

SELLERSBURG TOWN COUNCIL

April 12, 1999

Executive Session

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall at 6:00 p.m. To discuss pending litigation and personnel matters. Those present were: David Broady, Council President; Doug Eddings, Council Vice-President; Kenneth Alexander, Council Member; William Voyles, Council Member; Gary Fenner, Council Member; Linda G. Schafer, Clerk Treasurer; and William P. McCall, Town Attorney.

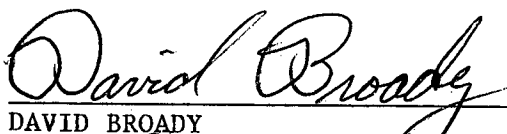
Called To Order

President Broady called the Executive Session to order at 6:05 p.m.

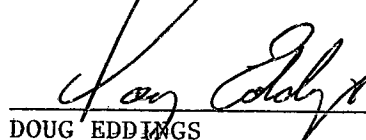
Topics Of Discussion

Schafer vs Sellersburg Town Council
New Albany Tractor
Tort Claim
Ordinance 3-8/2-22
Petition
Sanitation and Sewer Claims
EMC Check for Fire Hydrant
Indiana Ammunition
Tornado Sirens


With no further business President Broady adjourned the Executive Session at 6:25 p.m.



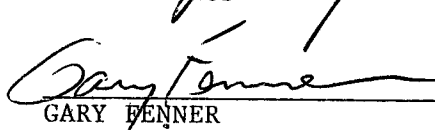
DAVID BROADY



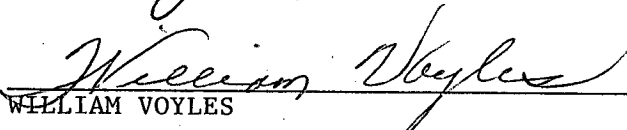
DOUG EDDINGS



KENNETH ALEXANDER



GARY FENNER



WILLIAM VOYLES



ATTEST: LINDA G. SCHAFER
CLERK TREASURER

SELLERSBURG TOWN COUNCIL

April 12, 1999

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall at 6:30 p.m. Those present were: David Broady, Council President; Doug Eddings, Council Vice-President; Kenneth Alexander, Council Member; William Voyles, Council Member; Gary Fenner, Council Member; Linda G. Schafer, Clerk Treasurer; and William P. McCall, Town Attorney.

Called To Order

President Broady called the Regular Meeting to order at 6:34 p.m.

Prayer

Rev. Charlie Voit offered up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the flag was recited.

PRESIDENT BROADY ADDRESSES THE COUNCIL ON/MINUTES.

President Broady stated the first thing is the approval of the minutes of the meeting of March 22. Everybodies had them in their box and I'll entertain a motion to approve the minutes as presented.

Council Member Alexander stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 5-0)

President Broady stated the next thing on the agenda is we put out some bids for police cars that we're selling and I have them. They were turned in to the Clerk Treasurer's Office I believe, one, two, three, four, five, six, seven, I'll open them at this time and and read them. Does anyone have a letter opener?

Council Member Fenner stated I have a little knife.

President Broady stated you open them and I'll read them. The first bid is from Shawn Stewart from Johnson Blvd. in Sellersburg on a 1994 Crown Victorica and he's got a vin number here is...

Clerk Treasurer Schafer stated the last four digits would be ok.

Council Member Fenner stated 3915 or s...

President Broady stated yeah, something like that. I believe the price is 600.00.

Clerk Treasurer Schafer stated ok.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 2.

President Broady stated I believe that's a 6, could you verify that 6?

Clerk Treasurer Schafer stated how much?

Council Member Voyles stated looks like 5.

President Broady stated is Shawn here.

Council Member Fenner stated ask the attorney.

Attorney McCall stated 5, that's Sharon Stewart.

President Broady stated ok, we've got a 5.

Clerk Treasurer Schafer stated 500.00.

President Broady stated 500.00, I'm going to mark them on the outside of the envelope.

Clerk Treasurer Schafer stated ok.

President Broady stated put that one back in there will you please? The next bid is from Clerk Treasurer's office and it is for I would say for...

Clerk Treasurer Schafer stated that's to the Clerk Treasurer Office.

President Broady stated I was going to say, that's to the Clerk Treasurer's office. It's from Daniel, I believe J. Johnson. Is that right?

Attorney McCall stated Johnson.

Clerk Treasurer Schafer stated yes.

President Broady stated on Columbus Mann Road in Memphis.

Clerk Treasurer Schafer stated yes.

President Broady stated 1995 Ford, there's only one car, right? Is that correct?

Chief Kinder stated 2.

Clerk Treasurer Schafer stated 2.

President Broady stated 2.

Clerk Treasurer Schafer stated is there a vin number on there?

President Broady stated no.

Council Member Fenner stated vin 6502.

President Broady stated oh, 6502, vin.

Attorney McCall stated that's the other car.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 3.

President Broady stated the last four digits, I will pay 1,200.00. So I've got 2 different automobiles we're taking bids on here.

Council Member Fenner stated is one a Crown Vic and one a Taurus?

President Broady stated no.

Clerk Treasurer Schafer stated both are Crown Vic's.

Council Member Fenner stated both are Crown Vic's ok.

President Broady stated ok, this one is from James F. Hudgins and here's my sealed bid for one of the 1994 Ford Crown Victoria's. He doesn't have a vin number, just he's bidding on one of them. I guess either one of them, 3000.00. Utica Township Volunteer Fire Department, and it's for the Ford Victoria Vehicle ID number 3739 would be the last digits, and it is for 3003.03.

Attorney McCall stated 3003.03.

Council Member Fenner stated go ahead and make that bid for both of them, there's another one identical.

Clerk Treasurer Schafer stated exactly like it.

Council Member Fenner stated for the other car.

President Broady stated ok.

Clerk Treasurer Schafer stated what is the other one, we only have the 3739 looks like a correct vin number, I don't know what this 3915 is...

Attorney McCalls stated 3915 is the other vehicle.

Clerk Treasurer Schafer stated no, because we've got a 6502.

Council Member Voyles stated this is the 6502 here.

Attorney McCall stated maybe they're buying someone else's car.

Council Member Voyles stated no, this is it.

Council Member Fenner stated maybe we can't read Mrs. Stewart's writing.

President Broady stated the other automobile with the vin number 6502 is 3003.03 for that one also. This is for the vin number 3739 and the price on this is I will pay 400.00. This is for vin number 86502 and it's for 450.00.

Attorney McCall stated which one is that?

President Broady stated I'll tell you what we're going to do, we're going to take them under review but it does appear that the Utica Township Fire Department has bought them for 3003.03 and we'll seriously review them and make sure we didn't make a mistake and make sure the vin numbers are correct. We'll notify them and let them know. I'll give them back to the Clerk Treasurer for her to hold them.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 4.

President Broady stated Ok, moving right along, is Kevin Adamson...

Mr. Adamson stated yes sir.

President Broady stated Kevin, you're on the agenda for tonight, you have anything to, I see that you just wanted to let us know that there is going to be a Motorcycle Shop behind the Big Foot in Sellersburg.

Mr. Adamson stated yeah, I'd like to check and see you know, what you all thing about that.

President Broady stated I don't know, does anyone else know if it's zoned correctly? Has the zoning been checked or anything of that nature?

Vice-President Eddings stated is this a repair shop or selling bikes and repair shop.

Mr. Adamson stated just a repair shop.

Clerk Treasurer Schafer stated I think we did refer him to Boyce Adams, did you not check on the...

Mr. Adamson stated I didn't talk to him, I wanted to see what the town thought first.

Clerk Treasurer Schafer stated ok.

President Broady stated I think...

Council Member Voyles stated is that where the car wash is now?

Clerk Treasurer Schafer stated yes.

Mr. Adamson stated he said it was zoned for commercial right there.

Council Member Alexander stated you're at the old car wash.

Mr. Adamson stated right behind the Big Foot.

Council Member Alexander stated I'm pretty sure that's commercial.

President Broady stated well, I mean if it's meeting all the zoning ordinances and falls in that category, I don't know if there's anything else that we could say.

Clerk Treasurer Schafer stated Kevin and I discussed the noise ordinance and I did look it up for him and go through that and he did say from time to time he would have, that is real close to a residential area, I think that's why he decided to come to the Town Council.

President Broady stated well, the ordinances you would be involved with and there's ordinances on, I mean leaving stuff outside the building and these kind of things. Other than, I mean there is more ordinances dealing with different things other just the ordinance that allows you to be there.

Council Member Fenner stated how about your hours of operation?

Mr. Adamson stated they would be like 9 to 6.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 5.

Council Member Fenner stated so you're not going to be revving up motorcycles at 10:00 at night.

Mr. Adamson stated well, there again, I can't control the customers.

President Broady stated well, I think if there would be a problem.

Mr. Adamson stated they're Harley's and how loud pipes...

President Broady stated well, uh.

Council Member Alexander stated that's something you need to think about, I mean we do have a noise ordinance in there and if you do get too loud, I mean if you do get too loud, I mean...

Mr. Adamson stated I've been uh, it 9 years and I was over in Louisville and I found that place down there. Just like you can't police people on as far as when they want to leave and you know come in. Their pipes are sometimes loud and I can't tell them to quite them down.

