other words, can she issue a denial to those who have these luxuries.

Commissioner Willner said he would think so, that he would think all written requirements would apply to school books as well as anything else, however, that is his personal opinion.

Mrs. MacGregor said the law states they have twenty one (21) days to either pay or reject it and if they don't come into her office within the twenty one (21) days she is certainly going to reject it, that she is still having problems getting the parents to come in and sign the voucher.

Commissioner Cox asked if the law says "you shall" pay it and Mrs. MacGregor replied it says we shall provide for every persons children in her township if they are unable.

Commissioner Cox said she asked for a point of information that she is sure Mrs. Mac Gregor knows what her laws are and what she must do, but she personally feels if this is the guideline for all other families, then you certainly should follow the same guidelines for this instance, in regards to books.

Mrs. MacGregor thanked the Commissioners for allowing her to discuss this matter today.

President Borries thanked her for coming and reported, for the record, we now have all the township's guidelines for their particular township, which will help us in future decisions and he wanted to acknowledge this fact. The Commissioners have signed the Standards and Guidelines, however, the signing only acknowledges the fact we received them and not that we approve them, that he understands the Trustee can establish their own guideline.

RE: LETTER FROM HELEN KUEBLER...REQUESTING CHANGE IN WARD 4, PRECINCT 10

The following letter was received from Helen L. Kuebler, Secretary, Election Board, dated October 26, 1983 and directed to the Board of County Commissioners.

County Commissioners: RE: Polling Area

While conducting the instruction meeting to the Election Board, we are finding there are many complaints concerning the two precincts voting at Tepe Park - Ward 4, precincts 9 and 10.

It is difficult for the older people to get up and down the steps and there is only one bathroom and no matter how they arrange the votematics the people must walk through the area to get to the bathroom. There is no phone available anywhere in the building.

It was suggested Culver School could be used as it is close by and would be convenient.

The Election Board would like to request that only one precinct use this Tepe Park and 4-10 be moved to Culver School.

Joseph Harrison
Paul Black
Helen L. Kuebler

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President Borries said the polling places were advertised in the Evansville Courier and Press on October 27th., therefore he did try to respond to Mrs. Kuebler as quickly as possible and inform her the Commissioners would take input from both parties and if changes need to be made perhaps it would not be too late to do it now.

Mrs. MacGregor said 4-10 has been located in Tepe for many years and all through the Republican Commissioners and it was good enough then. It is true there is not a phone in the building, however, there is one located within one fourth of a block away and she always keeps change incase they need to call out concerning a problem that might arise. She personally feels like not only is that election day for that area, but it is a day when all the neighbors get together and bake cakes, share them, and share other food, that it is a good day and they dont' have problems, that they have never ever had to call downtown and have someone come out a settle a dispute, that they simply do not have any problems. If the bathroom is a concern then that can be arranged, that they can take tables and make a little aisle. There are two (2),a ladies and a mens restroom in the building.

Mr. Charles Johnson, Democrat Precinct Committeeman in 4-10 was present and stated it is amazing how many times they have changed his precinct in the past years, and they still didn't beat him, now, why this late in the game are they trying to move it again.

He realizes that perhaps the facilities may not be as handy at Tepe as they would be somewhere else, but this is a little late in the game. The people have all been notified that this will be their voting place and he would like to see it stay there for next weeks election. If they want to move it next year, fine, but don't wait until the week before election to do it.

President Borries asked Mr. Johnson if they voted at the Tepe location in the spring of 1983 and he replied yes. In the fall of 1982....yes. In the spring of 1982...yes.

Helen Kuebler came forth and stated why she brought this to the Commissioners attention was because at the last instructional meeting, the Inspector and Judge (Eunice Glazeberg and Rachel Altheide) both spoke very loud and long about this 4-9 and 4-10 being together, that everyone has to march through 4-10 in order to get to the restroom and they indicated to her that they have been trying to get this changed for years and cannot get it done, so she informed them that she would bring it before the Commissioners. Also, there is no phone in the building and the Inspector is not allowed to leave the building to place a call downtown, in case of errors in registrations. Perhaps this cannot be done this year but it can certainly be thought about for the 1984 election.

President Borries said he understands the concerns about the restrooms and in regards to the telephone, his precinct does not have one either, and he wonders how many do have them.

Mrs. Kuebler said most of them have phones, because the Inspector is not allowed to leave the building during the voting time (6:00 a.m. to 6:00 p.m.).

Mr. Anthony Archie, acting Republican Precinct Committeeman in that precinct and one of the reason he ask that this be brought to the attention of the Commissioners was not only the fact there was no phone in the building, but also because of the fact they have people working on the outside that have to come indoors to use the restroom facilities and they must pass by where the Clerk's table is located and also people working in 4-9 have to walk by the votomatics on their way to the restrooms and this is a situation whereby temptation could be brought to mind. The outside workers, by law, are not allowed inside the area because they do not have any watchers credentials, etc. There are a total of 1020 people using that precinct in one (1) days time and in talking to Carolyn McClintock this morning, she informed him the building is approximately 600 sq. ft., which is rather small for two (2) precincts to be voting in. He also spoke to Mr. Norbert Wooley, Principal at Culver School and he informs us there is no one scheduled to vote in Culver School and if the Commissioners so desired, he would make the school available.
Mr. Archie said he personally would think this would be for the betterment of the people if 4-10 were changed to Culver and he would ask the Commissioners consideration in the matter of changing it.

Commissioner Cox said she thinks the things we should be concerned with here, as Commissioners, is that we are responsible for designating the polling places and they should meet the requirements of the State Election laws, and if they do not then they should not serve as polling places. It was asked why wasn't this brought up earlier and she was Clerk at one time and she knows people get through elections and then forget until they get ready for another one, but the law is very specific about one thing and that is that there shall be no unauthorized persons in these polling places and she believes if Tepe Park is to continue to be used as a polling place, then it does seem rather small for two (2) precincts and the Election Board should go out there and tell them how to set these precincts up so that you do not have unauthorized persons running back and forth in these precincts. We just went through an allegation of voter fraud in the handling of the ballots and if she were a precinct election official in a precinct and if she were an Inspector, she would want to know who the authorized persons were and she would not let anyone else in, in light of what has happened, that we all learn from past experiences. She personally feels like this is something that cannot be ignored, and if it has been brought up and there are election abuses then they need to clean up their act and if it's because of the physical layout of the building that it cannot not be conducive to an adequate polling place which meets the state election laws then she thinks the Commissioners should move it.

Commissioner Willner said he would agree and therefore he would make the motion that 4-10 be left as is at Tepe Park for this year and take it under advisement for 1984.

Mrs. Kuebler asked who will bring this matter back up next year and Commissioner Willner replied the letter they received from her will be put in the file with the polling place data for next year.
She said she really believes there are too many people milling around in that voting place and President Borries said he will concur with that.

Commissioner Cox said because you have two (2) precincts voting at Tepe, that does not give anyone in 4-10 the right to be running back and forth into 4-9 and the same goes for 4-9, in that they cannot enter 4-10's boundaries because that is a strict violation of the State Election law. Your watcher's credentials can only be used in one (1) precinct, and that is the one in which it was issued for.....and none other.

Mr. Archie said he does not consider the poll book holders a board member, however, they are sitting within two (2) feet of the Sheriff's.

Commissioner Cox said they can as long as they do not have any political literature. She said the Registration office in Vanderburgh County and the State have relaxed some of the requirements, that whenever there is a name inadvertently left off of a poll list, the old procedure was that the person had to go to the Registration office and pick up a certificate of error, but no longer is that necessary, that the Inspector must call, and no one else can do that....it must be the Inspector calling for verification before this person will be allowed to votes, so telephones are now of more importance than what they used to be because the law says no precinct officials is to leave the polling place for the entire period of voting, which is from 6:00 a.m. until you get finished.

President Borries said he appreciates everyone's concern on this matter and it will be taken under advisement and a decision will be made by the spring of 1984 election.

Commissioner Cox said if we are going to change this the next primary, that if we see there is reason to change it then, then she thinks it should be changed now. If we think it can be worked out to be used this fall, then why change it next spring for the primary.

President Borries said he believes there is a problem and he thinks the Election Board should study the situation from that standpoint.

Mrs. Kuebler said how then will you know if there is a problem and President Borries replied he would assume if a study is made of this that there would be reports available from both parties.

Commissioner Cox said if this is not going to be changed for this fall, then the Election Board had better have watchers out there.

RE: CONTRACT AWARDED FOR CALCIUM CHLORIDE

Mr. Ben Evans, Manager of City/County Purchasing Department was present and stated there was only one (1) bid received for calcium chloride, that being from Orbie of Illiana, Inc. of Crawfordsville, Indiana. They have met the specification and the prices remain exactly the same as last year.

Commissioner Willner moved the contract be awarded to Orbie of Illiana for calcium chloride. Commissioner Cox seconded the motion. So ordered.

(A breakdown of prices, per gallon is shown in the minutes of October 24, 1983)

RE: COUNTY ATTORNEY....DAVID MILLER

Discussion of Settlement with Farm Services and Supply, Inc. Mr. Miller said there was some question raised by the Treasurer's office as to why the first payment in the Farms Services and Supply, Inc. settlement has not been paid, that it was due on October 20, 1983, and the reason is that it took until last Friday to get all of the settlement documents signed by everyone and get it sent to the proper places, therefore the payment should be forth coming in the next couple of days and the November payment should be timely.

Notice From Deaconess Hospital: Mr. Miller said he received a notice today that Deaconess Hospital vs Vanderburgh County and all of the Commissioners of Vanderburgh County and that it is set for trial on November 28th and he has never heard of the case, that it was filed before 1980 when we took office, so Helen Kuebler has told him that she would make him a copy of the file.

Commissioner Willner said he too received a call Friday on this and was asked if he recalls the suit and no, he does not. He recalls a few years ago that we had some problems with some prisoners but he thought they were through Welborn Hospital and that they had all been taken care of.

Mr. Miller said it appears to be some sort of a suit on account for services rendered to some county department. As soon as he finds out what it concerns he will make the Commissioners aware of it.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for ther period of October 24 thru 28, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the crews at the county garage for the period of October 24 thru 28, 1983...received and filed.

Attached to the work report was the following schedule for the same time period:

Gradall: West Franklin Rd., Cemetery, Mt. Pleasant Rd., Stacer Station Rd., Folz Road.

Paved: Short Selzer, Jobes Lane (Working on West Franklin)

Patch Crew: Old State Road, Hedden Road, Boonville/New Harmony Road, Old Petersburg Road, Volkman Road, Selzer Road, Broadway Avenue, Jobes Lane, Cypress-Dale Road, Mohr Road, Big Schaeffer Road, Church Road, Martin Station Rd.

Brush Crew: Seminary Road, Old 460, Felstead Road, Schlensker Road and Broadway.

Trash: Lynn Road, River Road, Mill Road and Darmstadt Road

Tree Crew: Schlensker Road, Broadway Road, Felstead Road, Old 460 and Seminary Road

Grader: Young Road, County Line Road, E. Wallenmeyer, Maasberg, Heerdink Rd, S. Selzer

Road Torn up on Peck Road: Commissioner Willner said for the record we had a farmer to tear up 4/10's of a mile of new road on Peck Road, which was paved just three (3) weeks ago. He met on the site with the farmer, Mr. Bethel and Mr. Lee Stuckey this morning and the farmer is going to repair it to new condition again and it is supposed to be done this week. He will keep abreast of the situation and report back to the board.

Smith Diamond Road: Mr. Bethel reported to Commissioner Cox that he has a crew out on Smith Diamond today, in regards to the problem she reported to him this week.

Discussion of Guardrail on Outer Pollack Avenue: Mr. Borries said in regards to the guardrail along the south side of Outer Pollack Avenue, he is not certain of the statis on this project.

Mr. Bethel said to bring the board up to date, the Commissioners allowed him to appear before the Council and they allowed him $1,200.00 for this project. It was his understanding the Surveyor's office was to install the guardrail, so the money is appropriated and waiting to be used.

Commissioner Willner said the Surveyor's office has had their hands full with the First Avenue Bridge, however, they should be doing this now.

Mr. Robert R. Wampler, 5712 Pollack Avenue, was present and stated he's talked with Mr. Bethel for a couple of years now on the problem along Outer Pollack. At first they came out there and put guardrail in front of the exit of the new project that Charlie Brown has on Outer Pollack Avenue, which is west of his property. He questioned that at that time, as to why they put the guardrail someplace that wasn't dangerous, as the ditch is very shallow at that particular point. He has a nine (9) foot ditch in front of his own house, going east on Pollack. There was also guardrail installed between two culverts, in front of Mr. Karshs' property, and he does not object to that being

installed there but he questions why it was put there instead of down where people have been killed. He spoke with Mr. Brenner the first of the week and was told the Surveyor had no responsibility to put the guardrail up, that he only works around culverts or bridges and now he finds out the money is available and approved for this project and that the Surveyor's office is supposed to install it, so now he's right back where he started.

David Guillaum came into the meeting and he was informed of the topic of discussion and he stated they did do some rail work in that area, however, if it is the Boards' desire that more be installed they will do so upon authorization from the Commissioners.

Commissioner Cox said the reason the sections out there were installed immediately is because this was funded out of Cumulative Bridge Fund and the money was available to do it but if all the remainder of the sections need is a motion of approval from the Commissioners she will so move the remainder of the guardrail be installed, by the Surveyor.

Commissioner Willner said he would second the motion that the rail be installed but he would also like to say that either the Surveyor's office or the Highway Department could do it, that if the Surveyor tells us he is too busy then Mr. Bethel's crew can do it.

Motion and second was so ordered.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Letter of Transfer of Funds for Red Bank Road/Railroad Crossing:

Mr. Easley submitted the following letter, directed to the County Auditor and dated October 28, 1983.

Re: Transfer of funds to pay for Red Bank Road & L&N R.R. Grade Crossing Account #216-4831

Dear Mrs. McBride:

We have been advised that subject account needs an additional $14.98 in order to have sufficient funds to pay the Indiana Department of Highway's for Vanderburgh County's share of Subject Railroad Crossing.

It is requested that $14.98 be taken out of the Peerless Road and L&N R.R. Crossing Account #216-4830.

If the above $14.98 is transferred to the Grade Crossing Account the $14.98 deficit will be eliminated.

If any additional information is required, please contact the undersigned.

Very Sincerely,
Andy Easley, Jr.
County Highway Engineer

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Mr. Easley said Mrs. McBride also has a copy of the above letter.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

Lynch Road/R.R. Crossing: President Borries said he traveled by our problem railroad crossing on Lynch Road today and it looked like they were doing some work there, which is located between Oak Hill Road and U.S. 41.

Commissioner Willner said he and Bill Bethel and Andy Easley stopped there to see what was being done and they found the signal had sunk and they were merely raising the signal up two (2) or three (3) inches to correspond with the road bed. He did talk to the foreman while he was there and he informed us he had made some suggestions to the L&N Railroad, however, the L&N has been purchased by the Southern R.R. therefore he has some new bosses.

Mr. Easley said a couple of months ago the L&N submitted four (4) alternatives in which the switch could be moved and three (3) of them were unsatisfactory to the railroad (main office), that it did not meet their criteria for curvature. We are in contact with them and with the State and trying to put pressure on them. There also was a fifth solution which was not even discussed.

Lant Manor: Mr. Easley reported that he and Mr. Bethel went out and looked at Lant Manor in regards to the street improvments and found them to be in real fine shape and he will be presenting a recommendation on that before long.

Portion of St. Joseph Ave. (by Busslers) to be Accepted: Mr. Easley said several weeks ago he left a message with Mrs. Meeks in regards to St. Joseph Avenue, that supposedly the state has finished all their work on the portion of St. Joseph Avene, by Bussler's, and they are now ready to have the county accept that portion for county maintenance.

The Commissioners instructed Mr. Easley to proceed and write a letter to the state in regards to us accepting this portion.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of October 24 thru 28, 1983. Report received and filed.

Discussion of Maryland Street Bridge: Mr. Guillaum said there is a matter, in regards to the Maryland Street Bridge, that he would like some direction on from the Commissioners. He reported that we have some problems under the bridge about mid-span, out over the water with the X bracing, which is two diagonal stiffeners, to resist any swaying movement. We repaired some of them on the north end of the bridge several years ago, but this is about mid-way therefore they would be afraid to put county crews out there, so it would have to be contracted out. This is not a critical thing but it does need to be welded, and he could contact three (3) or four (4) contractors and ask for invitational bids, if the Board would so approve.

Commissioner Willner said he thinks it is decision time for the Commissioners, that we need to decide if we are going to put a new bridge there, or not. He would like to know if plans for a new structure are completed yet and Mr. Guillaum replied that Dan Hartman has them 80-90% complete.

Commissioner WIllner said he would like to give this a two (2) week period and have the Commissioners decide if we are going to put in a new bridge, fix the old bridge or do nothing.

Commissioner Cox asked if this bracing he is talking about is what you can see hanging down under the bridge and he replied yes. She said she too has received some calls on this, that some people are concerned about the safety of it.

Mr. Guillaum said it has no bearing on the load capacity whatsoever, that it is simply a stabilizer/stiffener, to stop any side to side action.

Commissioner Cox said as far as the public is concerned they think it is a safety factor and should be taken care of and even if we do build a new bridge it isn't going to be done in a matter of a few months, so should we make temporary repairs on this and if so, what kind of dollars are we talking about.

Mr. Guillaum said on the basis of a similar problem a few years ago, he would say a ball park figure of $5,000.00, more or less.

Commissioner Willner said if the decision is to do away with that bridge and use Columbia/Delaware then he does not want to spend $5,000.00 on it. If the decision is to replace it in the next year or two then he can go along with the repairs until that time.

Commissioner Cox asked Mr. Willner if he then is asking for two (2) weeks to make this decision and he replied yes.

Matter deferred for two (2) weeks.

RE: JIM LINDENSCHMIDT...SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Lindenschmidt said he would like to thank the Commissioners for allowing him to attend the insurance seminar this past week and he hopes some of the knowledge he received will be put to good use for the county. He felt like it was money well spent as well as time well spent.

Check Received for Alexander Ambulance Service: Mr. Lindenschmidt submitted a check in the amount of $88.00, made out to the Board of County Commissioners for services rendered by Alexander Ambulance Service, that this is in response to letters sent to residents owing Alexander.

Commissioner Willner moved the check be signed and forwarded to Alexander. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM E.U.T.S. ON GREEN RIVER ROAD TRAFFIC SIGNAL

The following letter was received from Evansville Urban Transportation Study, dated October 26, 1983 and directed to the Board of County Commissioners.

Re: Green River Road Traffic Signal

As per your request, I have investigated the possibility of using County R&S funds to participate in the installation of a traffic signal on Green River Road between Eastland Mall and Eastland Place.

Representatives of the State Board of Accounts, the Indiana Department of Highways and the State Auditor's Office have indicated County R&S funds can be used for the installation of the traffic signal.

The State Auditor's Office representative indicated that an agreement between the City and County should be prepared specifying each jurisdiction's share of the signal costs. The agreement should also specify that the signal is required to serve traffic volumes generated by commercial development in both the City and County.

For your reference, restrictions regarding the use of local R&S funds are specified in I.C. 8-14-2-5.

Please contact me if you have further questions.

David Gerard

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Mr. Gerard said the people he has spoken with have indicated to him this is an eligible expense and he realizes this is counter to the information that the Commissioners received earlier. The fund is administered by the State Auditor's office and that is the final body that he spoke with on that and the representative had the recommendation for the contract and the Indiana Code is there for the County Attorneys to look at in terms of restrictions in using the money. He spoke with the State Board of Accounts, the State Auditor and the Indiana Department of Highways and they all indicated that is an eligible use of those funds.

President Borries said he understands our (county) expense would be a one time thing.

Mr. Gerard said this is correct that he understands the city will have the ongoing maintenance and operation expenses, however, David Savage would be the person to contact for the final figures on this project. He heard the figure of $30,000.00 but Mr. Savage could give definite information in that regard.

Attorney Miller asked if the final agreement, in terms of shares of expenses and responsibilities of maintenance is contained on the note he has and Mr. Gerard replied he doesn't know if the note came from Mr. Savage or not, but the recommendation he was given was simply why the county is spending this money, that they are participating in this signal with the city and what the percentage share would be, but you need to talk to Mr. Savage to get the figures.

Mrs. Meeks said the figures on the note is what she received from Mr. Savage.

Mr. Miller said then it seems to him that we would need to have a four (4) party agreement, that being between General Growth, Broadbent & Skinner, the City and the County, all agreeing to how much money they are going to throw in and if this is the deal, with the exception of the maintenance, then this would be a very simple agreement to write.

Mr. Gerard said he isn't sure that General Growth is participating in this signal, but again Mr. Savage can give that information, because they said they didn't even care if it went in or not.

Commissioner Cox said it is good to know we will be able to use this money for the signal because in the very beginning we thought we could but when Green River Road isn't under County jurisdiction they (the State) said no, but evidently they have changed their minds and said yes we can use R&S funds for it.

The Commissioners instructed Mr. Miller to draft an Inter-governmental agreement in regards to this signal, so at least something will be started on it, that he should get in contact with Mr. Savage to find out who will be the participants.

RE: LETTER FROM INDIANA DEPARTMENT OF HIGHWAYS ON BURKHARDT ROAD PROJECT

President Borries read aloud the following letter, dated October 25, 1983 and directed to the Board of County Commissioners.

Re: M-E100(1), Burkhardt Road

Dear Sirs:

This letter is to inform you of the status of the above referenced project. As you know, Design Approval was given in January of this year. In February a FA-2 application for Federal Aid was received and later approved for construction. This application will allow abligation of funds thru the July letting.

Our office is presently assigning projects for the March letting. As you can see, the lead time is 4-5 months. The important thing to make you aware of at this time is that all necessary activities must be complete by February if the project is within this fiscal year. These activities include the remaining R/W clearance, final plans and engineer assignment for construction. The preliminary engineering for the railroad work is presently being processed to request Federal Aid for design. It is hoped that the railroad will punch out the estimate in six months once they receive the notice to proceed. This would allow the railroad work to coincide with the project. The project will not be scheduled unless this timing is assured.

It is understood that you will obtain the R/W with local funds. It will be necessary for you to complete all the necessary requirements to accomplish acquisition in the near future. If there is traffic signalization involved, a preliminary plan ought to be sent in for the Traffic Division review. The Division Street intersection design will require coordination with the state.

I hope this letter is helpful in your plans for the future of the project. If there are any questions, please contact me at (317) 232-5317

Very truly yours,
Stephen M. Dilk, Area Engineer
Division of Local Assistance

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Mr. Gerard said when the State Highway approves a project for construction and when you apply with FA-2 form, they always over program, that is they approve more projects then they have money for and our impetus has been to get both Burkhardt and Covert into construction letting early next year. If we would wait until June or July to request the money, there probably would not be any left for us, so we must complete these phases as quickly as possible. He believes Mr. Easley has worked on this and he may have some figures today.

Mr. Easley, County Highway Engineer came forth and stated the discussion has been to get a total of forty (40) foot on either side of the center line on Burkhardt and he talked to Morley about three (3) weeks ago in regards to this and just today Morley relayed to us the figure we will need to acquire, that being 29,000 square feet of additional right-of-way and when you divide that amount by ten (10), you get twenty nine hundred (2900) lineal feet of ten (10) feet wide additional and the appraiser said we probably would be paying around eleven (11) cents per square foot for that, therefore, we are talking about $3100.00 approximately. He wants it clear that this is for open field, that this will take no one's front door, it's all farm field, so with the Commissioners approval he would like to authorize Morley to write the legals and when we get those the Commissioners can then appoint the R/W buyer.

President Borries said as it stands now this would be for an improved two (2) lane but with this additional R/W we could get four (4) lanes at some point in the future and Mr. Easley said this is correst.

Commissioner Cox asked if this will all meet federal requirements and Mr. Easley replied yes.

Commissioner Willner moved Morley be given approval to proceed. Commissioner Cox seconded the motion. So ordered.

RE: TWO (2) CHECKS RECEIVED FROM HARTFORD INSURANCE COMPANY

President Borries said the Commissioners have received two (2) checks from The Hartford Insurance Company for damages done to Sheriff's vehicles. One is in the amount of $4,203.05, on loss date 10-4-83 and the second one is for $434.90, on loss date 9-17-83.

Mr. Miller said these checks do not contain any kind of a release so he would say the Commissioners can go ahead and execute them.

Commissioner Willner said does not our signing execute a release and Mr. Miller replied no, not unless it recites that it constitutes a complete release for all claims.

Commissioner Willner moved the checks be signed and referred to the County Auditor. Commissioner Cox seconded the motion. So ordered.

RE: LETTER AND CHECK FROM EVANSVILLE CABLE TV, INC.

President Borries read aloud the following letter which had enclosed with it a check in the amount of $7,363.53. Letter is dated October 28, 1983 and directed to the Board of County Commissioners.

Dear Commissioners:

Enclosed you will find a check in the amount of $7,363.53 which represents the third quarter of 1983. This is an increase over our last payment of $7,016.18 which represented the second quarter of 1983.

In the third quarter of 1982, we sent you a check in the amount of $6,060.09. You can see this check is considerably higher than the third quarter of 1982.

As an update - we are now in the process of building Darmstadt and will review the area out Hillsdale Road from Browning Road out Old State Road to Ridgeway Heights. We are also doing an extension on Mill Road, west of St. Joe.

Again, Evansville Cable would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the county with cable TV service. If the Commissioners have any questions, please feel free to call me at any time. My private number is 428-2461.

Best regards,
Robert D. Ossenberg
Vice President and General Manager

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Commissioner Cox moved the check be signed and that a letter of acknowledgement be sent to Evansville Cable TV. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS FROM BULDING COMMISSION

Ordered received and filed was two (2) monthly reports of the permits issued through the Building Commission's office, for the months of August and September, 1983.

RE: BRIEF DSICUSSION ON FEDERAL REVENUE SHARING FUNDS

President Borries reported that he attended a meeting last Thursday in Jasper, Indiana. This was a meeting of The Association of Indiana Counties. At this time he would report the Association is to have a convention in the latter part of November. In regards to Federal Revenue Sharing funds, the act itself had expired as of September 30, 1983. The house had passed, on August 19th., a version which would extend the life of

Federal Revenue Sharing for five (5) years and it would include a cost of five (5) billion dollars. The Senate however has passed a different version and their version has a different amount, which is 4.67 billion dollars, and for three (3) years. The bill is in conference committee and there are no members from Indiana on this committee, neither in the House or Senate. Revenue Sharing was first passed in 1976 and there has been no increase in funding since that time and if there has been any increases to other units, the only changes have been in regards to the formula in which it has been figured. We have already sent letters to our various Representatives and Senators concerning this issue, and hopefully it will pass.

County Auditor Alice McBride said the State will have to cut us by that amount if it is not approved by the time they come down here, which is the 14th of November.

President Borries said we are still in hopes there will be some discussion of the Local Option/Wheel Tax packages, at the Legislature in the upcoming session in January. They also mentioned a possible new rule in regards to Revenue Sharing concerning handicapped persons and he immediatley thought of our Vanderburgh Auditorium, so we may want to consider that also.

RE: REQUEST TO USE VOTOMATIC AT CENTRAL HIGH SCHOOL BY COMMISSIONER BORRIES

President Borries said he would like to verbally request use of a votomatic at Central High School during this week, that they are required in Indiana to teach a unit on Election and he feels the machine would be very useful for this.

Commissioner Willner moved the request be approved.

Commissioners Cox said she does not believe they have been called in, but when she was Clerk, they issued two (2) to the Evansville School Corporation and all you have to do is contact the person in charge of Audio/Visual and they will see you get one, unless they are both already out and if that is the case then yes, she would second Commissioner Willner's motion. So ordered.

President Borries thanked the Commissioners and said he will check with the School Corporation.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by the Vanderburgh County Democratic Central Committee for activities in the Gold Room on November 5, 1983.

A certificate of insurance was submitted by the Vanderburgh County Democratic Central Committee for activities in the Gold Room on November 8, 1983.

A certificate of insurance was submitted by the Vanderburgh County Republican Central Committee for activities in the Gold Room on October 24, 1983.

A certificate of insurance was submitted by the Stereo Liquidators, Inc. Albany, New York for a stereo equipment sale to be held at the Vanderburgh Auditorium on November 9, 1983.

All certificates ordered received and filed.

RE: CLAIMS

A claim was submitted for James Lindenschmidt for expenses incurred in attending Hartford Insurance Loss Control Management Course 10-24-83 thru 10-28-83, in the amount of $202.55.

Commissioner Cox moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted for Mr. Jack VanStone, regarding the preparation of an agreement between the Vanderburgh County Coroner and the Pathologist, in the amount of $60.00.

President Borries said he does not understand what this is for.

Commissioner Cox said Dr. Wilson was before this board and received permission to use the hospital Pathologist to assist in some autopsy work.

The claim was given to Mrs. Meeks to refer to the County Coroners office, that this should be paid from his budget.

A claim was submitted for Mr. Bill Denton, in the amount of $38.55, in regards to a new pair of pants that had been torn on a broken car spring and they were torn beyond repair, therefore he had to purchase a new pair.

Commissioner Cox asked where this person is employed and Mrs. McBride said she believes he is with the Sheriff's Department.

Commissioner Cox said they have a uniform allowance.

The claim was deferred for further clarification.

A claim was submitted for David M. Griffith and Associates, in the amount of $11,600.00 for the county's cost allocation plan based on fiscal year 1982, per contract specifications.

Mrs. McBride had attached a note to the claim indicating the county received into the General Fund, in 1982, the amount of $68,432.73, and then paid Griffith $11,600.00, leaving the county a profit of $56,832.73.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for James L. Will Insurance Agency, Inc. for bonds for Geraldine Gass - Secretary to Manager of the Vanderburgh Auditorium and also for Kim Patrick Bitz, Manager of Vanderburgh Auditorium, for @$30.00, for a total of $60.00.

President Borries said this claim was before us last week and was referred to Mrs. McBride.

Mrs. McBride said she called Will Insurance company and this is for a one (1) year public official bond, however, the question was, will we get a refund for Conrad Cooper and Gail Pinkston....no, we do not get a refund for either of them.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Cox said we really need to look at bonding positions, instead of people, if the insurance company will do that.

Mrs. McBride said she has a blanket bond, so perhaps you could go to something like that, whereby there are no names, only positions.

President Borries instructed Mr. Lindenschmidt to contact the insurance company and explore that possibility, that perhaps it would even be cheaper.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

CIRCUIT COURT - WORK RELEASE

Steve W. Lockyear	721 Normandy Dr.	P/T Bail Bond	$4.50 Hour	Eff: 10-24-83

ELECTION OFFICE

Floyd R. Burnett	2151 E. Gum St.	Ballot Assembly	$3.75 Hour	Eff: 10-24-83
Gilbert C. Kerr	2154 E. Gum St.	Ballot Assembly	$3.75 Hour	Eff: 10-24-83
John L. Jones	820 S. Governor	Ballot Assembly	$3.75 Hour	Eff: 10-24-83
Casey Randolph, Sr.	R.R. 5 Box 136	Ballot Assembly	$3.75 Hour	Eff: 10-24-83
Sylvia Loviscek	632 S. Harlan	Deputy Clerk	$3.75 Hour	Eff: 10-13-83
Doris McGlothlin	2029 E. Mulberry	Deputy Clerk	$3.75 Hour	Eff: 10-24-83

RE: EMPLOYMENT CHANGES.....RELEASES

SHERIFF

Ronald L. Martin	950 Wiltshire	Civ. Jailer	$11,808.00 Yr.	Eff: 10-21-83

RE: SCHEDULED MEETINGS

The regular County Council meeting will be held on Wednesday, November 2, 1983, in the Council Chambers, Civic Center, at 2:30 p.m.

RE: REQUEST TO DONATE PURE LIME TO THE COUNTY

Attorney Miller said he has a client who has a manufacturing and retail sales outlet in town and as a by-product of his manufacturing he creates almost pure lime and he has a pile (5,000 cubic yards) of this lime sitting in his manufacturing yard, which he is willing to donate and deliver to the county, if they want it. He understands this can be used in strengthening road beds while they are being built.

The matter is going to be thought about for a week to see if the county wants it.

RE: MEETING WITH SPERRY-UNIVAC

President Borries said he would report he did attend a meeting with Sperry-Univac representives and also County Attorney David Jones. We had a rather frank discussion concerning our differences in regards to the computer services and no conclusion has been reached as of this time eventhough both sides agreed that a smooth transition of the machines should take place.

RE: LETTER FROM MAXI-CARE INDIANA, INC.

The following letter was recieved, dated August 30, 1983, and directed to Mr. James Lindenschmidt.

Dear Mr.Lindenschmidt:

We are pleased to renew your Maxicare Health Plan effective January 1, 1984. The monthly rates upon renewal will be:

$63.69
$127.37
$203.35

These rates are guaranteed for one year.

Treatment for accidental injury to Sound and Natural Teeth has been eliminated.

With the enactment of the Tax Equity and Fiscal Responsibility Act of 1982, effective January 1, 1983, Maxicare will be the primary provider of care for all active employees between the ages of 65 - 69 who elect to have their coverage under the Maxicare Plan. Medicare rates will only apply to retired employees over 65 and all employees over the age of 70 having Maxicare coverage.

I will telephone you for an appointment to discuss and develope the open enrollment material.

Best regards.
Larry Powell

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President Borries said the $63.69 would be for a single, the $127.37 for two (2) people and the $203.35 for the family plan, which would put it very close to our Blue Cross rates, so since we had tried to pro-rate a lower cost per plan with the people on Maxicare, would it be the feeling of the Commissioners at this time, since our Blue Cross rates will carry on till May of 1984, that we would then raise the rates effective January 1, since this will constitute a raise from what they are currently paying.

Commissioner Willner said have we not informed them what the new rates will be and Mrs. McBride said we have this year but not for 1984.

President Borries said there is also an enrollment period, but he isn't for sure when it is and Mrs. McBride said she believes it is in May, but she isn't certain either.

Commissioner Cox said we also need to make the decision if we are going to leave it at $10.00 and $20.00 and if we will be facing an increase from Blue Cross in May, then we need to put our employees on notice. She knows this has been discussed but no decision has been made as far as she recalls.

President Borries said we cannot, because we cannot budget for a percentage, without putting a dollar figure in relation to preparing our budget...we have to estimate. It looks like we are not going to have enough money in the account to fund the Blue Cross for this December, so we probably will have to carry those charges over into 1984's budget.

President Borries said that Mr. Walls of the Insurance Inspection Audit has given him a name of an insurance consultant in Louisville, Ky. and he understands they are very well know but also very expensive, but perhaps we would want to contact them to see what kind of rates they could give in relation to looking at our overall health care needs at this point.
He merely wanted to bring this letter up today and he understands we should inform our Maxicare people they should expect an increase as of January 1, 1984.