President Broady stated we will enforce the ordinances Kevin and...

Mr. Adamson stated right.

President Broady stated and I'm not trying to discourage you, but I'm just trying to make you aware of it.

Mr. Adamson stated right.

President Broady stated and it is close to residential and we will definitely enforce it. But if you meet all the codes and everything falls into place with Boyce over there, I mean I don't know if this town board has anything to say about it. And we'll leave it at that.

Mr. Adamson stated ok.

President Broady stated ok, Margie Vick, is she here?

MRS. MARGIE VICK ADDRESSES THE COUNCIL ON/IURC.

Mrs. Vick stated yes, I'm here. I'm here in regards to the petition to stay in the Indiana Utility Regulatory Commission and I wanted to make sure that we're on record and that our letter is to be read tonight and these other ladies are here to talk about it also.

Clerk Treasurer Schafer stated I'd like to present this petition to the council that was presented at the March 22 meeting with a request that a letter of certification of names of the petition to be sent to the Clark County Election Board to have the matter of the IURC put on the ballot. I received the petition and took it to voter registration and had the signatures of registered voters verified before this was presented on March 22nd. I received it back March 19th and it was in fact presented with this letter from the County Election Board.

CLERK TREASURER SCHAFER READS LETTER AS FOLLOWS.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 6.

CLERK TREASURER SCHAFER READS LETTER AS FOLLOWS.

CLARK COUNTY ELECTION BOARD
137-City-County Building
501 East Court Avenue
Jeffersonville, Indiana 47130
Telephone 285-6244

March 19, 1999

Linda Schafer, Clerk Treasurer
Sellersburg Town Council
316 E. Utica St
Sellersburg, IN 47172

Dear Ms Schafer,

At our meeting today the County Election Board voted unanimously to return the petition to remove the water utilities from the state regulatory agency for the following reasons:

1. It does not have the proper certification from the Sellersburg Town legislative body as per statute Indiana Code 8-1.5-3-9.1

Should you have any questions in this regard please feel free to contact the County Election Board at 285-6329.

Respectfully,



Keith D. Groth, Clerk
Secretary of the County Election Board

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 7.

Clerk Treasurer Schafer stated so I would like to present this uh, petition back to the Town Council.

President Broady stated ok, I have a petition here that request us to certify that it meets the proper codes to put it on the ballot. Perry, can I ask you in your legal opinion does it meet these codes?

Attorney McCall stated have a chance to look at the statute again, subsection D of the code section 80,8.8-1.5-3.1, subsection D states that the question of removal from commission jurisdiction shall be submitted to the registered voters of the municipality if in the if in the 60 day period described in subsection C. The legislative body received the petition number one that is signed by at least by the number of registered voters the municipality required under Indiana Code 3863 to place the candidated on the ballot and to request have the legislative body to submit the question of removal from commission to the registered voters of the municipality in the next election. Which it does do. Once you receive that you make that determination that it does in that requirement, that's the statutory requirement requirement there's been some question about the form, however, I think we're splitting hairs there, it meets the general requirements of the statute. Go ahead and certify it that you ceritfy the public count, question, that was the question to the election board in this county and it needs to be and I'll do that for you once you approve and ceritfy that form. And the question that was to be submitted to the voters at the November General Election will be shall the municipality, municipally owned utility be taken out of the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates, charges and of the issuance of stocks, bonds and other evidence of indebtedness. And that's the question that we'll send to the County Election Board to be placed on the ballot in November. And the other thing that is required is that we give a written notice to URC at least 10 days before the election. So I believe it fits.

President Broady stated at this time I'll entertain a motion to approve or disapprove to ceritfy this.

Council Member Fenner stated I'll be glad to make themotion to certify the petition to the..

Attorney McCall stated County.

Council Member Fenner stated County Election Board.

President Broady stated ok, I have a motion on the floor, do I have a second?

Council Member Voyles stated I'll second it.

President Broady stated and duly seconded, is there any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 5-0) Would you...

Attorney McCall stated let me give this to Linda, Linda will certify.

President Broady stated you will take care of the letter.

Clerk Treasurer Schafer stated who is supposed to sign the letter? The Town Council or...

Attorney McCall stated I'll sign it.

Clerk Treasurer Schafer stated ok.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 8.

Council Member Alexander stated and you will send it the 10 days.

Attorney McCall stated I'll go ahead and get it out.

President Broady stated is that all you have Mrs. Vick?

Mrs. Vick stated yes sir.

President Broady stated ok, Mrs. Pixley or Mrs. Diefenbach?

MRS. PIXLEY ADDRESSES THE COUNCIL ON/BUSINESS.

Mrs. Pixley stated I want to ask you a question, maybe this should be to the attorney, whenever those in the last meeting, Ken Alexander took them back and ran two copies with the machine out there. We have to pay for everything that we do, all the work that we do, we've had to pay for all the copies we've gotten and everything else. Does he get them free?

President Broady stated well, yeah, it would be town business.

Mrs. Pixley stated it's not town business?

Council Member Alexander stated that's not town business?

Council Member Voyles stated it's town business.

Council Member Alexander stated come on.

Mrs. Pixley stated and he's called somebody on that list.

Council Member Alexander stated I think I can call my godmother.

President Broady stated we're not going to argue about this, no, he's not going to be charge and yes I said it was town business and that's all of it. That's the way it is.

Mrs. Pixley stated well, I sure don't think that's good business.

President Broady stated and that's your opinion but that's the way it is. Ok, Thank You. Harrison Group.

VIRGIL BOLLY ADDRESSES THE COUNCIL ON/HARRISON GROUP.

Mr. Bolly stated good evening, I've had a little bit of the flu bug so I'm not going to be moving too fast, but I need to be here tonight. So just bear with me a little bit. This is the follow up of the 8 acres over at the Cracker Barrel and this is two things that are ready to go right at the moment. I wanted to explain both of them and then that will help give you better feeling of what we're wanting to do and so forth. Cracker Barrel this right here, they're going to have a new Convenience Store, Bank, all kinds of little bitsy things right here. Fifth Third Bank is going to be involved in that and then they are going to build two motels right here. Phase one will be...and phase two will be second... and this, approximately set out, but we don't know exactly how it's going to be set out in there and also were we're doing we actually want to get the tax abatement finalized for both of these locations. But then they want to close the primary street that's in here.

SELLESBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 9.

And this is something I think that you all had tentatively agreed to initially. However even though it's being closed once they get this done they will be rebuilding a private road will still allow people to come and go out here.

President Broady stated so they're asking for sort of a temporary basis is that what I'm hearing here Virgil?

Mr. Bolly stated no, we're actually wanting to close it on a permanent basis but from a standpoint we don't, by May one would adequate you know if there's a problem with that. They are actually going to close it and what they'll do is that they will relocate the private drive, you know to better benefit the overall suscadincs of what they'r doing.

Council Member Fenner stated but it will be a private drive rather than a public street.

Mr. Bolly stated and the town won't be responsible for maintaining it.

Council Member Alexander stated with the drive in there, they're not going to give the residents back there any problems as far as they can us it. I mean is it going to have a gate on it.

Mr. Bolly stated no.

President Broady stated New Albany Street will still be open.

Mr. Bolly stated right, I have a number of things too and possibly what I've given you in the overall view if I can go ahead and take one at a time and you might want to approve them all at the same time later or however you want me to do it, I don't mind doing it. But I will give you a little better picture of it, with what I'm doing. If you want me to do it that way. Ok, the first item that I have was the petition to actually vacate the street and I've got copies for everybody if they'd like. There is a drawing on the back, the drawing on the back doesn't, there's a copy of the original resolution, I thought I made enough copies for Linda too but I did not. Along with that I don't think you all need it but I'll give it to Linda, just suggest the form notice that was, that we typed up before we sent it out to everybody. And I'll give her a copy of that for the file.

President Broady stated that's the letter for the petition to close the road.

Mr. Bolly stated right, this is for closing the road. And the next item is the actual publication of the notice that was in the paper and then the next item after that we had, when we wanted to close that street, Cracker Barrel adjoins it right here, and then down at the other end, down here Mongold Construction adjoins so we served both of those people with the notices and I got the cards back and I present those to you for the Town Council. And the next item, of course I have a resolution but I think I want to give you some pictures here that will help you better understand. And this gives you a better actual depiction of the location and the petition and the artist has the exact legal description of what was prepared by the surveyor. And that's basically, and if you'll notice right at the very end of it, right along New Albany Street, there is just a little bit of angle there that is not closed, it is so little that ended up kind of with the way they improperly zoned there.

President Broady stated ok, where in the ordinance that we passed in 98 say that we were going.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 10.

Mr. Bolly stated I didn't say that, I think there was discussion about that earlier in the stage. That ordinance there, that right there strictly has to do with the tax abatement. There is nothing in that. There is an agreement that the town did sign though on the closure.

Council Member Alexander stated the terms of the agreement.

Mr. Bolly stated yeah, but there's another one.

Council Member Fenner stated do you remember when...

Mr. Beams there is one on the street closure.