RE: COMMENTS CONCERNING LITTLE PIGEON CREEK FLOODING

Commissioner Cox asked if we have any kind of a report back on the drainage plan at the Airport that Mr. Lythgoe discussed last week, that she read in the paper where Mr. Elvis Douglas had been contacted by someone and that he would be happy to discuss this matter with the county.

President Borries said he will contact Mr. Douglas this week, possibly tomorrow, and see if he can give us a report as soon as possible.

There being no further business, President Borries declared the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David L. Jones
SECRETARY:	Janice Decker		

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 7, 1983

The meeting of the County Commissioners was held on Monday, November 7, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

This being the first meeting of the month it was officially opened by Sheriff Shepard.

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

RE: OPENING OF BIDS FOR LIQUID ASPHALT AE-150 AND XEROGRAPHIC PAPER

Commissioner Willner moved the County Attorney proceed with the opening of the bids received on Liquid Asphalt AE-150 and Dual Purpose Xerographic Paper. Commissioner Cox seconded the motion. So ordered.

RE: POOR RELIEF...PIGEON TOWNSHIP TRUSTEE

Applicant: Debra Market, 612 Main Street, Evansville, Indiana(Civic Plaza Hotel)
Case Worker: Bill Goff, Representative, Pigeon Township Trustee's office.

Ms. Market was present and came forth and stated she was denied rent assistance on the basis there are alternative sources available to her, however, she believes that term "alternative" is general enough that it could apply to anyone going to the Trustee requesting help. She is presently unemployed and has certainly been out looking for work. She recently worked two (2) days on one job and three (3) days on another job and because of her inexperience she was either fired or let go from both of them. She has previously received help from the Trustee and she has always worked off the hours required through their work program. She is familiar with other residents in the hotel that receive rent assistance and when they are asked if they are looking for a job they will say yes, but she knows for a fact they are sitting on their duffs and are not trying to get employment.

President Borries asked Ms. Market if she is receiving food stamps and she replied that she applied for them on November 1st and they told her that her card would be typed and mailed to her on the 2nd of November and here it is the 7th and she still has not received it.

Commissioner Willner asked if the rent is past due and Ms. Market replied no, it is due on the 12th, however, she did not want to wait until then to try to get help because that is on a Saturday and the Trustee's office will not be open and she could find herself out and sleeping on the street.

Commissioner Cox asked if she has any dependents and Ms. Market replied no, she is alone. Commissioner Cox said #19 in the Trustee's guidelines states a person must seek alternate resources before making application to Pigeon Trustee's office, therefore did the Trustee not give an example of places she could go for help and Ms. Market replied if they did, she does not remember.

Mr. Goff came forth at this time and stated Ms. Market was in his office on October 14th. requesting her rent be paid and at that time he did pay it for her and she told him that she would only need it for one (1) month, that she had a job to go to, and she did in fact obtain employment at the S&R Cafe on Fulton Avenue. It is also true Ms. Market did complete the work hours required to receive her rent for the month of October. It seems however that sometimes people use the Pigeon Trustee's office not for the emergency services that it is set up for. We have paid her rent four (4) or five (5) times in the past year and to his knowledge she has not sought out other social organizations that offer assistance and he does not think that the Pigeon Trustee's office should be the only organization in Vanderburgh County to help everyone, that they are established for emergencies. He would also say that prior to them paying her rent for the month of October, they did offer her a bus ticket to Cynthiana, Kentucky and at that particular time she sort of indicated to us that she might take it, however, Greyhound is presently on strike and he could not give it to her now.

Commissioner Willner asked if the guidelines, in regards to paying rent, that it must be due and Mr. Goff said this is true that there is no way they would pay it before it is due, which is not until the 12th of this month.

President Borries asked what the procedure for Ms. Market would be....is she required to seek employment.

Mr. Goff said she is required to seek employment and also alternate resources, such as the Out Reach Ministries, Catholic Charity or other social services in town.

Ms. Market said she has been to the Catholic Charity and was told if the Pigeon Trustee would not help her then they would not either. She is going to the Mental Health Center now and she also has a case pending with S.S.I., which she filed on November 1st and she was told it would take ninety (90) days before she would hear anything from them, however, the chances are very slim that she will be granted S.S.I. on her first application. She has a friend in the hotel who is working for the blind association and he told her when she has her next session with her therapist that she should ask for help getting employment at the blind association, which she will request. She said in regards to the bus ticket back to Kentucky, she would not take it because if she leaves the state of Indiana, she will give up her right to see her son, who lives with his father, that she would have no way to get back here to see him and she will no way, come hell or high water, give up that right to her son.

President Borries said the Commissioners cannot take any action today and the only thing he would see that could be done is for Ms. Market to reapply for rent assistance when her rent is due on the 12th and he would suggest she communicate with the Trustee in regards to S.S.I.

Commissioner Cox asked Mr. Goff if he would give Ms. Market a list of alternate resources, whereby she could seek out help and he said that he would.

The matter was referred back to Pigeon Trustee.

RE: JON DAUBLE....DISCUSSION OF LIFE INSURANCE FOR COUNTY EMPLOYEES

Mr. Jon Dauble was present and distributed the following information to each of the Commissioners in regards to the Life Insurance for county employees.

	Current	Proposed
Company	American United Life	North American Company
Amount per Employee	$7,500	$7,500
Rate per $1,000	.45	.37
Accidental Death	.06	.05

Additionally, a reserve fund of approximately $20,000 will be released upon termination of the American United Life contract.

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Mr. Dauble said the county has been with American United Life insurance company for about twelve (12) years and he is now proposing a change over to North American Company, that there will be a drop in the rate from 45¢ to 37¢, that if we stay with American United Life that rate will probably increase come January 1, 1984. North American does not require a reserve fund and we would get returned to us, from American United Life, approximately $19,500.00 either in January or February of 1984, if this change is approved.

President Borries said Mr. Dauble presented these figures to him earlier and he felt as though it should be presented to the Commissioners as a whole.

Commissioner Cox said it was mentioned before that Mr. Dauble would need to speak with several county employees individually, so since he is representing a new company she is wondering if he will need written authorization from the Commissioners.

Mr. Dauble said in the past they were allowed to come in on company time, that this will take just a couple of minutes and there are about thirty (30) employees involved, therefore he does not feel a letter of authorization is necessary, however, if there are any problems they will request one.

Commissioner Willner moved the County change from American United Life to North American Company, for the life and accidental death policy, for employees, for the reasons so presented. Commissioner Cox seconded the motion. So ordered.

RE: SHERIFF CLARENCE SHEPARD, REQUESTING COUNTY ATTORNEY LEGAL ASSISTANCE

Sheriff Shepard stated at the present time his department is in a disciplinary procedure situation and a legal hearing will be held, therefore at this time, he is requesting the Commissioners allow the County Attorney to represent the Sheriff's Department in this hearing of the Merit Board and himself as Sheriff, in regards to the legal matters involved. This is going to be a legal, technical matter and reviewable by Circuit Court and he needs legal advise on how to proceed.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: DALE WORK, WELFARE DEPARTMENT....WELFARE BOARD APPOINTMENT PROCEDURES

Mr. Dale Work, Director of the local Welfare Department was present and stated as a matter of information he received, on August 10, 1983, a letter explaining the new method of appointing Welfare Board, effective January 1, 1984, that they will henceforth be appointed by the County Commissioners, rather than the court, as it has been in the past. At this time he submitted to Mr. Borries a copy of the materials he received along with the current roster of the board and the expiration dates and a copy of House Bill 1638 as it relates to this matter.

President Borries thanked Mr. Work for appearing with this information today and said the roster and expiration dates will help tremendously.

Commissioner Willner said the term that is up in 1983, is this person agreeable to serve another term and Mr. Work replied he believes he would be that he is very dependable and doing a good job on the board.

RE: COUNTY ATTORNEY.....DAVID JONES

Reading of Bids Received on Liquid Asphalt AE-150: Mr. Jones said there was only one (1) bid received for the liquid asphalt, and that was as follows.

J.H. Rudolph & Co. Inc., Evansville, Indiana (Bid in order)

We propose to furnish Liquid Asphalt AE-150 at the Unit Prices listed below under the following categories, per the specifications.

1. Transport loads of 5,000 gallon minimum-10,000 gallon maximum (approximately 200,000 gallons).....@ $0.795 per gallon

2. Tank wagon loads of 1,000 gallon minimum-4,999 gallon maximum (approximately 95,000 gallons).....@ $0.908 per gallon

3. Less than 1,000 gallon order (approximately 5,000 gallons).....@ $0.995 per gallon

4. A storage tank will be provided at the County Highway Garage by J. H. Rudolph & Company, Inc., free of charge.

5. The price adjustment clause in your specifications is hereby acknowledged.

Enclosed is General Form 96a. Attached is our Bid Bond for $20,000.00

Reading of Bids Received on Dual Purpose Xerographic Paper: Mr. Jones said there were two (2) bids received on Xerographic paper, and they were as follows:

Atlas Office Supplies & Equipment Company, Inc.	Unit Price	Amount
1. 200 Cartons (Approximately) Dual Purpose Xerographic Paper 8½ X 11 White Sub 20 grain - Long (Per Specification Required)	25.70	$5,140.00
2. 50 Carton (Approximately) Dual Purpose Xerographic Paper 8½ X 14 White Sub 20 grain - Long Per Specification Required	32.60	$1,630.00
TOTAL BID		$6,770.00

TERMS: NET

(Bid in Order)

McMurtry-Martin Papers, Inc, Evansville, Indiana — Price

1. 8½ X 11 - 20 lb. White Queen Ann Xerographic.....$5.10/M

2. 8½ X 14 - 20 lb. White Queen Ann Xerographic.....$6.49/M

Note: These prices quoted are current. Most fine paper mills have announced a price increase of approximately 5% effective the first quarter of 1984. These prices do not reflect this increase.

The above bid was in order.

Commissioner Willner moved that all bids received today be referred to the Purchasing Department for one (1) week, with a recommendation to come from Mr. Evans at that time. Commissioner Cox seconded the motion. So ordered.

Revised Auditorium Parking Lot Ordinance: Mr. Jones reported today that he would like to submit a revised Auditorium parking lot Ordinance for the Commissioners review, that earlier he had submitted one to the Commissioners, however, that one omitted the charge for vehicles at times other then from 6:00 a.m. to 6:00 p.m. This revised Ordinance now provides for the fee that would be collected for times other than from 6:00 a.m. to 6:00 p.m., as well as the fee for that particular time, by permit, at an amount of $20.00 per month, the removal and impoundment of a vehicle that is not parked there properly, the sign which should be posted to give notice of towing of illegally parked vehicles. There is also a penalty provision, that in addition to authorization to impound the vehicle, there can be a lien against the vehicle for storage and towing charges and there is also a civil penalty of not less than $10.00 and not more than $2,500.00 for each day of violation and that would be up to the court to set that penalty within that range. There is a provision for handicapped parking and also seven (7) spaces allocated for the Convention and Visitor's Bureau and also a provision that upon the request of the Auditorium Manager, the Sheriff may appoint one (1) or more Special Deputies, in order to enforce these provisions.
It would be his further recommendation, because it does contemplate a fee, that this Ordinance ultimately be approved by the Vanderburgh County Council as well as the Board of County Commissioners. This Ordinance will also have to be advertised.

President Borries stated he has had some feedback concerning this parking lot from some county employees who are quite concerned about this $20.00 per month fee. He told them the Commissioners might be flexible if everyone would cooperate and leave the mechanical arm alone, that we've been trying to save cost at the Auditorium and if the mechanicl arm is going to be a failure and result in all kinds of problems, then the Commissioners have no other choice but to do something like this Ordinance, which he would say seems to be a good one, and should be taken under advisement by the Board at this point and time.

Sale of Alcoholic Beverages at the Auditorium: Mr. Jones said in regards to the selling of alcoholic beverages at the Vanderburgh County Auditorium, he would say this matter has been held in abeyance for awhile, but he thinks....no longer. There has been a change in the law, that in the 1983 session of the Legislature approved back in April, and least there be no question, a Mr. William Coil, Executive Secretary of the State Alcoholic Beverage Commission was contacted last week and he related to us the following....if Vanderburgh County sells alcoholic beverages in the Auditorium it must obtain a permit, and if the county obtains such a permit then all sales in the Auditorium must be through the county itself or through a concessionaire and if the county does not obtain a permit and does not sell alcoholic beverages but merely rents or leases the Auditorium space to other groups then the county must inquire of any such tennant as to whether or not alcholic beverages may be served and if the response is in the affirmative, then the county must satisfy itself that alcoholic beverages must be dispensed only by a caterer duly licensed by the ABC, so these are things for the Commissioners to consider.

Change in Law in Regards to Motor Vehicle Inspection: Mr. Jones reported there has been a change in the law, with respect to motor vehicle inspection, prior to registration and flyers were sent out which discusses the new section, to the County Auditor and also to the County Sheriff's around the state. Basically, Public Law 120 of 1983 provides that before any registration occurs on a motor vehicle, or that application for certificate of title of any motor vehicle, semi-trailer or recreational vehicle may be accepted by the department, it must be inspected by either an employee of the department, a military policeman assigned to a military post, or a peace officer of

the State of Indiana and that such person inspecting the vehicle shall make a record of the inspection upon an application form. This statute further provides that the legislative body of the county may impose a fee for the inspecion of motor vehicles by Ordinance appropriately prepared by a County Attorney and it is suggested that the fee be in a range of not less than $3.00 and not more than $10.00, based upon other comparable permit fee arrangements and it then sets forth the procedure for handling the fees which are those prescribed by State Board of Accounts for accident report copies and hand gun licenses. He believes the Sheriff has expressed an interest in the fee and the use of it, as has the County Council and he is now reporting this to the Commissioners, who he believes will also express an interest in it.

Commissioner Cox said is the Sheriff now doing these inspections without charge and Mr. Jones said this is correct.

The Commissioners authorized Mr. Jones to proceed with drafting an Ordinance to cover such fees, for the Commissioners' consideration, with the fees remaining open.

Request Concerning the Donation of Lime: Mr. Borries said last week Attorney Miller informed the Commissioners there was a client of his interested in donating 5,000 cubic yards of pure lime to the county and he is wondering if a decision has been reached in that matter.

Commissioner Willner said he has done some checking with the county agent, however, he would like another week to pursue the matter.

RE: MARK TULEY....BURDETTE PARK

Change Order for Deck Replacement on Pool: Mr. Tuley said he would like to have a change order approved in regards to the repair of the deck on the Swimming pool at the park, that is presently underway with Happe, Inc. The Commissioners are aware of the fact that when the plans were submitted for this project we had one area that we would not know the true condition of until we got the deck off. We have removed the deck now and we find the culvert is greatly deteriorated and it is going to have to be replaced. Our engineer's and our contractor has recommended we go with a concrete pipe through there. It calls for 125' of 24" concrete pipe, plus some curb which was left off of the plans, for a total additional cost of $3,540.00. He would like to get this change approved today and the money is available in his budget for this.

Commissioner Willner moved the change be approved, in the amount of $3,540.00. Commissioner Cox seconded the motion. So ordered.

Financial Statement: Mr. Tuley submitted the following financial report for the Commissioners viewing:

1983 Budgeted	$509,237.00
1982 Encumbered by P.O.	17,475.92
1982 Encumbered by Contract	67,764.92
1982 Insurance Reimbursement	6,116.44
Total 1983 Budget	$600,594.28
Returned to General Fund	-$ 41,500.00
Remaining 1983 Budget	$559,094.28
Insurance Reimbursement	+$ 2,116.00
TOTAL	$561,210.28
Appropriation from Council	+$ 50,000.00
Total 1983 Budget	$611,210.28
Expenditures and Balance 1-1-83 to 10-31-83	
Total Expenditures	$475,143.13
Total Balance	$136,067.15

Financial Report Continued:

Income 1-1-83 to 10-31-83

Pool	$89,543.90
Rink	33,860.43
Rentals	53,815.97
Misc.	15,141.27
Total	$192,361.57

October 31, 1983

Total Expenditures	#475,143.13
Total Income	$192,361.57
Total Deficit	$282,781.56

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Note: Attached to the above report was a total breakdown, for each day of the month of October.

Absentee Report: Mr. Tuley submitted the absentee report of the employees at the park for the period of Septmeber 21 thru October 31, 1983....report received and filed.

Advisory Board Meeting: Mr. Tuley reported there will be an Advisory Board meeting on November 10th, at 6:00 p.m., at Burdette Park's main office and he would invite any of the Commissioners that might be able to attend. They will be discussing the fee schedules for next year and also the proposal for the management of the skating rink which has been submitted to the Commissioners.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of October 31 thru November 4, 1983.....report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of October 31 thru November 4, 1983...report received and filed.

Attached to the work report was the following breakdown of where the crews worked the past week.

Gradall:	Mann Road and Burkhardt Road.
Paved:	West Franklin and now working on Seminary Road.
Grader:	Baehl Road, Eisterhold Road, Seminary Road, W. Franklin and Schissler Road.
Brush Crew:	Smith-Diamond, Whetstone Road, Long Road, Streuh-Hendricks and Mt. Pleasant.
Trash:	St. Joe Avenue, Lynn Road, South Weinbach, Seven Hills Road, Boonville-New Harmony, St. Wendel Road and Whetstone Road.

Commissioner Willner asked Mr. Bethel how the dollars are holding out in regards to the paving project and he replied if the weather holds out they will be done with their paving in about one and a half weeks and the money will all be spent. He is going to get right at forty (40) miles paved and that is more than has ever been paved in the entire state of Indiana for one (1) paving season, however, without the Commissioners being good enough to him to allow him to go before council, he could not have done it, so the Board of Commissioners can be thanked for that.

Guardrail Report - Concerning Pollack Avenue: President Borries said it needs to be known if the Surveyor's crew is going to have time to install the guardrail on Outer Pollack Avenue, or if they are too busy and the Highway Department is going to do it.

Mr. David Guillaum said he discussed this matter with Mr. Brenner, County Surveyor, and he suggested that if the Highway Department can possibly do it, he would like for them to.

Mr. Bethel acknowledged the fact his crews could do it, therefore the Commissioners authorized him to finish installing it as soon as the paving is all complete.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the weekly bridge and guardrail report of the bridge crews for the period of Octboer 31 thru November 4, 1983. Report received and filed.

Claim: Mr. Guillaum submitted the following claim for approval of payment.

Barnett Brothers, Inc., in regards to the First Avenue Bridge project.

Billing #6 Attached	$1,447,738.25
Less 5% Retainage	72,386.91
Less previous payments	$1,283,164.42
Total Amount Due	$ 92,186.92

Mr. Guillaum said the payment of the above claim will bring us back to the 5% retainage fee, which will be paid later. They did have an inspection tour today of the bridge and put together a punch list of items that remain to be completed before final payment is issued, and there was some curbing to be completed, the banks needed additional work done on them and they needed additional straw also.

President Borries said he noticed when he was out there that some surface work has already been done.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Concern with Guardrail on Broadway Avenue: Commissioner Cox said concerning a portion of guardrail on Broadway Avenue, west of Nurrenbern and before you get to Schutte, that it looks like someone has taken off one end of it.

Mr. Guillaum said there are a bunch of small ones out there and he will check it out.

Commissioner Cox said brush also needs to be cut on the one bridge on Broadway, just pass Rollets Lane, where it leads into Kuester field.

Mr. Guillaum said he will see to it these are both put on the list to be done.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Claim on Accident at Petersburg and Hwy 57: Mr. Easley reported he received a copy of a claim in regards to an accident at Petersburg Road and Highway 57 and at this time he would submit it to the County Attorney. He understands a van was traveling on Petersburg Road and failed to make the curve just before you have to stop for Highway 57, that this happened on July 4th. and they are making claim for damages.

Letter of Transfer of Funds: Mr. Easley submitted a copy of a letter he sent to County Auditor, Alice McBride, dated November 2, 1983, in regards to transfer of funds.

Re: Transfer of funds to Assistant Highway Engineer
Retirement Account #216-3175

Dear Ms. McBride:

We have been advised that subject Retirement Account is being depleted and funds need to be transferred to the account to cover the anticipated expenditures during the remainder of the year.

It is requested that $28.50 be taken out of the Workmens Compensation Account #216-3195 and transferred to the Assistant Highway Engineer Retirement Account #216-3175. If the above transfer is made the projected $28.50 deficit will be eliminated.

If any additional information is required, please contact the undersigned.

Very sincerely,
R. Andrew Easley, Jr.
County Highway Engineer

Closing of Petersburg Road Temporarily: Mr. Easley reported a five (5) day road closing of Petersburg Road, just west of Highway 57, that the city has to make some modifications to a sewer lines that crosses Little Pigeon Creek. The Utility Department will begin work immediately to remove two (2) samitary sewers currently on the bridge. He has the permit and if the Commissioners so desire, they can sign it. The public should be advised of this at least twenty four (24) hours ahead of time of the closing, so that they will know to go around on St. George Road. He will coordinate it if the Commissioners wish.

President Borries authorized Mr. Easley to sign the permit and to coordinate the project and see that the public is notified.

Request to Study the Speed Limit on Bromm Road: Commissioner Willner said he has been unable to reach the Traffic Engineer, but he has had a request to study the speed limit on Bromm Road.

Sight Obstruction on Millersburg Road: Commissioner Willner said at the corner of Green River Road and Millersburg Road he understands the Telephone Company is installing a communications connection box and it impedes the vision of people leaving Millersburg Road and pulling onto Green River, or trying to cross Millersburg Road as they are headed west. This box is on the northeast corner of the intersection and is large.....perhaps 8' X 4' and something needs to be done before they finish it.

Mr. Easley said he will contact the Telephone Company on this and he will also try to contact Mr. Savage concerning the speed limit study on Bromm Road.

RE: MEMO TO GO TO ALL COUNTY OFFICES IN REGARDS TO COUNTY FINANCES

President Borries said during the last County Council meeting it was indicated there are many financial concerns again this time of the year, as it draws to a close, in regards to the low amount currently in the General Fund. If the Commissioners will recall, last year we asked every officeholder to please try to delay any purchases except those that would be strickly emergencies and that we could review these on a case by case basis. He indicated to the Council that he would discuss this with the other two (2) Commissioners and get their approval to send out this memo again this year, asking for full cooperation.

Commissioner Willner moved the memo go out in regards to purchases, to all county officeholders and department heads, from the Commissioners' office. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM STATE BOARD OF HEALTH - UNIVERSITY HEIGHTS SUBDIVISION

President Borries read aloud the following letter from the State Board of Health, dated October 28, 1983 and directed to the President of Vanderburgh County Commissioners.

Re: Wastewater Treatment Plant IN 0037869
Broadwiew Utilities Development Corporation
University Heights Subdivision, Vanderburgh County

Dear Mr. Borries,

Information received from the Auditor's office is that the subject wastewater treatment plant and the land on which it is sited was offered for sale this past summer, because of non-payment of taxes under Code N. 7-75-27. The property was not sold; therefore a deed will be issued to Vanderburgh County in December 1983.

Please advise us of your plans for the maintenance and operation of this sewage treatment facility which serves the University Heights Subdivision. Currently the plant is being operated by the subdivision residents.

Enclosed is an application for renewal of the National Pollutant Discharge Elimination Systems (NPDES) Permit to discharge properly treated wastewater from the plant to a tributary to Wolf Creek. The application should be completed and returned to this office.

Very truly yours,
Howard W. Cundiff, Chief
General Sanitation Section
Division of Sanitary Engineering

President Borries said copies of this letter also went to the Vanderburgh County Health Department, the Public Service Commission, Mr. Bernard McConville and to Mr. Tom Russell.

President Borries said we have Mr. Sam Elder, representing the Vanderburgh County Health Department with us today and perhaps he could shed some light on this matter.

Mr. Elder presented the Commissioners with a plat of the subdivision and pointed out where University Heights is located, as well as where the wastewater treatment plant is at. He said there are approximately seventy two (72) residents in the subdivision who are connected to this facility. He said Lutterback subdivided this and he started with septic tanks and he had some problems so he replatted it, made the losts smaller and had this treatment plant put in by James Biggerstaff, however, it is under the jurisdiction of the Public Service Commission, but it looks to him like the county is going to be in the utility business.

Mr. David Jones said if this went up for tax sale and was not sold, we know that no one is going to let a subdivision go down the tube.

Mr. Elder said no, the subdivision is not what went up on tax sale, it was the pipes and the treatment plant itself.

Mr. Jones said if the county does not accept the deed then they will not take title to it and if we refuse it then the state is stuck with it. He said the state cannot force the county to take title on it and even if we do accept it, they can't force us to keep it in operation....it'll just shut down.

Mr. Elder said the Broadview Utilities Development Corporation received permit to operate the plant in 1975 and that corporation is owned by James H. Biggerstaff and about three (3) years later the Indiana Stream Pollution Control Board fined the corporation and said the plant did not meet the sewage discharge levels for drainage into Wolf Creek which empties into the Ohio River at a certain point. The Board also said that they did not have a certified treatment plant operator at that time.

Mr. Jones said those people are going to have to tap into the city sewer and Commissioner Cox said there are no city sewers out there.

Mr. Jones said the property owners have two (2) alternatives, they can form a non-profit organization and accept the title to continue to run the treatment plant or they can hook into the city sewer, after having it run out there.

Mr. Elder said the cost of doing that would be some $1 million dollars. He said the state ordered the sewage system to be hooked into the Evansville's sewer system by July of 1979, however, the Broadview Corporation filed for bankruptcy and the treatment plant, for the past five (5) years, has been operated by the property owners. He said the estimated $1 million dollars would take in the whole watershed in that area.

Commissioner Cox asked Mr. Elder if they have recieved many complaints in regards to this plant and he replied the State Stream Pollution Control Board has jurisdiction over this and they don't delegate it to the local departments, so when we receive a complaint we do not take action, we pass it on to them, because they are the superior agency and they tell us this is what they want done.

Mr. Jones said this thing cannot be dumped on the taxpayers of Vanderburgh County, because it is a private owned sewage operation.

Mr. Elder said the Public Service Commission says it is public system which is privately owned.

Mr. Jones said we are playing word games...when it is privately owned....its private.

President Borries said yes, but now the Corporation is bankrupt.

Mr. Jones said the property owners are going to have to go after Mr. Biggerstaff, but regardless of what happens, the owners had better get ready to spend a lot of money.

Mr. Elder said he personally believes the Indiana Public Service Commission should be responsible for guaranteeing people utilities.

Mr. Jones said he thinks the Public Service Commission is shirking it responsibilities and shoving it under the county's door and the state has been aware of the fact for

several years that the property owners have been operating the plant without the proper permits.

After repeated discussion the Commissioners authorized Mr. Jones to study the situation and report back his findings and further action will be taken at a future date.

Mr. Jones said he will study the statutes but he would recommend we send a letter back to the State Board of Health saying that irregardless of what they do with the title to it, the county does not intend to operate it, because we are not in the utility business.

Commissioner Willner moved Mr. Jones draft the letter and send it off. Commissioner Cox seconded the motion. So ordered.

RE: MR. JIM MORLEY IN REGARDS TO R/W ON BURKHARDT ROAD

Mr. Jim Morley was present in regards to the right-of-way purchases for the Burkhardt Road project and informed he has the first of them with him today to present to the County Attorney, to review for form. If the Commissioners have not already selected someone to carry out the appraisal and acquisition, he would recommend it be done, that the state is wanting this project to roll along so that they can let the contract in the spring of 1984.

Mr. Easley said as soon as the attorney says the foremat is in proper form the Commissioners can appoint a buyer.

Mr. Morley submitted three (3) copies of the first right-of-way grants to Mr. Jones, however, he stated it must be checked out by someone to make sure who the last owner of these properties are.

Commissioner Cox asked if this is for the entire tract, that is, for all the ground we are concerned with out there and he replied what he delivered today is simply one (1) owner and there are probably fifteen (15) parcels involved, but he would like comments on this first one from the County Attorney before he proceeds with the rest of them.

Mr. Morley said that Mr. Easley relayed to him the wishes of the Commissioners that the acquisition of all areas where it did not involve the taking of a house or yard property that we move it on out 40' to allow for possible future additional lanes on Burkhardt and he is preparing those in that manner.

President Borries thanked Mr. Morley for appearing today and informed him the Commissioners will get back to him as soon as the County Attorney has time to review the document submitted today.

RE: FINANCIAL REPORT FROM COUNTY TREASURER

Submitted was the following financial report from Mr. Lewis F. Volpe, County Treasurer.

To: County Council
County Commissioners

Interest has been receipted as follows:

COUNTY REVENUE	$772,931.51
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	8,363.64
CONGRESSIONAL SCHOOL	211.24
	$783,854.31

Outstanding investments are:

1) Certificate of deposit, $500,000.00 dated July 6, 1983, due December 29, 1983. Estimated income $21,380.00. Rate 8.75%.

2) Investments, $2,000,000.00, dated June 13, 1983, due December 28, 1983. Estimated income $88,600.00. Rate 9.50%.

3) Investments, $3,000,000.00, dated October 11, 1983, due December 28, 1983. Estimated income $55,900.00. Rate 8.60%.

4) Investments $3,000,000.00, dated October 12,1983, due December 28, 1983. Estimated income $55,500.00. Rate 8.65%.

5) Investments $1,000,000.00, dated October 18, 1983, due December 28, 1983. Estimated income $16,800.00. Rate 8.55%.

6) Repo, $800,000.00, dated October 27, 1983, due November 15, 1983. Estimated income $3,588.89. Rate 8.50%.

7) Repo, $200,000, dated October 28, 1983, due November 22, 1983. Estimated income $1,180.56. Rate 8.50%.

8) Investments $1,000,000.00, dated November 2, 1983, due December 28, 1983. Estimated income $13,300.00. Rate 8.55%.

Total estimated income $266,249.45, of which $262,924.45 will be receipted to County Revenue and $3,325.00 to Reassessment.

Thus, it can be seen that $1,035,855.96 is already receipted into and accrued to the County Revenue Fund. This is much more than the original estimate of $900,000.00, and only $115,000.00 less than my estimate of $1,150,000.00 made last month.

I feel pretty confidant I can exceed even this higher figure.

So, if it is agree, I should like to have a RESOLUTION to place the extra income, if any, in the County Revenue Fund.

Yours truly,
Lewis F. Volpe,
Vanderburgh County Treasurer

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The following Resolution was submitted for approval, which also includes money for the Pigeon Creek Log Jam Fund, which was discussed a week or so ago.

RESOLUTION CONCERNING INVESTMENT OF PUBLIC FUNDS

WHEREAS, the Board of County Commissioners of Vanderburgh County (herinafter the "Board") pursuant to I.C.5-13-1-1, 15-13-1-9 (Acts 1975, P.L. 44,81, p. 222) is vested with authority to direct the County Treasurer to invest tax collections pending distribution as well as to invest and re-invest all funds under the control of the Board; and,

WHEREAS, the Board desires to provide flexibility in meeting the financial obligations and budgetary considerations of the County while maintaining a maximum interest yield on invested County funds;

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD:

1. The prior resolutions of this Board concerning investment of County funds are expressly repealed to the extent that they may be in conflict with anything contained herein.

2. The Vanderburgh County Treasurer is hereby authorized and directed to invest the maximum amount of tax collections and individual County funds which are not otherwise governed by Federal or State statute which in the judgment and discretion of the County Treasurer are not needed by units of local government in such amounts and upon such terms as will at all times maximize the amount of interest to be earned upon such invested funds.

3. The Vanderburgh County Treasurer shall report to the Board of County Commissioners of each month the amount invested, the term of each investment, the rate of interest, due date and amount of interest to be earned for each investment and such other information pertaining to investment of County funds as may be requested by the County Commissioners.

Resolution Continued

4. Until further instructed by this Board the County Treasurer is directed to place all interest monies earned from investment of County funds into the County General Fund except for $5,000.00 which is to be placed in the Pigeon Creek Log Jam Fund.

Approved this 7 day of November, 1983.

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF VANDERBURGH

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Commissioner Cox said we amend the resolution and gave Mr. Volpe the authority to put $1,150,000.00 in and he is now asking for any excess over that amount to also be put into the County General Fund, with the exception of the $5,000.00, which will be put into a special fund for the Pigeon Creek log jam and President Borries said this is coreect.

Commissioner Willner moved the Resolution be approved. Commissioner Cox seconded the motion. So ordered.

RE: QUESTIONNAIRE FROM C.I.T. CORPORATION

Received by the County Commissioners was the following letter from CIT Corporation, dated October 28, 1983

It is time to take a look at 1984. For example, will the upturn in the economy mean more sales for Distributors in the coming year? And what will be the most pressing economic issues in the year ahead?

We value your expertise and know your views will contibute to making CIT's Eighth Annual Construction Industry Forecast a useful source of information. Please take a few minutes to complete this questionnaire. We'd appreciate your informed response as soon as possible. All replies are treated anonymously.

Survey results will be published at year end and distributed widely. To reserve your copy of the Forecast, simply enclose your business card marked "Construction Forecast" with the questionnaire, or mail it in a separate envelope to the CIT address on the back of your questionnaire.

The dollar bill enclosed is a token of our appreciation for your participation Many thanks for your assistance.

T.J. McPhillips, President

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President Borries said he found it very strange that there is a $1.00 bill attached to this survey and it would be his opinion it should be placed in the County General Fund and if the Commissioners so desire we can participate by completing the survey form attached to the letter.

Commissioner Willner moved the $1.00 be placed in the county general fund.

Commissioner Cox said in looking over the questionnaire it concerns the selling of equipment and the County does not sell anything, so should we take the $1.00 without doing the questionnaire, that she doesn't believe it applies to our county.

President Borries said he believes yes, however, we could send the $1.00 back to them, but the letter doesn't say to send it back.
Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM MEAD JOHNSON COMPANY

The following letter was read aloud by President Borries, dated October 31, 1983 and directed to Mr. Borries, President of the Board of County Commissioners.

Dear Mr. Borries:

The Mead Johnson Employee's Club would like to commend the efficient job that your new Vanderburgh Auditorium and Convention Center Manager is doing.

On October 15, 1983, we leased the facility to hold our annual Mead Johnson Fall Dance. This event was quite successful. In preparing for the dance, I found Mr. Kim Bitz to be very delightful to work with.

Mr. Bitz, along with his staff, was quite attentive to all of our needs and requests. Ms. Ruby Norris tended to our catering needs with the utmost efficiency and confidence. Although no problems arose, Mr. Bitz was on hand during the course of the evening for assistance.

We sincerely appreciate Mr. Bitz's fresh and inventive ideas. Good luck to him, and to the future of the Vanderburgh County Auditorium and Convention Center.

Sincerely,
Barbara Gourley
President
MeJo Employee's Club

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Letter received and filed.

President Borries said it is quite refreshing to receive such letters as this one.

RE: COUNTY OFFICES TO BE CLOSED NOVEMBER 8TH - CITY ELECTION DAY

President Borries said all county offices, along with all city offices, will be closed tomorrow, November 8th, for the City Election.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was received for the Propeller Club of United States,Port of Evanvsille, Owensboro IN-KY, Inc. for a dance at the Auditorium on November 19th.