Mr. Bolly stated relative to the street closure, if it meets with your approval, I have numerous copies here. One of the things, Perry, I didn't know if you wanted to call it an ordinance or a resolution. If it's called a resolution it's just a little bit less technical I think, isn't it?

Attorney McCall stated yeah.

Mr. Bolly stated if we can line one of those out which ever you think.

Attorney McCall stated either on, it doesn't matter.

Mr. Bolly stated Ok.

Attorney McCall stated are they going to consider it tonight?

Mr. Bolly stated we would like for them to consider it tonight, but they are the people that are in charge here tonight. So, but this is a proposed ordinance and resolution. A whole bunch of copies of it. Now, in that regards you might want me to go ahead and make the real presentation on the abatement, what they're getting ready to do so you can see how it ties in with, whether you act on either on of them or however you want to do it. Ok, following up on the tax abatement back in I think, one year and one day ago or less than one year and one day, whatever, you all approved the economic redevelopment for that 8 acres that was there. And it primarily provided that they were eligible for it, but that they had to come in and bring an application and then you would actually act on it. And I have that for the two of them, neither one of them are fancy documents.

Vice-President Eddings stated strictly on the motels.

Mr. Bolly stated the first on I've got is on the item right here. They're good, they are ready to go with this, with the bank. They're saying a convenience store with interstate services, fuel, food, banking services, travel and tourist information. They are making it a banking center I would say more than just one item. And again, I didn't make enough copies but if you will share I think and on it their proposal that they are going to be investing in the real estate roughly 1.119 million dollars and with a assessed evaluation of 373,000.00. And I inserted in on the top part it was not to exceed 6 years and the date that this destination is 2007. That does give them an extra year or two that if they have any problems of getting it done. But, primarily I think that this once fits with the other things that you had designated.

Council Member Alexander stated it's just on real estate then?

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 11.

Mr. Bolly stated yes, right, right, both of these, we're not asking for any personal project. The Cracker Barrel you know manufactured bread and they did a lot of other things and they don't. I don't see anything here that would fit in to the part of manufacture. Then along with that was the motels.

Council Member Alexander stated before we carry on it says 6 years, are we proposing 6 straight calendar years?

Mr. Bolly stated right, yes.

Council Member Alexander stated in the normal.

Mr. Bolly stated in the normal and it's 100% the first year, it's 86% the second, 66% the third, 50% the fourth, 34% the fifth and 17% the sixth. It doesn't give it to them a 100% except for one year, it goes down after that.

Council Member Fenner stated and that does per the original agreement we had.

Mr. Bolly stated right, ok, if I can then I'll go ahead and give you also this is on the motels, if you would share that it would be helpful here.

President Broady stated is this both motels?

Mr. Bolly stated yes, from this standpoint we're talking an estimated value of 4,530,000.00 for both units and with an assessed value of 1.510 and they are also contemplating getting started, they are going to build those things right away. They are going to build phase one first and then phase two. And basically I got that page filled out like the other one was. The first one is 81 rooms and the second one is 70 rooms.

Vice-President Eddings stated what's the name of it going to be.

Mr. Bolly stated what's the name going to be.

Mr. Stewart stated that hasn't been determined yet, that's still being negotiated.

President Broady stated I think we need to take this under advisement, until next meeting. This is so much to digest here Virgil.

Mr. Bolly stated that's your prerogative, I think that everything we've got here meets the prior things that you wanted. The only thing of it is if you don't act tonight they are just going to be put off a couple of weeks. But that's your prerogative.

Vice-President Eddings stated we might have some questions on logistics and how the stuff is laid out.

Mr. Bolly stated they're wanting to table this until the next meeting so they can look at it. I think they want to look at more carefully.

Mr. Beams stated we were hoping you would pass it tonight so we could move forward. Whatever fits, we just need to move forward because of the building season as we all know.

Clair Patenaude stated and also if I might add the tax abatement we have in place, from

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 12.

my understanding, need to be in place and in fact approved by this body before we start construction. And we're anticipating on starting construction before the next meeting. So, that's why.

Council Member Fenner stated I think it's too much.

President Broady stated from my past experience a speedy construction is somewhat desired. I think it can wait two weeks.

Mr. Bolly stated ok, is there anything else that you can think of that you all need to do at this point?

Vice-President Eddings stated just give us a little more time to review it just to see how it's laid out and some other stuff. Just to see if we have any questions, we may not.

Mr. Bolly stated right, I understand. The drawing that you have here probably depicts a little better what we're talking about that actually that in some places and there is where the street is closed. So the street will be open down to this point here and then you will have a motel here and a motel here and then the bank and convenience center right there.

Attorney McCall stated is there some reason Virgil why they want to maintain these streets?

Mr. Beam stated we want to help.

Mr. Bolly stated I think at this point I don't think they're put it exactly where the present one is and it allows.

President Broady stated they're going to realign this.

Mr. Beams stated I think there's a point of clarification, the outline there is the area that is going to vacate. We may move the buildings around where part of that is in use, with setbacks and shared parking. Because of the space available there we're going to have to do some shared parking between hotels. So we're going to have ins and outs for the hotel guests primarily to move either way, either the front side or the backside. So to say that, that street is going to be there, it's perhaps up to this point we may keep this street going back to this entrance way for this hotel and this hotel and this becomes shared parking. But there will be access on the back side.

Vice-President Eddings stated is that New Albany street.

Mr. Beams stated to New Albany street, our concerns was in terms of width and setbacks as a private sector driveway and parking we don't have to deal with setbacks as much. We're still going to be accessed because of fire safety equipment, thoroughfare, in and out of traffic on the backside to ease the point out here. Another point in mind a lot of these guests are going to be Cracker Barrel guests so they're going to be parking over here when they're staying with us at night. I want to make sure that that street will not remain as it's laid out there. Because of elevations and because of water lines, sewer lines that are in that area we may have to adjust that. But shared parking is the critical issue here as it relates to the...

Mr. Bolly stated once we close this street then you get instead of tract one and tract two, you've got one tract but then they can maneuver around and the two locations may look

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 13.

considerably different once we've done that.

Vice-President Eddings stated now, Mongold's construction.

Council Member Alexander stated Barbara did you want to ask anything or add anything? Are you conformable with everything?

Mr. Beams stated one other of the things that we were dealing with in terms of front portion of the BP Service Center was the driveway on the design here, we may do something with it. Right now there is a flower bed right here, there may be some, it's according how this thing lays out, we're wanting some access you know, at a 90 degree or a 100 or however you want to look at it here, so we may have to go in and do some adjustments and I know Ken and I and Barbara and Claire have talked about that waiting for this design and now we have it and we can take a look at it and how we can make sure the safety issues are taken care of there.

President Broady stated I think we're going to take a couple of weeks to look at it.

Mr. Beams stated that's fine, we appreciate your time.

Vice-President Eddings stated just to make sure we don't have any questions. We don't think we do, but we may have.

Mr. Bolly stated if you do, I'm available and your available, thank you very much. I don't know but I don't think there's anybody, did you ask if there's anybody in opposition.

President Broady stated no, I didn't, is there anybody in opposition, anyone representing that area here? Ok, Dave do you have anything?

Chief Kinder stated no.

President Broady stated Mark, you have anything, Mark Warren? Ok, he's got it. Oh, I did have one thing on my list Mark, I'll get with you. Mark, the other Mark, do you have that?

Council Member Alexander stated I have that.

President Broady stated ok, Joe Olson.

JOE OLSON ADDRESSES THE COUNCIL ON/INSURANCE.

Mr. Olson stated yes sir, by now I think everybody's received the itemized coverage's, the rates and so forth from the other companies that I have submitted to, to get quotes for insurance. What I would like to do is just kind of review what I've sent you. Ok one of the things, the main thing what I was concerned with is they're several health conditions in the group right now that prevents other carriers from being competitive or either, not even bidding on the insurance at all. As you can see with the other carriers that I've have submitted to they came up with rates. However Humana, Principal Mutual and of course your current plan they're already rated to the max for the health conditions that are currently in the group. Actually Humana is not competitive with your current plan as you can see. Also the Principal Mutual rated to the max for those particular health conditions. In other words all this information has been disclosed to them, of course obviously we don't have any medical records, that's private information but, they were able to rate it, based on the maximum rates that they would propose if and when the group did enroll in their plan, Now Aetna, the John Alden their rates are competitive however

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 14.

they do not rate until all the medical underwriting is done. So the process you have to go through to find out if they in turn would stay with these rates is you have to have preliminary enrollment. You have to have all the employees, it takes about a month, a month and a half, depending on how long it takes to get these doctors statements back and so forth. And what I'm proposing is to see if I can get the medical information from the employees that are currently having problems to get these doctors records. Rather than go through the preliminary enrollment process, it's going to take time and they might come back and say look, we're going to rate it to the max. So you wasted a month and a half, two months. Also on the back page there as you can see, if you have had a chance to review them, the alternative health plans, alternate alternative health plan, to the one you have, as you can see, the rates for the difference of coverage, they're really is no advantage by moving any of the other plans except three. As you can see that is about a 1000.00 deductible. Your current plan is pretty much a 100% plan. Now here's one change, it was brought to my attention, today on that single rate for the current HMO Plan, I think it was 193.90 on your sheet, it should be 198.93. Ok, it's 5.00 more.