A certificate of insurance was submitted for Tennis Hatfield for an Arts and Crafts Show on November 27th. at the Auditorium.

A certificate of insurance was submitted for F & F Berns, Inc. and Top Rank, Inc. for the Hagler vs Duran boxing bout on November 10th. to be shown at the Auditorium.

A certificate of insurance was submitted Evansville Area Labor Management Committee for a dinner in the Gold Room on November 16th.

A certificate of insurance was submitted for Daniel Ritz d/b/a Angel Productions for a christian concert to be held at the Auditorium on December 1, 1983.

A certificate of insurance was submitted for the Jaycees of Evansville, Inc for a flea market on November 6th in the Vanderburgh County Gold Room.

A certificate of insurance was submitted for the Hoosierette Chapter of Sweet Adelines for a performance on November 5, 1983.

All certificates ordered received and filed.

RE: CLAIMS

A claim was submitted for County Attorney David Miller, for legal services rendered, in the amount of $915.00 (Attached itemized statement, to the tenth of the hour)

Commissioner Willner moved the claim be approved and placed on the December Council Call. Commissioner Cox seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

President Borries said he knows of no meeting scheduled for this week.

RE: DISCUSSION OF ELMRIDGE DRIVE

Mr. Andy Easley said in a subdivision where the county has not accepted the streets improvements and there is a serious defect in the pavement, that might injure someone, or perhaps cause an accident, who should be notified to see that it is repaired.

Mr. Lindenschmidt said he checked with a gentleman that informed him there was a law suit over this, but said it had been settled.

Mr. Easley said the street is still a serious problem.

Mr. Jones said we need to inform the developer the county will not accept the streets until they meet the proper standards.

Mr. Lindenschmidt said he understands the developer has gone bankrupt and he doesn't care if the streets are fixed or not

Mr. Easley said someone on a motorcycle could be badly injured or killed out there and he believes there comes a time when some things must be done for the publics interest.

Commissioner Cox said yes and if someone says it wasn't done right then we get sued for $3 million dollars.

Mr. Jones said that is exactly right, that if the county goes out there and does any work on a road that is not a county accepted road, then the county takes on that responsibility and liability.

Mr. Easley said he personally would just hate to see anyone get hurt out there.

Mr. Jones said if that occurs then they sue the person responsible for the condition of the street and if the county has not accepted it, then the county will not be liable.

President Borries said this is like one of the first things he had to do when he was elected Commissioners, that he had to go out and look at the Lynch Road situation and that matter still has not been settled and it is still barricaded and we cannot get the railroad to even recognize there is a problem out there.
He simply would not, at this time, vote to accept the Elmridge area until the developer makes some serious improvements.

Commissioner Cox said the only solution that she sees to this is that it be required when a subdivision is presented before Area Plan Commission, that all streets be built to county specifications, be inspected by the County Engineer and approved for acceptance upon completion. This is the only way we are going to put a stop to this kind of thing, and she feels sorry for these consumers that buy a new home and then find out they have trouble with the streets and the same goes for those out in the University Heights Subdivision who now find out they have this serious sewage problem.

President Borries said it may be a bigger expense to the developer but we might have to start looking at some very strict standards insofar as concrete streets.

Mr. Easley said what happened out there is the street had a heat expansion thrust and for about $200.00 the heave could be cut out and put a strip of concrete and perhaps save someone getting hurt, or someone's life. He's really having trouble ignoring this problem that it is really bothering him.

Mr. Jones asked if it is certain that the developer is bankrupt.

Commissioner Willner said he understands the developer has some property out there that had not been sold and he believes the court gave that property to the subdivision for the sale and eventual use of the money to repair the streets, so when this property is sold they can fix their streets and then the county can accept them.

Mr. Easley said is there anyway we can ask some of the homeowners out there to take care of the problem and then get reimbursed.

Commissioner Willner said they have an organization set up out there and this was mentioned to them and they refused to do that, and they also understand if they pay to have this fixed the highway department can be contracted out to do it for them. Mr. Easley said then that would take the Commissioners off the hook.

Commissioner Willner said we are not on the hook.

Mr. Jones said it appears the organization could then be responsible for this, and particularly if this has been through court and they have the money to fix it. Perhaps we should get the developers to post a high bond and then sit on it for ten (10) or fifteen (15) years.

Mr. Easley said could the county get an injunction against them and make them remove the hazard and Mr. Jones said the homeowners are going to have to do that, because the county has no responsibility to do it.

President Borries said he commends Mr. Easley on his concern in this matter.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PROSECUTOR

Brenda Robbins		Paralegal Secy.	$11,000.00 Yr.	Eff: 11-7-83

EVANSVILLE CONVENTION AND VISITORS BUREAU

Kimberly D. Tepool	6958 Sweet Gum	Sec/Copywriter	$ 9,950.00 Yr.	Eff: 11-7-83

TREASURER

Barbara R. Harrison	1204 E. Maryland	Clerk	$10,260.00 Yr.	Eff: 12-5-83
Georgia Wilson	212 E. Riverside Dr.	Clerk	$30.00 Day	Eff: 11-7-83
Audrey L. Gunther	223 W. Jennings	Clerk	$30.00 Day	Eff: 11-7-83

AUDITOR

Virginia Singer	7608 Greenbriar Dr.	Real Est. Clerk	$10,781.00	Eff: 11-7-83

RE: EMPLOYMENT CHANGES....RELEASES

PROSECUTOR

Brenda Robbins		Paralegal Secy.	$10,500.00 Yr.	Eff: 11-7-83

TREASURER

Barbara R. Harrison	1204 E. Maryland	Clerk	$10,260.00 Yr.	Eff: 11-9-83

AUDITOR

Virginia Singer	7608 Greenbriar Dr.	Real Est. Clerk	$10,260.00 Yr.	Eff: 11-4-83

RE: COMMENT CONCERNING THE $1.00 RECIVED FROM THE CIT CORPORATION

Commissioner Cox said she still has her doubts about putting that $1.00 into the County General fund.

Mr. Jones said he would send that $1.00 bill back to that company because to him it is sort of like receiving stamps on approval and if you don't send them back you get a nasty letter saying you bought them.

RE: REPORT ON THE PIGEON CREEK DRAINAGE PROBLEM

President Borries said he spoke with Mr. Elvis Douglas concerning the Pigeon Creek Drainage problem and he also spoke on the same matter with Jim Morley and Mr. Douglas indicated he will begin to prepare a report and that he will contact Mr. Richard Lythgoe and Mr. Morley in regards to the matter.

President Borries reported there will be no drainage board meeting this evening, eventhough it was indicated last week that there would be one today, however, we had asked about drain maintenance procedures on the Crawford Brandies ditch and we have received a memo from the county attorney and copies need to be made for each of the Commissioners, so that we can all review it. Also we have a copy of a letter received by David Jones from Congressman McCloskey stating there will be some modifications in the new levy at the intersection on Stringtown Road and he thought David might want to pass this on to interested citizens. He said this is concerning the problem with visibility at the Stringtown Road floodwall at Cardinal Drive and Congressman McCloskey's office has been in touch with the Army Corps of Engineers and they will make adjustments to that problem.

There being no further business, President Borries declared the meeting recessed at 4:40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David L. Jones
SECRETARY:	Janice Decker		

Richard Rick Borries

Robert L Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 14, 1983

The meeting of the County Commissioners was held on Monday, November 14, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: AWARDING OF BID FOR LIQUID ASPHALT AE-150

Mr. Ben Evans, Director of the City/County Purchasing Department was present and stated only one (1) bid was received for liquid asphalt, and that was from J.H. Rudolph & Company, therefore it would be his recommendation they receive the contract.

Commissioner Willner moved the contract for Liquid Asphalt AE-150 be awarded to J.H. Rudolph & Co. Commissioner Cox seconded the motion. So ordered.

A breakdown of the bid is stated in the Commissioners minutes of November 7, 1983.

RE: AWARDING OF BID FOR DUAL PURPOSE XEROGRAPHIC PAPER

Mr. Evans reported there were two (2) bids received for xerographic paper, those being from Atlas Office Supplies and Equipment Company, Inc. and McMurtry-Martin Paper, Inc. With McMurtry-Martin being the lowest bidder he would recommend they be awarded the bid.

Commissioner Willner moved the contract for Dual Purpose Xerographic Paper be awarded to McMurtry-Martin. Commissioner Cox seconded the motion. So ordered.

A breakdown of the bid is stated in the Commissioners minutes of November 7, 1983.

RE: CHARLES B. ROBINSON...COMMENTS IN REGARDS TO PROPERTY AT 1417 FLORENCE STREET

Mr. Robinson appeared before the Commissioners in regards to property at 1417 Florence Street, which he owes taxes on and it will come to the commissioners to be sold at public auction. He said he is a retired post office worker and has been living on about $285.00 per month for about four (4) years. He said the Post Master redated his doctor's statement and they are having a fight about it right now and he believes he will win the case presently pending. He will pay the taxes due on this property just as soon as he receives his settlement.

Commissioner Willner asked Mr. Robinson how much back taxes he owes and he replied $1,067.00 (approximately). Mr. Willner asked Mr. Robinson if he will know something about his settlement within the next three (3) weeks, before it comes to the Commissioners to be auctioned and he replied he hopes so, however, he is not certain. Commissioner Willner said in past years when the Commissioners receive these properties from the Auditor's office, we start auctioning it off every Monday, to the highest bidder, and he would think if it was paid before that time, we would accept that, but if it isn't, then we must put it up on the block and take the highest bidder, so the next three (3) weeks will be a grace period for you Mr. Robinson.

Mr. Robinson said he understands, but the place is in very poor condition, that he is sleeping there, but the roof over the bathroom, kitchen and pantry is very bad and must be repaired.

Commissioner Cox asked Mr. Robinson if this amount owed is for one (1) year and he replied no, it is for three (3) years. She asked him if he has made any partial payments at all and he replied no, he has not had the money to do so. He is now receiving $413.00 per month income, which will now help him. She asked him how long he has been away from the Post Office and he replied it will be four (4) years in May.

President Borries said since you have an attorney in regards to the suit with the Post Office, have you discussed this property situation with him also, and Mr. Robinson said no, he had not. Mr. Borries advised him to do so, that perhaps he could help him along that line also.

Mr. Robinson thanked the Commissioners for hearing his plight.

RE: BILL BETHEL.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of November 7 thru 11, 1983...report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of November 7 thru 11, 1983...received and filed.

Attached to the weekly work report was the following work schedule:

GRADALL:	Folz Road, Telephone Road
PAVING:	Seminary Road
GRADER:	Montgomery Road, Wallenmeyer Road, Massberg Road, Roth Road, Shore Road, Mann Road, Seminary Road, Golden Rule and Old Henderson Road
PATCH:	St. Joe Avenue, Seminary Road, Bayou Creek Road and Old 460
BRUSH CREW:	Baumgart Road, Streuh-Hendricks and Five Dollar Road
TRASH CREW:	Lynn Road, South Weinbach, Green River Road, Pleasant Road and Bayou Creek Road

Commissioner Willner stated if Mr. Bethel has any money left over from the $300,000.00 that the council allowed him for paving, perhaps he should check into means of saving it for next year, that is, if it is under contract to be done.

Mr. Bethel said he is going to spend most of it, there may be a small amount left over, but he plans on stock-piling from here on out, as long as he can.

Commissioner Cox said he cannot encumber funds if he does not have a purchase order but yes, he can stock-pile.

Commissioner Willner said if he does not have room to stock-pile it all, he can get a purchase order for gravel, etc. and then encumber it.

Problem Along Laubscher Road: Commissioner Cox said it has been brought to her attention that out along Laubscher Road, off of Kratzville Road, where it dead-ends at, there are two (2) neighbors who's drive-ways come out onto Laubscher Road and evidently people like to go down there and shoot along the railroad tracks and the neighbors are not complaining about that, but sometimes these people park in their drive-ways and they cannot get in or out.

Mr. Bethel said he has been down there several time and has never seen anything wrong so he did go up to one of the houses and he told us they were not having any trouble.

Commissioner Cox said there was a Stucki that called her about the problem.

Mr. Bethel said he would contact Mr. Stucki and the person right next to him also.

RE: COUNTY ATTORNEY....DAVID MILLER

Proposed Right-of-Way Grant on Burkhardt Road: Mr. Miller said he has with him today the proposed right-of-way grant along Burkhardt Road, which was submitted by Mr. Jim Morley last week for the County Commissioners viewing and for County Attorney's approval, as to form. After reviewing the document it appears to him that this right-of-way from Mr. Hirsch, to the County, adding 20' of new right-of-way is appropriate and in order, therefore he would return the document to Andy Easley.

Sale of Alcoholic Beverages at the Auditorium: Mr. Miller reported that he and Mr. Jones had a discussion earlier today regarding the selling of alcoholic beverages in the Vanderburgh County Auditorium and Convention Center and at this time he submitted the following memorandum from Mr. Jones, to the Commissioners.

MEMO:

To: Vanderburgh County Commissioners
From: David L. Jones

Re: Sales of Alcoholic Beverages in Vanderburgh County Auditorium and Convention Center

On November 2, 1983, I spoke with William Coyle, Executive Secretary of the Indiana Alcoholic Beverage Commission, (317) 232-2448.

The sum and substance of the conversation is that:

1. If Vanderburgh County sells alcoholic beverages in the Auditorium, it must obtain a permit under I.C. 7.1-3-1-25 (Burns 1983 Supp.).

2. If Vanderburgh County obtains such a permit, then all sales of alcoholic beverages in the Auditorium must be through the County itself or its concessionaire.

3. If Vanderburgh County does not obtain a permit and does not sell alcoholic beverages in the Auditorium, but rather merely rents or leases the Auditorium space to other groups, then the County must inquire of any such tenant whether or not alcoholic beverages may be served. If the response is in the affirmative, then the County must satisfy itself that alcoholic beverages will be dispensed only by a caterer duly licensed by the ABC.

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Mr. Miller said attached to the above memo is a copy of I.C. 7.1-3-1-25, entitled "Retail alcoholic beverage permits in public buildings owned by certain governmental units". He said this does not speak to the matter of events in which individuals are invited by a tenant to bring their own alcoholic beverage to the event, that that kind of event does not require an alcoholic beverage license, but if the price of admission to a particular event includes entitlement to alcoholic beverages, or alcoholic beverages are going to be sold to people who are attending a particular event, then the caterer of that event must have a permit, and if they don't, then we are in violation of the Alcoholic Beverage Law...and that would not be good for us, and we should take care to refrain from that.

Letter From Mr. Charles Berger Concerning Prevailing Wage Set by Commissioners:

Mr. Miller said the Commissioners received a letter on November 4th, from Charles Berger, who is the attorney for the Carpenters Local #90 and the Cement Finishers Local Union and he points out in his letter that apparently there has been no prevailing wage set on the jobs and that the Indiana Code requires that a prevailing wage must be set on the job and that in view of the fact this wage was not set, he believes the bid for work at Burdette Park pool was awarded illegally. Neither Mr. Jones nor himself was aware of this statute that Mr. Berger sites and after reviewing that statute we believe that Mr. Berger is probably correct in that a prevailing wage needs to be set by the Board of County Commissioners. The statute involved is I.C. 5-16-7-1 and it provides that any firm that is awarded a contract by any political subdivision for the construction of any public work, is required to pay for each class of work on the project, a scale of wages which is in no case less than the prevailing scale of wages being paid in the immediate locality for that class of work and for the purpose of ascertaining what those wages are the governmental agency, prior to advertising for that contract, is to set up a committee of three (3) people, one (1) representing labor, to be maned by the president of the state federation of labor; one (1) representing industry, to be named by the awarding agency; and a third member to be named by the governor and as soon as appointed said committee shall meet and shall fix and determine the wage and various classifications of labor and to his knowledge, this has not been done in this county. He will admit to the Commissioners that he had no idea this statute existed, that it is a 1980 statute which was amended in 1981, however, this was formerly Acts 1935, so it has been around for a lot of years. He would advise the Commissioners that within the next couple of weeks they address themselves in getting this committee appointed so that we will not have any further difficulty in this matter.

Commissioner Willner said he will agree we should get started on it right away.

Commissioner Cox said is there not, per se, a prevailing wage for this area already established.

President Borries said is this to say that every county who would issue a contract, must have this prevailing wage as part of the specifications advertised for bids.

Mr. Miller said this would be for any county, that it says "by any political subdivision thereof, or by a municipal corportaion, for the construction of any public work, and any subcontractor thereon, shall be required to pay for each class of work on such project a scale of wages which shall in no case be less than the prevailing scale of wages being paid in the immediate locality for such class of work as hereinafter to be determined.

President Borries said he would be very interested in knowing how many other counties have missed this statute, that he would venture to say not many have set the prevailing wage.

Mr. Miller went on to read from the statute that " such determination shall be made and filed with such awarding agency at least two (2) weeks prior to the date fixed for such letting, and a copy thereof shall be furnished upon request to any person desiring to bid on such contract. Said schedule shall be open to the inspection of the public." He said this question was raised because of an awarding of a bid for the pool repairs at Burdette Park, it is correct that we awarded that particular contract without there being this prevailing wage, but he is not inclined to advise the Commissioners, at this time, to revoke this award if the work is underway and it was all awarded in good faith and no one realized there was such a statute concerning this, however, since this has been pointed out to us, we should go forward, to prevent it happening again.

Commissioner Cox said this prevailing wage would be minimum wage, would it not?

Mr. Miller said he does not know that to be a fact, that he believes what we will find the prevailing wage to be is some sort of a common denominator, in the county, that it may be substantially more than the minimum wage. The contractor can pay his employee more than the prevailing wage, but not less.

Mr. Lindenschmidt said the Commissioner of Labor called us last Monday and he informed us they would get something to us this week, however, we have not yet received any documents concerning the matter. The gentleman is Mr. Howard Williams.

Mr. Miller said it would be wise for us to contact them again, that we need to make our appointment and contact the governor and the state federation of labor and get this thing underway quickly.

President Borries thanked Mr. Miller for his reports today and stated the Commissioners need to pull the specifications in regards to the catering of the Auditorium and try to make a decision on that matter as soon as possible.

RE: BOB BRENNER....COUNTY SURVEYOR

Weekly Bridge and Guardrail Report: Mr. David Guillaum, Chief Deputy Surveyor submitted the weekly bridge and guardrail report of the bridge crews for the period of November 7 thru 11, 1983....report received and filed.

Concern with Guardrail on Broadway Avenue: Mr. Guillaum said last week Commissioner Cox showed some concern with some guardrail on Broadway Avenue, west of Nurrenbern and he would report he had someone out there briefly, but did not spot the problem, however, he told Tom to make another trip out there and check it out.

Maryland Street Bridge: Mr. Guillaum asked the Commissioners if they have come to a decision on Maryland Street bridge, that is it going to be replaced and should he go ahead and authorize repairs to the underneath that was discussed a couple of weeks ago.

Commissioner Willner said he spoke with Mr. Dan Hartman in regards to this bridge and was told the plans are 95% done and would be completed for next week's meeting, which is a night meeting, therefore, he would respectfully request another week's deferment on this, that Mr. Hartman can forward to the Commissioners, but not to the general public, what he thinks this would cost to replace.

President Borries said also he would like to make contact with EUTS and also the City's Board of Works, since this involves a city street also, and get their opinion on the matter.

Commissioner Cox said she understands we are going to go through an entire bridge inspection all over the county, so we could wait until we get the results in on the actual inspection of this bridge and see if it can be allowed to be used for passenger cars and pick-ups as a commuter street, rather than to close it or replace the bridge, that there may be other options available to us as a result of this inspection.

Mr. Guillaum said since we have had the problem with the bracing under that particular bridge, we went on and thoroughly checked the rest of it out, but as to putting it into priority with other bridges, we have not done so, but he believes it is going to be right up at the top of the list, if not at the very top.

Commissioner Cox said she believes it has to fit in with the overall master transportation plan, because transportation wise we have some other real needs in Vanderburgh County for some new bridges to be fixed, so she would like to wait until she sees the full inspection of all bridges.

Mr. Guillaum said we really should decide in the near future should we make the brace repairs under the bridge that is hanging in the creek.

Commissioner Cox said you have already informed us that this has nothing to do with the safety structure of it, that it is a stabilizing factor. Is the weight limit on the bridge still 15 ton?

Mr. Guillaum said he isn't certain what it is, that it has nothing posted on it. Again he would state that stabilizer is not critical to the point it would cause the bridge to fall through but nevertheless he would believe it would be to everyone's advantage to have any problems we know of taken care of. He's not talking about tomorrow, but we know the problem is there and we should consider doing something about it.

Commissioner Cox said also Mr. Willner has brought up the fact that he did not want to spend money on the bridge for additional repairs if we are going to replace it. She understands the inspection report will be ready sometime early next summer.

President Borries said the Surveyor's office has already completed the inspection of the Maryland Street bridge, is this correct and Mr. Guillaum said yes, however, it is not on the SI & A Sheet officially.

President Borries asked how old the bridge is and Mr. Guillaum said he believes it was constructed in 1934, but it has not held up nearly as well as the First Avenue Bridge, which was built in 1933, however, it isn't as large either. The drainage on the Maryland Street bridge hasn't been too good either.

President Borries directed a statement to Mr. David Gerard, who was in the audience, that he would like to meet with him in regards to the traffic flow along there because he believes the previous statistics would still be relevant and he would also try to contact John Vezzoso and try to find out what they see from the city's standpoint.

Claim for Accu-Air Surveys, Inc. Mr. Guillaum said several months ago the City Engineer came before the Commissioners and informed them of the advantages of an aerial fly-over and that the city was going to have this done in portions of the city of Evansville and at that time we also needed some areas flown and it would be cheaper to go in with the city and have it all done at one time. We have now received a bill for that service, which is as follows:

St. Joseph Avenue--7 sheets @$50.00	$385.00
North Green River Road --25 sheets @$55.00	1,375.00
Total Amount Due	$1,760.00

Mr. Guillaum said the overall bill was for $3700.00, however, the county's portion is only $1,760.00.

Commissioner Willner said he believes this could be paid from the Local Roads and Streets funds and he would move it be approved to be placed on the December Council Call. Commissioner Cox seconded the motion. So ordered.

Mr. Andy Easley said he would check the R&S funds and see if there are funds available to cover this.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Sight Obstruction on Millersburg Road Report: Mr. Easley said concerning the sight obstruction on Millersburg Road that Mr. Willner wanted him to check out and report back on, he contacted Mr. Ken Peters of Indiana Bell and he informed us that box has been there almost six (6) months.

Commissioner Willner said maybe four (4) months.

Mr. Easley said the box is on a private easement and he told Mr. Peters there have been objections to the sight distance and he said he recalls hearing something from the Sheriff on this also. In checking the design criteria it is, according to Indiana Bell's sketches, and he has not measured it, from the center of Green River Road to the west edge of the box, it is thirty five (35) feet. When you are at the intersection you should have ten (10) feet between the box and the pavement edge, so it does fit that criteria, however, they did say they would see what they could do to improve it and will let us know, but he said it would probably cost them several thousands dollars to re-orient it, but they could not move it to the east without a great expenditure.

Commissioner Willner said they could go up or down and Mr. Easley replied that was also discussed and will be considered.

Request to Study the Speed Limit on Bromm Road: Mr. Easley reported that Commissioner Willner requested a speed limit study be done to Bromm Road and he spoke with David Savage in getting this started and was told it would take about a week and he would submit the report as soon as possible.

Problem in Brookshire Estates: Commissioner Cox asked Mr. Easley if a Mr. Tubbs had contacted him concerning a problem in Brookshire Estates, that she does not believe the streets are county accepted for maintenance, but their concern is that there are no STOP signs where you go out of the subdivision onto a main street, such as Washington Avenue or Burkhardt Road, etc. and their subdivision association has purchased the signs but they wanted some advice on where to install them.

Mr. Miller, County Attorney said he believes Brookshire opens onto Newburgh Road and the State Highway Department will have to be contacted in regards to that. It will also open onto Lincoln Avenue.

Mr. Easley said the message to contact Mr. Tubb is on his desk but he was unable to reach him, however, he will continue to try to contact him this week.

RE: APPRAISER AND BUYER TO BE NAMED FOR THE BURKHARDT ROAD PROJECT

President Borries said they need an appraiser and a buyer for the Burkhardt r/w grants. Commissioner Willner moved Citizens Realty be appointed as the buyer and that Mr. Victor Funke be appointed as the Appraiser. Commissioner Cox seconded the motion. So ordered.

RE: MEMO CONCERNING GARNISHMENT ORDERS, FROM THE COUNTY AUDITOR'S OFFICE

Received from the County Auditor's office was the following note concerning the collecting of fees for garnishment orders.

When a judge issues a garnishment order, he is required to increase the amount owed by the employee by an amount equal to one-half of the employer's fee. If the employee has a $100 judgment debt, the employer can collect the greater of $8.00 or 2% of $100 ($2.00), or $8.00. The garnishment order will be in the amount of $104. In that way, the employee pays one-half of the fee.

The employer collects the other half of the fee out of the amount of the judgment debt. The employer will take $4.00 out of the $100 judgment debt; the creditor receives $96 instead of $100. In that way, the creditor pays one-half of the fee.

An employer can collect only one fee per judgment debt. An employer can, however, collect a fee for each judgment debt of the employee. Therefore, if a series of garnishment orders stems from the same judgment debt, the employer may not collect a fee for everyone of those orders. If an employer receives a garnishment order, which does not include an amount for a garnishment fee, the employer should seek legal advice and should notify the court that the order omitted the fee.

Memo Continued:

The employer can collect the fee in equal portions spread over the number of pay periods for which there is an order requiring deductions. Each equal portion, except for the final one, must exceed $1.00 per portion. An employer can choose to collect the whole fee at one time. Presumably, if the garnishment order extends over a length of time which would prevent the employer from collecting at least $1.00 per pay period, he must collect the whole fee at one time.

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Commissioner Willner said does this need any action by this Board.

Mr. Miller said he believes the Commissioners need to acknowledge that it is the policy of the county to charge the collection fees in regards to garnishments.

Commissioner Willner moved this acknowledgment be made and that we adopt this collection as county policy.

Commissioner Cox said when she was County Clerk, she collected a $3.00 garnishee fee and that did not cover anywhere near the paper work that had to be done and that money was put into the County General Fund, and this letter tells us that there are additional fees that can be collected, therefore she would second the motion. So ordered.

RE: MONTHLY REPORT FROM ALEXANDER AMBULANCE SERVICE

Received and filed was the monthly report from Alexander Ambulance Service, for the month ending October 31, 1983.

Mr. Miller requested a copy of this monthly report be mailed to him tomorrow for his review and he would like to set up a meeting with Alexander, that we need to discuss next year's services, plus what is being done about all the accounts receivable.

RE: QUESTIONNAIRE FROM C.I.T. CORPORATION

President Borries said last week the Commissioners received a questionnaire from C.I.T. Corporation asking us to cooperate by completing and returning a questionnaire to them and included in that request was a $1.00 bill. This week we received another questionnaire with a note saying, "Oops, we sent the wrong questionnaire and here is the correct one with another $1.00 bill your time. Please ignore the previous questionnaire and complete and return in enclosed envelope."

Commissioner Willner moved we ask the Highway Department to complete the questionnaire and that the $1.00 be placed into the County General Fund. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM EVANSVILLE CABLE TV, INC. ON RATE INCREASES

Received was the following letter from Evansville Cable TV, Inc., dated November 9, 1983 and directed to the Board of County Commissioners.

This is to advise that we have written to the City Council, City of Evansville, stating that we are requesting to raise our rates for basic and additional cable TV outlets effective January 1, 1984.

We are asking to raise our rates 50¢ for the first drop going into the home and 25¢ for each additional outlet going into home, per month.

This is to advise the County Commissioners that we will be raising our rates for our basic service effective January 1, 1984. It has been over two years since Evansville Cable has raised its rates for the basic service and it will be the first time in our four and one-half years of activation that we have raised our additional outlet rate.

Enclosed you will find two copies of our Financial Summary prepared by the General Electric Cablevision corporate office in Schenectady, New York. As indicated in the summary, Evansville Cable TV, Inc. had an operating loss of $440,000 year end 1982 and is projected by year end 1983 to have an operating loss of $69,000. Losses are due to operations and are cumulative until such time as Evansville Cable will reach a profit margin which will start offsetting the prior cumulative operating losses. It is projected by year end, the total comulative investment in plant and equipment will be $13,203,000.00.

Letter Continues:

In addition to our investment and losses, like all businesses, Evansville Cable TV, Inc. has experienced increases in costs of operation. Following are some of the areas in which increased costs have been incurred during the last two years.

	Percent of Increases
Wages and Employee Benefits	20
Depreciation	17
Taxes and Insurance	58
Utilities	41
All Other Expenses	39

Since November 1980, when we were activated in the county, Evansville Cable TV, has paid the following amounts to the County Commissioners

1981	$19,557.40
1982	25,007.53
Total	$44,564.93

We at Evansville Cable are happy to say that we estimate to pay the County Commissioners for the calendar year of 1983 between $28,687-$29,000.

By way of programming, Evansville Cable has introduced new services each year since our activation and look forward to 1984 when we will introduce the new Sports Time Channel out of St. Louis in April. As we introduce new services, the County Commissioners benefit because we do pay a franchise fee on these new services. We have invested in advanced technological equipment that enables us to bring additional services to Evansville Cabel TV. We now have the Oak addressable converters that ties back to an in-house computer. This type of service and converter will eventually put us in the area of Pay-For-View programming which we look forward to in the near future, that will also generate extra revenues for the County Commissioners.

Evansville Cable TV would like to thank the County Commissioners for permitting it to bring Cable TV service to the subscribers. We look forward to a continued growth and a very good relationship with the County Commissioners and officials.

If you have any questions, please feel free to call me.

Best regards,
Robert D. Ossenberg
Vice President and
General Manager

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Letter received and filed.

RE: COMMENT CONCERNING THE DONATION OF LIME TO THE COUNTY

President Borries said a couple of weeks ago we had an offer from a gentleman who wanted to donate lime to the county and Mr. Willner was checking out the aspects of this.

Commissioner Willner stated at this time he wishes to report progress and no solution on the matter. He said the city also has a lot of sludge they are trying to dispose of from the secondary sewage plant and we are wondering if that can be mixed and used. Our County Agent is presently working on this and will report back.

RE: CERTIFICATE OF INSURANCE

Ordered received and filed was a certificate of insurance for the Infra Fraternity, from ISUE for a one day dinner dance at the Auditorium on November 11, 1983.

RE: REQUEST FOR COUNTY COMMISSIONERS TO GO ON DECEMBER COUNCIL CALL

President Borries read the following list of items that should be placed on the December County Council Call for their consideration.

Commissioner Willner said Mark Tuley also asks permission to to before the council with a transfer of funds.

130-305...Patient and Inmate Care (From last month)	$108,694.92
130-306...Soldiers Burial	$ 3,980.00
130-327...Change of Venue (From last month)	$136,215.76
130-329...School Transfer Tuition	$ 4,917.33
130-361...Legal Services	$ 4,300.96
130-375...Purchasing Department	$ 961.90
130-385...Building Inspection	$ 2,952.85

President Borries said he does not understand the $961.90 for the Purchasing Department and the $2,952.85 for the Building Inspection, that these are the county's portion of the joint departments and should have been allowed at budget time.

Chief Deputy Auditor Pat Tuley said in looking through his budget book the Council did not allow the full amount requested for these departments at budget time, therefore, these are probably the amounts owed to make up the difference.

President Borries also read aloud the following letter from Metropolitan School District of Pike Township, in regards to the School Transfer Tuition. The letter was received by Gloria Evans, employee of the County Auditor.

Dear Mrs. Evans:

Enclosed is the billing for Joan Steele and Gina Huth who were transfer students from Vanderburgh County for the 1982-1983 school year.

The Metropolitan School District of Pike Township has not received payment in the amount of $4,345.02 for Joan Steele and Gina Huth for the 1981-1982 school year. This payment has been promised several times but never received. Pike Township schools have been expending money for the last two years to educate these children but is receiving nothing in exchange. We have been very patient with your situation.

If payment in full for 1981-1983 is not made by January 1984 legal action will be pursued and the Metropolitan School District of Pike Township will no longer accept transfer students from Vanderburgh County unless a payment plan has been satisfactorily agreed upon in advance.

Please contact me if you need additional information.

Very truly yours,
Donn P. Martin
Assistant Superintendent

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Letter received and filed.

Commissioner Willner moved the list of items read by President Borries be placed on the Council Call for December. Commissioner Cox seconded the motion. So ordered.

SCHEDULED MEETINGS

President Borries reported that Mr. Jim Lindenschmidt has been meeting in sort of a continual session with members of the School Corporation, the City and the Building Authority in coordinating our confusing situation with our phone system.

Commissioner Cox said she received communications from Indiana Bell, explaining what is going to happen on January 1, 1984 and the brochure is excellent, that it is the first thing she has read from them that she can truly understand, as a consumer.

President Borries said Mr. Lindenschmidt has also attended meetings with Indiana Bell, that they are one of several companies that have submitted proposals to the different units involved, including us.

RE: CLAIMS

A claim was submitted for David L. Jones for legal services in the amount of $3,385.96. Itemized statement showing the tenth of the hour was attached, as was a note informing the commissioners that this amount has already been submitted for the December Council Call.

Commissioner Willner moved the claim be approved, subject to funds being approved by Council. Commissioner Cox seconded the motion.

Claims Continued:

A claim was submitted for Ashby-Rauscher Agency, Inc. for the Bond to State of Indiana for Helen Kuebler as Clerk of Circuit Court, in the amount of $88.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

EMPLOYMENT CHANGES....APPOINTMENTS

CLERK OF CIRCUIT AND SUPERIOR COURT

Dorothy Cole	521 S. Congress	Deputy Clerk	$394.61	Eff: 11-7-83

VOTERS REGISTRATION

Beverly Abell	3417 Austin	P/T Clerk	3 X $30.00 Day	Eff: 11-8-83
Lucille Musgrave	4304 Pennington	P/T Clerk	3 X $30.00 Day	Eff: 11-8-83
Gloria Evans	1369 E. Chandler	P/T Clerk	3 X $30.00 Day	Eff: 11-8-83
Jeffrey Evans	1369 E. Chandler	P/T Clerk	$30.00 Day	Eff: 11-8-83
Jean S. Mehrle	6715 Arcadian Hwy	P/T Clerk	3 X $30.00 Day	Eff: 11-8-83
Paul A. Gregory	1111 Welworth	P/T Clerk	$30.00 Day	Eff: 11-8-83
Gail T. Pennington	1209 S. Lombard	P/T Clerk	3 X $30.00 Day	Eff: 11-8-83

RE: EMPLOYMENT CHANGES....RELEASES

Casey Rendolph, Sr.	R.R.5 Box 136	Bal. Assem.	$3.75 Hour	Eff: 10-28-83

VOTERS REGISTRATION

Beverly Jones		P/T Clerk	$30.00 Day	Eff: 10-21-83

CLERK OF CIRCUIT AND SUPERIOR COURTS

Regina Casey	1722 E. Columbia	Deputy Clerk	$394.61	Eff: 11-7-83

RE: REQUEST TO TRAVEL- COUNTY AUDITOR

Mr. Tuley said County Auditor Alice McBride is requesting travel to Indianapolis, this Friday, November 18, 1983, for the State Hearing on the budget appeals.