Council Member Fenner stated that's on what we have currently, not the HMO.

Mr. Olson stated that's on what you have now, you have an HMO.

Council Member Fenner stated that's what we have currently. That should be 198.

Mr. Olson stated what I'd like to do is just open up for questions, see what your thoughts are, I know it's a heck of predicament to be in but...

Vice-President Eddings stated did you ask any of the employees and have gotten a feel of the employees being willing of giving up their medical records?

Mr. Olson stated no, I have not. Well, no, I'll take that back. One person yes, one person, that has a health condition said it would be no problem, he would be glad to cooperate.

Council Member Voyles stated so your looking at maybe four, how many do we have, four rated ones?

Mr. Olson stated three.

Council Member Voyles stated three, so what you're doing is getting medical, you'd like to get the medical records of these three people and have them take a look at these three people.

Mr. Olson stated that's right.

Vice-President Eddings stated how competitive are they up front, did they give you any kind of number at all or are they just saying they won't give you a number until they've had a chance to.

Mr. Olson stated they won't give you a number until they've had a chance to underwrite it.

Vice-President Eddings stated to underwrite.

Council Member Voyles stated yeah.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 15.

Vice-President Eddings stated do you feel like they would be competitive if they get a chance to underwrite.

Mr. Olson stated I think there is a possibility that Aetna would be competitive, the only problem you got there is they had some problems, if you have read the paper.

Council Member Voyles stated a lot of doctors are dropping them, so I don't thing we should go that route.

Mr. Olson stated but you know, whichever way you want to go I'll be glad to go ahead and do the leg work. I just think that based on experience it's a, the best way to handle it would be to get authorization from those employees that are having the health problems, get with the health problems, get with the carriers and say what are you going to do? Come back and see, this is the way it's going to be, and quite possibility it might be more competitive than what you have right now.

Council Member Voyles stated John Alden will be the one you will be checking with now, because Aetna, nobody wants it.

Mr. Olson stated yeah.

President Broady stated the medical records that we would get would not go to any carrier we got now, Joe.

Mr. Olson stated they...

Council Member Voyles stated they already got them.

Mr. Olson stated they already have them, they've got the plans.

Council Member Voyles stated they got the plans.

Mr. Olson stated but now, there is some other things I might be able to do there too. Depending on how the doctors, it's not uncommon for the companies to have a claims report, and the claims report might not be correct. I mean it doesn't hurt to ask and say look you know, here's what I have what do you have.

Clerk Treasurer Schafer stated I have a comment, I have not received a bill for April, there for I have not paid it. I was commenting to the council if they renew the policy and then cancel, whatever they decide to do there. Would that be, I mean it will expire at the end of this month so, all the insurance policies that the whole town employees that are under this I don't have it. They will lapse, they will have no coverage period. So I would recommend to the council they renew this policy and cancel it when ever.

Council Member Fenner stated is there a reason we haven't gotten a bill for it.

Clerk Treasurer Schafer stated because we have not renewed it.

Council Member Fenner stated because we have not renewed it.

Mr. Olson stated it has been renew, the problems that they say that happens with renewal is they are late getting it out because it's got to go through all their little communications channels and you know I can get that in writing from them.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 16.

Clerk Treasurer Schafer stated ok, I would like to have it because they did tell Mr. Warren when he checked on a...

Mr. Olson stated right, I remember when you were talking to me about that. In fact, on the renewal if they don't get anything then they assume that you have renewed it. It just takes a little bit longer to get it.

Clerk Treasurer Schafer ok that's what concerned me.

Vice-President Eddings in our meeting two weeks ago we decided to pay the difference of the raise for one month. Should we continue to do that? Or can you get the records and get back to us before that time expires? Or should we continue to pay that difference till we get all the numbers finalized and make a decision?

Council Member Fenner stated let me ask Joe a question, related to that. I mean, with their bid with Alden of 463 a month that's 150 less per family than what we're getting, but if they rate one person that could eat up the 150 a month pretty easily, couldn't it?

Mr. Olson stated right.

Council Member Fenner stated what is your feeling, do you feel that they're going to rate it, you know sky high or more than what we've got.

Mr. Olson stated I feel like they're going to rate it, but I don't know if they'll rate it to the max and the max is 89% over and above the initial quotes.

Council Member Fenner stated do you think it's worth our while to test the waters.

Mr. Olson stated I think it's worth your while to test the waters, you know going through the process as I have mentioned, if I can get authorization from those employees I think we could get a clearer picture.

Vice-President Eddings stated why don't we do this why don't we pay the difference until you return the policy to us.

Clerk Treasurer Schafer stated also the insurance is withheld a month in advance meaning that, if you made a decision the first part of one month it would be 30 days to accumulate enough money from the town employees to pay the premium that...

Vice-President Eddings stated would we be alright to make a motion to do that tonight?

Clerk Treasurer Schafer stated yes, yes.

Mr. Olson stated probably on, on that letter I also mentioned I would be getting quotes on group life, on disability, short term and long term and all I wanted to do was just kind of let you know that what you have right is pretty competitive. I think you ought to stay where you're at for right now, until I have an opportunity to do some more research. Principal Mutual the Life Insurance Company is 34, excuse me is 24 cents per thousand and that includes accidental death. Aethna is 34 cents per thousand and Humana is 35. On the short term disability as you can see your current plan Principal is the most competitive. Now there is a lot of other carriers out there and I'll be glad to go ahead and you know submit quotes from them. So what do you want me to do go ahead?

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 17.

President Broady stated I want you to go ahead and proceed and try to get the release of the employees and see if you can come up with a better rate and then someone, does someone want to make a motion.

Vice-President Eddings stated I make a motion that we go ahead and pay the difference under the current renewed policy until we get the quotes back to the town board.

President Broady stated I have a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

Mr. Olson stated Ok, Thanks for yur time and I'll get on it.

President Broady stated ok, EMC.

MR. CRAWFORD/EMC ADDRESSES THE COUNCIL ON/WATER AND SEWER REVENUE.

Mr. Crawford stated the first item I have is the water and sewer revenue for the past there actually two revenue reports here because we had an odd week. The total being I've got it written down here all in one, 86588.04. Next is the invoice for the first quarter cooperate tax for 1999 the total amount due is 2242.52.

President Broady stated I'll entertain a motion to pay the first quarter cooperate tax for 1999 in the amount of 2242.50.

Council Member Voyles stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Vice-President Eddings stated second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 Go ahead Tim.

Mr. Crawford stated the next thing is the monthly invoice for the NSF Checks, Meter Deposits Refund and the Monthly Sales Tax.

President Broady stated I'll entertain a motion to pay the Monthly Sales Tax, Nonsufficient Funds and Meter Deposit Refunds in the amount of 2931.21.

Vice-President Eddings stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0.

Mr. Crawford stated the next thing I have is a invoice for 640.82 the reason this invoice exists is back on the week of March 19 there was a power surge, some type of power failure that knocked out the well field down of Utica Pike for a period of time that depleted the water source in particularly the highway 60 tank. Instead of taking the chance of getting into a situation where there was reduced fire protection we had, we instructed Silver Creek Water Cooperation to open up an interconnection that we have with them to help replenish the system to make sure the fire protection was there.

President Broady stated I had the, the told me about this. At one time we had mutual agreements with most everybody about, we give them water, they give us water. Silver Creek had changed their policy and now bills us for theirs and if they need water will be glad to accept our bill. Watson is the old way, whatever they need, they'll get and whatever we need, we'll get it. So he's trying basically is to come up with all the different water departments we can do business with and see which ones will go with us and which ones wouldn't or how we're going to work it out with each one of them. But this is, we did talk with them and this is the way they want to do it. So I'll entertain a motion to pay the 642.00 to Silver Creek Water Cooperation for water use.

Council Member Voyles stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Vice-President Eddings stated second.

President Broady stated and duly seconded, any discussion?

Clerk Treasurer Schafer stated Yes, I need to take the tax off.

Mr. Crawford stated I'll strike that off.

Clerk Treasurer Schafer stated you want to tell them.

Mr. Crawford stated with the exception of the 30.52 Sales Tax, I can call Scott and inform him, make sure he's got a sales tax number on record for us.

President Broady stated so this will be taken off here?

Mr. Crawford stated less the 30.52.

President Broady stated ok, minus 30.52.

Vice-President Eddings stated should they be set up as a customer of ours so if they ever need...

Mr. Crawford stated as a matter of fact Doug, right now I'm working with Scott Hamm, there is actually a two way meter at that interconnection point. It has not worked since 1991, it will be advantageous for both of us. It is our meter, the Town Of Sellersburg's Meter. I'm in the process of having it taken out and looked at. I don't think it's ever been pulled and get it back in working condition.

President Broady stated ok, I have a motion on the floor and duly seconded, can you make the motion 610.30 instead of 640.82. Can you all amend the motion.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 19.

Council Member Voyles stated yeah.

Vice-President Eddings stated yeah.