Commissioner Willner moved the request be granted. Commissioner Cox seconded the motion. So ordered.

There being no further business, President Borries declared the meeting recessed at 3:50 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Chief Deputy Auditor)	David Miller
SECRETARY:	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 21, 1983

The meeting of the County Commissioners was held on Monday, November 21, 1983, at 7:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

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

RE: REZONING PETITION VC-10-83...FIRST READING

Petitioner: Hardee Glisson, Jr. 2220 First Avenue, Evansville, Indiana
Owner of Record: Robert Hornbrook, 225 LaDonna Boulevard, Evansville, Indiana

Premises affected are situated on the west side of St. Joseph Avenue, a distance of 400 feet south of the corner formed by the intersection of Lexington Avenue and North St. Joseph Avenue. The common address is 3820 N. St. Joseph Avenue and the above described real estate is presently zoned Ag and the requested change is to M-1. The present existing land use is vacant and the proposed land use is a salvage yard.

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

Commissioner Willner moved VC-10-83 be approved on first reading and referred to the Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: SPECIAL USE PERMIT 29-83-APC...THIRD READING

Applicant: Gloria J. Falcone

President Borries said this special use permit request has been withdrawn at this time.

RE: SPECIAL USE PERMIT 33-83-APC...THIRD READING

Applicant: Indiana State University, 8600 University Blvd.

President Borries stated this special use request is for a 300 foot guyed tower with AM grounding radiation system, and the Area Plan Commission staff field report states Special Use #15 includes utility installation, with electric power and steam generating plants and radio and television towers. By this special use request, Indiana University wishes to bring their tower for station WSWI into compliance with the Vanderburgh County Code. This request was approved by the Area Plan Commission with ten (10) affirmative votes.

Mr. John Klingelhoefer, Superintendent of the Physical Plant at ISUE, was present and stated he has nothing to comment on, however, he would be happy to answer any questions anyone might have....there were no questions asked of him.

President Borries asked if there were any remonstrators....there were none.

Commissioner Willner moved Special Use Permit 33-83-APC be approved on third and final reading. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 39-83-APC...FIRST READING

Applicant: Hardee Glisson, Jr.

President Borries said this special use was omitted from tonight's agenda, however, it is in connection with the rezoning request that was before us earlier tonight, for Hardee Glisson, Jr.

Commissioner Willner said this special use permit will not be necessary if the rezoning is denied.

President Borries said this is correct, however, he believes they should both be introduced at the same time.

Commissioner Willner said he certainly wants to be able to vote on the rezoning before he votes on the special use.

Ms. Beverly Behme of the Area Plan Commission office was present and stated this is first reading on both the rezoning and special use here tonight, then they will go to Area Plan for their consideration and then back to this Board for third reading in December and at that time you will first vote on the rezoning and if that is denied then you would not even consider the special use because they must go together.

Commissioner Willner moved special use permit 39-83-APC be approved on first reading and referred to the Area Plan Commission. Commissioner Cox seconded the motion. So ordered.

RE: VANDERBURGH COUNTY AUDITORIUM.....KIM BITZ

Mr. Bitz said he has only a couple of brief statements to make, one being that the gas bill, for the month of October, was a mere $554.00, which was down from June and July some $20,000.00, so the Carrier Corp. and Mother Nature is helping us out.

He would also like to report they have taken the first steps, as far as the task force recommendations, and there will be an inspection of the stage rigging equipment, beginning the week of the 19th. of December.

President Borries said in regards to the sound problems at the Auditorium, he understands some initial work has started and Mr. Bitz replied when they first started gathering the preliminary estimates on what it would take to fix certain areas, one of the things we did, with the task force, was to bring in sound experts and they made recommendations on the sound alone, and they say they will have a report to us before Christmas.

RE: DAVID JONES....COUNTY ATTORNEY

University Heights Subdivision and Waste Water Treatment Plant: Mr. Jones said he believes he has provided each of the Commissioners a copy of his letter concerning the University Heights Subdivision and the waste water treatment facility and referencing the letter from the Engineer of the State Department of Health about the prospects of the county operating that facility at such time as the deed reverts to the county for failure of anyone bidding it through tax sale. After inquiries both to the Public Service Commission and the State Department of Health, it appears that after the original owner of that facility went defunct by bankruptcy, or whatever means of going defunct, then a group of homeowners started operating the facility and self styled themselves, University Heights Utility Corporation, without ever filing any Corporate papers. It also appears to have been the idea of one of these engineers in Indianapolis, that the county would make a good candidate to operate the facility and hence the letter inviting us to step in and fill out the application. When pursued, they could not point to any authority why the county must, or should, otherwise operate it, so we then prepared a letter to a Mr. McConville, who is President of this organization that basically says that, in accordance with the telephone conversation today, it is his understanding that the homeowners association in the University Heights Subdivision is now exploring the possibility of a hook-up to the sewage system of the City of Evansville and that during this interim period the association will continue to operate the waste water treatment plant in University Heights Subdivision. It is also his understanding that they are in contact with the State Board of Health concerning the continued operation of this plant by the homeowners association. We then forwarded that permit application to Mr. McConville for him to fill out, copied that letter back to the Public Service Commission and the State Department of Health. He did suggest that at the appropriate time they get their permit and we get the deed that we might want to convey the property back to the homeowners and have them rightfully assume the paying of the taxes which might be coming due on that property.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of November 14 thru 18, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report for the period of November 14 thru 18, 1983, with the following work schedule attached. Both were ordered received and filed.

Gradall: Telephone Road, Wedeking Avenue and Pruitt Road
Paved: Seminary Road (Not finished)
Patch: Mesker Park Drive, Allen Lane and St. Joe Avenue
Trash: Green River Road, River Road, Lynn Road and South Weinbach
Grader: Denzer Road, County Line East, Young Road, Old Henderson Road, Golden Rule, Schissler Road, Shore Road, River Road,Motz Road and Motz Lane.

Road Acceptance in Valley View Subdivision: President Borries said since Mr. Easley could not be present tonight he has one item of business concerning the acceptance of roads in the Valley View Subdivision that he would like to discuss at this time. He read aloud the following recommendation from Mr. Easley, dated November 17, 1983 and directed to the County Commissioners.

Dear Mr. Borries:

On November 16, 1983, Mr. Bill Bethel and the undersigned made an inspection of the street improvements in subject subdivision to view the completed repairs and improvements that have been made as recommended by the County Engineer's letter dated September 6, 1983.

The inspection team was in agreement that the repairs and improvements have been completed or made in accordance with the recommendations contained in the letter dated September 6, 1983.

It is recommended that the street and storm drainage improvements in this subdivision be accepted for maintenance.

If you have any questions, please contact the undersigned.

Sincerely,
R. Andrew Easley, Jr.
County Highway Engineer

cc: Mr. Bill Bethel, County Highway
Mr. Gary A Burk, Spokesperson for Valley View Subdivision

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Mr. Bethel said they did a really good job on the streets in the subject subdivision and he would see no reason whatsoever why the county should not accept them for county maintenance.

Commissioner Cox said she would like to know the names of those streets to be accepted, that she does not question the condition of them, but she hates to approve something of a blanket coverage, without knowing exactly what is accepted.

Mr. Bethel said he can get the Commissioners the names.

Commissioner Willner said we also need to know the exact footage and Mr. Easley will have to provide that information.

The matter of accepting the streets was deferred for one (1) week, so that the proper data concerning these streets could be submitted at the time of acceptance.

Mr. Jim Lindenschmidt said he believes the streets involved are Montview, Shady Valley and Honeysuckle Lane.

RE: OFFICE LEASE AGREEMENT WITH CHICK SHIVELY TO BE APPROVED

President Borries said a few weeks ago the Commissioners received an agreement from Chick Shively for the office lease agreement between the County and Shively for the lease of the Shively Building at 615 Main Street, for a portion of the Prosecutor's department and at that time we referred it to the Prosecutor for his review and approval. We have before us tonight the agreements with the following letter from Mr. Robert J. Pigman, Prosecutor.

Gentlemen and Mrs. Cox,

I am enclosing the Office Lease Ageement between the County and Ronald Shively for the office space on the first and second floors in the Shively Building located

at 615 Main Street on the Walkway.

This agreement does meet with my approval, as I find no changes in wordage or rent amounts. Please return a copy of the signed Lease for 1984 to me for my filed.

Sincerely,
Robert J. Pigman
Prosecuting Attorney

****

Commissioner Willner moved the agreement be approved and signed. Commissioner Cox seconded the motion. So ordered.

RE: REQUESTS TO TRAVEL - PERRY, PIGEON AND CENTER ASSESSORS AND THE COUNTY AUDITOR

President Borries said the following letters requesting travel were received for the Commissioners consideration.

November 16, 1983

Dear Commissioners:

I respectfully request your permission for myself and Chief Deputy, Glen Koob, to attend the State Board of Tax Commissioners Annual Assessors' conference. The conference will be held in Indianapolis, Indiana, on January 25, 26 and 27, 1984.

The State Board of Tax Commissioners will certify per diem and mileage.

Harry A. Tornatta
Perry Township Assessor

****

November 16, 1983

Gentlemen:

I, Robert T. Dorsey, Pigeon Township Assessor request permission and approval for myself and two deputies to attend the Annual Assessors Conference on January 25, 26 and 27, 1984 and to be reimbursed for expenses for same as set out by the State Board of Tax Commissioners. See enclosed copy.

Robert T. Dorsey
Pigeon Township Assessor

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November 21, 1983

County Commissioners:

In accordance with your ruling on travel expense, I am requesting permission for myself and two deputies to attend the Annual Assessor's Conference.

The Conference this year is to be held in Indianapolis on January 24, 25 and 26, of 1984.

I am requesting you pay Assessor and two deputies per diem of $21.00 actual lodging expense for each night preceding the date of attendance (not to exceed $40.00 per night) and a mileage allowance of .23¢ per mile, necessarily traveling in going to and from the meetings.

Attached you will find a copy of the letter from the State Tax Board.

Alvin E. Stucki
Center Township Assessor

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President Borries said the three (3) requests from the Assessors all seem to be proper except the dates on Mr. Stucki's letter do not seem to be correct, that the state attached memorandum says the meetings are on the 25, 26 and 27th, which are the same dates that the other two (2) assessors show in their letters.

Commissioner Willner moved the travel be approved for Perry, Pigeon and Center Assessors. Commissioner Cox seconded the motion. So ordered.

The following letter requesting travel was submitted by the County Auditor.

Dear Commissioners:

Four members of the Vanderburgh County Council, along with the County Auditor are requesting permission to attend the Association of Indiana Counties meetings on November 27, 28 and 29.

The request is for travel, lodging, meals and registration.

Yours truly,
Alice McBride, Auditor
Vanderburgh County, Indiana

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Commissioner Cox said the request from the Auditor does not involve a state mandated meeting, in fact, the Commissioners even received notice of this meeting, as did all other County officials.

President Borries said this meeting is in-state and he will be unable to attend, therefore he would like to see some representation their, that it looks like items to be discussed would be of great value to our county.

Commissioner Cox asked if Mrs. McBride has any money at all that she could transfer to cover these charges, because the Commissioners have depleted their travel funds and since this is not a state mandated meeting she does not think it can be paid from unappropriated funds.

President Borries said all the travel money was put into the Commissioners budget and right now he is not sure how much, if any, is left, and also whether we were granted additional monies for travel, or not.

Commissioner Willner moved the request be granted, subject to available funds. Commissioner Cox seconded the motion. So ordered.

RE: MONTHLY REPORT OF THE CLERK OF THE CIRCUIT COURT

Recieved and filed was the monthly report of the Clerk of the Circuit Court, for the month ending October 31, 1983.

RE: HOLIDAY CLOSING FOR THANKSGIVING

President Borries reported all county offices will be closed on November 24th and 25th for the Thanksgiving Holiday.

RE: CLAIMS

A claim was submitted for Accu-Air Surveys, Inc. for aerial mylars of St. Joseph Avenue and for North Green River Road, in the amount of $1,760.00.

President Borries said this claim was approved last week.

Ms. Meeks informed the Board that Mr. Easley submitted it again only for the change in the account number that it is to be paid from.

Commissioner Willner moved it be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted for Mike Volkman Insurance Agency for the County Surveyor's Bond, in the amount of $30.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion.

RE: MEETINGS SCHEDULED

President Borries said he knows of no meetings scheduled at this time however, there have been a series of on-going meetings that our Executive Assistant Mr. Lindenschmidt has attended, in regards to our phone system, and we are continuing to move on this.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

PROSECUTOR

Debbie K. Wallace	816 W. Idlewild Dr.	Paralegal Sec.	$10,500.00	Eff: 11-21-83

CORONER

Allen Byers	116 S. Taft Ave.	Deputy Coroner	$118.84	Eff: 11-21-83

RE: EMPLOYMENT CHANGES....RELEASES

BURDETTE PARK

Charles Newton	1623 N. 6th. Street	Ground Crew	$6.44 Hour	Eff: 11-21-83

(Leave of absence for one (1) week - medical reasons -- he will submit letter from doctor next week)

Commissioner Cox moved the leave of absence be approved. Commissioner Willner seconded the motion. So ordered.

RE: MEETING TO BE HELD WITH TEAMSTER UNION #215

President Borries said there will soon be a meeting set up between the county and the Teamsters Union concerning wage negotiations for 1984 and he will announce it when that date and time is set.

RE: COMMENT CONCERNING MARYLAND STREET BRIDGE

Commisisoner Willner said the County Surveyor, Robert Brenner was to be present this evening, that he has the Maryland Street Bridge Plans ready for the Board's viewing and Mr. Brenner's comments, so perhaps he will come in before we recess tonight.

(Mr. Brenner did not come into the meeting, therefore further discussion of the bridge was delayed until he could attend, perhaps the next meeting of the Commissioners).

RE: COMMENTS CONCERNING LIME DONATED TO THE COUNTY

Commissioner Willner said concerning the matter of the person wanting to donate a large amount of lime to the county, after deep research into the matter he finds that lime which is a by-product has no value, therefore he would see no use for it for the county at this time, that it could be used only for fill.

Commissioner Cox said she contacted Mr. Millers' office and informed him that Audubon Raceway uses this for settlement, so he could pass that information on to his client.

There being no further business, President Borries declared the meeting recessed at 8:15 p.m.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Chief Deputy Auditor)	David Jones
SECRETARY	Janice Decker		

Richard Rick Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 28, 1983

The meeting of the County Commissioners was held on Monday, November 28, 1983, at 2:30 p.m., in the Commissioners Hearing Room with President Borries presiding.

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

RE: POOR RELIEF....KNIGHT TOWNSHIP

Applicant: George Graham, 2611 North Kentucky Avenue, Evansville, Indiana
Case Worker: Emma Marie West

Mr. Graham was present and stated he understands the guidelines of the Knight Township Trustee's office for him is $350.00 per month income and he is presently receiving $353.00 per month. He is requesting the Trustee pay his utility bill, in the amount of $333.00, which is for a three (3) month period. Physically he is unable to work and he has a doctors statement to that effect. He had some unfortunate setbacks during the months of June, July and August and things really got out of hand for him, and he has no one living here that could have handled his affairs for him. At this time he is asking the Commissioners to waive, if possible, the extra $3.00 per month he receives, which makes him unable to qualify for help from the Trustee. He said he has been able to raise $130.00 toward his utility bill and the Catholic Charities have told him they will also pay $50.00 toward it, therefore all he needs paid is the difference between the $333.00 total bill and the $180.00 he will have.

Commissioner Cox asked Mr. Graham if he has contacted the SAFE and GAP programs and he replied yes, he has been to every available service in the city of Evansville, but he was informed those two programs do not go into effect until the first of the year, however, he has already signed up for them, so he is on the list when they become available.
Commissioner Cox asked how long Mr. Graham has been disabled and he replied approximately three (3) years, that he receives $62.00 per month through the Veterans Administration and the remaining $291.00 is Social Security.

Commissioner Willner asked Mr. Graham if he is receiving food stamps and he replied no, he has not been able to get to that office because of the hot weather this summer, that he simply cannot do very much walking.

Commissioner Willner said you are asking us to change the Trustee's standard of eligibility by $3.00, however, we do not set their standards and guidelines and we do not have the power to change them. He is sorry Mr. Graham misses this by less than $4.00, however, there is nothing the Commissioners can do to change that. He does feel Mr. Graham should be on food stamps which will free up some of his social security to pay other things.

Mr. Graham said he has a shut-off notice, effective at 5:00 p.m. today.

Commissioner Willner suggested that the Trustee take Mr. Graham directly to the food stamp office from here and get that procedure started.

President Borries said he feels if Mr. Graham would contact the utility company and explain his situation and pay the $180.00 toward the bill and make arrangements to pay the remainder at so much per week, or month, he is sure the company would not shut-off the utilities, but as Mr. Willner stressed earlier, the Commissioners do not have the power to change those guidelines. He would also recommend Mr. Graham sign up for food stamps, and perhaps he could check on disability social security also.

Mr. Graham said the Social Security personnel informed him he does not qualify for disability, because he did not work long enough.

Commissioner Willner said if Mr. Graham is not physically able to stand and wait in the food stamp line that he can give the Trustee power of attorney and he can do it for him.

Ms. West, representating the Knight Township Trustee's office was present and stated Mr. Graham made application with them on November 15th and at that time he stated there were three (3) people living in his household and that his total monthly income was

$353.00. He also stated he was not on food stamps at that time. His application also states he has HBO in his home and by their standards, they do not allow HBO, that they consider that a luxury.
She said their office has talked to Mr. Carl Wallace in the Veterans Administration office and he informed us that perhaps Mr. Graham would be entitled to more benefits. A figure he gave us, and we would not hold Mr. Wallace to this, is an additional $290.00, so along with checking on food stamps, perhaps Mr. Graham could visit with Mr. Wallace. The reason Mr. Graham received a denial was because of the HBO in his home and his income level.

Mr. Graham said he would be happy to talk with Mr. Wallace, however, they work together with the Social Security office and if his VA check should increase then his social security would decrease and it would all balance out about the same anyway.

The case was referred back to the Trustee's office who agreed to work with Mr. Graham.

RE: POOR RELIEF....PIGEON TOWNSHIP TRUSTEE

Applicant: Katherine Sickman
Case Worker: Mrs. Dorathea MacGregor, Pigeon Trustee

Ms. Sickman was not present, nor was anyone else, to speak in her behalf.

Mrs. MacGregor was present and stated she sends out forms to people requesting book rental through her office and a person has twenty one (21) days to come into her office and get a purchase order for their school books. We know who qualifies because they are on income set up by the School Corporation. This case involved school books also, that Ms. Sickman was given twenty five (25) days to come into her office and she did not do so, that she said she forgot to, therefore she was sent a denial, along with a copy of the law allowing her the right to appeal before the Commissioners, and she is not here today either. This is going to come up many times and she would like to know the Commissioners feelings on it.

President Borries said if the Trustee followed the rule and procedures set forth by the Trustees then he feels it was done correctly and there is no room for an appeal, short of the fact that there could be some emergency reason they do not come in within the time allowed them and that should be taken into consideration.

Commissioner Willner asked if these forms are sent registered mail and Mrs. MacGregor replied no, regular mail, but those that are not delivered come back to us.

RE: COUNTY SURVEYOR....BOB BRENNER

Weekly Bridge and Guardrail Report: Mr. Brenner submitted the bridge and guardrail report for the periods of November 14 thru 18, 1983 and for November 21 thru 25, 1983. Reports received and filed.

Discussion of Various Bridges to be Repaired or Replaced: Mr. Brenner said he would like to take this time to discuss various bridges with the Commissioners, that he has several on his list and he would like to report on them and give his recommendation, as the County Surveyor.
The two bridges, one (1) on Kansas Road and one (1) on County Line Road are in dire need of repairs. The stringers broke under the one on County Line. We have been waiting on these because we did not know where I-164 was going to run through and it appears Kansas is going to dead-end, so there really isn't much need for that bridge and with Kansas Road dead-ending, then the one on County Line could run into Warrick County. It would be his recommendation that we close #80....Kansas Road structure and also #81... County Line, East, that he would not put another penny into them. We went through this before about County Line East and the School Corporation was not happy about closing it but it's going to happen to them anyway. There are three (3) houses on County Line East and it is his recommendation we close that one immediately, however, he would like for each of the Commissioners to go out and look at it and get their own opinion. The Highway Inspector was under the bridge and found where the stringer was broke. We made repairs to this bridge a year ago and it is going fast and it is unsafe. Even the school bus driver brought it to our attention that it is unsafe and a school bus would be something we should not let cross it. This is a wooden bridge with steel truss and a wooden floor.

Commissioner Cox asked what is causing the rapid deterioration of the bridge and Mr. Brenner said it is just so old, that we have repaired it twice and we are merely fooling ourselves if we keep repairing it. We should probably notify Warrick County about this also, since it in on the county line.

Commissioner Willner said he would agree on closing County Line, but we will have to keep Kansas open.

Mr. Brenner said yes, for the time being, and it is in decent shape.

Commissioner Willner said it looks to him like we will not be able to close the one on Kansas Road, because there is no other way to get back to certain pieces of property, which he pointed out on the map to Mr. Brenner. Mr. Brenner said perhaps we can abandon it to the gentleman that owns the land out there and Mr. Willner said that is possible. Mr. Brenner said County Line East is #81 and is 62' in length.

Mr. Brenner said continuing in this same area there are a couple more interesting ones, that there is Heckel, which is a 151' bridge that serves three (3) or four (4) houses. Heckel Bridge is #76 and the whole southwest corner of it is sheared off, that is, the support is. He had Dan Hartman to go out and look at it and he believes we can get through one (1) more winter with it, with a 10 ton limit placed on it and also putting a gauge on it to see if it is moving anymore, but he sees no way we can get rid of this one, that it is ours and there would be no other way for those people to get to and from their homes.

Mr. Brenner said there is another bridge on Millersburg that crosses the Blue Grass Creek, which is 62' in length and there is a right angle turn coming onto the bridge and he proposes to straighten the turn on the east end of the bridge and that he believes that work should be done before construction of I-164 along the county line makes dead-ends of several east-west roads and increases traffic on Millersburg. He would estimate $100,000.00 to replace this bridge and would like to be put on the Council Call in January to get the monies appropriated. The bridge is currently about 18' wide and it will be widened to about 26', but will still be only two (2) lanes. He pointed out on the map another bridge on Millersburg Road that has already been replaced and stated it is growing pretty rapidly out in that area.

Mr. Brenner said in the same area, on Old Mount Vernon Road, about two-tenths of a mile east of Schutte Road we have another bridge that needs to be replaced and he would estimate that one to run about $40,000.00. This structure is about 30' in length.

Mr. Brenner said on County Line West, there are two (2) bridges that need replacing, those being #167 and #168, but we need to work with Posey County on these two, that they should be 50-50%. He said #166, which is in the same area is a decent bridge, but it needs repairing.

Commissioner Willner said he isn't sure if Posey County has a bridge fund or not.

Mr. Brenner said in regards to the Maryland Street Bridge, it is 256' in length and the structure is in dire need of repair and he believes spending thousands of dollars on it would not do much good, that his recommendation is to replace it, that it would be a two lane grade level bridge. We have problems with the Department of Natural Resources, as we expected, and he would like permission to travel to Indianapolis and discuss it with them. He said there was $800,000.00 approved for Maryland Street at budget time and he would estimate it can be replaced for about $600,000.00, if the corps does not require an elevated bridge over the railroad crossing at the west end of the present structure. At the same time Mr. Brenner said he would like to repeal some $500,000.00 back into the Bridge Fund, from the First Avenue Bridge project, that they did not use it all, as it was anticipated.

Commissioner Willner asked the current statis of the Bridge Fund and Mr. Brenner said he isn't certain and President Borries said it will total about two and a half million by the first of the year, plus about $900,000.00, that that is what the revenues are each year in that fund.

Commissioner Willner moved the Surveyor proceed with the Maryland Street Bridge replacement project.

Commissioner Cox asked if there are any more on Mr. Brenner's list before him today that we should also consider and Mr. Brenner replied yes, there is bridge #41, which is a 42' structure that leads into a farmer's field and he would recommend we abandon it to the

farmer. This is located at the dead-end of Mill Road, just west of Highway 65. He would like for the Commissioners to all go out and take a look at this one also.

President Borries asked Mr. Brenner to provide the Commissioners with a list of these bridges that the Board needs to go and look at and he said he would be happy to.

Mr. Brenner said another structure he would like to discuss would be over Pigeon Creek, on Kentucky Avenue. He said this is an old proposal, that there is a packet on this in the Board of Public Works office. He talked to the city again today and they would like to see what all it would involve. They are proposing to put a new bridge across Pigeon Creek, on Kentucky Avenue, just east of Stringtown to connect the two section, which would also relieve traffic on Stringtown, north of Diamond Avenue. We are talking about 1,250', however, that is not all bridge. The city already owns some of the right-of-way, but they will have to purchase additional ground, as will the county. He has looked at the elevations and it appears we can cross and not have any problems with the Department of Natural Resources. The bridge itself would be 250' in length.

President Borries asked if this would be a two lane structure and Mr. Brenner replied that it would. Mr. Borries asked if any federal funds would be available for this and Mr. Brenner replied he doubts it, that they have never been able to get any federal money for bridges.

Commissioner Cox said we ought to be able to get some federal funds for Maryland Street if it's in such bad shape as said and Mr. Brenner said that is not criteria, that the criteria is how bad our bridges in Vanderburgh County are, and we rank in the top two (2) or three (3), in the state.

Commissioner Cox said she feels this bridge on Kentucky Avenue is a very worthwhile project because people living on Cardinal Drive and Tulip Avenue and the residential area on the south are now bothered with a lot of traffic, both passenger and commercial type trucks and Stringtown is certainly not an ideal route, but to put the bridge over Pigeon Creek on Kentucky Avenue would provide an excellent route, and she would like to see this project go forward.

Mr. Brenner said what he is proposing at this time is to fly it, and get an aerial survey of it, then come up with some drawings and cost estimates for the Commissioners to consider. He would estimate about $5,000.00 for the flying of this area and he would like permission to request it from the council, in January.

Commissioner Cox said she wants to know what other bridges we need to do next year, that we need to do two (2) on Morgan Avenue.....when will they come?

Mr. Brenner said we only need to do one (1) on Morgan Avenue and the state is going to bill us for that one and we don't know for sure how much that will be, but if we were putting it in, he would say about $40,000.00.
Right now he would like to go before the Council and request $100,000.00 for Millersburg, $40,000.00 for Old Mt. Vernon and $5,000.00 for aerial surveys of Kentucky Avenue, and at that same time he will repeal $500,000.00 from the First Avenue project and put it back into the Bridge Fund.

Commissioner Cox said she feels like the $800,000.00 is to much for the Maryland Street Bridge, since it is essentially a low-traffic service road. She would like to keep the road open but she is hesitant to spend a year's worth of Cumulative Bridge fund money on the project, that she would rather it be repaired and used with a posted load limit and let the bulk of the traffic use the Columbia/Delaware overpass. She said Maryland Street would be a two (2) lane bridge, going nowhere, that it goes into Fulton Avenue, which dead-ends. She is wondering if this $800,000.00 couldn't be used better in another area. She said regardless of what kind of bridges we build, we must have a maintenance program in effect to keep them in good shape.

Mr. Brenner said you could easily spend $200,000.00 under that bridge.

Commissioner Cox said then how long would that last and Mr. Brenner said indefinitely, with a weight limit for passenger and pick-ups.

President Borries said we have a motion on the floor for the Maryland Street Bridge, that is, to proceed with it, and he asked if there is a second to the motion.

Commissioner Cox said she could not second it.

President Borries seconded the motion, stating the county's transportation system would not be enhanced by spending a lot of money on repairs of that bridge and in discussions he has had with some city officials, they are not inclined to close the bridge, that that would be a terrible mistake. At this time President Borries asked for a roll call vote on the motion and received the following.

Commissioner Cox...No Commissioner Willner...Yes President Borries...Yes

Motion carried.

Mr. Brenner said we might get a no elsewhere, that we almost go a no on First Avenue.

Commissioner Willner said we will also have to advertise for bids and that also might change his mind, that he made the motion to pursue the matter, not build the bridge, and if bids come in for a million dollars, he certainly would not vote yes for that, that he would change his mind and repair it.

President Borries asked for a motion to put the Surveyor on the Council Call for the following:

Millersburg Bridge #77....$100,000.00
Old Mt. Vernon Bridge #59.$ 40,000.00
Aerial Flying of Kentucky Avenue....$5,000.00

Commissioner Willner said he would like a week before doing this, that he wants to go out and view all of them.

The above items were deferred for one (1) week.

RE: COUNTY ATTORNEY....TIM HUBERT

President Borries said we have with us today Mr. Tim Hubert, who is acting County Attorney, filling in for Mr. David Miller.

Inter-governmental Agreement - Commissioners and City on Traffic Light: Mr. Hubert said he has with him today for the Commissioners consideration, an inter-governmental agreement between the County Commissioners and the City of Evansville for a traffic light located on Green River Road, at the entrances of Eastland Mall and Eastland Place and it calls for cooperation in providing the contractual services among the City of Evansville and Vanderburgh County and a third party, a private individual called Evansville Associates, who has offered to throw in $15,000.00. The agreement also states that over and above that $15,000.00, the county will bear 2/3rds of the cost and the city will bear 1/3rd of the expense. The signal will be acquired and installed by the City of Evansville who will thereafter own and maintain it. He spoke with John Stacer, who submitted the agreement for the city, because this does indicate to him it is a revised draft and Mr. Stacer said it was revised because the agreement had originally been 50-50%, over and above the $15,000.00 to come from Evansville Associates.

Commissioner's Cox and Willner both expressed concern over the 2/3rds - 1/3rd split, because they both understood it to be 50-50% also.

Commissioner Willner asked what the County Council allowed for this, from the R&S funds and Janice Decker replied it was denied by the County Council, however, it is back on for the December meeting, for the sum of $10,000.00.

Commissioner Willner said we cannot sign a contract for 2/3rds, when all we have is $10,000.00, so he would approve of whichever is the lesser ....$10,000.00 or 2/3rds. However, as it stands right now, we do not have the $10,000.00 appropriated, so it would have to be approved, subject to Council's approval of those funds.

President Borries said he would like to have tentative approval on this.

Commissioner Willner moved the Board give tentative approval of the traffic signal on Green River Road, subject to the funds being appropriated by County Council. Commissioner Cox seconded the motion. So ordered.

President Borries said the Agreement needs to be amended to read whichever is less, $10,000.00 or 2/3rds of the cost.

Mr. Hubert said he will return the Agreement to Mr. Jones and discuss the action taken today.

RE: MARK TULEY.....BURDETTE PARK

Report from Advisory Board: Mr. Tuley submitted a list of the recommendations concerning the rental rates for 1984 for the park and stated these were discussed at the November 10, 1983 meeting of the Advisory Board. Rental fees for the large rental buildings such as the Pavillion, Bishea Building, Lakeside shelter house and the Clubhouse will remain the same as it currently is. They are requesting peak-season prices for the cottages, that during the peak season of May 15 thru September 15 it would be $30.00 a day for a maximum of two people and $4.00 for each additional person. For non-peak season the rental would remain the same at $24.00 for two people and $3.00 for each additional person. The daily rental of the smaller shelter houses would be increased $5.00 per day.
Concerning the pool admission, it would stay the same at $1.50 per person with children 1 year and under---free.
In regards to the skating rink, if the county continues to operate it, should stay the same at $2.00 per person and skate rental $1.00 (All Ages).
In regards to the campground, the board recommends it increases from $3.00 to $4.00 for electricity and water, per day and they recommend the sewage, electric and water be increased from $4.00 per day to $5.50 per day.
He said they have tried to promote their campgrounds more this year, that he believes $800.00 is the most they have ever received from the camps and he would say we should have received about $4,000.00 by the end of this year.
In regards to the admission fee to the park, the Advisory Board recommends there still not be one imposed, that admission to the park remain free, at this point and time.

Commissioner Cox said the cottage rental includes all the people in the cottage having swimming and skating facilities free of additional charges

Commissioner Willner moved the fees all be approved as presented- Commissioner Cox seconded the motion. So ordered.

Commissioner Willner said he would like to commend Mr. Tuley for the work he has done and also would like for him to relay gratitude to the Advisory Board for all they have done.

The following are the recommendations from the Advisory Board pertaining to the leasing of the skating rink.

The Advisory Board examined the bid proposal submitted by David P. Austill and were unanimously in favor of rejecting the entire bid. The points they were the strongest against were as follows:

-The County shall maintain the outside of the skating facility, the parking lot, and the air conditioning system.

-The County shall provide liability protection for the Leasee by placing the Leasee as an additional protected on the County's insurance policy. The County shall maintain comparable liability insurance for the term of the lease.

-Have complete control and income from vending, pay telephone and game machines.

-Pay the County $200 per month for electric service.

The Board felt that the County's cost for the above would not be offset by the 10% Mr. Austill is offering the county from all admissions. They feel the county would still be running a deficit for the skating rink. The Advisory Board also had the following recommendations:

-The County continue to operate the skating rink themselves.

-Use the park management to oversee the operation and eliminate a skating rink manager position. (They want to strongly express that this decision was not based on the performance or management of the present rink manager. This decision was based solely on financial and economical reasons). They feel that the park management could assume those duties and save money doing so.

-Continue to evaluate any bids that are submitted.

The Advisory Board feels that the park can continue to run the skating rink under these conditions. These recommendations were discussed at the Nobember 10, 1983 meeting of the Advisory Board with all three (3) members present.

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Mr. Tuley said in regards to the insurance liability at the park, he would submit the following letter from Mr. John Hodge, of the Helfrich Insurance Agency.

October 26, 1983

Dear Mr. Tuley,

Per our discussion today, I would like to confirm some items that I feel are important for consideration in your negotiations for possible lease of the skating rink to an outside operation.

Liability insurance for an operation such as a skating rink is a hard to place line of insurance and normally involves a substantial premium. The operation of a rink requires a close working arrangement between the rink operator and his insurance company safety engineer. Without this close relationship, most insurance companies would be unwilling to provide coverage for the rink.

The Hartford Insurance Company, as a part of Vanderburgh County's Comprehensive General Liability Policy, is providing liability coverage for the skating rink operation. The company would be very hesitant to provide coverage for the rink if someone other then the county operates the facility. The possibility of the required working relationship would be destroyed, because the insured and the operator would be different people, and the insurance company would not have direct access to the operator.

If the rink is to be leased to an independent operator, I suggest that you require the operator to secure General Liability Insurance on the operation and have the County of Vanderburgh named as additional insured. The limits required should be the same as presently carried - $1,000,000.00 bodily injury and $500,000.00 property damage.