President Broady stated I have a motion on the floor and duly seconded from the 610.30 an discussion? If not all those in favor signify by saying I, opposed nay. I's have it.
Vote 5-0

Mr. Crawford stated the next few items I've got are some Capital Expenditures recommendations. The first recommendation that I'm going to hand to you pertains to the installation of a manhole on Florida avenue. The reason we, that I'm recommending that this manhole to be installed is there is actually three lateral points on this particular line. This line is a dead end line. As it stands right now we've experienced some problems in this area. There is no access at this particular point except a good distance down the road, I apologize for not knowing the exact footage, but it would be advantageous for us to put a manhole in there for future access.

President Broady ok, you all want to take time to look at this later and vote on it later

Vice-President Eddings stated let's table it until the next meeting.

President Broady stated ok, we'll table this until the next meeting.

Mr. Crawford stated I need this.

President Broady stated you want to represent it.

Mr. Crawford stated yeah, I can represent it at the next meeting.

President Broady stated get me a copy and put it in my box.

Mr. Crawford stated ok.

Vice-President Eddings stated is the first bid from Christina.

Mr. Crawford stated yes, because he did not have any letterhead on the actual bid form, I faxed that to him.

Vice-President Eddings stated all right.

Council Member Alexander stated Tim.

Mr. Crawford stated yes sir.

Council Member Alexander stated something that we experience in the Street Department, anytime they do a trench make sure that the contractor understands that the trench make sure that the contractor understands that the trench should be run parallel and not look like a patch.

Mr. Crawford stated ok.

Council Member Alexander stated because we've experienced problems where they come in and cut and done the, I would assume the rest of the board, I mean the streets look a whole

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 20.

lot nicer when the trench is close to the same.

Mr. Crawford stated ok, the next recommendation I'm going to hand to you is regarding the pumps at the high school lift station. The high school lift station in one of the main pumping stations, approximately two weeks ago, Kevin Wright and Jim Blincoe the Wastewater supervisor did an inspection at this particular pump station. They pulled the inspection plate off the pump and where there should have been just a, to give you an indication a 16-inch clearance between the propeller and the side of the pump bowl, Kevin could insert his hand. What this does, with some of the problems we have in that line, if that line surcharges and by no means do I want to give you the impression that is going to eliminate all surcharges in that line. But it will help to have those pumps rebuilt. In talking to the pump repair companies that are listed on there They're saying the efficiency of those pumps are probably cut back at least 50% right now, in the condition that they are in. The two quotes that we have are Clark Electric Company for 2528.40 and Spencer Machine and Tool Co. 4342.79. The only other addition that is attached to this is there is another option. You can put what is a high chrome propeller, which ranges anywhere from 1600 to I believe that it was 1822.00 additional to the cost that you see on there. It will extend the pump life by approximately twice as long. It should double the pump life.

President Broady stated let's table this one also. And I'll take a look at it and see what's going on.

Mr. Crawford stated ok, the last item that I have, this goes once again to a Capital Expenditure. It is a 500 up-grade in between Oak St. and Highway 31. I've been working with Boyce Adams very closely in this situation, the St. Paul School project install a new 6-inch hydrant at the other end of the alley, I believe it was. And as it stands right now, where this particular hydrant sits, which is a 4-way, 2-inch hydrant. Down on the line there is a set of apartments down over the hill. This is the only access for fire protection for those apartments and everything from that point on. And working with Mr. Adams, we feel like it would be advantageous to up-grade that protection there by increasing the size of the fire hydrant as well as adding a third connection.

President Broady stated and this would also give better protection to the new St. Pauls building. This is probably something we should act on respectively quick. He asked if this is an in scope or an out of scope. I think it's an out of scope project, because its an up-grade in our system so that's the way I left it. You all want to consider it tonight or table it.

Vice-President Eddings stated I'd like to go ahead and consider it.

President Broady stated does everyone know where it's at.

Council Member Alexander stated where are we moving.

Mr. Crawford stated well, actually we're going to move it approximately 4 feet back off of the corner of the alley so it doesn't get hit again.

Council Member Alexander stated do you think thats enough John? Can we go 5.

Mr. Crawford stated well, theres a big tree and if they move it back 4 feet they're going to have to hit the tree before they hit the fire hydrant.

Mr. Toombs stated is that the tree we're taking down.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 2).

Clerk Treasurer Schafer stated yeah, it's coming down.

Mr. Toombs stated I'll go over there and look at it with you.

Vice-President Eddings stated the expense won't be any different will it? No.

President Broady stated ok, I'll entertain a motion to approve this 1754.69 for putting a new fire hydrant in the Oak Street area.

Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. 5-0

Mr. Crawford stated that's all I have unless there is any more questions.

Council Member Fenner stated do you know what caused the power outage.

Mr. Crawford stated no, I do not.

Council Member Fenner stated how long was it out?

Mr. Crawford stated it looked to be out probably, if I had to guess and it strictly be a guess Gary, probably 3 or 4 hours.

Council Member Fenner stated was that on a night or on a weekend?

Mr. Crawford stated it was, which day was it. It was on a weekend, as a matter of fact it was a Sunday. We came in on Monday and found it.

Council Member Fenner stated ok.

President Broady stated ok, Building Commissioner, Boz.

MR. ADAMS/BUILDING COMMISSIONER ADDRESSES THE COUNCIL ON/ORDINANCE.

Mr. Adams stated yeah, I was wondering if you all had a chance to look at the proposed ordinance for as far as address on the structures in town.

President Broady stated ok, we've had this ordinance and everybody's had a chance to look at it and what it is, is requiring that all houses have street addresses, where they are visible from the street and it would give Boz the opportunity to enforce this ordinance on new buildings as they come in.

Mr. Adams stated it would be easier for me to enforce since the county has one in place.

President Broady stated the county has one now, but we're not enforcing it, this one would be enforceably by our own building code. I think this is what we're saying. Did you make this up.

SELLERSBURG TOWN COUCNIL
Regular Meeting
April 12, 1999
Page 22.

Attorney McCall stated no, I think he copied if from...

President Broady stated do we want to consider this ordinance tonight?

Council Member Fenner stated sure.

President Broady stated ok, I'll, is that an ordinance where you have to pass it on two readings?

Attorney McCall stated yeah.

President Broady stated I'll entertain a motion to consider ordinance number.

Clerk Treasurer Schafer stated 99-714.

President Broady stated 99-714 on a first reading.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0. I'll entertain a motion to approve ordinance 99-714.

Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motion on the floor do I have a second.

Vice-President Eddings stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it 5-0. Dou you have anything else.

Vice-President Eddings stated Boz, anything else.

Mr. Adams stated no, Thank You for your consideration.

President Broady stated ok, Doug.

Vice-President Eddings stated no.

President Broady stated Bill.

Council Member Voyles stated no.

President Broady stated Gary.

COUNCIL MEMBER FENNER ADDRESSES THE COUNCIL ON/PARKS BOARD REPRESENTING THE SELLERSBURG TOWN POOL AND THE WEST CLARK SEACATS SWIM TEAM/TROOP #7 BOY SCOUTS.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 23.

COUNCIL MEMBER FENNER ADDRESSES THE COUNCIL ON/PARKS BOARD REPRESENTING THE SELLERSBURG TOWN POOL AND THE WEST CLARK SEACATS SWIM TEAM/TROOP #7 BOY SCOUTS.

Council Member Fenner stated two things very quickly. One is we have a group of young men from Troop #7 our Boy Scouts and they're here helping to fulfill a merit badge requirement. And they would be glad, they need to talk to one or some of us after the meeting for us to discuss a little bit about our jobs. So if you could make yourself available they would appreciate that. And we welcome them. Thanks guys for being here. The only other thing is I have an agreement I want to share with you and then I want to give to you so that will be on record at the Town Hall. This is between the Parks Board representing the Sellersburg Town Pool and the West Clark Seacats Swim Team. The Parks Board allows the swim team to use the pool at no cost and this is just an agreement spelling out both sides responsibilities and agreements. It's been excuted already and you know, it was basically just to clairify our relationship and to prevent any misunderstanding and make for a better working relationship. So thats just for your record. And thats all I have.

President Broady stated ok, Ken.

COUNCIL MEMBER KEN ALEXANDER ADDRESSES THE COUNCIL ON/ANIMAL ORDINANCE.

Council Member Alexander stated remember when I told you that the Animal Ordinance was good for at least 20 years. Well, it almost made a month. Uh, the stated had passed different requirements on the vacinations. They changed it to where it was all dogs, cats and ferrets and it went from 6 months to 3 months and i want to ask Perry if we could make those changes. Can we just make an amendment to the ordinance.

Attorney McCall stated yeah.

Council Member Alexander stated will you make those changes?

Attorney McCall stated section 4, rabies vaccination and requirements, you want me to change that?

Council Member Alexander stated right.

Vice-President Eddings stated do you need a vote? Is that the only thing you're going to change?

Council Member Alexander stated that's the only thing we're changing.

Vice-President Eddings stated do you need a vote to do that?

Council Member Alexander stated here's a copy of it.

Vcie-President Eddings stated do you.

Council Member Alexander stated we've got a copy of the changes for that section.

Council Member Fenner stated the only difference is it adds ferrets and changes the 6 months to 3 months.

Council Member Alexander stated to 3 months.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 24.

Council Member Fenner stated right Mark.