I hope that this helps you and I encourage you or the Commissioners to call me at any time if I can be of any assistance.

Very truly yours,
John D. Hodge

P.S. The County is currently paying $12.77 per $100.00 of receipts for insurance at the rink.

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Mr. Tuley said the $12.77 per $100.00 is the highest the County is paying for anything in Vanderburgh County, including our roads. He does not know how long we are locked into our liability insurance with The Hartford, but he has been told by other companies that we can get this much cheaper.

President Borries said he believes Mr. Hodge is presently studying some alternatives for us, because he is rather concerned about this rate also.

Commissioner Willner asked if the County Council has received a complete file in regards to the proposal from Mr. Austill and Mr. Tuley said he believes not. Commissioner Willner recommended that each of the seven (7) councilmembers receive such documents, that they have requested it be sent to them and Mr. Tuley said he will present each of them a packet this Thursday when he appears before them.

Mr. Tuley said also attached to the report is a copy of the House Enrolled Act No.1653, concerning local parks and recreation departments. He said this law may or may not apply to our park since we are under the Home Rule but right now the monies go into the County General Fund and we might be able to set up a special park account that would create a cash reserve for special maintenance needs and also for capital improvements at the park. He would like for the County Attorney's to research this law and get their opinion in regards to whether it would apply to us, or not.

RE: BILL BETHEL...COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of November 21 thru 25, 1983...report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the crews at the county garage for the period of November 21 thru 25, 1983...report received and filed.

Attached to the work report was the following work schedule for that same time period.

Gradall: Burkhardt and Telephone Road
Paved: Seminary Road (not finished)
Patching: Reiter Drive, Mesker Park Drive, Weiss Road, Edgewater Drive, Rosser Drive and Nurrenbern Road
Tree Crew: Old Henderson Road

Mr. Bethel said the guardrail is on order for Outer Pollack Avenue and as soon as it is delivered he will see to it that it is installed.

Commissioner Cox said she has received several phone calls in regards to the county crews working past normal working hours and she feels this is very commendable, in order to get Seminary Road paved.

RE: ANDY EASLEY.....COUNTY HIGHWAY ENGINEER

Acceptance of Three (3) Streets in Valley View Subdivision: At the Commissioners last meeting there was a request to accept certain streets in the Valley View Subdivision and the Commissioners choose to defer it until Mr. Easley could submit exact footage. Mr. Easley submitted the following written information, dated November 28, 1983 and directed to the Board of County Commissioners.

Re: Road Acceptance in Valley View Subdivision

The following is a summary of the length of the roads in Valley View Subdivision

Honeysuckle Drive	1,129 ft.
Shady Valley Drive	1,115 ft.
Montview Drive	727 ft.
Total	2,961 ft. (0.561 miles)

If any additional information is required, please contact the undersigned.

Sincerely,
R. Andy Easley, Jr.
County Highway Engineer

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Commissioner Willner moved the three (3) streets, as stated in Mr. Easley's letter be accepted for county maintenance. Commissioner Cox seconded the motion. So ordered.

Mr. Easley said he will forward this information on to the State so that we will begin to receive funds on them.

President Borries said he would also like for Mr. Easley to relay this information to the spokesperson for Valley View Subdivision and also to the School Corporation in case there are any changes they would want to make in their bus route.

Mr. Easley said he believes Mrs. Meeks has some sort of a form letter to this effect and he will check with her and see they are sent out to the proper authorities.

Contract with United Consultants on Koressel Project: Mr. Easley reported that Mr. Morley gave him a copy of a letter received from the state highway and the contract with United Consultants, on Koressel, they have requested some minor revisions on some man hours. He and Mr. Gerard will get with United and work out the revisions and report back on what they are.

Log Jam in Pigeon Creek: Mr. Easley said has the authority been given by the Board to start negotiations on clearing the log jam, weather permitting, in Pigeon Creek.

Commissioner Willner said he does not know if the fund has been set up yet or not, that on November 7th the Commissioners approved a Resolution concerning investment of public funds which instructed the Treasurer to place all interest monies earned from investment of County funds into the County General Fund except for $5,000.00, which is to be placed in the Pigeon Creek Log Jam Fund. He knows this was discussed with the Council and they agreed, but he does not know if it is set up or not, within the Commissioners budget.

Commissioner Cox said those funds will not become available until after December 31st anyway.

Mr. Easley said he will inform them they can go ahead and get their right of entry, solicit bids and the Commissioners will be in a position to authorize work after the first of the year.

Commissioner Cox said we should know a little more about the funds when Mr. Volpe gives us his monthly report the first week of December, for the month of November, and if it is $5,000.00 over and above what he anticipated he may take out the $5,000.00 and give it to us now, but we won't know that until we receive his report.

Mr. Easley said he understands the Corps is authorizing an $8,000.00 study of Pigeon Creek, in Vanderburgh County.

Street Plans for West Meadows Acres: Mr. Easley said a few weeks ago he mentioned some street plans for a culdesac off of Middle Mt. Vernon Road.

Commissioner Willner moved the design be approved, as submitted. Commissioner Cox seconded the motion. So ordered.

Burkhardt Road Project Right-of-Way: President Borries said so that everything is coordinated on the Burkhardt Road project, he would report the Commissioners have named an appraiser, they have named a right-of-way buyer and while talking to the appraiser he said he was not certain about where he would receive the information about the size of the right-of-way to be purchased along that area.

Mr. Easley said that information should come from Jim Morley and he said he would see that Mr. Funke and Mr. Hansen both receive copies of those documents. Mr. Gerard is to call both Funke and Hansen into his office and give them instructions, that they are to go by federal procedures on this matter.

Old Henderson Road Riprap: Mr. Morley has also informed us that the riprap has been completed on Old Henderson Road and Mr. Easley is to meet with a representative of the Corps and give our approval on this project.

Mr. Easley asked if we will be maintaining this from now on and Commissioner Willner said yes, because we received a permanent easement and that is the same as them deeding it to us.

Commissioner Cox said they did a beautiful job out there and she received a call from one of the farmers in that area and they are really pleased with it.

RE: CERTIFICATE OF INSURANCE

Ordered received and filed was a certificate of insurance for the Keller Crescent Social Club, Inc for a Christmas Dinner - Dance on December 17, 1983.

RE: MEMO FROM THE EVANSVILLE VANDERBURGH COUNTY BUILDING AUTHORITY

The following memo was read aloud by President Borries, dated November 23, 1983 and directed to All Elected and Appointed Officials.

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

Decorations

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

Memo Continues

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

Turn off all electrical displays at closing time.

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

Do not hang decorations, etc. from ceiling panels.

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

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

Liquor

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

We solicit your cooperation.

C.G. Ruston
General Manager

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Memo received and filed.

RE: REPORT ON A MEETING WITH BLUE CROSS/BLUE SHIELD

President Borries reported he and Jim Lindenschmidt attended a meeting with Mr. Stumpf who is a representative of Blue Cross and for the first time in many many months, in October we had a favorable experience in relation to claims, however, that is for only one (1) month and until we see what is ahead, he would recommend we wait until May before we change any rates. At this point one of the things that Blue Cross is strongly suggesting is that we use out-patient service. Other alternatives would be to increase costs, or reduce services and he does not think the employees want to do that. He asked the other two (2) commissioners if they would agree a memo be sent out to county employees informing they we are going to continue to monitor these costs and ask for everyones cooperation.

The Commissioners all agreed to send out the memo.

RE: COMMENT ON PHONE SYSTEM

President Borries said he has nothing more to report on the phone system, that Mr. Jim Lindenschmidt has heard all of the proposals at this point and it is a very complicated and confusing situation at this time, however, we will continue to work on it.

Mr. Lindenschmidt said perhaps we should encumber the $112,000.00 that is set aside for the phone system, because a decision probably will not be made this year, however, we must have a contract before we can encumber it, or we will lose it.

Commissioner Cox said no we don't, that Mr. Brenner continues to encumber year after year, funds for bridge accounts.

Janice Decker said she believes a contract must be signed before monies can be encumbered for it and since there is no contract for the phones she does not think it can stay in that account for 1984, that there must be a signed contract or a purchase order.

Commissioner Cox said but this is a special fund that was set aside for the telephones when the CCI (Cumulative Capital Improvement) fund was abolished.

President Borries said we need to get a clarification on this because a decision should be reached in the next couple of weeks.

RE: COMMENT REGARDING PULSE COMPUTER SYSTEM

President Borries said one quick note to say he understands the data processing system is proceeding very smoothly, that the hardware may be in yet this week, however, he does not have anything additional to report on Sperry-Univac.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

EVANSVILLE-VANDERBURGH COUNTY DATA PROCESSING

Sarah Read	753 Douglas Dr.	Part-time	$5.00 Hour	Eff: 11-28-83

SHERIFF

Mark Sloat	1024 E. Blackford	Pro. Patrolman	$15,743.00 Yr.	Eff: 11-19-83
James Basham	2903 Villa Dr.	Civ. Jailer	$11,808.00 Yr.	Eff: 11-21-83
Rodney Buchanan	1025 Eden Court	Pro. Patrolman	$15,743.00 Yr.	Eff: 11-21-83

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Edward J. Bittner	R.R.7	Laborer	$6.47 Hour	Eff: 11-8-83

EVANSVILLE-VANDERBURGH COUNTY DATA PROCESSING

Valerie Brown	115 Buckingham Dr.	Part-time	$4.50 Hour	Eff: 11-23-83

SHERIFF

Mark Sloat	1024 E. Blackford	Civ. Jailer	$11,808.00 Yr.	Eff: 11-14-83

RE: REQUEST TO TRAVEL.....CIRCUIT COURT

Judge William Miller submitted the following request to travel:

Travel allowance to Indianapolis in order to attend a hearing to be held at the Supreme Court on the adoption of qualifications standards for probation officers for the State of Indiana.

It is to be held Friday and as a Director, there has been a request for me to attend this special hearing.

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Commissioner Cox said she asked Margie to ask the Judges' secretary if there are monies within the Circuit Court's budget that could be transferred to pay for this travel.

President Borries said he does not think there are any available funds in the Commissioners travel account to cover this.

Commissioner Cox said this is not a state mandated maeting therefore it could not be paid from unappropriated funds.

Mr. Tuley, Chief Deputy Auditor said he would contact Judge Miller's office tomorrow and asked them if they have funds they can transfer.

Commissioner Cox moved the travel request be approved, subject to available funds. Commissioner Willner seconded the motion. So ordered.

RE: SCHEDULED MEETINGS

President Borries said the County Council will hold its December meeting on December 1, 1983, at 2:30 P.M., instead of the regular first Wednesday of the month.

Commissioner Cox informed the Board she has been invited and has accepted to participate in a panel discussion by the Academy of Public Service of the State of Indiana, which will be this coming Thursday, in Jasper, Indiana, that it will be in relation to disclosure of records. She will be doing this at her own expense and will report back to the Commissioners next week.

There being no further business, President Borries declared the meeting recessed at 4:40 p.m.

654.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Pat Tuley (Chief Deputy Auditor)	Tim Hubert (Acting County Attorney)
SECRETARY:	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 5, 1983

The meeting of the County Commissioners was held on Monday, December 5, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

This being the first meeting of the month it was officially opened by Sheriff Shepard.

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

RE: SUE GRIFFIN....INDIANA DEFERRED COMPENSATION, INC.

Ms. Griffin thanked the Commission for the opportunity to appear before this Board today and at this time she introduced her Associate Mr. Rick Schroeder, who gave a five minute demonstration later in the meeting.
Ms. Griffin said she did not come today to try to convince anyone that the deferred compensation plan is an excellent fringe benefit for employees because you already have a program here therefore she is sure everyone is aware of the benefits. She would like to make everyone aware of the State of Indiana program and how it compares with the the NACO program, which Vanderburgh County currently has. She will not go into terrific detail on the history of the plan but she would like to briefly review it. The State got a late start into deferred compensation, which has turned out to be a blessing, that other states started in the late 70's and there were some significant tax changes in 1982. The State got started in 1981 so there wasn't too much switching that had to be done with us. The State chose the investment carriers offered under the deferred compensation program and a servicing manager on a competitive bid basis. The legislation in the State, which addresses deferred compensation, allows local entities four (4) options, those being ....1). they can self administer a deferred compensation program, 2). they can have no program, 3). they can adopt a program like the NACO Program, or 4). they can share in the State option. The State allows you to share it's plan document and that document was just recently certified by Washington Tax Counsel, as to its compliance with Section 457. It also allows you to share in its investment options and this would allow Vanderburgh County employees to join in with six thousand (6,000) other Hoosier employees,which is a good bargaining group when it comes to interest rates. NACO has been in the state for about four (4) years and they have twenty (20) Indiana Counties and we estimate they have about one thousand (1,000) employees in the state enrolled in their plan. Indiana Deferred Compensation has been active for two (2) years and it has been available to counties only since late spring and we have fifteen (15) counties already. She asked the County Auditor if she had any idea how many county employees are participating in deferred compensation and Mrs. McBride said she has no idea. Ms. Griffin said to compare it specifically with NACO, both have a minimum contribution of $10.00, both the maximum are 25% of pay and each plan offer the employee the fixed annuity of multi-fund, a money market and life insurance. They both offer a hold harmless clause for the county. Product wise, there are some differences in interest rates, which aren't significant, that we are both in the same ballpark. Charges vary, that we have one (1) product that has no charge, NACO's is $12.00 and we have one (1) that has a $25.00 charge, so again, that varies. The significant difference, she believes, is in the servicing aspects and the administrative aspects. The Indiana Plan is endorsed by the State of Indiana, and the NACO Plan is endorsed by the National Association of Counties, out of New York City. The NACO Plan is serviced by PEBSCO, out of Oklahoma City and the Indiana Plan is serviced by Indiana Deferred Compensation, out of Indianapolis. The relationship between the Manager and the servicing company, which is Nationwide Insurance, is owned by PEBSCO. In Indiana, there is no relationship between the state, the investment carriers, or the servicing manager. The NACO plan is monitored by NACO, by PEBSCO and Nationwide Insurance and in the state, we are reviewed by the State Board of Finance, the State Treasurer looks over the investment option and the State Auditor is involved everyday, seeing how the program is running. We offer quite a bit of professionalism, that each of our enrollers work full time and that is all they do, whereby NACO's enrollers work part time, that is to say they may be selling property or casualty insurance in addition to enrolling. We are also probably the only deferred compensation group in the country that offers daily deposit and we are very proud of this fact. NACO also assess a .35 administrative charge on everyone's account balance in their program, that they do it annually and it goes to the National Association of Counties for administration and there is no such charge in the Indiana Plan. We would like to offer our Plan to Vanderburgh County

and would ask permission to come into the building and talk to employees. They would like to hold group meetings in each department and they would also return once a year to review people and answer any questions pertaining to the plan. At this time she would like for Mr. Schroeder to briefly show the Commissioners, in five minutes time, what they would show the employees, in about a twenty (20) minute session.

Mr. Schroeder very briefly explained, by chart, how the State of Indiana Deferred Compensation Plan works, which he explained normally takes about twenty (20) to thirty (30) minutes to present.

President Borries thanked both Ms. Griffin and Mr. Schroeder for their presentation today and asked Ms. Griffin if they are affiliated with the State of Indiana and she replied no, that they too are on a competitive bid basis.

Commissioner Cox said the one interesting point to her was that this group works with the State Treasurer, State Auditor and also the State Board of Finance, concerning the investments, because she knows there are a couple of employee groups within the State of Indiana that have their own retirement program and they were hesitant to go into PERF because their returns from their investments on a private basis was much higher than what our PERF was, so if the State Board of Finance works with this program before us today, they certainly would be up to date in providing good returns on the investments.

President Borries said he would like to see this matter referred to our Agent of Record, Mr. John Hodge, for his suggestions and recommendations because he would not like to see the employees confused in anyway and perhaps Mr. Hodge could offer some good advice along this line.

RE: JOE BROWN...UNITED CONSULTING ENGINEERS REGARDING EICHOFF/KORESSEL ROADS

Mr. Joe Brown was present and stated the last time he appeared before the Commissioners, we had a proposed agreement and that was then sent to the state for their review and approval and the state upon reviewing it had two (2) things they commented on, one (1) being a typographical error and the second concerning the man-hours for the environmental specialist in the areas of research and data collection and preliminary environmental study, as indicated in the fee justification. He submitted the following letter and asked for the Commissioners signature on it, if everyone agrees to the changes. The letter will then be sent to Mr. Robert E. Woods, Chief Division of Local Assistance, Indiana Department of Highways.

Dear Mr. Woods: Re: Eichoff & Koressel Rd. from S.R. 62 to S.R.66

As requested in your letter of November 22, 1983, your comments concerning the above referenced agreement have been reviewed by the County and United Consulting Engineers, Inc. The Consultant agreement has been revised as requested. The Consultant has reduced the man-hours for the environmental specialist in the areas suggested and revised the agreement accordingly.

At this time we are submitting two (2) copies of the revised unexecuted agreement for further processing as requested.

Very truly yours,
BOARD OF COUNTY COMMISSIONERS

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Commissioner Willner moved the letter be signed and that Mr. Brown forward it to Mr. Woods. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID JONES

Suit: Farms Services and Supplies, Inc. Mr. Jones reported we have received our first check from a disputed tax case with Robert Market, with Farm Services and Supplies, Inc. The first check in the amount of $5,000.00 was received by the County Treasurer and has cleared the bank, the second check was sent last week and we are waiting for that one to arrive and clear the bank and there is to be another one sent by January 1, 1984, so that is in the process of being cleared up, as indicated in the settlement agreement.

Suit Concerning Jerry Forbes: Mr. Jones reported we received a summary judgment dismissal by the Federal Court, against Jerry Forbes, and if the Commissioners will recall, Mr. Forbes is the inmate who commenced filing a lot of these jail suits on behalf of other inmates, that he was a former law student. Mr. Forbes own case was thrown out first and now we will try to go back and knock out some of the ones he played jail house lawyer for.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of November 28 thru December 1, 1983. Report received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of November 28 thru December 1, 1983...report received and filed.

Attached to the Work Report was the following work schedule:

Gradall:	Burkhardt Road, Koressel Road and Lynn Road.
Patch Crew:	Green River Road, Boonville/New Harmony Road, Schmitt Road, Mesker Park Road and Inglefield Road.
Trash Crew:	Lynn Road, South Weinbach, Old Henderson Road and Bayou Creek Road.
Paved:	Seminary Road (Finished)
Grader:	Happe Road, Old Green River Road and Baehl Road.

Mr. Bethel said his employees have paved roads covering certain areas from the north east to the northwest and from the south to the east side and from the west side of Vanderburgh County. As of this date we have paved 32.6 miles and without the cooperation of the county commissioners supporting his request to the county council, requesting funds to be transferred from the Roads and Streets account into the Highway Department, the paving could not have been done this year. All monies left over in the 216 account will be encumbered. We have outstanding bills and enough rock to use in paving in the spring. Again he would express his gratitude for the Commissioners constant support and their confidence in him. With another year like this one our roads in Vanderburgh County will be in tip-top condition.

Commissioner Cox said do you anticipate another year like this one and Mr. Bethel replied yes and Mrs. Cox said then you think we will get another $300,000.00 for paving in 1984 and Mr. Bethel replied he hopes so.
Commissioner Cox said she believes Mr. Bethel has done an outstanding job with the money he had to work with.

Commissioner Willner said with the revenue we expect to get in 1985, he believes it would be safe to take another $300,000.00 from R&S in 1984 and then put the total back in there in 1985. He too would say Mr. Bethel did a good job.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report: David Guillaum, Chief Deputy Surveyor, submitted the weekly bridge and guardrail report of the bridge crews for the period of November 28, thru December 2, 1983....report received and filed.

Hirscn Road Project: Mr. Guillaum said concerning the approaches on the structure on Hirsch Road, where the highway department has paved up to our bridge approach, there is a little dip in it and eventhough it isn't anything serious he would like to work with Mr. Bethel and get it taken care of. It is rather noticable if you are traveling at a moderate speed when you hit the approach.

Commissioner Willner said Mr. Bethel just left the room, however, contact him and have the highway crew go out there and repair it with hot mix.

Permission to go to County Council: Last week Mr. Brenner appeared before the Commissioners with a list of several bridges to be either replaced or repaired and Mr. Guillaum is now before the Board asking for authorization to place the following items on the County Council agenda in January.

Millersburgh Road Bridge #77.....$100,000.00
Old Mount Vernon Road Bridge #59.....$ 40,000.00
Aerial Survey of Kentucky Avenue.....$ 5,000.00

The projects Mr. Guillaum submitted to take before Council was discussed during the Commissioners meeting of the 28th. of November and the Commissioners wanted action delayed for one (1) week so they could go out and look the bridges over.

Mr. Guillaum said Mr. Brenner would also like to start on procedures to abandon bridge #41 which dead ends at a farmers corn field at the very end of Mill Road and he also had a note that Mr. Brenner would like to abandon another structure on County Line West, however, he does not have the bridge number of this one, but he believes Mr. Brenners thinking on this one is in conjunction with I-164, as is the one on Kansas Road which Mr. Brenner also memtioned last week.

Commissioner Willner said on #80 you are going to have to leave someway for those people to get to their farm land and Mr. Guillaum said he believes that would be a matter of just moving the barricade a little further down the road and they would be able to get in and out.

President Borries said he has no objections about putting the projects on the County Council Call for January, as requested earlier, however, he would like a week on the rest of the items discussed concerning abandonments.

Mr. Rick Mosby, resident of Evansville, asked to be heard at this time and stated with regards to the aerial photographs, he has visited the Area Plan Commission office and finds they have many aerial photos of Evansville and they might possibly have the aerial photos on this Kentucky Avenue project and he would think it wise to check with them before more are taken, that it might save time and money for the county.

Mr. Guillaum said before they get into any expenses they will certainly check and see if they have anything that can be used.

Commissioner Willner said also, the Soil Conservation office has the whole county on aerial photographs, but he does not know if theirs will show what we will need for this project.

Commissioner Cox said you would also have to see what dates all of these photos were taken, that we must have something very recent and up to date for this bridge project.

Commissioner Cox moved the following be submitted for the January Council Call.

Millersburg Road.....$100,000.00
Old Mt. Vernon Road.....$ 40,000.00
Aerial of Kentucky Ave...$ 5,000.00

Commissioner Willner seconded the motion. So ordered.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Mr. Easley said last week he and Mr. Bethel made a couple of inspections on some road maintenance problems, one on Smith Diamond and one on West Terrace, where there are erosion problems and he will be making recommendations on them later.
He also understands the claim for $5800.00 from the State Highway Commission on a certain railroad crossing has been paid, so he will get that off to the Service Commission for reimbursement to the county.

There has been some patching done on Romaine Subdivision and he believes they have all of the concrete repaired and they want us to look at it since it has had the cracks sealed, so if any of the Commissioners want to look it it, it is ready for viewing.

Report on Telephone Box on Millersburg Road: Commissioner Willner said we have a Mr. Melton in the audience today who is concerned with the large telephone box that has been installed on Millersburg Road, which is obstructing view of vehicular traffic pulling onto Green River Road.

Mr. Easley said Mr. Ken Peters, with Indiana Bell, said he would have that evaluated to see if they could raise or lower it to improve the vision and he has not yet reported back on the problem. He also checked with Mr. Gerard and it does meet the criteria of intersection site distance, but he would admit, it is not desirable. He will call Mr. Peters again and see if they have any additional information on it, but if they do meet the criteria on the site, then what can we do about that.

Mr. Melton said it does obstruct the view and it would not be as bad if it faced Green River instead of Millersburg.

Mr. Easley said do you think if they turned it 90 degrees that would solve the problem and Mr. Melton replied it would solve 90% of it.

Mr. Easley said he will convey this to Mr. Peters and see what they think can be done about rotating it.

Commissioner Willner suggested Mr. Easley take Mr. Melton to his office right now and try to contact Mr. Peters and see if there is an update completed.

Commissioner Cox asked Mr. Easley if he ever contacted the person in Brookshire Subdivision about where to put some STOP signs he has out there and Mr. Easley replied he is still working on.

Commissioner Cox said none of those streets in Brookshire have been accepted but many of them enter into our county roads, therefore STOP signs can be installed at those locations.

President Borries said in regards to the intersection of Burkhardt and Division Street, there have been some concerns that there be no curb cuts onto Division Street at Burkhardt, on the southeast corner of Burkhardt and we need to monitor this.

RE: JIM LINDENSCHMIDT.....SUPERINTENDENT OF COUNTY BUILDINGS

Report of Telephone System: Mr. Lindenschmidt stated at a meeting of the Building Authority Board of Directors, on Wednesday, November 30th. we authorized AT&T to install a new telephone system in the Civic Center and off premise locations. This was a combined decision of City, County, School Corporation and Building Authority. Our position on the bid was that AT&T was the lowest bidder with the options we chose. We did not include a foregoing service contract as one of the options, our thinking being we have one year of free maintenance and will monitor what the cost would be on time and material. He is bringing this to the Commissioners attention because the unsuccessful bidders are complaining that if we had included the maintenance fee, they would have been lower over a period of years. He explained that the bid specifications called for a one (1) to three (3) year maintenance period and although AT&T was higher their price was stable for three (3) years, while KLF and Ohio Valley Communications prices increased each year, and although the increase was small, who knows what it would be eight to ten years down the road. We also decided to use the existing wire. Another factor was the method of payment, that we pay AT&T nothing until thirty (30) days after the system is accepted and with the other two (2) companies we would have had to pay 95% before acceptance. The AT&T people will be here Wednesday to start the preliminary work and we hope to have the cooperation of all county offices with their evaluation.

Commissioner Willner said this has been a long, slow process and what is our expectant savings.

Mr. Lindenschmidt said we expect to save, for the counties share, between $40,000.00 and $50,000.00 per year and after seven (7) years when the lease will be paid off, our savings will then increase. There are several factors yet to be determined, such as the number of phones we will have, that they will come in and evaluate each offices needs.

Commissioner Willner thanked Mr. Lindenschmidt for all the work he has done to get this new system installed.

President Borries stated he would echo his appreciation to Mr. Lindenschmidt, that he knows he sat in on many meetings concerning this matter. He is happy to see the committments on all the different units to use the same unified system and it should be a cost savings item and he would certainly hope that all county offices cooperate in trying to get this installed.

Comment on United Way: President Borries said he would also like to thank Mr. Lindenschmidt for his work done on United Way this year, that the county has exceeded it's goal by over $600.00 and Mr. Lindenschmidt should certainly be commended for his participation in this.

Mr. Rick Mosby asked to be heard at this time and stated in regards to the counties phone system, that if he were going out to purchase a phone, he would go out to Sears and buy the IT&T phone, either that or he would buy one that says Western Electric.

Commissioner Cox asked if the money set aside out of the Capital Improvement Fund for our phone system is now protected and Mrs. McBrdie replied yes it is, that the Commissioners should now submit a letter to her bookkeeper instructing her to encumber the funds into 1984.

President Borries said there will be a conversion period of approximately one hundred, twenty (120) days, and we do not have to advance any funds to AT&T until the whole system is converted and installed and we would have had to put some up front money on the other systems. Some of the other problems with some of the other bids was that there was a conversion period of up to two hundred, forty (240) days.

RE: TAX CERTIFICATES ON DELINQUENT REAL ESTATE

President Borries said the Board has received thirteen (13) tax certificates on tax delinquent real estate in Vanderburgh County, with a note attached stating we will receive the deeds for them in one year and one day.

The Certificates were received and filed with the County Auditor, to hold for that one year period of time.

RE: COUNTY TREASURERS FINANCIAL REPORT

Received and filed was the following financial report received from the County Treasurer:

TO: County Council and County Commissioners

Interest has been receipted as follows:

COUNTY REVENUE	$772,931.51
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	8,363.64
CONGRESSIONAL SCHOOL	211.24
TOTAL	$783,854.31

Outstanding Investments are:

1). Certificate of Deposit, $500,000.00 dated July 6, 1983, due December 29, 1983. Estimated income $21,380.00. Rate 8.75%.
2). Investments, $2,000,000.00, dated June 13, 1983, due December 28, 1983. Estimated income $88,600.00. Rate 9.50%.
3). Investments, $3,000,000.00, dated October 11, 1983, due December 28, 1983. Estimated income $55,900.00. Rate 8.60%.
4). Investments $3,000,000.00, dated October 12, 1983, due December 28, 1983. Estimated income $55,500.00. Rate 8.65%.
5). Investments $1,000,000.00, dated October 18, 1983, due December 28, 1983. Estimated income $16,800.00. Rate 8.55%.
6). Repo, $800,000.00 dated October 27, 1983, due December 28, 1983. Estimated income $11,747.55. Rate 8.50%.
7). Repo, $200,000.00 dated October 28, 1983, due December 28, 1983. Estimated income $2,915.74. Various rates.
8). Investments $1,000,000.00, dated November 2, 1983, due December 28, 1983. Estimated income $13,300.00. Rate 8.55%. $3,325.00 to Reassessment.
9). Investments, $1,000,000.00, dated November 4, 1983, due December 28, 1983. Estimated income $12,975.00. Rate 8.65%.
10). Repo, $800,000.00, dated November 7, 1983, due December 7, 1983. Estimated income $5,666.67. Rate 8.50%.
11). Investment $6,000,000.00, dated Nobember 14, 1983, due December 28, 1983. Estimated income $62,300.00. Rate 8.50%.
12). Investments, $3,000,000.00 dated November 15, 1983, due December 28, 1983. Estimated income $30,400.00. Rate 8.50%.
13). Investments, $1,000,000.00, dated November 15, 1983, due December 7, 1983. Estimated income $5,130.00. Rate 8.40%. Bridge Fund.

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Financial Report Continues

14). Repo, $900,000.00, dated November 16, 1983, due December 7, 1983. Estimated income $4,462.50. Rate 8.50%.
15). Investments, $3,000,000.00, dated November 18, 1983, due December 28, 1983. Estimated income $28,300.00. Rate 8.50%.
16). Repo, $500,000.00, dated November 22, 1983, due December 28, 1983. Estimated income $4,312.50. Rate 8.50%.
17). Investments $1,000,000.00, dated November 30, 1983, due December 28, 1983. Estimated income $6,600.00. Rate 8.55%.
18). Repo, $900,000.00, dated December 2, 1983, due December 8, 1983. Estimated income $1,275.00. Rate 8.50%.
19). Repo, $900,000.00, dated December 2, 1983, due December 12, 1983. Estimated income $2,125.00. Rate 8.50%.
20). Repo, $900,000.00, dated December 2, 1983, due December 19, 1983. Estimated income $3,612.50. Rate 8.50%.

Total estimated income $433,302.46

When all money presently accrued is collected, income will appear as follows:

COUNTY REVENUE	$1,197,778.97
FEDERAL REVENUE SHARING	2,347.92
REASSESSMENT	11,688.64
CUMULATIVE BRIDGE	5,130.00
CONGRESSIONAL SCHOOL	211.24
TOTAL	$1,217,156.77

Yours truly,
Lewis F. Volpe, Treasurer
Vanderburgh County, Indiana

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Commissioner Cox said she is still concerned about the $5,000.00 that was to be set aside for the Pigeon Creek Log Jam Fund, that the Commissioners approved such a Resolution and she is wondering if this money has been put into that particular fund.

Commissioner Willner said he does not believe this would take additional Council action, and Mrs. McBride said yes, the Council will have to approve the appropriation, that it can go on in January, if it is not already done.

RE: LETTER FROM WEST SIDE PROFESSIONAL AND BUSINESS ASSOCIATION, INC.

President Borries read aloud the following letter, dated December 2, 1983 and directed to the County Commissioners.

Dear Rick,

The West Side Professional and Business Association, Inc. unanimously approved a resolution that requests the installation of a new bridge over Pigeon Creek at Maryland Street. Our membership feels this would help reduce heavy truck traffic on Columbia Street and the business district area of Franklin Street.

Sincerely,
Steve Eickhoff, President
West Side Professional and Business Association, Inc.

Letter received and filed.

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RE: LETTER FROM JUDGE WILLIAM BRUNE REGARDING COMPUTER SERVICES

President Borries read aloud the following letter, dated November 22, 1983 and directed to the Board of County Commissioners.

Dear Mr. Borries:

The purpose of this letter is to request additional computer services for the Vanderburgh Superior Court. This request is necessitated by a change in Court

procedure that will take effect January 1, 1984. At that time, all civil cases will be assigned to a specific Judge rather than a specific Division as is done presently. Therefore, in order to maintain an efficient case assignment for each Judge, it will be necessary that these lists be maintained on the computer.

We are further requesting that the case assignments for the domestic relations and criminal cases be likewise computerized for efficiency purposes.

It is our understanding that a new computer hardware system will be initiated the first of the year which would be capable of handling the above requested matters without any problem. Therefore, whatever expeditious attention you give this request would be deeply appreciated. Thank you very much.

Sincerely,
William J. Brune, Chief Judge
Vanderburgh Superior Court

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Letter received and filed.

President Borries said he has had a conversation with the proposed vendor, Pulse Systems, and he has also corresponded with Mr. Bob Fortune and one of the items of conversation was such items as is being requested by Judge Brune. He believes the State Board of Accounts is going to request, in our final contract with Pulse, is a list of services that are currently being provided and a problem with the prior services was that they were repeatedly being flooded with requests, some of which they simply could not convert to immediately. It is our understanding the Pulse system will be more efficient, but our first intent is to convert over to the new system and provide the same services. Pulse is developing a form that various offices would fill out if they have a new request and that would be reviewed by Mr. Fortune before coming to the Board of Commissioners. With the approval of the other two (2) Commissioners he would like for this to be forwarded on to Mr. Fortune for his consideration and submit some recommendations to the Commissioners when he has concluded his study on it.

Commissioner Willner moved the request be forwarded to Mr. Fortune for his study and recommendation, and also that Ms. Meeks send a letter to Judge Brune informing him that his request has been taken under advisement and that we intend to get the new system on board first before adding new items and we will be cost analysing his request. Commissioner Cox seconded the motion. So ordered.

RE: MEMO FROM JOE O'DANIEL ON AUDITORIUM UTILITY COSTS

The Commissioners received the following memo from Joe E. O'Daniel on December 5th, therefore President Borries said he would like to add it to todays agenda.

Subject: Auditorium Utilities Cost

Herewith is a spread sheet of actual cost of utilities for the Auditorium, covering a period of twelve months ending October 31, 1983, which totaled $129,495.45. Also ten months, January through October 1983, which totals $85,594.43. These figures will not match the Auditorim records because they had unpaid utility bills at the end of October equaling about $23,000.00.

The cost of utilities for the Civic Center Complex consistently run about $1.00 per square foot. The Auditorium has averaged $1.11 per square foot the last four years, 1979 through 1982. For the year 1983 using actual billings from S.I.G.E.C.O. which totals $115,809.55 for ten months, January through October, and estimating November and December on the basis of actual cost for those months in 1982 which was $12,780, For a total utility cost for the year 1983 of $128,589.00. This equals $2.14 per square foot. This does not include the $50,000.00 contract with Carrier for repairs.

This out of line condition resulted from the extremely high cost in June, July and August which was caused by the malfunction of the air conditioning equipment. The problem was the result of deferred maintenance and perhaps improper maintenance which has now been corrected and 1984 cost should be between $65,000.00 to $75,000.00.

Herewith is a spread sheet printout of expense prepared by SIGECO for the years 1979 through 1981 and year to date through September 1983 and income for 1980 through 1982 and year to date 1983, prepared by Mr. Fortune for the Auditor, Alice McBride. Mr. John Berry has prepared an operating statement which will give you a reference for planning. We are hopeful that you can arrange for a monthly printout of the operating statement using this form.

I have had SIGECO do another meter study over twenty-four hour periods in fifteen minute segments for the month of October and it is obvious the energy conservation program is working and the employees are doing a good job implementing it. SIGECO does not charge us for this service. Mr. Jim Whitman has been very cooperative and helpful. Kim has the printout. We also have two additional printouts that were made during the equipment malfunction period.

We view the utility cost as the most critical of the Auditorium problems and it is now under control. The Commissioners are to be congratulated for taking the bold step and employing the expertise of Carrier Corporation.

We will continue to council with Kim and work with him in the other areas until they are completed.

Respectfully submitted,
J.E. O'Daniel
Chairman of Auditorium Task Force Committee

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President Borries said attached to Mr. O'Daniels memo is an operating statement showing receipts and disbursements for 1979, 1980, 1981, 1982 and first nine months of 1983. He also would like to say he hopes we can maintain the monies appropriated in the 1984 budget and hopes we do not have to cut some of those to make some of the needed repairs in other areas because he believes we do now have this energy situation under control.

RE: INTERGOVERNMENTAL AGREEMENT ON TRAFFIC LIGHT ON GREEN RIVER ROAD

President Borries said the Commissioners have now received copies of the Intergovernmental Agreement among the City, County and Evansville Associates, in regards to the traffic signal on Green River Road. He believes the Commissioners have approved this all except for the final signing of the Agreement.

Commissioner Willner moved the Intergovernmental Agreement be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Willner said do we now have a dollar figure in there, instead of the one third/two thirds percentage.

President Borries said what it does say is "Evansville Associates has heretofore paid to City through its Department of Traffic Engineering the sum of fifteen thousand dollars ($15,000.00), receipt of which is hereby acknowledged, for the acquisition and installation of the traffic control device. City and County agree that any costs in excess of fifteen thousand dollars ($15,000.00) for the acquisition and installation of the traffic control device will be borne one-third by City and two-thirds by County payable by county to City upon presentation thereof by City to County of proper invoices and vouchers. It is agreed that the total contribution will not be more than thirty thousand dollars ($30,000.00). City shall be responsible for the acquisition and installation of the traffic control device and the continued maintenance thereof after its acquisition and installation. The traffic control device, upon its acquisition and installation, shall become the property of City".

David Jones said the most the county would be paying would be $10,000.00.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was received for the Evansville Alumnae Chapter of Delta Sigma Theta for the Ebony Fashion Fair held on November 30, 1983 at the Auditorium.

A certificate of insurance was received for the Evansville Coin Club, Inc for a flea market on December 4, 1983 at the Vanderburgh County Auditorium.

A certificate of insurance was submitted for Atlas Van Lines, Inc. for a Christmas party on December 2, 1983 at the Auditorium.

A certificate of insurance was submitted for Conren, Inc. for a Christmas party on December 6, 1983, at the Auditorium, for the Great Scot.

A certificate of insurance was submitted for Curt Bullock Builders, Inc. and it does not state on the certificate what this is being submitted for.

All certificates received and filed.

RE: CLAIMS

A claim was submitted for County Auditor, Alice McBride for a trip to Indianapolis for a meeting on County Appeals....350 miles @$.22 per mile.....$77.00.

Commissioner Willner moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Two Claims were submitted by the Evansville-Vanderburgh County Building Authority, one in the amount of $529,487.50, payable to the Evansville-Vanderburgh Building Authority and one in the amount of $338,189.00, payable to The National City Bank of Evansville, Trustee for the rent for the first six (6) months of 1984.

Commissioner Willner moved both claims be approved for 1984. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY DATA PROCESSING

Steven Schuetz	4600 Greencove Ave.	Part-time	$4.00 Hour	Eff: 12-5-83

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH COUNTY ELECTION OFFICE

Fred C. Roeder	8744 Big Cynthiana	Bal. Assemb.	$4.37 Hour	Eff: 11-15-83
Floyd R. Burnett	2151 E. Gum	Bal. Assemb.	$3.75 Hour	Eff: 11-15-83
Gilbert C. Kerr	2154 E. Gum	Bal. Assemb.	$3.75 Hour	Eff: 11-15-83
John Lee Jones	820 S. Governor	Bal. Assemb.	$3.75 Hour	Eff: 11-15-83
Charlene Luker	R.R. 7 St. Joe Ave.	Dep. Clerk	$3.75 Hour	Eff: 11-15-83
Edna Henry	305 N. Tekoppel	Dep. Clerk	$3.75 Hour	Eff: 11-15-83
Carol J. Primm	805 S. Villa Dr.	Dep. Clerk	$3.75 Hour	Eff: 11-15-83
Doris McGlothlin	2029 E. Mulberry	Dep. Clerk	$3.75 Hour	Eff: 11-15-83
Sylvia Loviscek	632 S. Harlan	Dep. Clerk	$3.75 Hour	Eff: 11-15-83

RE: REPORT ON THE MEETING OF THE ACADEMY OF PUBLIC SERVICE

Commissioner Cox said she attended a panel discussion by the Academy of Public Service of the State of Indiana, on Thursday, December 1st. and she would like to give a brief report of what happened. She said this concerned a new bill which will go into effect on January 1, 1984 concerning the handling of public records and the availability of them to the public and she has talked to David Jones about some of the things that came out of the workshop. Mr. Kevin Whittenheimer, of the City, was also in attendance and served on the panel and she thinks it would be good if we worked on a cooperative basis to get policies established concerning records. The Academy of Public Service did say they would try to get a list of the federal and state mandated confidential records to all counties, which would be a big help. The concerns here is with the records that fall under what's called "Discretionary", where the state doesn't say they are confidential, nor does the federal government say they are either, but due to harm that can be surrounding the releasing of those records to a party or parties concerned, they can be classified as being confidential and not for distribution to the public. They felt like an Ordinance would be the way to handle the naming of discretionary records and also the establishment of any fees or costs that would be involved in the copying or the dispensing of these to the public. The thing she thinks we have to recall from this bill, and how it would relate to our county employees, and there are some gray areas in the bill as there are in all bills, and one deals with what twenty four (24) hours means. The way the bill reads is that within a twenty four (24) hour period

you must supply a yes or no answer as to whether or not you will supply it or whether you have to actually supply that requested record within a twenty four (24) hour period...and that is still yet to be determined, but when a request is made of any governmental employee, they no longer can say, in essence, I don't handle that in this office, that they must try to direct the requester to the proper department. They did say at the workshop that it would be well to designate one (1) specific person in the office to be more or less responsible for giving out information from that particular office. They want the public, the media and all parties concerned to have an accessibility, but they do not want the governmental employees to fall into the catagory that would lend that employee to the liability of perhaps being sued, for not following through with a request and that is what this all boils down to. She believes there are two (2) things we need to do and one (1) of those is we should educate our county governmental employees to this new legislation and how it will effect them and two (2), develop some specific request forms, because if someone should go into an office and ask to see a certain record and they are told no, they cannot see it, then this should be very well documented because there are processes of ligigation they can file through the courts.

President Borries said the form that Mrs. Cox spoke of, will that have to be made up locally and Mrs. Cox replied yes, but the Academy of Public Service said they could develop a form, however, they did not want to infringe upon the counties individual rights to do this, so she does not believe that will be forthcoming, that we will need to establish our own document. She also feels like we need to educate the public to the term "public records", that just because they are public records that doesn't mean they are always accessible to the public because some records are confidential by legislative means, eventhough they are public records, like certain personnel records or certain police records.

President Borries said also should a person come in and request a copy of a record, it should be spelled out as to who's expense this copy is being made.

Commissioner Cox said this is true, that if there is not legislation that covers the reproducing of these records, then this can be done by local Ordinance, but we could not charge an exorbitant amount just to discourage the public from requesting copies of certain records. We can charge for the actual reproduction cost but not for the research of the employees time because the employees are paid, by salary, to do this. The request must however be reasonable, that a person could not come and and ask for all the Jones' that were married in Vanderburgh County in 1984, because this would not be a reasonable request.

President Borries thanked Mrs. Cox for her report on this meeting.

RE: DISCUSSION OF THE CUMULATIVE BRIDGE FUND

President Borries said County Council President Kathy Mann just entered our meeting and she would like to be allowed to speak at this time.

Ms. Mann stated she is before the Commissioners today to ask that the Cumulative Bridge Fund rate be lowered 5¢, that is from the current 15¢ to 10¢, so that the County General Fund will be able to have an additional $300,000.00. She has talked to the Surveyor Bob Brenner and he felt like this action would not jeopardize any projects, however he did not want to appear with her, with an argument to this effect. She is not prepared to argue numbers today, but she did call the Auditor's office and found out there is over $1 million dollars in the Cumulative Bridge Fund. She said there are many 1983 bills that will have to be carried over into 1984, because the money is not currently available to pay them and one of the big bills is the Change of Venue account, that we are all aware of, and have no control over. We are ending this year with approximately $230,000.00 due in 1983 unpaid bills. We also are not sure whether the state is going to give the $500,000.00 back to the Welfare Department and our attorney has suggested that we fight that, which we may or may not win. She would again ask the Commissioners to lower the Bridge Fund rate, that what possible damage could it do to lower it for one (1) year, that this seems the most logical and less painless thing to do. The other options she sees available is to cut the $120,000.00 budgeted for improvements to the Auditorium next year or to cut next year's $500.00 per employee pay raise, or cut County personnel or close Burdette Park and she personally would hate to have to do any of those things, but something is going to have to be done, and soon. Today is the last day the Commissioners will be allowed to cut this Bridge Fund, according to Mr. Frank Eads of the State Board of Tax Commissioners. She said without the $300,000.00 being taken from the Bridge Fund she would not know where it could come from and this is the one thing the Commissioners could do without shedding blood.

Ms. Mann asked how often the Commissioners set this rate and Mrs. McBride said it is set every five (5) years, but she believes it can be increased more often than that.

Commissioner Cox said she thinks there are two (2) things to consider here, that we need to know what has been committed plus the fact the County Council has been operating off of the interest monies received from the Cumulative Bridge Fund and dropping this would leave the interest off of one/third of the money.

Ms. Mann said she understands this but she cannot see where any possible damage could be derived if this is lowered for one (1) year.

President Borries said he knows Ms. Mann is concerned, as the Commissioners are also, and we must share the fact the Commissioners have inherited some items that we as Commissioners had no control over whatsoever. He believes with what the Council has approved we can meet our Change of Venue costs, however, we will never know how many violent crimes we will have and what the costs might be. He asked Mrs. McBride if the final figures are down from the state yet and she replied no, that they won't be until the first part of January. Mr. Borries said he really was not prepared to make this kind of decision today and Ms. Mann said she was not prepared to request it today either, but since today is the deadline it can be done, she had no other choice.

President Borries said the only way he could see his way clear on this is that it would be for one (1) year only and the Resolution would specify exactly what this would be used for. He understands the employees need raises, but if there are certain bills that have to be paid....we must pay them.

Ms. Mann said we could apply it to 1983 bills, which would be almost that much, but she would have no problem with it specifying exactly where the money will be used.

Mr. Jones said another problem in waiting until January to make a decision is that by doing that the Council will lose some options available to them in regards to salary increases, because the law says you cannot change the salaries of elected officers in the same year in which they serve, so that would have to be done yet this year.

Ms. Mann said the Council may also have to impose a hiring freeze next year, however, in the Sheriff's Department, we are going to have to look at hiring more employees instead of cutting some, but there is going to have to be someway of controlling employees without a real scrutiny.

President Borries said he once had an officeholder say he would sue the Commissioners if he was not allowed to hire a person because he said the Commissioners do not have that authority.

Ms. Mann said the Council has that authority with a certain amount of votes, but they would certainly want the full cooperation of the Commissioners.

Mr. Jones said the Council can reopen the salaries and rescind previous action and go through them again and cut out anywhere they please.

Commissioner Willner said even with the $300,000.00 from the Bridge Fund, we would still need another option to give the $500,000.00 back to the Welfare Department.

Ms. Mann said she has stated her case, therefore at this time she would ask the Board of Commissioners to consider what she has requested today.

Commissioner Willner said a decision will not have to be made concerning the other options today.....only the decision on whether or not to cut the Bridge Fund, because the Council takes action on the other options but they cannot touch the Bridge Fund.

Commissioner Cox asked what the estimated interest income is for 1984 and Mrs. McBride replied about $1.1 million.

Commissioner Cox asked if the elimination of $333,000.00 will effect this and President Borries said it will lower it because there will be less investment monies.

Commissioner Cox said then cutting the 5¢ off of the Bridge Fund does nothing to the tax rate and Mrs. McBride said the county's overall tax rate will not change for 1984 because the total amount of taxes raised will still be the same....we will be taking it from one place and putting it in another place, so bottom line would be the same.

Commissioner Cox said we have been very fortunate in Vanderburgh County in regards to salary increases, that many counties have not be able to give any increases at all, in lieu of paying their bills and she would hesitate to cut the Cumulative Bridge Fund knowing that a portion of that money is going to increase county employees salaries, that she does not know if that is really an austere move or not, because some of it would go for that.

President Borries said he would have a problem with a five (5) year change, but he would consider one (1) year.

Mr. Jones said the reason why we have this deadline today is not set out in the statute, but he suspects this is the time needed in order to put the levy in place for 1984 and Mrs. McBride said this is correct. He said the Commissioners can reduce this not later than August 1st., that if the Commissioners deem it necessary to do so after such levy has been approved, they may reduce or rescind such annual levy, or ten (10) or more taxpayers may do so by filing a petition to do so, not later than August 1st of any year, so in response to the question, are you locked in for five (5) years.....no, it can be reduced any year before the deadline and not only can you reduce it, you may also increase it to 30¢ in Vanderburgh County.

Commissioner Willner moved the Commissioners lower the Cumulative Bridge Fund to $.10 for 1984 and that it be put back to $.15 for 1985. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Ms. Mann thanked the Commissioners for allowing her to appear today with her plight and also for reducing the Bridge Fund, as requested.

There being no further business, President Borries declared the meeting recessed at 5:15 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

R J Borries

Robert L Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 12, 1983

The meeting of the County Commissioners was held on Monday, December 12, 1983, at 2:30 p.m. in the Commissioners Hearing Room with President Borries presiding.

President Borries called the meeting to order and asked for a motion that reading of the minutes of the previous meeting be waived and same be approved as engrossed by the County Auditor. Motion to this effect was made by Commissioner Cox, with a second from Commissioner Willner. So ordered.

RE: WAYNE FEHD - COUNTY BRIDGES

Mr. Wayne Fehd indicated he was a resident of Vanderburgh County and said he came before the commissioners today to discuss the replacement of two bridges. One is on Kansas Road at County Line Road on Blue Grass Creek. He said this bridge has an eight (8) ton limit sign on it and bannisters too narrow to get farm machinery through, and the angle needs to be changed a bit. He said they're going to have to come into some of their farm ground and it's going to be on the east side of the I-164 spur. He said normally they farm without using these two bridges; they go through the bridge on Millersburg Road, come around Green River Road and back to Daylight. The second bridge needing replacement is the bridge on County Line Road just south of Kansas Road. This bridge has a twelve (12) ton limit on it and the bannisters are too narrow. It also has a wooden floor. He said these two bridges need to be updated. When the I-164 spur is finished if they proceed as discussed, these bridges will probably be unsafe. Now that the county has $2.4 million, they feel it would not work a hardship on the county to replace these bridges and, at the same time, it would make these bridges safer and possibly prevent someone getting killed on same. Commissioner Borries asked for comments. Commissioner Willner asked Mr. Fehd if he was familiar with Millersburg Road Bridge #2. Mr. Fehd indicated he was. Commissioner Willner said there is a move to update the Kansas Road Bridge and the Millersburg Road Bridge and to do away with the County Line Road. He said this decision is still pending and the Commissioners have to work with Warrick County, because part of that bridge is in Warrick County. Commissioner Willner indicated he is not certain what I-164 is going to do, but we do know that Kansas Road and Millersburg Road are going to be accessible from one county to another on each side of I-164. Mr. Fehd said he understood that Kansas Road was going to be cut off and that Millersburg Road was going to be open. Commissioner Willner asked how much property was left to get to from Kansas Road that will be cut off? In other words, how many acres does Mr. Fehd have between the bridge and the portion where the road will be built? Mr. Fehd said about 30-40 acres. Mr. Fehd said there is no other way (other than that bridge) to get to this acreage. Right now they come in from the west side down Kansas Road to farm this 120 acres, haul all the grain production out to the west on Kansas Road. Mr. Fehd said he met with the State Highway people and asked them if they'd change the alignment so a hardship on the county could be prevented, and if they have to stay on his property to move it to the east side of his property. This way, the Kansas Road Bridge could be closed altogether. Or else, move it to the east side of the County Line Bridge --the alignment on the road -- and they said this would take extra money and they would not be able to do this. Mr. Fehd said they will need the bridge on County Line Road badly and it will at least need some culvert pack on it. But the bridge on Blue Grass Creek on Kansas Road will need more than just a culvert pack. It will need a twin culvert pack, becaue you have a lot of grass, brush and trees that come down Blue Grass Creek --so we don't have log jams. Mr. Fehd said he also noticed there is another place up on Booneville-New Harmony Road where, according to the blueprint he obtained, they're going to abandon the new bridge that's built on Booneville-New Harmony Road. He said the way the blueprint looks to him, they're going to take Booneville-New Harmony Road straight from Young Road and build a new bridge across Blue Grass Creek and the County has just built a new bridge there which will be abandoned. Commissioner Willner said there are two bridges there -- a new one and an old one. It was his understanding that they would take the old o However, he is not certain of this. In response to Commissioner Willner's question, Mr. Fehd indicated he would definitely be affected by the County Line Road bridge, as well as the Kansas Road Bridge. He said he has a farm on County Line Road that he also farms -- it is between Millersburg Road and Kansas Road on County Line Road. They come in from the south side to get to it; once they're there if they couldn't get through the bridge on County Line Road they'd have no way other than going all the way up to St. John and coming back through the by-pass road that Amax built to get back to Kansas Road. Mr. Fehd asked Commissioner Willner why they considered closing the County Line Road. Commissioner Willner said there are only about 5-6 cars per day and

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and one (1) school bus utilizing the facility and this is a major bridge (20-ft. longer or more) and that's a lot of money to spend for so little bridge traffic. Mr. Fehd said this is the reason he could not understand why the county spent so much money on the Booneville-New Harmony Road bridge a few years ago. Commissioner Willner said they did not know anything about I-164 at that time -- as that bridge was built some 6-8 years ago. However, Mr. Fehd replied that he believed I-164 had been in the planning stages for in excess of ten (10) years. Commissioner Willner responded that at the onset, there were four different corridors being considered and no one knew where this was ultimately going to be.

On behalf of the commissioners, President Borries expressed appreciation to Mr. Fehd for his comments and indicated the commissioners will request the County Surveyor's office to review his proposals to determine if something can be worked out. He said that, as pointed out by Commissioner Willner, because of the low traffic volume on these two bridges and, again, where the I-164 corridor is going to come in is why they have been under study in relation to try to decide what to do with them in regards to the future. President Borries asked Mr. Fehd if he had been in touch with the surveyor's office and Mr. Fehd indicated he had. In conclusion, President Borries said some on-site inspections will have to be made concerning the matters brought up by Mr. Fehd today and Mr. Fehd will be notified by written letter concerning the commissioners' findings regarding the matter of these two bridges:

RE: TOM VACHET - ALEXANDER AMBULANCE SERVICE, INC.

Mr. Tom Vachet of Alexander Ambulance Service, Inc. distributed copies of a prepared statement to the commissioners, so they could read along as he made his presentation. He read, as follows:

"Board of Commissioners
Vanderburgh County
Civic Center Complex
Evansville, Indiana 47708

Gentlemen:

The task that I have at hand today is not one that is particularly pleasant. It is truly unfortunate that I must speak to you in defense of our system of pre-hospital emergency care for the citizens of rural Vanderburgh County. I find it perplexing that the Commissioners who have the responsibility for representing the best interests of these citizens would consider for even a moment discontinuing the Paramedic Advanced Life Support services which are now available to this community. To be frank, I am not clear as to the basis being utilized for this decisionmaking. This is the direct result of a blocked channel of communication between Alexanders and the Commissioners. Regrettably, I must propose to defend not only our system of ALS care, but also Alexander's operation of that system with information that is for the most part second hand.

Allow me to briefly review the relationship of the Board of Commissioners and Alexander Ambulance Services to date. On January 1, 1983, Alexanders and the Board of Commissioners entered into a contract for the provision of Paramedic Ambulance Service to that portion of Vanderburgh County outside of the corporate limits of the City of Evansville. A fifty-thousand dollar subsidy was agreed upon, payable to Alexanders to offset a predicted operating deficit. It was also agreed that the County Attorney, David Miller, would furnish Alexanders with a letter to be included in the third patient billing at ninety days. Prior to one hundred and twenty days, any monies recovered from patient billing wereto go to Alexanders. Following this time period, those aged accounts would be returned to the County Attorney for collection, with any monies collected being applied to the original subsidy.

Per the agreement, Alexanders was responsible for providing the Board with both monthly and quarterly financial statements. Following the receipt of the quarterly statements, the Board then has fifteen days to examine the statement, ask any questions, request to review our books, and then issue a check for our operating deficit within the limitations of the subsidy. It is noteworthy that at the time the agreement was entered into, that Mr. Mark Mattingly, Alexander's legal representative, pointed out to Mr. Miller that there was concern with the "vagueness of the accounting provisions."

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"On August 29 of 1983, I was present at a closed Commissioners' meeting which was convened to discuss the problem involving the issuance of the letter which was to accompany Alexander's third billing. Eight months had passed in the contract year, and the County Attorney had not yet furnished a letter. In light of that fact, no aged accounts had been returned to the County for collection. It was agreed that the letter, on the letterhead of, and signed by the County Attorney, would be forthcoming. It was also agreed that because of this failure to provide the letter all accounts to date, including the aged accounts, would remain with Alexanders for collection. Also discussed in that meeting was the subject of a 1984 contract for Paramedic services. Funding for a third west side Paramedic Ambulance was also discussed, with a majority of the Commissioners favoring a proposal to the County Council. On September 6, 1983, I submitted this proposal to the County Council. In a later meeting this proposal was approved for a total of one hundred and thirty-four thousand dollars for Alexanders to provide three County Paramedic Ambulances for 1984. This funding was subsequently appealed to the State, and has been approved for the 1984 County Budget.

During the last week of November of this year it was brought to my attention by our bookkeeper that although we had submitted a third quarter statement on October 10, that we had not received our payment from the County, nor had we been contacted or notified of any problem with that statement. Shortly thereafter, I had a conversation with Mr. Jim Lindenschmitt from the Commissioners' office. I inquired as to the subsidy check, and was told that the check was written, but that there were some "problems". When I inquired further, I was informed that the Commissioners had some questions in reference to our statement, and that I should contact Mr. Miller in order to arrange a meeting. Please bear in mind that at this point the County was five weeks past due on this payment, had not contacted Alexanders to relate any problem, and was in fact in default of the agreement. I contacted Mr. Miller by telephone that week and arranged a meeting between representatives of Alexanders and the Commissioners. The meeting was to take place on December 6. During this same conversation I informed Mr. Miller that I was sending a letter of notification to the Commissioners that they were in default of the agreement. I explained that this letter was necessary in order that we follow procedure of notification which was defined and required under Paragraph 14 of the agreement. I made it clear that this letter was not to be misconstrued as a threat, but that it was merely procedural. Mr. Miller told me that he understood, and that there was not a problem. In actuality, the letter that I used was identical to one that was sent to the Commissioners on May 18, 1983, when at that time they were late in making a first quarter payment to Alexanders.

Our meeting on December 6 was attended by myself, Mr. Tom Alexander, Ms. Judy Woods, Alexander's bookkeeper, Mr. Borries, Mrs. Cox, Mr. Lindenschmitt, and Mr. Miller. This meeting had several highlights. Mrs. Cox addressed some concerns that she had with the basic format of our quarterly statements. She felt that it contained inadequate information to satisfy her concerns for the proper use of County funds by Alexanders. The feeling that I voiced at that time was why now, eleven months into the contract year, was our statement format not adequate. I then stated that we were willing to supply any and all information necessary to allay these concerns by the Commissioners. I also offered to allow the Commissioners an opportunity to review our books if it was desired. I also restated then, as was voiced before, that the contract language was too vague, and that the terms of the contract were too open ended. I would prefer to enter into an agreement that clearly and definitely outlined specific requirements for each party. That would serve to eliminate unnecessary misunderstandings. Discussed also at this meeting was the subject of the letter that was to be furnished to Alexanders. It was explained that following the August 29 meeting, a succession of letters had been sent to Alexanders, none of which met the agreed upon speciifications. On October 4, Mr. Lindenschmitt brough to Alexanders the proper letter. On November 7, the first batch of billings which included this letter was mailed. On December 7, we would then have the first list of aged accounts that would become the County's. I had also instructed our bookkeeper to turn over any other aged account, including those that had been previously turned back to us by the County, in that it becomes a burden to continue to carry these uncollectible accounts.

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"At this same meeting, Mr. Borries related that he had been informed that the County had been "taken to the cleaners by Alexanders" on the 1983 contract subsidy. He also stated that he did not believe that the County should be in the business of providing ambulance service, and that there was consideration being given to letting the County return to basic ambulance service. I explained that no provider could furnish emergency ambulance service without some type of subsidy. State statistics show that only fifty-four percent of revenues used to operate emergency ambulance service is covered by the collection of fees for service. Only fourteen of Indiana's ninety-two counties provide no subsidy for emergency ambulance service. Mr. Borries left the meeting following this exchange, and the meeting ended on the note that we would be contacted on Monday, December 12, to set a time on that date for a representative from the Auditor's office to review our books.

On December 7, I learned that Mr. Lindenschmitt had contacted Bassemier Ambulance in order to determine if there was any interest in a private provider in submitting a bid to the County for basic ambulance service. I immediately contacted Mr. Lindenschmitt at the Commissioner's office to inquire as to why these steps were being taken. I was told that the Commissioners had received the notification letter of default, and that they were upset. I explained that Mr. Miller knew in advance of the letter. I had assumed that he would have notified them of that fact. I was also told that the Commissioners felt that perhaps the ambulance service to the county should be reduced to a basic service. I requested that Mr. Lindenschmitt convey my concerns to the Commissioners, and to Mr. Borries, in particular.

On December 9, I was contacted by a media representative who had interview Mrs. Cox, who had stated that there was a feeling among the Commissioners that basic ambulance service was adequate for the County, and that Paramedic service was unnecessary. I refused to give a statement to that reporter. I tried repeatedly to contact Mr. Borries and Mr. Miller. I left messages at both the Commissioners' office and at Mr. Borries' place of employment for him to return my calls. None were returned by either Mr. Miller or Mr. Borries. I did speak with Mr. Willner, who stated that he did not know that Alexanders had not been paid for the third quarter. He did say that a local provider had offered to provide basic ambulance service to the County without a subsidy. Also he stated that he understood that there were physicians who questioned the value of pre-hospital advanced life support, and that they felt that the old basic ambulance concept was the best.

So, here we all are today. The County has defaulted on its agreement with Alexanders. We are owed twenty-three thousand dollars which is almost seven weeks past due. We have opened our books to the Commissioners willingly. We have made every effort to carry out our contract as efficiently as possible. We have attempted to prepare ourselves for what we perceived to be our obligations to the County in 1984 by making substantial investments in equipment. The Commissioners have made vague and unsubstantiated statements concerning our administration and our willingness to communicate with them. And now, after funding for a Paramedic service to the County has been approved for 1984, we are told that just because the funding is there does not mean that the Commissioners are obligated to let a contract. And we, and the community are being told that a decision may be made to return our system to that of the basic ambulance. I question any logic or reasoning behind a decision such as this.

Report after report has substantiated the value of pre-hospital advanced life support care. The survival rate of those who are able to access that type of care following traumatic injury or sudden illness rises dramatically. National statistics point to a forty percent save rate for patients who have suffered ventricular fibrillation and receive this type of care. National statistics never have the impact, however, of statistics drawn from our own system. To date, Alexanders has been dispatched on seven hundred and nine emergency runs in 1983. Of those, two hundred and four required and received advanced life support care from our Paramedics. Attached you will find a study of our first six months of operation for this year. The statistics indicate that the impact of pre-hospital advanced life support is significant in that almost fifty percent of those who required advanced life support either improved or stabilized prior to arrival at the hospital emergency rooms. Included in the number that showed improvement were three patients who were all in full cardiac arrest at the time that the Paramedic arrived, and after involved and technical procedures were performed in the field, were successfully rescusitated.

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As you review the statistics that we have provided, and the patient treatment summaries, note if you will the types of emergencies that we deal with each day, and the ages of the victims. We have diabetic emergencies, medication reactions, burns, electrocutions, overdoses, seizures, chest pain, shortness of breath, along with the heart attacks and traumatic injuries that are normally associated with Paramedic care. And the ages range from the six year old to the ninety-two year old. Consider what chance many of these members of our community would have had for survival if it were not for the professionally trained Paramedics available to them. Do you feel that many would have survived the interminably long trip back into a hospital without some type of advanced intervention? And how much is all of this service worth? If you were to ask those that are listed in these statistics, I'm certain they would feel that the fifty thousand dollars appropriated by the County to ensure its availability was a small price to pay for their lives.

The time has arrived for local government to recognize that emergency medical care pre-hospital, is a public safety service such as fire and police. And that government has the obligation to make provision for its availability. We have done that in this community, although the subsidies continue to inadequately cover the actual costs. Nationwide averages reveal that a budget of two hundred and twenty thousand dollars is required to operate an advanced life support ambulance. To support this figure, McGann Ambulance Division contracted with St. Josepy County, Indiana for one Paramedic Ambulance for 1983 for the sum of two hundred and thirty-six thousand dollars. Under our proposed contract, for which the funds are already available, we have agreed to provide not one, or two, but three staffed and equipped Paramedic ambulances. I consider that a bargain value, and one that could only be foolishly ignored.

So perhaps we should, for the sake of those who will in 1984 so desperately need our services, lay aside our differences and make an earnest endeavor to open communications and provide a quality emergency service that will operate past December 31 of this year when our present contract expires. And if there are problems, real and tangible problems, that exist between us, then we are willing to do everything possible and to make every effort in defining those problems and dealing with them. We at Alexanders have nothing to gain except the satisfaction of providing a service that is needed, and providing that service in a quality fashion.

Respectfully,

ALEXANDER AMBULANCE SERVICE, INC.

Thomas A. Vachet
Director"

Continuing, Mr. Vachet indicated copies of the statistical report are enclosed with the copies of the statement distributed to the Commissioners. (The Commissioners only also have copies of the amplification of the approved runs.) Also enclosed with the statemnt are copies of letter to Mr. David Miller from Attorney Mark Mattingly that speaks to the concern of the vagueness of the accounting provisions, and copies of May 18 and November 29 notice of failure to meet monetary commitments, and a copy of the Purchase Order of St. Joseph County for McGann's one Paramedic Ambulance for $236,000, and a copy of the State's statistics issued by the State EMS Commission showing the amount of tax and the State EMS Appropriation county-by-county. Mr. Vachet then asked if the Commissioners had any questions concerning the prepared statement and enclosures.

President Borries exprssed appreciation on behalf of the Commissioners to Mr. Vachet for attending today's meeting. He said he had tried frequently to return some of Mr. Vachet's calls and, judging by the tremendous attendance at today's meeting, it seems as though Mr. Vachet has been busy doing the same thing. He indicated the Commissioners are in the process of studying the matter and, because of the contractual agreements signed for 1983 the Commissioners also demonstrated their commitment to Paramedic Care. However, what we're also talking about is "dollars"...and those are the things that proper communication are going to have to work out. He pointed out that

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Mr. Vachet is here today because of dollars he sees as a viable thing in regards to funding. As Public Officials, the Commissioners are concerned about how those dollars are being spent. President Borries emphasized that the Commissioners will continue to work with Alexanders to work through those idifferences, as well as those Mr. Vachet has listed in his particular statement today. He said the Commissioners have every hope that the Paramedic Service will continue to be a viable one for our county and they also hope there will be a sincere demonstration on the part of all people in regards to resolving the differences concerning the financial agreements that the county needs to have insofar as public accountability. President Borries stressed that the Commissioners need a tremendous amount of cooperation from that standpoint. Again, he expressed appreciation for Mr. Vachet's attendance, as well as the attendance of those people here to demonstrate their support for Alexander and every effort will be made to work through the existing differences. President Borries indicated the Commissioners did acknowledge receiving the statement and, again, the Commissioners are properly concerned that these are the kind of statements they hope are being sent to those residents who utilize the service and who will, we hope, be able to pay a portion of that service -- because that is a major concern to the Commissioners. He stressed that Alexanders is talking about "dollars" and so are the Commissioners. He said we're all in agreement -- as everyone in the audience can attest to -- in the saving of human lives. We feel that is an understood kind of thing. He again stressed that he felt it was the "financial" problems that brought this matter to the attention of the Commissioners at today's meeting.

Mr. Vachet asked the Commissioners if it was their intent to sit down prior to January 1, 1984, to renegotiate a new contract? President Borries responded that he wasn't sure we were talking about renegotiating a contract short of the fact that we're trying to resolve -- what the Commissioners feel in their opinion -- portions in regard to the services rendered by Alexander to the County. He said these things have been pointed out and the Commissioners need to have information that would substantiate how the money is being used from the standpoint of where the certain appropriations go. Mr. Vachet then asked if he could expext that at some time in the very near future Alexanders and the Commissioners could sit down and discuss those differences and the information required by the Commissioners -- and would that be prior to January 1, 1984? President Borries responded, "Certainly -- yes."

Attorney Miller interjected that in follow-up to the meeting held last week, County Auditor Alice McBride has designated Chief Deputy Pat Tuley to make the review discussed during that meeting. The review is simply for the purpose of looking at the supporting documents to establish that the allocation of various costs which appear on the statements from Alexanders are appropriate and accourate. Attorney Miller said the County appreciates Alexander's willingness in that regard. He stressed it is a matter the County feels is necessary because public money is involved. He said Mr. Tuley had spoken to him prior to the meeting ahd indicated he will be in touch with Mr. Vachet to arrange a time yet this week when he will go to Alexanders and make the necessary review. He said that insofar as the matters discussed at last week's meeting, we are on track and Mr. Tulley will be going to Alexanders to make the review.