Mr. Robinson stated yes sir.

Council Member Fenner stated ok.

Mr. Robinson stated what had happened when we passed the ordinance and in just a few days Linda recieved the new laws from the Indiana State Department of Health. And...

President Broady ok, do you want to put this in a motion or do we need to...

Attorney McCall stated I'll just go ahead and amend the ordinance for the next meeting.

President Broady stated ok.

Council Member Alexander stated ok, and then I want to remind all the residents that the Spring Clean-Up is going on and talking to Mark earlier it is being heavily used.

Vice-President Eddings stated when does it end.

Council Member Alexander stated it runs through Saturday.

Vice-President Eddings stated Saturday.

Council Member Alexander stated Saturday at noon. And lets see, I was supposed to bring tornado warnings sirens to the board tonight. We've had problems with being able to come up the proper way to fund it I would like to ask the induldgence of the council to allow Mrs. Schafer to research some ways.

President Broady stated ok.

Council Member Alexander stated basically what we're trying to do is come up, they have been able to come up, that we can come up with a down payment we can establish it in the next years budget.

Clerk Treasurer Schafer stated was it 17000.00.

Council Member Alexander stated 14.

Clerk Treasurer Schafer stated 14000.00.

Council Member Alexander stated 14000.00 for this year.

Attorney McCall stated I'll call Charlie Pride again about what he would recommend for us.

Council Member Alexander stated if we can find a way to do that we will bring it in front of the board.

President Broady stated ok.

Mr. Robinson stated Ken.

Council Member Alexander stated yes Mark.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 25.

Mr. Robinson stated I've got a copy of the ordinance that I changed if you want it.

Council Member Alexander stated do we...

Attorney McCall stated if you want to do it, its up to you.

Council Member Fenner stated does it have places for signatures.

Mr. Robinson stated yes sir, I did it right. The only thing I changed was just the age for the new State Law.

Attorney McCall stated yeah, I'll just call it amending.

President Broady stated I'll make a motion to amend ordinance number.

Attorney McCall stated 99, Linda.

President Broady stated 99-715.

Clerk Treasurer Schafer stated yeah.

Attorney McCall stated 715.

Vice-President Eddings stated 715.

Vice-President Eddings stated what was the old ordinance number.

Mr. Robinson stated 713.

Vice-President Eddings stated motion is for 799.

Attorney McCall stated this is going to be an ordinance amending ordinance number 99-713.

President Broady stated I'll entertain a motion to amend ordinance number 99-713, is this a two reading.

Attorney McCall stated yes, you need to do it twice.

Council Member Alexander stated I'll make that motion.

President Broady stated I've got a motion on the floor do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 I'll entertain a motion to adopt ordinance number 99-715.

Council Member Alexander stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated I'll second.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 26.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0. Yes sir.

Mr. Imhoff stated this is pertaining to Lake View Apartments. I talked to Kenny over the weekend and the board at the last meeting and they basically have one section I guess, almost totally rented now and maybe 10 days ago they put a little bit of fresh dirt on the burm but we haven't seen any fences, bushes, trees...

Attorney McCall stated I got it, I'm working on it, and trying to get with Mongold and Mr. Rawlings to get down there and correct it persuent to that understanding.

President Broady stated so we will follow up with it, I assure you.

Vice-President Eddings stated is there anything...

Attorney McCall stated let me make sure I know what your two problems is, one is the burm and fence. Secondly there is a question about brick.

Mr. Imhoff stated yes.

Attorney McCall stated they put vinyl instead of brick.

Mr. Imhoff stated when I spoke with Ken, it was supposed to be brick, very little vinyl on the trim and maybe around the corners. It is at least 50 to 60% vinyl.

President Broady stated why don't you get with us after the meeting and that way we...

Vice-President Eddings stated when we have a subdivision that is being built or developed and it doesn't meet our specifications we do something with that plat don't we, that we can hold it, that we can hold plat approval or something.

Attorney McCall stated yeah, but this one is a little bit different.

Mr. Toombs stated a subdivision is different.

Vice-President Eddings stated than an apartment complex.

Council Member Alexander stated we found a violation.

Mr. Toombs stated you have a building officer and you have every right for him to exercise those rules and regulations and those stipulations And if you have minutes of the meeting where they say what they're going to do this and they say they're going to do that you've got them.

Vice-President Eddings stated well, I know, I mean is it a civil type action where the Town Board against that contractor.

Mr. Toombs stated yes.

Council Member Alexander stated basically we wouldn't issue the occupancy permits until it's resolved, correct?

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 27.

Vice-President Eddings stated well, they're already moving people in.

Council Member Alexander stated well, I mean, but there is other buildings.

Vice-President Eddings stated can we hold the occupancy permit if they don't follow the rules.

Mr. Adams stated if they have met all the statutory requirements then no.

Vice-President Eddings stated ok, we're working on it, we don't know what we can do yet, but we're working on it.

Attorney McCall stated as far as the vinyl verses the brick, I mean, that's kind of a dicey issue. As far as the burm, fence and all of that's a definat and its going to happen. And it was 6 feet. I believe and, you, I mean you went to a lot of trouble to make sure that was a part of the whole plan before the built. And I will take care of it.

President Broady stated you got anything else?

Attorney McCall stated I just have one thing. I've got a lady that sent me a letter dated April 8th.

ATTORNEY PERRY MCCALL READS LETTER AS FOLLOWS.

CLARK COUNTY SUPERIOR COURT NO. 1

Department of Probation

Room 249, City -County Bldg.
Jeffersonville, IN 47130-4074
Ph. (812) 285-6300 • FAX (812) 285-6306

GLORIA R. VOYLES
Chief Probation Officer


April 8, 1999

SELLERSBURG TOWN COUNSEL

I LIVE AT 312 HANGER AVENUE AND I AM REQUESTING THAT A STREET SIGN BE POSTED TO WATCH FOR THE CHILDREN AT PLAY. THERE ARE AT LEAST 7-8 CHILDREN THAT LIVE AND PLAY ALONG THIS STREET AND THE PUBLIC NEED TO KNOW THAT THEY SHOULD BE ON THE WATCH FOR OUR CHILDREN. FOR THE MOST PART THIS IS A QUITE STREET BUT SOME DRIVER'S DO GO A LITTLE BIT TOO FAST CONSIDERING ALL ACTIVITY ALONG HANGER AVENUE.

YOUR ATTENTION TO THIS MATTER WOULD BE GREATLY APPRECIATED.

THANK YOU.


MISSI FRAZIER

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 28.

President Broady stated it will be done. I've got all these invoices here to presents the present jobs. We're going to go through as all one lump sum and Linda will go through them and put them in the right perspective things.

Clerk Treasure Schafer stated just put the name and the amount.

President Broady stated ok, I need to read the name and the amount.

Clerk Treasurer Schafer stated yeah.

President Broady stated I'll go through and read them real quick. I'll entertain a motion to approve the claims as presented by:

Jacobi, Toombs and Lanz	580.00
	567.50
	400.00
	1671.40
	75.00
	1430.00
	2449.29
L,D. Rice Construction	9138.75
	1600.00
	8505.14
	489.20
	5459.39
Team Contracting	10436.68
Metzger Electric	107.50
The Total Being	<u>42909.85</u>

Vice-President Eddings stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Council Member Alexander stated I'll second it.

President Broady stated and duly seconded, any discussion?

Council Member Alexander stated are the one's that were encumbered are they marked John.

Mr. Toombs stated yes.

Council Member Alexander stated ok.

President Broady stated any other discussion? All those in favor signify by saying I, opposed nay. I's have it. Vote 5-0. Lets see, I've got two things here myself and then we'll go to Linda. The exit sign at the Town Hall was bought to my attention by the Fire Department about not being lit. I talked to Mark, he's going to check them out and see if the bulbs are out and check the batteries because it's supposed to have battery back-up and see what the problem is so we can take care of that. Ivy Tech has requested that we sign a proclamation. Ok, I'll read it.

PRESIDENT DAVE BROADY READS LETTER AS FOLLOWS.

The Town of Sellersburg BOARD PROCLAMATION

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, Ivy Tech State College at Sellersburg is the primary provider of technical career training in Southern Indiana; and

WHEREAS, Ivy Tech State College at Sellersburg has created The Ogle Virtual Library to support its educational services; and

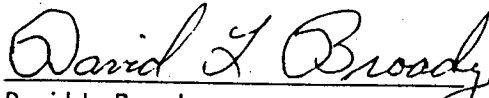
WHEREAS, Ivy Tech will honor the completion of The Ogle Virtual Library with a special dedication ceremony; and


WHEREAS, the Town of Sellersburg wishes to join the celebration with Ivy Tech State College and the Paul W. Ogle Foundation,

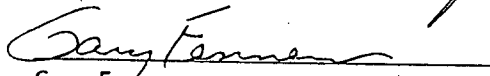
NOW, THEREFORE, We, the Board of the Town of Sellersburg, in the State of Indiana, do hereby proclaim Thursday, April 15, 1999, as

Ivy Tech State College Ogle Virtual Library Day

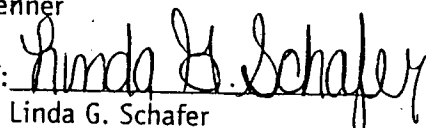
IN WITNESS WHEREOF, We have hereunto set our hand and caused the Official Seal of the Town of Sellersburg to be affixed this 12th day of April, 1999.