RE: DR. FITZSIMMONS --CHAIRMAN OF THE EVANSVILLE EMS COMMISSION

President Borries recognized Dr. Fitzsimmons, who was seated in the audience and indicated he wished to come to the podium to speak. In addition to being the Chairman of the Evansville EMS Commission, Dr. Fitzsimmons said he is Medical Director of the Emergency Department at St. Mary's Hospital, he is on the Board of the Vanderburgh County Medical Society, on the Board of Directors of the Indiana State College of Emergency Physicians, and he has had twenty (20)years of emergency experience. However, he stressed that today he is not speaking to the Commissioners for these organizations, but rather for himself personally and from the weight of the experience he has had in emergency medicine. He said our primary concern is the fact that nothing has been said about the fact that some of those here today still believe that perhaps the old basic life ambulance support is best and this, incidentally, is on the weight of what two (2) physicians have said to the Commissioners. He said he has not been able to find out who they are; so he said he assumes he can bring in some of his friends who can discuss it. He said his friends are the "Annals of Emergency Medicine". He cited copies from August, October, September and December of 1983. He said these are very recent articles --so here's on-going research into the effectiveness of Advanced Life Support. The October

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article contains a statement made by the American College of Emergency Physicians in Dallas, Texas. This was a document developed by the American College EMS Committee and approved by the Board of Directors. The essence of the article was that optimal quality of pre-hospital care is provided by Advanced Life Support individuals who are well trained and who have the following skills: Pre-hospital Advanced Life Support skills, intravenous therapy, invasive airway management, cardiac defibrillation, etc., etc., -- in all nine (9) skills were mentioned. He said these individuals have the capability of intervening in life-threatening situations. To follow up, the article in the August issue contains an article entitled "Pre-Hospital Cardiac Rhythm Deterioration in the System Providing Only Basic Life Support". The essence of this article was that Basic Life Support only supplies blood and oxygen to the brain and may save the brain for a period of time -- but in a matter of 15-20 minutes, it does not save the heart. It does not profuse the coronary arteries -- CPR does not -- and unless some Advanced Life Support is done in a very short period of time, then the heart dies and there is no chance for resuscitation. As a follow-up to that, in the December issue, there is another article called "The Rususciation Time in Ventricular Fibrillation -- a Prognostic Indicator". The essence of this was that after the heart went into ventricular fibrillation, if the heart was not defibrillated within a matter of 12.6 minutes, the chances of survival markedly decreased and there was very little chance of survival following that period of time. Therefore, it was recommended that in cardiac instances that Advanced Life Support be provided pre-hospital. In the September issue, there was an article entitled "Out-of-Hospital Pulmonary Edema Diagnosis and Treatment". The essence of this discussion was that pulmonary edema outside the hospital is a life-threatening situation which cause life-threatening arithmias in about 16% of the cases. Paramedic pre-hospital intervention would prevent these and, for the most part, markedly increase the viable rates. So, the research we're seeing is supporting Advanced Life Support. The American College of Emergency Physicians supports Advanced Life Support. The American Medical Association supports Advanced Life Support. There is overwhelming evidence that the experts in the field support Advanced Life Support pre-hospital. Dr. Fitzsimmons said he wanted the Commissioners to be aware of that, as they have not contacted any of the experts in this community concerning Advanced Life Support prior to making some of these decisions and he wants them to realize that if they go back to basic life support -- they're doing that without benefit of the best expert advice available to them.

On behalf of the Commissioners, President Borries expressed appreciation to Dr. Fitzsimmons for his attendance at today's meeting and his comments.

RE: PETER STEVENSON - DIRECTOR, EMERGENCY DEPARTMENT/DEACONESS HOSPITAL

President Borries recognized Mr. Peter Stevenson, who was seated in the audience and indicated he wished to approach the podium to speak. Mr. Stevenson said that in addition to being the Director of the Emergency Department at Deaconess, he is also the Medical Director for Alexander Ambulance Service. Actually, he said, he wanted to echo the words spoken by Dr. Fitzsimmons. At the same time, his personal background is different. He came from the Nova Scotia, Canada, area, where he was in practice for some four-five years. He said there were no Paramedics in that area, which was one of his primary reasons for moving from that area. He said he wanted the opportunity to get patients in his Emergency Department who he felt were properly stabilized and looked after in the field. He expressed the opinion that we do not have enough realization that Paramedics in the field are the eyes, ears and hands of the doctors -- they're there to help the Emergency Department doctors -- and it is vital and crucial that we have them there. Mr. Stevenson then directed the Commissioners' attention to information enclosed with the statement handed to them by Mr. Vachet concerning actual runs during 1983. Cited were the following:

> January 14, 1983 - Cardiac Arrest --that means that it's actually the heart and the respiration has stopped. This patient received Advanced Life Support care from the Paremedics and arrived at Deaconess successfully resuscitated.
>
> January 20, 1983 - Anaflactoid Shock --a 68-year old patient suffered anaflactoid shock, which is potentially a life-threatening situation. He was given an I.M. injection, which can only be given by Paremedics in the field.
>
> January 31, 1983 - Unconscious Diabetic -- Intravenous therapy was given to the unconscious diabetic and, again, this could not be administered except by a Paramedic in the field. He stressed that with diabetics -- we have to realize that the brain operates on sugar. This individual was deficient in sugar and if he didn't get sugar -- the brain might die. In citing other diabetic cases, he mentioned the 6-year old who had hypoglycemia --not enough sugar -- and an intravenous had to be started in the field.

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February 10, 1983 - PVC's --There was this patient with chest pain and something we call PVC's, which is a life-threatening situation. It oftimes degenerates into a cardiac arrest situation. The Paremedics arrived on the scene and delivered the appropriate medication to abolish those PVC's.

Continuing, Mr. Stevenson cited car accidents. Then there was an 86-year old lady who was in shock. The Paramedics administered the proper care and got that patient out of shock so that when they arrived at the Emergency Room she was in much better condition. Then, there was a 67-year old gentleman involved in a car accident who actually had to have two intravenous feedings started in the field plus ..... Again, when he arrived at the Emergency Department he was in much better condition than without the skilled Life Support care. Then there was the case of the 51-year old man who had been electrocuted. Again, the electrocution was handled very appropriately by the Paramedics in the field. Paramedics have a vast array of skills, talents and knowledge and they do a good job. There was the case of the 12-year old boy involved in a motor vehicle accident in the city. Again, he did well -- predominantly because of the Paramedics at the scene of the accident. Also receiving treatment was the 58-year old individual suffering cardiopulmonary arrest on June 30th. The Paramedics arrived on the scene and delivered appropriate therapy -- the patient survived. Proceeding, Mr. Stevenson pointed out that as indicated by Dr. Fitzsimmons, there is a whole host of literature that suggests the importance of Paramedics. He emphasized that in cases of cardiac arrest, the chances of individuals surviving with paramedic is three times greater than without benefit of a paramedic. If you have CPR initiated and paramedics and all occur within eight (8) minutes, your chances of surviving are 43% which, obviously, is a significant amount. Speaking as one who came from a community that did not have paramedics and coming to a community that does have paramedics -- and seeing the change in the mortality and especially seeing the change in how that patient is presented to us in the Emergency Department, he said he has to urge the Commissioners -- almost beg them -- not to go back to the basic life support system.

President Borries expressed appreciation to Mr. Stevenson for his comments and said his concerns in the matter are appreciated. He said the Commissioners have also initiated a study with the City of Evansville -- and they will continue to study a combined City-County Paramedic Structure, since at the current time we are using dollars that are being pooled into county funds which are also being collected from city residents -- so there are problems with the current structure. He again reiterated that the Commissioners are dedicated to working through these problems and he feels that regrettably, at this time, there has been some over-reaction on the part of some people involved to think that the termination would become a reality. He said they have heard from Stevenson and they know he is sincerely concerned about continuing Paramedics. However, we must also operate under the very stringent requirements of the State of Indiana concerning property tax freeze and available funds and at this time all of these are all parts of a very complicated system of Paramedic Services.

RE: BOB GUZZO - NORTH SIDE RESIDENT

Mr. Guzzo was seated in the audience and requested permission to approach the podium. Having been recognized by President Borries, he indicated he lives on the north side of town outside the city limits. He said he has a 4-month old son who came home after 2½ months in the hospital, where he had major surgery about two (2) weeks ago. One of the conditions of his coming home was the availability of prompt and good Paramedic Service. Mr. Guzzo said at the time he wasn't aware of just exactly what we had -- but he was proud and happy to go back to Indianapolis and tell the people there about the service we had in Evansville. He said while he is not certain, he supposes that had this service not been available that his son would not be home today -- he'd still be in the hospital. Therefore, for a very private reason he feels this is a very valuable service and he'd hate to see it given up.

RE: MIKE DETERS - DIRECTOR, EMERGENCY SERVICES - WELBORN HOSPITAL

Mr. Deters stated that he simply wanted to echo what has been said by those preceding him and add that organization's support to the concept of ALS care and said there is no question but that it is superior to BLS care. He noted that one aspect which hasn't been mentioned is the fact that the Paramedics carry radio equipment, which enables them to also be in contact with physicians at the base hospital and send preliminary EKG patterns. This is another advantage in addition to the training of the Paramedics, themselves.

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RE: JESS ROBERTSON - SUBURBAN FIRE ASSOCIATION/CHIEF, SCOTT TOWNSHIP

Mr. Robertson indicated he had one question puzzling him. If the money has been appropriated and approved, for Paramedic Service, why is there any question as to what we want to use it for? In response, Commissioner Willner said he could only respond personally -- but it has been the Commissioners effort to work through the dollar figures -- that's what we're talking about. There is no debate here -- the Commissioners are committed to human life. What the Commissioners are dealing with, however, is a system that will satisfy from the Commissioners' standpoint, accounting procedures and accountability from the standpoint that the County is correct with the State Board of Accounts. He emphasized that he does not think there has ever been any question that the money would be used for anything else -- that has really not been an issue. Mr. Robertson said the word they heard was that consideration was being given to going back to BLS and, quite frankly, the Fire Department does not want to regress ten (10) years and he urged the Commissioners to make certain that the money appropriated for the Paramedic Service is used for that purpose.

RE: COUNTY ATTORNEY - DAVID JONES - PROPOSED SETTLEMENT/ST. JOE AVE. & LYNCH ROAD

Attorney Jones said he had previously given the Commissioners a proposed settlement for St. Joe Avenue and Lynch Road. What he has just handed them is, in fact, the alternate proposal for St. Joe Avenue. After many months of meetings and negotiations and going through numerous records, he feels we have reduced this large problem down to something that appears to be managable. In addition, he has submitted to the Commissioners Affidavits, additional documentation and records which were produced by the Consulting Engineer on these projects, Engineer Associates. As you may recall, the final audit conducted by the Indiana Department of Highways disallowed a number of items in the Cost/Plus contracts for both of these projects. We attempted over a period of time to resolve some of those differences with very little success. We have now obtained what Attorney Jones feels we have been asking for for the last 2½ years and that was the additional time records to support the labor that was previously disallowed by the State Auditor. Those time sheets have been submitted to each of you as exhibits and they will be submitted to the Indiana Department of Highways. There are also a number of Affidavits which will authenticate those time records, which have been signed -- by Mr. Veatch, the president of the company; Barbara Runyon, the bookkeeper, and a number of people involved with the Engineer Associates employees involved on those two projects. In addition, the mere passage of time has been something of a friend to us, despite the problems to the extent that the Federal government will now allow an increased participation on these contracts of five (5) percent. The sum and substance of the proposal is this, that the county, together with the consultant, request the Federal government to increase the Federal participation from 10% to 15% for all construction engineering costs. Those additional monies, together with the changes in the labor backed by these time sheets, would produce the results which you have before you in the summary sheets. There is total agreement with respect to Lynch Road. Hence, you simply have one summary sheet for Lynch Road, with supporting documents and affidavits. With respect to St. Joseph Avenue, what you have are basically two proposals. Both of them seek to increase the Federal participation overall. One of them (Proposal #2) increases the fixed fee by 5%. St. Joseph Avenue Proposal #1 does not do that. That is basically the only difference between the two proposals. They have the same documentation and basically the same numbers. The difference is whether or not under the Federal Regulations that the additional 5% can be gained for the fixed fee. That would be apportioned according to the amount of work that was done by the consultant on that project. What Attorney Jones recommended to the Commissioners is that the Commissioners submit both proposals on St. Joseph Avenue to the State on an either/or basis. If they will accept Proposal #2 -- that's fine. If they won't, then Proposal #1 is basically all that's left. The bottom line on either one leaves the county owing no monies to the State. If you will recall, under the basic audit, the amounts that were disallowed generated an awfully large number --which escapes me -- but it was at least six figures -- that would have left the county paying it back. With the insolvency of Engineer Associates, it would have been a hollow and sorted situation to have them owing us money when we couldn't collect it and then have to turn around and pay that money to the State. In addition, the principal of the company has subsequently deceased (Mr. Weiss passed away seven months ago). His estate also has several claims. The prospect of not being able to settle this matter puts us in a five-way fight in court for a long, long time. It would be extremely complex. Should anyone doubt that -- Attorney Jones invites them over to his office to look at files on this case. In essence, you're being asked to accept the Settlement Proposal before you, based upon --in the case of Lynch Road, the summary. On St. Joe, on alternate forms. These should be submitted to the State, along with the documentation

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which we previously lacked, together with the affidavits, and a request that they increase the Federal participation. If that is accepted, I think we're down to -- at most -- anywhere from $2,000 - $9,000, depending upon which version they accept, with the County having no liability to the State or anybody else on either of these projects and they would, in effect, be closed out.

Commissioner Willner said he wanted to extend his personal comment that Attorney David Jones is indeed an asset not only to this Board but certainly to the County from the standpoint of the hours he has spent in a very complicated situation. He said he is hopeful that this might resolve a considerable amount of confusion, as well. There is a lot of uncertainty concerning these projects and, hopefully, if the State will approve these figures prepared by Mr. Jones, then we can reach a settlement as quickly as possible. Again, Commissioner Willner reiterated he commended what he knows has been hours of work concerning these particular projects. Proceeding, Commissioner Willner then entertained a motion that the Board of Commissioners authorize Attorney Jones to proceed to submit these figures to the State for their review and subsequent action -- hopefully approval -- on these two projects.

Lynch Road - Motion was made by Commissioner Willner that the Board of Commissioners approve the document, as submitted. Motion was seconded by Commissioner Cox. So ordered.

St. Joe Ave. - Motion was made by Commissioner Willner that both documents be submitted to the State and let them choose either one -- but that the Board of Commissioners approve both. Motion was seconded by Commissioner Cox. So ordered.

Attorney Jones interjected that upon acceptance by the State and in closing out this project, that he would then come back to the Commissioners with a release form to be signed. He said we have tied up assets of this company with security interest in the contracts; we have taken real estate and have a mortgage on it. If these proposals are accepted by the State, he would then ask the Commissioners to release that property and, hopefully, close out these two projects. President Borries then asked for a roll call vote and requested that the vote be forwarded to the State Highway Commission.

Commissioner Cox - Yes
Commissioner Willner - Yes
Commissioner Borries - Yes

RE: VANDERBURGH COUNTY AUDITORIUM - KIM BITZ

President Borries announced that Kim Bitz will not be giving a report on the Vanderburgh County Auditorium today.

RE: BURDETTE PARK - MARK TULEY

Burdette Park Manager Mark Tuley presented his monthly Financial Statement to the Commissioners, with the following comments. He said their starting budget was $611,210.28 for the year. This report covers figures through November. A total of $509,257.07 has been expended and there is a total balance of $101,953.21. Total income for the same period was $196,680.97 as follows:

Pool	$ 89,543.90
Rink	36,254.41
Rentals	55,210.97
Miscellaneous	15,671.69

There is currently a total deficit of $312.576.10. Mr. Tuley said that the deficit at the end of the year will probably come in at around $350,000.00, which, of course, is a lot of money. He does feel that things are improving and next year should be much better. President Borries said the Commissioners know Mr. Tuley will continue to monitor the progress at Burdette and we have definitely made some inroads in regard to the expenses and the operating deficit. Hopefully, we will have a successful year in 1984. He indicated Mr. Tuley is working on several different projects for 1984 and, hopefully, lots of things will be happening at Burdette. It is our intention to maintain the same quality service at the park. However, because of budget problems and priorities, there have been lots of cuts made to Burdette Park's budget -- but we've hung in there and will continue to do so in 1984.

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Mr. Tuley proceeded by announcing the Skating Rink Operating Hours during the Holiday Season as follows:

SKATING RINK CLOSED - Christmas Eve, Christmas Day & New Year's Day

SKATING RINK OPEN - New Year's Eve

Operating Hours on New Year's Eve will be from 7:00 p.m. - 1:00 a.m. We will encourage parents to bring their children out to the Skating Rink on New Year's Eve rather than taking them to a babysitter. That program was very successful last year and therefore they're going to re-run it again this year. There will be no increase in fee. A large crowd is anticipated.

POOL DECK REPAIRS : Mr. Tuley said Commissioner Willner was out at Burdette Park this morning. The pool deck repairs are basically done. Sometime during the next week, the engineers will be out to perform an inspection. Hopefully, Mr. Tuley can get the required paperwork to the Commissioners on this project before year's end for their approval.

RE: COUNTY HIGHWAY DEPARTMENT - BILL BETHEL

Mr. Bethel indicated that during the past week the Gradall was out on Upper Mt. Vernon Rd., Korressel Rd., Lynn Rd., Hogue Rd., Folz Rd., and Bender Rd. Patch Crews were out on Green River Road, Boonville-New Harmony, St. Joe Avenue, Baseline Rd., Arrowhead or Plainview Dr., and Marx Rd. Graders were out on Baxter, Montgomery, Armstrong, Young, Ruston, Hebner, Hornby, County Line East, Buente, Emge, Maasberg, Old Green River Rd., Baehl Rd., and Schmitt Rd. We have installed our snow equipment and sale spreaders on five (5) trucks. We now have five (5) trucks and three (3) graders ready for snow and ice. Humps were cut on Oak Hill Rd., Broadway, Harmony Way, Kern Rd., and Old 460. Tree Crews were out on Lynn Rd., Old 460, Kern Rd., Seib Rd., West Old Mt. Vernon Rd. Trash Crews were on Lynn Rd., S. Weinbach, Allen Lane, Green River Rd., and Kern Ct. A large cave-in or hole was repaired on O'Hara Drive. This morning, they started putting guard rail up on Pollack Avenue. Commissioner Willner advised Mr. Bethel that there is an old abandoned icebox on Woods Road with a door, and he requested that Mr. Bethel have his crew go out to pick up same. Mr. Bethel said he would.

Mr. Easley advised there is still a "closed" sign out on Baseline and Cemetery Roads. This is a blinker-type sign, but the blinker is out. Mr. Bethel said this must be one of the signs the bridge crew had, as he doesn't have blinkers. Mr. Bethel said he would check this out tomorrow.

Work Schedule for Week of December 5 thru December 9: Received and Filed.

Absentee Report for Week of December 5 thru December 9: Received and Filed.

RE: COUNTY SURVEYOR'S OFFICE - DAVID GUILLAUM

Mr. Guillaum reported that Repair Crews were in the following areas: King's Road, Happe Road, Cypress Dale Road, Hirsch Road and Burkhardt Road, Oak Hill at Millersburg Rd., Heckel at Green River Road and St. George Road. Mr. Guillaum said they are now going through the final tallies on the First Avenue Bridge project, trying to arrive at our overall figures and what items were over and what items were under, etc. We plan to get with the contractor next week to go over the checklist. President Borries said that Mr. Wayne Fehd is still in the audience and he wonders if someone from the County Survenor's office will make some contact with him to see what perameters we have. In view of the cuts made in the Cumulative Bridge Fund for 1984, he doesn't think we have any new construction planned. However, the Commissioners will await for recommendation from the Surveyor's office on that. However, the Surveyor's office should talk with Mr. Fehd regarding his concerns to see if we can be of some assistance, depending upon the final corridors for I-164, etc.

CONDEMNATION SUIT PENDING: Attorney Miller interjected that we have a condemnation suit pending with respect to the widening and relocation of a ditch along Burkhardt Road on the Hirsch property between Division and Boonville Highway. The case is a very old one, and it has been determined that the County is liable and the question is now restricted to how much the County owes. That trial is set for early April. Attorney Miller is into some settlement discussions with the attorneys for the Hirsches and he

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has sent a couple of requests over to Dan Hartman to go out and take a look at a bridge over that ditch. Attorney Miller asked Mr. Guillaum to get with Mr. Hartman and have him respond to Mr. Miller. If he can get to that, it might be helpful to Attorney Miller during settlement discussions. While not critical, Attorney Miller would appreciate hearing from Mr. Hartman at the earliest possible date.

RE: COUNTY HIGHWAY ENGINEER - ANDY EASLEY

Mr. Easley said he doesn't think he has anything in particular to discuss with the Commissioners today. He said he and Mr. Bethel worked on a couple of street acceptance projects. Mr. Easley also toured the Romaine area over the weekend and they have all of their concrete poured. However, yet to be accomplished is some corrective work on storm drain inlets, etc. Mr. Easley had an informal meeting with a resident of the Elmridge Subdivision and they are very interested in meeting with some representatives of the County Commissioners to see if they could do what Valleyview has done -- raise money to correct what has to be done. He asked if he could be authorized to meet with them to see what they could come up with? Mr. Easley said they do have some problems in there, as well as the street bumps discussed a month or so ago. That road is not in very good shape -- Mr. Easley was over it again this past weekend. Commissioner Willner said that in view of what Attorney David Miller has pointed out, things seem to be proceeding all right on Burkhardt Road. So, hopefully, the appraising and then purchase of right-of-way.....Mr. Easley said he had spoken with Jim Morley and they have something to talk about concerning the vicinity of the Brandeis Ditch. Because of the ditch, his legals were not written for 40-ft. right-of-way on the east side. If that road were ever widened, that ditch would have to be relocated rather than covered -- as they did on Green River Road years ago -- between Division and Morgan. We've had a slight misunderstanding there. Commissioner Willner said he thought we were buying enough right-of-way on the West side; therefore, why we would want to widen it on the East side? Mr. Morley said we can get four lanes to the west. The project itself, even right now, is two 12-ft. lanes -- 24 ft. pavement -- with 8-ft. paved shoulders. It wouldn't take very much more if we were to go to a curb section. The pipe prices, if you go toward Crawford-Brandeis -- then you're speaking of $300 per lineal foot, and the highway doesn't cost that kind of price. Horendous ditch cleaning and maintenance costs would also be incurred. Mr. Easley said when he and Mr. Morley were talking about this, he completely forgot about the Crawford-Brandeis Ditch. Mr. Morley indicated we have all the easements for acquisition on the west side that we need.

Commissioner Willner requested that Mr. Easley get with the Traffic Department and see if we can get some delineators on St. Joe Avenue -- on the divider lanes -- on the four-lane section. We painted the curbs yellow, and that made it worse instead of better -- and there is no lighting. You cannot see where the lanes are.

Cable Junction Box - Indiana Bell: Mr. Easley said he had talked with Mr. Ken Peters of Indiana Bell and he feels they can relocate the cable junction box at Millersburg and Green River Road by some 90°, and he wanted to talk to the property owner and also requests permission to wait until dryer weather to accomplish this. Mr. Peters indicated they can make snake trenches for their cables and turn the box 90°. Therefore, Mr. Easley said he thinks we'll get a favorable answer on this problem.

*** RE: SPECIFICATIONS FOR GUARD RAIL, POSTS & TERMINAL END SECTIONS

President Borries advised that the Commissioners have specifications for Guardrail, Posts and Terminal End Sections to be approved, so they can be advertised for Bids. Bid Opening would be on Monday, January 9, 1984. The specs would be published twice in the local media. Motion that specs be approved was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: BROWNING-FERRIS INDUSTRIES - RATE INCREASE

President Borries proceeded to read the following letter from Browning-Ferris Industries, concerning rate increase:

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*** Copy of these specs attached to minutes for reference.

"Vanderburgh Auditorium
715 Locust Street
Evansville, IN 47708

Dear Customer,

Like you, businessmen everywhere are finding themselves constantly combatting the rising cost of doing business. Faced with an increased 1984 Federal Excise Tax on fuel, equipment and parts, and increased labor costs, firms in the solid waste disposal business will experience an increase in the cost of doing business.

Unfortunately, we find we cannot absorb these higher costs. Therefore, we feel certain you will understand why we find it necessary to institute a modest price increase for our service.

On your January, 1984 invoice, the monthly increase for service will be $12.00 for equipment supply and $5.50 per haul.

We appreciate your business very much and should you have any questions about this adjustment or any aspect of our service, please contact me.

Sincerely,

Eadye Simpson,
Sales Representative"

President Borries asked that the foregoing be entered for the record and copy forwarded to Kim Bitz, Manager/Vanderburgh Auditorium.

RE: INDIANA DEPARTMENT OF HIGHWAYS/VANDERBURGH COUNTY - PROJECT RRS-9982(2)

President Borries introduced a letter, together with copy of Agreement between the Indiana Department of Highways and Vanderburgh County (Project No. RRS-9982/2) which concerns a Surface Railroad Crossing at Burkhardt Road and Southern Railway. He said this crossing improvement must be signed by the Commissioners and then returned to the State Highway office. Commissioner Willner made motion that the Agreement be approved by the Commissioners and returned to the State Highway office for further execution. Commissioner Cox seconded the motion. So ordered.

RE: BUILDING COMMISSIONER REPORT - PERMITS ISSUED

The monthly report from the Building Commissioner on Permits issued was received and filed.

RE: TAX TITLE DEEDS TO THE COUNTY

President Borries said he had a number of Tax Title Deeds to the County to be received and filed. These are for various properties, for 1983 and previous delinquent taxes. He requested that the various deeds be entered into the record.

Tax Code No.	Location	Delinquent Amount	Date
11-10-21-86-6	930 S. 6th Street	$ 1,785.44	12/12/83
11-11-22-7-10	412 Adams	2,235.81	12/12/83
11-12-22-30-11	1223 S.E. Second St.	3,431.96	12/12/83
11-14-22-48-2	1502 Judson	437.08	12/12/83
11-15-22-61-22	1706 S. Governor	933.06	12/12/83
11-16-22-78-13	1700 S. Garvin	1,327.86	12/12/83
11-19-23-31-13	732 E. Blackford	801.17	12/12/83
11-26-24-22-3	627 E. Sycamore	534.22	12/12/83
11-27-24-36-29	421 S. Linwood	545.52	12/12/83
11-27-24-38-47	515 S. Linwood	501.91	12/12/83
11-28-24-45-10	670 E. Cherry	284.15	12/12/83
11-31-24-77-7	1253 E. Franklin	1,607.19	12/12/83
11-56-28-59-9	1413 Florence	453.32	12/12/83
11-56-28-59-10	1417 Florence	1,075.18	12/12/83
11-56-28-59-11	1419 Florence	960.65	12/12/83
11-77-32-41-16	2771 Broadway	1,278.58	12/12/83

(continued)

President Borries advised that the Tax Deeds to the County on these properties will have to be referred to the County Assessor for review and appraisal. County Auditor Alice McBride explained that when they are returned by the Assessor, they will have to be advertised for four (4) weeks in the local media prior to being sold. Motion was made by Commissioner Willner that the Tax Deeds be forwarded to County Assessor's office for appraisal. A second to the motion was provided by Commissioner Cox. So ordered.

RE: CERTIFICATES OF INSURANCE

The following Certificates of Insurance were noted by President Borries, prior to being received and filed. All three certificates were for coverage of functions held at Vanderburgh Auditorium:

Insured	Agency
Midwest Stone Contractors, Inc. (Christmas Party - 12/18/83)	Ashby-Rauscher Agency, Inc.
Board of Trustees - Welborn Clinic (Christmas Party - 12/10/83)	Greene & Greene Agency, Inc.
Long John Silver's et al (Christmas Party - 12/12/83)	Harris & Co.

**** RE: CLAIMS

President Borries stated he had a couple of insurance claims for approval:

(1) Claim in the amount of $443.00 for Public Employees Blanket Bond in the sum of $50,000, re the Clerk of the Vanderburgh County Circuit Court.

(2) Claim in the amount of $30.00 from Helen Gaslin Agency, Inc. for a county bond renewal to the County Recorder.

After brief discussion, it was determined that the claim from Ashby Rauscher Agency should be held until study can be made to be certain we are not double-insured. President Borries called for a motion concerning the bond for the County Recorder from Helen Gaslin Agency. Motion to approve payment of this claim was made by Commissioner Willner, with a second from Commissioner Cox. So ordered.

RE: EMPLOYMENT CHANGES

German Township Trustee - Appointments:

Mary H. Happe	R.R.4, Box 302A	Investigator	$520.00 yr.	1/1/83

(Since this pink slip had not been received and included in the record for 1983 and this is the full amount of her pay for year 1983. New Trustee was not aware that this particular form had to be submitted for approval.)

Circuit Court - Appointments:

Leora Joy Riesbeck	3712 Van Meter Ct.	Special Reporter	$3.35/hr.	12/5/83

Circuit Court - Release:

Leora Joy Riesbeck	3712 Van Meter Ct.	Special Intern	$3.35/hr.	12/2/83

RE: SCHEDULED MEETINGS

President Borries then asked the Commissioners if they knew of any scheduled meetings at this time. The Commissioners replied they were not aware of any.

**** It was subsequently decided to hold both claims, as there was question on claim from Ashby Rauscher and the claim from Helen Gaslin Agency was not properly signed by representative of that agency.

(continued)

RE: PREVIOUS MEETINGS

Continuing, President Borries proceeded to offer comments on meetings previously held. He said the meeting held recently with Alexander Ambulance Service, Inc., was essentially a procedural meeting -- not one in which there was any kind of decision in any way -- to say yea or nay to Paramedic Service for 1984. The procedural meeting was one in which as previously pointed out, there has been continuous communication since it has been the first year of a new contract -- the first year of an Agreement in which the County entered into with Alexanders -- and as in any such meeting, there were problems -- in particular concerning financial problems -- because that is basically what the procedur and the meeting was involved with. No terms of termination were discussed at that meeting. As County Commissioners, the Board has continually been concerned with clarification regarding the contractual obligations of the County concerning the spending of these dollars. It is the Commissioners sincere hope that those problems will be resolved.

Commissioners Borries said he also attended a meeting called by Mayor Vandeveer with State Legislators concerning his proposal regarding the proposals at Dress Regional Airport. The Mayor asked for consideration of implementing a 1¢ Restaurant Tax to, in effect, regionalize the portion of improvements that have been proposed at Dress Regional Airport. There were no decisions reached at that meeting -- it was strictly an informational meeting in which the legislators heard this proposal. As to whether there will be a bill introduced to that effect in the short session remains to be seen. There is some limitation as to how many bills the legislators can introduce into the session. The matter of airport funding is one of concern to both the City and the County Officials and, in an attempt to move those improvements forward, such a tax was discussed this week by Mayor Vandeveer.

With regard to the Vanderburgh Auditorium, the Commissioners may have read this past week of the concerns of one group regarding the lights over there. We extend our apologies to that group. However, Commissioner Borries said the group has indicated they will support improvements to the Auditorium. Kim Bitz, Auditorium Manager, is preparing a list of rates for 1984. President Borries said he hopes the users of the Auditorium will be aware that the rates will have to be increased to offset the cost we have there. We are also very hopeful that the monies that the Council has set asid for improvements to the Auditorium facility for 1984 will be saved and that those amounts will not be cut, so some improvements can be made in 1984. We are extremely hopeful that the Auditorium will have a successful year in 1984; bookings seem to be on the increase. And at some time in the future, we are hopeful that we can make needed improvements there. Mr. Bitz will be forwarding the new rates to the Board of Commissioners. He is trying to combine some rate increases to avoid numerous side charges. In other words, to come up with an increase that would allow him to give a clear charge to all of the users of the Auditorium and involve all of the extra types of charges that often accompany the use of the Gold Room or the Auditorium side. It is expected that Mr. Bitz will have these rates ready to present at next week's meeting. Commissioner Cox interjected that Mr. Bitz had also told her he wanted to run the new rate schedule by the Task Force Committee to get their imput before making his final presentation to the Commissioners. Since he did not have the imput from the Task Force Committee, Mr. Bitz asked to be removed from today's meeting agenda.

RE: NEW BUSINESS

There being no further business to come before the Board of Commissioners for discussion, President Borries declared the meeting adjourned at 4:15 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Richard "Rick" Borries Robert L. Willner Shirley Jean Cox	Alice McBride	David Miller David Jones
SECRETARY:	Joanne A. Matthews		OTHER
			Wayne Fehd Tom Vachet/Alexanders News Media 40-some odd Supporters of of the Advanced Life Support System

Richard Rick Borries

Robert L Willner

COUNTY COMMISSIONERS MEETING
DECEMBER 19, 1983

The meeting of the County Commissioners was held on Monday, December 19, 1983, at 7:30 p.m., in the Commissioners Hearing Room with President Borries presiding. Commissioner Cox was absent.....on vacation.

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

RE: REZONING PETITION VC-10-83...THIRD READING

Petitioner: Hardee Glisson, Jr., 2220 First Avenue
Owner of Record: Robert Hornbrook, 225 LaDonna Blvd.

Premises affected are situated on the west side of St. Joseph Avenue, a distance of 400 feet south of the corner formed by the intersection of Lexington Avenue and North St. Joseph Avenue. The common address is 3820 N. St. Joseph Avenue and the above described real estate is presently zoned A. and the requested change is to M-1. The present existing land use is vacant and the proposed land use is a salvage yard.

Mr. Curt John, attorney, was present to represent the petitioner and stated there is also before the Commissioners tonight a Special Use request, which is in connection with the rezoning request. He said the reason for this request is for the utilization of the property at 3820 North St. Joe Avenue to become a salvage yard. The petitioner presently owns Glisson Auto Salvage at 2220 First Avenue and has been in business there for approximately thirty eight (38) years and due to a large increase in their business they find it necessary to relocate and acquire additional property and after considerable searching they think this particular property is suitable for their needs. The property in question is located on St. Joe Avenue, north of Allens Lane and south of Wimberg Avenue. On the east side of St. Joe the majority of zonings are manufacturing and commercial and on the west side of St. Joe the majority is residential 1 and 4, with the exception of the K-Mart which is located on the corner of St. Joe and Diamond Avenue and the property which is immediately adjacent to the property they are asking to be rezoned which is currently being operated as a salvage yard known as AAA auto Parts. At the Area Plan Commission meeting there was discussion concerning the proposed use both on the east and west side of St. Joe Avenue with the master plan specifically identifying the east side as manufacturing and commercial and designating the west side as residential, however, in the plan it also states that the area north of Wimberg would be unsuitable for commercial due to the drainage problem, however, the property they are wanting to be rezoned has no drainage problem. The petitioners plan to erect a building some 100X60' and agree to abide by all codes set forth for the county and city, such as an 8' opaque fence. They plan to have six (6) employees at the new location and plan on an output expenditure of approximately one quarter million dollars.