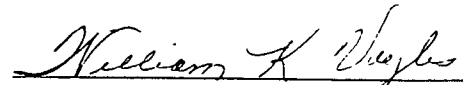

David L. Broady



Aulton D. Eddings, Jr.


Gary Fenner

ATTEST:


Linda G. Schafer
Clerk Treasurer


William K. Voytes


Kenneth J. Alexander

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 30.

President Broady stated would you all entertain a proclamation to that extent.

Vice-President Eddings stated I'll entertain that proclamation.

President Broady stated I've got a motion on the floor to approve the proclamation, do I have a second?

Council Member Fenner stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I opposed nay. I's have it. Vote 5-0 Linda, do we all need to sign it?

Attorney McCall stated just the Town Council President.

President Broady stated would you retype it, they faxed it to you.

Clerk Treasurer Schafer stated yeah.

President Broady stated ok, this is something important Jim Gillenwater called are you familiar with this? They are having... a meeting of the Reese Authority next week, and he's requesting that we either give him a letter saying that we're going to stay in it, or get out. He's saying that we probably will not ever receive any money for it because most of the ground is going to be tax free and can't see any reason why we're getting in it. The Town Of Clarksville has sent a letter and they are dropping out and he feels like the Town Of Borden is going to drop out. The only three that's going to be left is Charlestown, Jeffersonville and Utica and the county. Do you all want...

Vicie-President Eddings stated I'd just as soon drop out.

Council Member Alexander stated drop out.

Council Member Fenner stated drop out.

President Broady stated I think if we send a letter we need to address the issue that he told me that the reason we are dropping out is because we would not be getting no benefit.

Council Member Fenner stated there is no benefit for it.

President Broady stated so can I get with you tomorrow sometime and discuss this and we'll write him a letter and give it to him. Is that what you all want to do.

Vice-President Eddings stated yeah.

President Broady stated ok, I'll entertain a motion that we do drop out and send a letter and I'll get with Perry on specifically on how we want to do that.

Council Member Fenner stated I make a motion that we withdraw from the interlocal agreement.

President Broady stated ok, I got a motion on the floor do I have a second?

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 12, 1999

Page 31.

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I opposed nay. I's have it. Vote 5-0 Ok, the other thing that he was concerned about is he asked if the Animal Control still, and what he exactly said was, he has no idea what our budget is by any money that we could give them would certainly appreciated.

Attorney McCall stated I sent him a letter saying that the town didn't believe that the other municipalities were paying their fair share and that we're given equal access and we thought that there should be a renegotiation of the amount of 5000.00.

President Broady stated he's willing to take anything we send.

Council Member Fenner stated what should we...

Council Member Alexander stated 1000.00, a 1000.00 is the normal what, when you researched that Mark what did you find the other communities like Charlestown was paying.

Mr. Robinson stated Charlestown last month gave 500.00. The last I heard Borden dropped out, they refused to pay. Utica dropped out, they refused to pay.

President Broady stated it's worth a 1000.00 for this year.

Council Member Alexander stated it's worth a 1000.00.

President Broady stated I'll entertain a motion to make a check for 1000.00 this...

Attorney McCall stated why don't we, rather than just sending a check let's renegotiate that we had that previous contract and...

President Broady stated I'll make a motion that we turn it over to Perry then to renegotiate.

Attorney McCall stated ok.

President Broady stated ok, is that all we want to do on that? Ok, I'll skip that one then that's all I have, Linda you have some bills for us I'm sure.

CLERK TREASURER SCHAFFER ADDRESSES THE COUNCIL ON BILLS.

Clerk Treasurer Schaffer stated I was contacted by Teresa Brading with the Department of Commerce and she wants to have something. There were several areas within Clark County she could have it, but she chose Sellersburg to have a meeting of the community leaders to let them know what is available as far as grants. And she has requested that the Town Council furnish a couple of trays of cookies or something like that and punch or something for them to drink. She's going to have it at Ivy Tech.

President Broady stated I have no problem with it.

Clerk Treasurer Schaffer stated ok, also I would like to present the bills for this meeting.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 12, 1999
Page 32.

President Broady stated ok, we've all had a copy of the bills in the box, I'll entertain a motion to approve the bills as presented.

Vice-President Eddings stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I opposed nay. I's have it. Vote 5-0 Anything else?

Clerk Treasurer Schafer stated no that's it.

President Broady stated ok, I'll entertain a motion to adjourn.

Vice-President Eddings stated I'll make that motion.

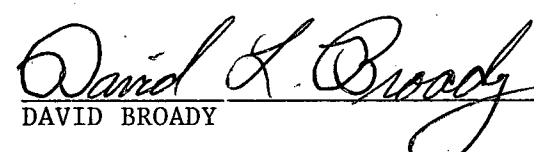
Council Member Voyles stated second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0.

With no further business President Broady adjourned the Regular Meeting at 8:10 p.m.



DOUG EDDINGS



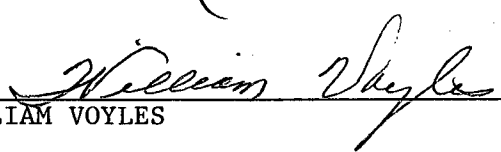
DAVID BROADY



KENNETH ALEXANDER



GARY FENNER



WILLIAM VOYLES



ATTEST: LINDA G. SCHAFFER
CLERK TREASURER

SELLERSBURG TOWN COUNCIL

April 26, 1999

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall at 6:30 p.m. Those present were: David Broady, Council President; Doug Eddings, Council Vice-President; Gary Fenner, Council Member; Kenneth Alexander, Council Member; William Voyles, Council Member; Linda G. Schafer, Clerk Treasurer; and William P. McCall, Town Attorney.

Called To Order

President Broady called the Regular Meeting to order at 6:32 p.m.

Prayer

Rev. Larry Poe will offer up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the flag was recited.

PRESIDENT BROADY ADDRESSES THE COUNCIL ON THE MINUTES.

President Broady stated ok, you've had the minutes of April 12 in your box and I hope you've had time to read them. If you have I'll entertain a motion to accept the minutes as presented.

Vice-President Eddings stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Council Member Alexander stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. First on the adgenda tonight is the Harris Group returning, I think on some business that we postponed the last meeting, Virgil.

MR. VIRGIL BOLLY ADDRESSES THE COUNCIL ON/VACATING TRIANGLE DRIVE/ORDINANCE.

Mr. Bolly stated good evening, first of all as you know, I have I think three real things to be looked at again. First of which, unless you want to take them in a different order, would be vacating Trangle Drive. Do you all have any additional question or do you need us to get the drawing back or anything of that nature?

President Broady stated does anyone on the board have any questions about that?

Vice-President Eddings stated I just have one general question about the development, you know, that the storm drain system does run through that property.

Mr. Bolly stated right.

Vice-President Eddings stated and all the, with the hotels and the parking lots and all that type of stuff with the blacktopping of the parking lot, I want to make sure that

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 2.

everybody understands that they do have to follow those specifications that we have in the master plan to take care of all that run off and to make sure that drainage situation is not degraded in any way.

Mr. Bolly stated I don't think you'll have any problem.

Mr. Beams stated Paul Primevera is aware of the plan and we discussed it briefly.

Mr. Bolly stated I don't think we have, I think in that regards you can be fairly well assured that they will do what's necessary. They got to get your permits and as long as your people done right too, I think all that will happen.

President Broady stated any other questions?

Mr. Bolly stated you have all kinds of copies of this and how many you really need, I just need, at the least one. I also have labeled this ordinance or resolution. Some people like to call an ordinance. My preference is a resolution, because it removes the doubts of whether you got to do any publications or documents or that type of things I have quite a few copies here. I didn't know what your ordinance number was so I didn't insert that.

President Broady stated you all want a copy?

Vice-President Eddings stated is this just on closing Triangle Drive, right?

Mr. Bolly stated yes, that's the first item.

Council Member Fenner stated is it the same as you presented to us last time?

Mr. Bolly stated yes, exactly, I changed the date, that's all.

Vice-President Eddings stated is there an original.

Mr. Bolly stated they are all ok.

President Broady stated ok, what would be the ordinance number Linda?

Clerk Treasurer Schafer stated you want a ordinance number?

President Broady stated yes.

Clerk Treasurer Schafer stated 99-716.

President Broady stated 99-716, ok I'll entertain a motion to consider ordinance number 99-716 in regards to closing, vacating part of Triangle Drive for the building of the new motel and stuff.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion?

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 3.

Council Member Fenner stated did we need to make that motion on the first reading?

President Broady stated no, I consider it on the first and adopt it on the second.

Council Member Fenner stated ok.

President Broady stated any other discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 I'll entertain a motion to approve, or adopt ordinance number 99-716.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second that.

President Broady stated and duly seconded, any further discussion? If not, all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 Ok, we made that into an ordinance instead of a resolution.

Attorney McCalls stated thats fine.

President Broady stated ok, we will sign the one you have.

Clerk Treasurer Schafer stated you probably need to sign the orginal for him and one for the town.

President Broady stated sign one and give you one.

Mr. Bolly stated right, then I've got extras if anybody wants one. Ok, the next item we have was two statements of benefits for improvement to the property and the first or the second one, the first one is the motel in which they are going to do roughly do 1118000.00 worth of improvements to the property. That does not include the land, that's just the building. And of course the assessed valuation will be 1/3 of that or 373000.00. The second one will be 4530000.00. There is a current value of 98000.00 on the tax roles. Some of that is the old buildings have been removed and some of it is the lots that are there. But they ask that we add that plus that and then we substract that again and we come back to the same figure of 4530000.00. The 1/3 of the assessed value of that will be 1,510,000.00. In accordance with the resolution that you previously, you had the right to do up to 10 years and one this particular project you agreed to do it on a 6 year basis rather than 10. And that's what I have to submit to you tonight. I've got more copies of that. Now they have retyped one of them, its still the same figure's but they retyped it so we could read it a little bit better, but this is the one for the 4530000.00. I could go through the various benefits that it does but uh, I think you have already looked at all that before so that would be on that one. As far as the approval by the board let them just determine the same. And that would be on the larger one and this is on the smaller one and again this is for the motel and so forth and this one does not retype it doesn't look quite as good. And I don't have as many copies of that.

President Broady stated I still don't understand what they are requesting. And we did agree on a, it has been uh a revitalization area and asking for a 6 year abatement which is like a 1000.00 percent the first year and progressly gets less until it ends up

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 4.

the 7th year back to a 100 percent were taxable again, is that correct?

Mr. Bolly stated yes that schedule is on the second page if you would like to see that. And its over here, ok I think this sounds pretty good until after the first of the year.

President Broady stated ok, we'll do them separately, the first one, did I get the right one. Ok, the first one is for the...

Council Member Fenner stated one is for the motel and one's for the other.

President Broady stated yeah, one is for the motel and I don't know which one is which. I'll entertain a motion to approve the abatement for 6 years for 2,530,000.00.

Council Member Alexander stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Broady stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it, 5-0. Ok, now I will entertain a motion to approve the abatement on the service area which was for 1,119,000.00, is that correct?

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not, all those in favor signify by saying I, opposed nay. I's have it, 5-0. Motion carried.

Mr. Bolly stated I just need one copy of these signed by you Dave.

Clerk Treasurer Schafer stated I need to sign also, on the second page.

Mr. Bolly stated oh, I'm sorry.

Clerk Treasurer Schafer stated where it says approved.

Mr. Bolly stated on the second page.

Clerk Treasurer Schafer stated and I have to sign where it says designated body for the Town Of Sellersburg.

President Broady stated who's got the typed copy, do we have a typed one of the other one.

Mr. Bolly stated right there, Thank You.

Clerk Treasurer Schafer stated we have 4/12 on this one, is that ok.

Mr. Bolly stated just go ahead and change it.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 5.

Clerk Treasurer Schafer stated ok.

President Broady stated ok, next on the agenda is Mr. Speedy, is Mr. Speedy here?

MR. SPEEDY ADDRESSES THE COUNCIL ON/SEWER BILL.

Mr. Speedy stated I'd like to resolve this sewer bill.

President Broady stated ok.

Mr. Speedy stated uh, the sewer was never put in there.

President Broady stated you never did get on it?

Mr. Speedy stated no, I've never gotten on it, when they put the sewer's in there, I live in Gillenwater, the sewer lines were put in there by Mr. Nugan and they put in a 4-inch line for 3 trailers.

President Broady stated ok.

Mr. Speedy stated and for all the other homes hook-ups where provided except we didn't get any.

President Broady stated ok, where you all aware if a sewer tap was ever made, did you all investigate that.

Mr. Crawford stated I haven't really been over there to investigate that Dave, but we would have to run a TV line up through there. To my knowledge he does not at this time. From my understanding, in fact when the lines were installed in 93 in that area all the residents were informed to prepare for tap on.

President Broady stated ok.

Mr. Speedy stated I paid my tap in and I paid for my permit, but nothing was ever changed for it.

President Broady stated and you never got a sewer tap in for the thing to go on.

Mr. Speedy stated no.

President Broady stated and anyhow the sewer if over 3500.00.

Mr. Speedy stated right.

President Broady stated and he obviously wants to get it resolved and 3466.83.

Mr. Speedy stated some of that is sanitation, I'm sure.

President Broady stated ok, so what we need to do, I think is he thinks there is an old 4-inch line, he may not even have a tap off.

Mr. Speedy stated they put in a clean out on the 4-inch line, that's all that got done there.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 6.

President Broady stated so I think what we need to do is table it and get with Tim and Mr. Toombs and go over there and investigate and see what the situation is and then I'll get you a bill for the sanitation fee, garbage pick-up only.

Mr. Speedy stated ok.

President Broady stated and we'll get that to you and we'll get that part resolved and we'll get back with you on the rest of it. Is that all right with everybody here?

Vice-President Eddings stated sounds good to me.

President Broady stated Tim, can you get the office to break out the 3 dollars and whatever send him a bill on it or however you want to do it. And I'll get with you just as soon as we can and see what's going on over there.

Mr. Speedy stated ok, when they got done with the line over there they told me to call the Sewer Department and tell them that was just a 4-inch line so we could have something done about it and I called them 3 or 4 times and I think it was late in 92.

President Broady stated ok, did you say that you paid your sewer tap in fee.

Mr. Speedy stated yes the tap in fee was paid and I got the permit to put the sewer line.

President Broady stated ok, I'll check into it and I assure you that we'll get it straightened out.

Mr. Speedy stated ok, Thank You.

President Broady stated Mr. Eckert, Ryan Eckert.

MR. ECKERT ADDRESSES THE COUNCIL ON/SKATE PARK FOR SKATEBOARDERS AND BIKE RIDERS.

Mr. Eckert stated I would like to see if the Town Of Sellersburg could put in a skate park for skateboarders and bike riders. So like they would have something to do after school and a place for them to go when they get together to do stuff.

President Broady stated Ok, Ken or Gary, you're in charge of the pool and that's the parks area, do you have any idea on what we can do or any cost involved?

Council Member Fenner stated I think it's going to take a little bit of research. Did you have something in mind, did you have a place in mind?

Mr. Eckert stated I was thinking somewhere like where they put the new park at, the new baseball park.

Council Member Fenner stated that would be a possibility, but that would have to go to someone other than us, because the new park is not in the Town Of Sellersburg.

Mr. Eckert stated oh, really.

Council Member Fenner stated that would have to go through, they have to have a separate board of trustee's for the Silver Creek Community Park. You know the only jurisdiction that we have is just right in the town limits. So, it's, you know we would still be

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 7.

glad to consider it. But, if that's where you really think that that's where the best place would be then that's where it's going to have to go is to them.

President Broady stated the only thing we have is the Wilkerson Park and the pool area is all we have.

Council Member Fenner stated that's all the parks we have.

President Braody stated that's Silver Creek Township and Mr. Kamer, Carl Kamer and his office is down there, that's who you would have to see about down there because it's out of our jurisdiction. If we can give you help or anything, we would be more that happy, Gary is the Parks Department Meeting...

Council Member Fenner stated we have one tomorrow night.

President Broady stated one tomorrow night, but there again I don't think they could do much for you. Ok, Mr. Killen, Tom Killen.

MR. KILLEN ADDRESSES THE COUNCIL ON/STREETLIGHTS.

Mr. Killen stated I just wanted to pass these along as we are talking. I'm here asking for streetlights. The map that I gave you gives reference to the Greater Louisville Industrial Park, in fact that is the Avco Industrial Park. That is at the intersection of 60, old 60, Avco Blvd. And then there is a little cut around to a group of houses right next to the interstate. There is about 5 roads that intersect there and you're very, very close to the interstate itself. This Industrial Park is primarily distribution companies, trucking companies and companies related to trucking companies.

Mr. Killen stated and there is truck traffic and car traffic on these road almost 24 hours a day and quite heavy for 2 shifts. What we're asking for, there was a light at the intersection of Avco Blvd. and 60 that is privately paid for and that has been shut off and it's caused a hazardous condition to where we feel that, that intersection needs to be lighted and possibly some of Avco Blvd. to make it safer route to travel.

Council Member Fenner stated you're just talking about a street light now.

Mr. Killen stated yes.

Council Member Fenner stated ok.

Council Member Alexander stated it's no problem, the only, I mean is the light still there? It's just been...

Mr. Killen stated the lights still there it's been disconnected and it's a very small light too.

Council Member Alexander stated one thing that is going on is in the next 4 years is the reconfiguration of this whole intersection.

Mr. Killen stated right.

Mr. Alexander stated and I can see reactivating that light and we could possibly put one to the center. You have a lot of lights though...

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 8.

Mr. Killen stated once you get about midway there's a, it's pretty well lit. Halfway between 60 and midway it's pretty dark and then on back in the loop area, the turn around.

Council Member Alexander stated can I make a suggestion that I go ahead contact, I would assume that is P.S.I.

Mr. Killen stated yes.

Council Member