Mr. John said he would be happy to answer any questions, as would Mr. Glisson who is also present tonight.

Commissioner Willner asked if Mr. Glisson would be willing to provide a comprehensive plan of the building he intends to put there and how close to the road it will be situated.

Mr. John said the site plan was included in the package submitted to the Commissioners. He said he might also mention at the APC meeting the remonstrators mentioned concerns about AAA Auto Parts, that in 1972 the county attempted, through the Area Plan, to have the operation stopped, however, that was unsuccessful, and they are still in operation. Naturally the people out there are concerned about property values, with the possibility of another salvage yard going in out there, however, this one is directly adjacent to the existing salvage yard. They were also concerned about traffic problems that already exist and would perhaps become worse, but as the Commissioners well know the entire east side of St. Joe Avenue is heavy commercial and industrial and he believes St. Joe could adequately provide for any additional traffic caused by this business going in out there. They were also concerned about cut fences and about Mr. Glisson not maintaining his property and as an example, sited the existing salvage yard and he asked at the APC meeting for them to please not judge Mr. Glissons' business by AAA, that Mr. Glisson has assured everyone that he will keep this property in exceptional good condition.

President Borries asked Mr. Glisson what type of building he intended to build and he replied it would be a metal building with perhaps a stone front, which would house his office and retail sales and some minor parts would be stored in the rear of it.

Attorney Steve Lamont was present to represent the remonstrators and stated there are several remonstrators present tonight and that a few of them would personally like to speak before the Board after he finishes his presentation. He asked would the remonstrators please stand....there were approximately 45-50 in count. He also submitted a petition with one hundred, sixteen (116) signatures on it, objecting to this rezoning, at the Area Plan Commission meeting and he said he now has a petition with an additional eighty (80) signatures on it.
Mr. Lamont submitted a large cardboard with thirteen photographs attached to it and ask that the Commissioners follow the numbers along with his presentation. Photo #1 states that one is enough and through the research done by himself and some of the residents they find there is no place in Vanderburgh County where there are two (2) junk yards, side by side. Photos #2 & #3 show the property to be rezoned and shows how close the new salvage yard would be to the people that now live out there. Photo #4 shows the corner property of residents out there and how close this will be to their home and the decrease in the value of their homes. Photo #5 is in regards to the traffic.....this was taken from the corner and shows a median running north on St. Joseph Avenue, with no cuts through that median, with no way to get to the property where the second junk yard would be built. Photo #6 goes along with the traffic problem. Photos #7 & #8 shows the loss of the property value, with the closeness of the new junk yard. There is also concern among the property owners about rats in the area, that a lot of people have had problems with them running onto their property, and we all know that rodents thrive in seats of abandoned vehicles in junk yards, and they do not want this problem multiplied, that there are several children living in that area. It was also stated that the people of German Township have said they do not want any industrial building west of St. Joseph Avenue. AAA Auto Parts got in under the Grandfather clause and cannot be helped now, but surely the residents out there do not deserve two (2) junk yards. Photos #9 & #10 show Glisson Auto Parts as it exists today on First Avenue.....so you tell us, would you like to look out of your window and see vehicles piled as high, up over the fence, as it shows in these two (2) photographs.....nothing but junk cars everywhere. Photo #11 was taken to show there is a vacant lot next door to Mr. Glissons present location, so why can't he expand where he is presently at. Photos #12 and #13 show that Mr. Glissons' neighbors presently are all industrial and not residential, so naturally he has had no complaints about his business, because Mr. Glissons' business is not next to their homes.
He said this finishes his presentation, however, there are a few residents who would like to be heard at this time.

Mr. Joe Titzer came forth at this time and stated he lives at 3906 N. St. Joe Avenue and he also owns the property at 3900 N. St. Joe Avenue and one of his concerns is the traffic problem, that there is no way you can make a U turn out of the left turn lane on St. Joe Avenue, not even with a car. Also concerning the flooding problem, this land in question has water standing on it continually during the winter and during rainy seasons. There is a creek running behind this property, however it is higher than the property, therefore it will not drain properly.

Mr. Carl Cates of 3916 Charlotte Street came forth and stated his property joins Mr. Titzers' and he would have to look out his home, toward the south, and see this junk yard, which would be approximately 150 to 200 yards from his home and he does not think this is right for them out there to have to be subjected to, and would ask it be denied.

Ms. Rosa Reeger of 3901 St. Joseph Avenue came forth and stated she has lived at this particular address since 1937 and she can certainly verify the water problem mentioned by Mr. Titzer. Her husband has farmed that area and it is very low. She personally went to Mr. Glisson and asked him what his plans for building were and how far this would be from the road and he told her they may not build for a year or so and she also asked him would he guarantee her that he would not park junk cars over there this next year and he told her no, he could not promise her that. She lives across the street from this property, at the north end of it, and she would very much resent looking out her front window and seeing this junk yard facing her.

Ms. Carolyn Pugh, 2324 West Sheridan Road came forth and stated she resides in the second house from the corner, on W. Sheridan Road. When she walks out into her front yard she can look directly into the property that is up for rezoning. For the past two (2) years she has had severe problems with rats at her home, that she cannot go out and work in her yard without taking a sharp object along incase there is a rat out there. Also the property in question is a natural habitat for our wild life birds and she would not like to see that destroyed. She also feels the traffic problem is pretty severe on St. Joseph Avenue, that there have been numerous accidents at the corner of Sheridan and St. Joe.

She thanked the Commissioners for letting her speak and ask them to please deny this request for rezoning.

Mr. Mike Horn, 2519 Lexington Avenue was present and stated one of his concerns is the traffic problem, that this past summer, at the intersection of St. Joe and Allens Lane he and his family was involved in a very serious accident and in order for a tow truck to make a left onto Lexington, the Commissioners can see from the photos submitted, there would have to be a lot of additional road work done, that it could no way stay the way it currently is.

Mr. Bob Ryder, owner of Parkview Court came forth and stated this property in question lies directly to the south boundary of the AAA Auto Parts. He has been out there since 1959 and we have fought several rezoning battles, with both the Area Plan Commission and the County Commissioners, one of those battles being the junk yard that is presently there. When reference is made to an opaque fence he would like it more clearly described because what is around the AAA Auto Parts right now is simply some sheet metal hung on some timber. Also when he mentioned putting in shrubs....well he for one has never seen any shrubs at a junk yard. When he built his house out there in 1965 he was assured there would be no junk yard built next to him and not much more than one (1) year later there was a junk yard there. He took his case to attorneys and they fought it, but they lost the case, but he certainly does not think he should be subjected to having two (2) next to him.
He would also like to report the fact that there are junk cars parked in front of AAA's fence and he believes there are Ordinances to prohibit this and he believes this should be taken care of by the proper authorities.

President Borries asked who presently operates AAA and Mr. Ryder said he is not certain, that Mr. Hornbrook has recently sold it. He feels the situation out there is bad enough so lets not add to it, but would ask denial of the request.

Mr. Richard Gelarden of 3916 North St. Joe Avneue came forth and stated he resents the fact that Mr. Glissons' attorney has twice made reference to the fact that the zoning all around us is industrial, well the first time they tried to object to Uncle Charlie's they told us we couldn't object because we lived too far away and then they put another industry across from that and we couldn't object to that either, so he believes Mr. John's reference to industrial should be discounted. He for one would like for this land to stay Agricultural, or Residential and would ask the rezoning be denied.

Mr. Robert Jarvis, 2507 Lexington, stated he has resided in his present home for fifteen (15) years and one of the things he objects to is the area is residential and the increased noise would make it very hard, if not impossible, for people trying to sleep, after they have worked the night shift and he knows some of the neighbors do work nights. His wife is a nurse and works third shift and it would be next to impossible for her to sleep during the day with heavy machinery running all day, therefore they do grossly object to this rezoning be granted.

Mr. Lester Dicks, 2513 Lexington Avenue stated this had not entered his mind, but he too works the third shift and has done so for the past three (3) years and he can fully appreciate someone trying to sleep during the day with the loud noise this junk yard machinery would cause. Also, he cannot vision a tow truck with a vehicle behind it, making any kind of a U turn at the corner of Lexington and St. Joe Avenue, that it could not be done.

Attorney Lamont said just to sum this all up...one is enough and two wrongs do not make a right.....therefore he would ask the Commissioners to consider all that has been said by him and the residents present tonight and deny this request, because no place in Vanderburgh County are residents asked to live with two (2) junk yards....side by side.

Mr. John said Mr. Glisson is not the land owner at the present time and it would take time for him to purchase the property, therefore he would not be able to begin building until sometime in the summer. Again, he would ask the remonstrators to please not judge Mr. Glisson by the action and maintaining of businesses of others, because Mr. Glisson has been in business for some years now and is aware of what it takes to make a good looking place. One of the objections is the traffic problem and apparently it is thought of by the remonstrators that everyone will be going north on St. Joe Avenue to get to his place, but it is also accessible by going Mill Road and they would then be going south on St. Joe Avenue and make a right into the property. You will notice the photogragh of Mr. Glissons' present location abuts Pigeon Creek and that is why it is muddy looking, as the Commissioners are quite aware of the flooding problem of Pigeon Creek.

He said there was also a photo of cars stacked above the fence line at Mr. Glisson's present location and if everyone will recall at the beginning of his presentation he stated one of the reasons Mr. Glisson wanted to expand was he did not have enough room at his present location. It was also mentioned the vacant lot next door to Mr. Glissons' present location could be purchased, however, that property is in the flood zone and not available to him for this purpose of expanding. Also, one of the ladies that spoke said something about Mr. Glisson putting junk vehicles on the property without the proper fencing, well this would be in violation of the ordinance and Mr. Glisson has said he would violate no codes.
In closing he would say that any neighborhood would object to having a salvage yard in their area, this is a necessity, that it has to be some place and in his clients opinion this is a proper place, since there is already one existing out there.

Mr. Thomas Grimm, 2618 Glenview Drive, stated that when Mr. John talks about traffic which could be coming from the south on St. Joe, well, the majority of the town is to the south, so most of the traffic would naturally travel north toward this business of Mr. Glissons'.

Commissioner Willner said the plan submitted tonight is not a stipulated site plan and could be deviated against and if this property should be rezoned he for one would like a stipulated site plan so that he would know, as would everyone else just exactly what is going to be there and Mr. Glisson could not deviate from those plans, no way, shape or form. He would also like to stop the double decking of vehicles.

Mr. Ryder said if all of those things were done, perhaps this would not be too bad, but who is going to police these premises and see these things are all done and maintained correctly.

Commissioner Willner said if a comprehensive site plan is filed with this Commission and is approved as part of the rezoning then Mr. Glisson must follow it to the letter and cannot deviate from it one inch.

Ms. Pugh said if Mr. Glisson was not to follow the comprehensive plan what penalty would be paid by him.

Director of the Area Plan Commission, Barbara Cunningham stated if Mr. Glisson files a stipulated site plan, then he has to build exactly what that plan shows and if he should ever plan to change anything then he must once again come before the County Commissioners and get approval to do so. She would say though, if Mr. Glisson were ever to deviate from the stipulated plan, that yes, someone would have to report it to her office because she certainly does not have the staff to keep everything in Vanderburgh County checked, however, if he should deviate, she is sure it would be reported, and if he is in violation then the Area Plan Commission would take him to court.

After a very brief repeated discussion of matters already talked about Commissioner Willner moved VC-10-83 be temporarily approved subject to a stipulated site plan being submitted.

Mrs. Cunningham said she does not believe such a motion is in order, that she believes the Commissioners will either have to deny it, approve it, or continue it.

Commissioner Willner withdrew his motion and moved that VC-10-83 be continued until the third Monday of January, 1984 at which time there will be a stipulated site plan submitted. President Borries seconded the motion which carried with two (2) affirmative votes.

RE: APPOINTMENT....EVANSVILLE-VANDERBURGH COUNTY LIBRARY BOARD

President Borries said tonight we need to make an appointment to the Library Board, that it does not show on tonights agenda, however, this needs to be done.

Commissioner Willner moved that Rebecca Bunner be appointed to the Library Board for a four (4) year term, effective immediately. President Borries seconded the motion which carried with two (2) affirmative votes.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees of the county garage for the period of December 12 thru 15, 1983...received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees at the county garage for the period of December 12 thru 15, 1983...report received and filed.

Attached to the work report was the following work schedule:

Gradall:	Pollack Avenue, Folz Road and Lynn Road
Patch Crew:	Boonville/New Harmony Road, Darmstadt Road and Boehne Camp Road Guardrail on Pollack Avenue....One (1) more day
Grader:	Bixler Road, Armstrong Road, Tanglewood Road, Grace Road, Kneer Road Sensmeier Road, Neubling Road, Nunning Road, Eichele Road, Summertime Lane, Minnosa Lane, Kissel Road, Seib Road, Ridgewood Drive, Schmuck Road, Moffer Lane, Wedeking Road, Old Green River Road and Seminary Road.
Trash Crew:	Kleitz Road, River Road, Lynn Road, Green River Road, Weinbach Avenue, River Road, Woods Avenue and Kern Avenue.
Tree Crew:	Eissler Road and Marx Road

RE: KIM BITZ...AUDITORIUM

State Fire Marshal Inspection: Mr. Bitz submitted the Evansville Fire Department inspection report which was conducted on December 13, 1983 along with the following letter dated November 23, 1983 and directed to the Vanderburgh Auditorium and Convention Center.

Dear Sir:

You are hereby notified that an inspection of the above premises was made on November 15, 1983. Our inspector indicates the following remedial activities are necessary:

1. Install additional emergency lighting units in the Gold Room.

We are ordering that you submit a plan of correction indicating estimated completion dates on the above citations within a period of thirty days following the receipt of this notice.

Once you have complied the remedial activities listed above, contact this office so that final inspection may be made.

Yours very truly,
STATE FIRE MARSHAL DEPARTMENT
Al Horsman, Inspector
by: Earl F. Ford, Chief Inspector

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Service Agreement with Carrier Building Services: Mr. Bitz submitted a copy of a service agreement between the county and the Carrier Corporation, for the commissioners review and consideration at a later date. He said this is for water treatment at the Auditorium and he would like for the Commissioners to take it under advisement. He has already contacted Mogul Corporation and informed them we would probably be switching to Carrier.

President Borries asked Mr. Bitz if we currently have a contract and he replied no, therefore there is no monies appropriated.

Commissioner Willner said this contract would be $4,560.00 per year, payable at $380.00 per month, effective January 1, 1984 and he does not believe the county can afford this for water treatment.

Mr. Bitz said we currently spend about $3,000.00 per year for water treatment with Mogul and we did not get quite the coverage we would get with Carrier, that we would get a monthly service check with Carrier plus other items.

President Borries said he would like to take this under advisement and he would also like to get an itemized list of what Carrier will provide for us and also an itemized list of what Mogul would supply us with.

Rate Increases: President Borries said we will soon need to make some decisions on the rates for the Auditorium for 1984, so that future customers can be notified.

RE: MONTHLY REPORT FROM ALEXANDER AMBULANCE SERVICE...ALSO ATTACHED CLAIM

Received and filed was the monthly report from Alexander Ambulance Service for the month ending November 30, 1983.

President Borries said we have made contact with Alexander and our Chief Deputy Auditor, Pat Tuley has asked for time to spend with Alexander to better understand their system so that we, as Commissioners, can do what is correct in this particular area. He personally is not against paramedic service by any means. We however must continually strive to keep costs down and also understand the services, as he is sure Alexander is also doing, we will however at this time go ahead and approve the claim in some $23,000 subject to any modifications that come from our continual meetings with Alexander.

Commissioner Willner moved the claim, in the amount of $23,331.95, for the quarter ending 9-30-83, for Alexander Ambulance Service Contract be approved, subject to any modifications and to see if the County Auditor can pay this claim before the end of 1983. President Borries seconded the motion. So ordered with two (2) affirmative votes.

RE: ORDINANCE AMENDING CODE OF ORDINANCES

The following ordinance was submitted by Area Plan for the Commissioners approval on first reading, then to be advertised the proper amount of times and then final approval by the Commissioners at the appropriate time.

AN ORDINANCE AMENDING CHAPTER 153.139 OF THE CODE OF ORDINANCES OF VANDERBURGH CO. INDIANA

WHEREAS, Chapter 153 of the Code of Ordinances of Vanderburgh County, Indiana generally regulates the use of land within Vanderburgh County, and , said Chapter is commonly known as the "Zoning Code", and

WHEREAS, an amendment to Chapter 153.139 of the Zoning Code has been determined to be in the best interest of the residents of Vanderburgh County, Indiana, and otherwise in conformity with the purposes of the Zoning Code;

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

Section I. Amendment. Chapter 153.139 of the Code of Ordinances of Vanderburgh County, Indiana, is hereby amended by deleting the follwing language:

"Mineral Extractions and Storage SU-19, Section 2"

Section II. Further Amendment. Chapter 153.139 of the code of Ordinances of Vanderburgh County, Indiana, is further amended by adding a new portion to said section as follows:

"Mineral extraction, storage and processing, limited to that reasonably related to the preparation for sale of the type of mineral primarily extracted from the site; limited processing shall not include the refining of oil products. SU-19, Section 2"

****

Commissioner Willner moved the Ordinance be accepted, properly advertised and brought back for final approval. President Borries seconded the motion. So ordered.

RE: MONTHLY REPORT OF BUILDING COMMISSION

Received and filed was the monthly report of the Building Commission for the month of November, 1983.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for General Foods Corporation for a Christmas party to be held on December 23, 1983, at the Auditorium.....received and filed.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VOTERS REGISTRATION OFFICE

Rebecca Fulkerson	1805 Pueblo Pass	Deputy	$10,260.00 Yr.	Eff: 12-19-83

CORONER

Rodney F. Brown, DDS	8417 Larch Lane	Forensic Dentist	$1.00 Yr.	Eff: 12-19-83

CENTER TOWNSHIP ASSESSOR

Brian E. Gates	3706 VanMeter Court	Real Est. Dep.	$613.07	Eff: 12-20-83

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH COUNTY ELECTION OFFICE

Susan Kirk	8302 Spry Road	Supervisor	$4.68 Hour	Eff: 12-16-83

COUNTY AUDITOR

Vanessa Adams	615 E. Oregon St.	Clerk	$10,260.00 Yr.	Eff: 12-20-83

TREASURER

Audrey Gunther		Clerk	$30.00 Day	Eff: 12-9-83
Georgia Wilson		Clerk	$30.00 Day	Eff: 12-8-83

CENTER TOWNSHIP ASSESSOR

Brian E. Gates	3706 VanBeter Court	Part/time	$30.00 Day	Eff: 12-19-83

CORONER

Rodney Brown, DDS	8417 Larch Lane	Forensic Dentist	$1.00 Yr.	Eff: 12-31-83

RE: SCHEDULED MEETINGS

President Borries said he knows of no meeting scheduled at this time, except that there is an Auditorium Task Force meeting tomorrow.

RE: HOLIDAY CLOSING

President Borries reported all county offices will be closed December 23 and 26, 1983 to observe Christmas.

There being no further business President Borries and Commissioner Willner both wished everyone a Merry Christmas and a Happy New Year. Meeting recessed at 8:55 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner	Pat Tuley (Chief Deputy Auditor)	David Jones
SECRETARY:	Janice Decker		

Richard "Rick" Borries

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
DECEMBER 27, 1983

The meeting of the County Commissioners was held on Tuesday,December 27, 1983, at 2:30 p.m., in the Commissioners Hearing Room with President Borries presiding. Commissioner Cox was absent....on vacation.

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

RE: JOHN HODGE...HELFRICH INSURANCE AGENCY

Mr. John - Agent of record for the county was present and briefly outlined the following letter, dated December 27, 1983 and directed to the Board of County Commissioners.

Gentlemen:

As agent of record for the property and casualty insurance program for Vanderburgh County, our office is constantly searching for better coverages and better prices for you. Due to many factors, including insurance market conditions, improving safety consciousness and loss control effort of all county officials, and the availability of some new Insurance Companies through our office, we are able to present a more thorough program for you and a lower premium effective January 1, 1984.

All of the coverages will be as broad or broader than in 1983 and all policies will be issued by companies with a least a rating of "A" according to Best's rating service.

The new program will be underwritten primarily by the Home Insurance Company and all policy activity including claims, endorsements and safety engineering will be handled by Helfrich Insurance Agency. Major changes for the 1983 coverages are as follows:

1. Public Official Liability Insurance will be written on an "occurrence" basis and coverage for all acts occurring before January 1, 1984 will be covered by special endorsement. The deductible will be decreased to $5,000.

2. Coverage for the Sheriff's patrol boat will be subject to a deductible for $1,200. per loss, and a limit of $12,000.

3. Umbrella liability coverage will be provided for the County with a limit of $5,000,000 and a $10,000 self insured retention.

4. The total premium for all coverages will be approximately $256,664. (subject to a small change based on a update of property values currently in progress.) This is a reduction of approximately $130,000 from 1983 and includes the addition of the Umbrella Liability coverage.

These proposed changes have been discussed with Mr. Ken Bush of Insurance Audit and Inspection company, the County's insurance consultant. Mr. Bush recommends all of the changes, subject to a review of all coverages as a part of the continuing service that his firm provides.

I ask that you approve these changes and notify all county officials that matters pertaining to any of these coverages be referred to our office after January 1,1984. This includes all changes in automobiles, claims of any kind, or questions regarding any coverages. I also ask that you retain $5,000, in the county's budget for 1984 in order to continue the safety engineering services of Hartford Insurance Company. Their engineers have been working with the County for many years and are familiar with the entire operation as well as the ongiong safety programs. The availability of their personnel during 1984 will make the transition much easier. (Their fees will be based on a rate of $50 per hour, and can be discontinued at any time. No contract is required)

Thank you for the opportunity to continue to serve the Citizens of Vanderburgh County. This premium savings and coverage inhancement is the result of the cooperative efforts of all County Officials and we trust that with your help, we can continue to improve the coverages and services.

We are available at any time to discuss any insurance matter with any county official.

Very truly yours,
John D. Hodge

Attached to the letter was a "Comparison of Insurance Premium for County of Vanderburgh", which Mr. Hodge brought the Commissioners' attention to.

Mr. Hodge asked the Commissioners to approve the changes and if this is done the policies will be delivered prior to the end of January 1984.

Commissioner Willner moved the changes, as recommended by Mr. Hodge be approved. President Borries seconded the motion which carried unanimously in the affirmative.

President Borries and Commissioner Willner both gave thanks to Mr. Hodge and his hard work that he put in to do this for the County, that it was very much appreciated and they did both personally thank him.

Mr. Hodge said it was a team effort, that Mr. Lindenschmidt also worked very hard toward what has been accomplished.

Mr. Hodge submitted five (5) insurance binders to Janice Decker to be put on file in the County Auditors office, pending delivery of the insurance policies.

It was requested that the following comparison list be made a matter of the minutes.

COVERAGE	COMPANY	PREMIUM 1983	PREMIUM 1984	COMMENTS
Property/Boiler	Indiana	$29,165	$29,000	
Inland Marine	Home	Included	$ 2,695	
Boat	MOAC	$540		$500 Deductible
			$720	$1200 Deductible
Worker's Compensation	Hartford Home	$61,960	$50,017	
General Liability	Hartford Home	$216,220	$84,269	
Automobile Coverage	Hartford Home	$45,033	$36,103	
Non-owned Aircraft	INA	$817	$898	
Public Official Liability	Forum	$9,166	$14,123	Charge to "occurrence coverage with $5,000 deductible.
Police Professional	Great South-West Fire	$19,250	($16,821)	
	Imperial Casualty		$14,966	
Crime	Hartford Home	$1,327	$1,312	
Public Employees Blanket Bond	Hartford Home	$899	$857	
Umbrella Liability	Home	--	$17,500	
Total Estimated Premium		$384,377	$252,460	
Engineering Services			$5,000 Maximum	
Total Estimated Cost to County		$384,377	$257,460	

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RE: REZONING PETITION VC-11-83...FIRST READING

Petitioner: Blazer Construction

President Borries said it is rather unusual for the Commissioners to have a rezoning before them at any time other than during the monthly night meeting, however, this one needs to have a first reading on it.

Area Plan Commission Director, Barbara Cunningham, was present and stated what happened was that the Subdivision Review Committee had recommended this be continued until February, because they thought we needed additional information concerning the rezoning, but the petition, because of a time restriction wants to be heard in January, therefore she would ask the Commissioners to approve this on first reading, which is perfectly legal, that it has been properly advertised and they are to notify everyone.
She said this is for a multi-family dwelling, that the land is presently vacant and the request is a change from R-1 to R-4, with the location being at 420 S. Burkhardt Road.

Commissioner Willner moved VC-11-83 be approved on first reading and referred to the Area Plan Commission. President Borries seconded the motion which carried unanimously.

RE: COUNTY ATTORNEY.....DAVID JONES

Tort Claim Notice....Howard Gaertner. Mr. Jones reported he received a tort claim notice that arises out of some injuries sustained at Lorraine Pool, at the intersection of Boeke Road and Adams Avenue, in the City of Evansville. He believes this is entirely a city matter, however, he would like it made a matter of the County Commissioners records that it has been received and filed.

Letters of Agreement with County Coroner and Pathologists': Mr. Jones said Doctor Wilson, County Coroner, has submitted three (3) Letter of Agreements, in regards to autopsies being performed. The first agreement is between the Vanderburgh County Coroner and Associated Pathologists of Evansville, Inc., the second agreement is between the Vanderburgh County Coroner and Thomas Webb, and the third agreement is between the Vanderburgh County Coroner and Pramod Carpenter. Subject to there being funds available to pay these fees, he would say the agreements are in order. He did have a conversation with Dr. Wilson and the doctor asked him to do certain research for him, which he is in the process of doing, however, it is his understanding that Dr. Wilson may be performing autopsies that he does not have to do, that there may be certain autopsies being done by virtue of a regional operation which he may be wanting to set-up, but he personally is not clear at this point where that line should be drawn. Dr. Wilson was wanting an answer as to the legality of imposing a fee for those services he is performing, however, until he can complete his research and make a legal determination he would hope we could refrain from doing any volunteer work which involves cost to Vanderburgh County, but as far as the three (3) agreements today, he would say they are in order and it is alright for the Commissioners to approve them.

Commissioner Willner moved the three (3) agreements be approved. President Borries seconded the motion. So ordered.

Law Suit...Mark Bartley and KLF, Inc. Mr. Jones said there was a suit filed last week by FLF, Inc., who was one of the unsuccessful bidders on the Civic Center telephone system, however, he does not know who Mark Bartley is, but at any rate the suit was filed against the Evansville-Vanderburgh County Building Authority, County of Vanderburgh, City of Evansville and the Evansville-Vanderburgh School Corporation. The suit basically says that the successful bidder, AT&T, was not the lowest bidder, also that there was no notice of the meeting and that the meeting was not properly conducted and they seek to have a restraining order to prevent any units of government to enter into a contract with AT&T and to void any contracts that was entered into.
Mr. Wesley Bowers is the attorney for the Building Authority and he will take the lead in defending that suit. The matter was originally set for today, but that date was vacated and it is now set for January 6, 1984, at 1:30 p.m.
He has also been advised, and he does not know how true it is, that KLF, Inc.has filed suit before, when they lost the bid. He simply wanted the Commissioners to be aware of the fact this suit has begun and it is not covered by any insurance.
He gave the Commissioners a copy of the suit, which was ordered received and filed by President Borries..

Mr. Jones said he will have to enter an appearance in this suit, for the county, but the lead will be taken by Wesley Bowers.

Commissioner Willner moved David Jones be authorized to handle the suit that KLF, Inc. has filed against the county and other government entities. President Borries seconded the motion. So ordered.

Agreement with Pulse (On Computer Services). Mr. Jones said for safety sake, perhaps we ought to again approve the computer contract with Pulse Systems. This contract was previously approved at an emergency meeting and will be effective January 1, 1984, however, perhaps it should be approved at a regular meeting of the Board of County Commissioners. He believes the action taken at the emergency meeting was entirely legal and it was done so at that time so that when the county and city resumed duties on January 3, 1984, the system would be changed over and ready for full operation. The emergency meeting was held between the Internal Board of Public Works and the County Commissioners and Secretary for the Board of Public Works, Ms. Roberta Burkhart was present and took minutes of that meeting, therefore, he would ask a copy of those minutes be submitted for the Commissioners signature and that he personally be sent a copy of those minutes for future reference.

President Borries said we do not have a copy of the contract with Pulse Systems in front of us today, however, he believes the Commissioners can reaffirm the action taken in that emergency meeting. There were some very critical conversions that simply had to be done before January 1, 1984 and in order for Pulse to proceed it was felt the joint meeting was necessary and the contract was approved during that meeting. He would also like to commend Mr. Jones for the many hours of intensive work he put in concerning this computer system, as he is sure the city's attorneys also did, as did the City Controller, in order to try to enact an agreement that would be fair to all parties involved, and we believe it is.

Commissioner Willner moved the contract with Pulse Data Processing Systems be approved for 1984 for computer services.

President Borries seconded the motion and stated the county will pay 83% of the amount of $416,000.00, for 1984. Motion carried with two (2) affirmative votes.

Report Concerning Alexander Ambulance Services: President Borries said he would like to make a brief statement concerning Alexander Ambulance Services to Vanderburgh County. He did meet with David Miller, Pat Tuley and officials of Alexander in an effort to resolve the confusion and questions regarding the county's subsidy for emergency medical service. Several legal and accounting questions were asked Alexander and they are fully cooperating with us and it would be his personal feeling at this time they will comply with all requests regarding the financing of the services. There were some modifications suggested by Mr. Miller and Alexander agreed to them, however, Mr. Miller is not present today so he will let him make his own report when he returns to the city.

RE: BILL BETHEL....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report: Mr. Bethel submitted the weekly absentee report of the employees at the county garage for the period of December 19 thru 23, 1983....received and filed.

Weekly Work Report: Mr. Bethel submitted the weekly work report of the employees of the county garage for the period of December 19 thru 23, 1983....received and filed.

Attached to the Work Report was the following Work Schedule for the same period of time.

Gradall:	Pollack Avenue and Lynn Road
Tree Crew:	Marx Road
Patch Crew:	Boonville/New Harmony Road
Trash Crew:	South Weinbach Avenue, Lynn Road and Green River Road
Snow Removal:	Snow Routes # 6,7,5,4,3 and 2 (All of Vanderburgh County)

RE: BOB BRENNER.....COUNTY SURVEYOR

Jim Lindenschmidt said there will be no representative of the Surveyor's office present today, however, they did submit their weekly bridge and guardrail report for the period of December 19 thru 23, 1983....report ordered received and filed.

RE: JAMES McINTYRE...VOTERS REGISTRATION OFFICE

Mr. Jim McIntyre was present and stated this will be his last time to appear before the Board of County Commissioners, that he is taking a new position in the Water Works Department and he would like for the Commissioners to know that if there is anything he can do, in his new capacity, please do not hesitate to call upon him. He said Mr. Paul Bitz will be replacing him in the Voters Registration office. Before leaving he would like to report the computer operation in the Voters Registration office will be functional for the primary election in 1984. He wanted everything completely brought up to date before he left, but he does not believe that is going to happen, that is, in regards to the computer, but in regards to the other functions in the office....they are in ship shape.

President Borries and Commissioner Willner both congratulated Mr. McIntye and thanked him for a job well done in the Voters Registration Office and wished him good luck in his new position with the Water Works.

Mr. McIntyre said he is anxious to get started on his new job and he would publicly like to say he is not going to be a candidate in the primary election for the seat of the County Treasurer, as has been indicated in the past.

RE: ANDY EASLEY....COUNTY HIGHWAY ENGINEER

Application to Cut and Occupy County Right-of-Way: Mr. Easley submitted a request by a Mr. Richard W. Beeson, Producer, Inc. of Evansville, Indiana to make a a water pipe crossing under a bridge located at St. Joseph Avenue and Ponds Flat Ditch, one (1) mile north of Baseline Road. He would recommend approval and say that Mr. Dan Hartman has reviewed the request also, along with examining the site. A Contract Bond is also attached.
Commissioner Willner moved the request be approved. President Borries seconded the motion. So ordered.

Claims: Mr. Easley submitted the following claims from Morley and Associates, Inc. in regards to Burkhardt Road, for legal descriptions. Claims are signed by Mr. Easley.

Period Covering November 1983.....$640.00
Period Covering December 1983.....$960.00

Commissioner Willner moved the claims be approved. President Borries seconded the motion. So ordered.

President Borries also suggested that Mr. Easley contact Mr. Vic Funke, who is the appointed appraiser for these properties and he seemingly has some questions he needs answered concerning the proper forms to be used.

Mr. Easley said he believes Mr. David Gerard was going to meet with Mr. Funke and give him a packet regarding this, however, yes, he will contact him.

RE: MONTHLY REPORT OF COUNTY SHERIFF

Received and filed was a monthly report of the Sheriff's Department for the month of November, 1983.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted for Robert T. Hamilton, The Hamilton Charitable Golf Foundation, Inc. and Hamilton Enterprises and the Board of Commissioners of Vanderburgh County, for liability.

A certificate of insurance was submitted for Wayne "Bookie" Buchenberger for a New Years Eve dance on December 31, 1983, at the Vanderburgh Auditorium.

All certificates ordered received and filed.

RE: HOLIDAY CLOSINGS:

President Borries said that all county offices will be closed December 30th and January 2, 1984 for New Year's Eve and New Year's Day.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Michael J. Danks	1906 Ridgeway Ave.	Special Intern	$3.35 Hour	Eff: 12-19-83
Bracken Darrell	1311 Parrett Street	Special Intern	$3.35 Hour	Eff: 12-12-83
Jon K. Aarstad	626 S. Norman Avenue	Special Intern	$3.35 Hour	Eff: 12-19-83

SUPERIOR COURT

Ralph Moore	P.O. Box 3631 Evansville, In.	Public Defender Child Advocate	$27,500.00 Yr.	Eff: 1-1-84

RE: EMPLOYMENT CHANGES.....RELEASES

SUPERIOR COURT

Wayne Turpin	7 Court Building	Public Defender	$15,152.00 Yr.	Eff: 12-31-83
Jim Thompson	301 N. Weinbach Ave.	Trans. Officer	$8,174.00 Yr.	Eff: 12-31-83

RE: APPOINTMENTS TO BE MADE

President Borries said next week he will provide a list of appointments, for 1984.

RE: SCHEDULED MEETINGS

President Borries said he knows of no scheduled meetings for this coming week, with the exception of one that is to be held between the Commissioners and the residents around Mann and Bixler Roads, to discuss a serious drainage problem in that particular area. This meeting is to be at 1:30 tomorrow, however, with the weather condition and the snow on the ground it would be rather difficult to see it properly, therefore the meeting was postponed for a week and President Borries said they would notify the parties involved.

There being no further business, President Borries declared the meeting recessed at 3:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Richard "Rick" Borries Robert L. Willner	Alice McBride	David Jones

SECRETARY: Janice Decker

Richard "Rick" Borries

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS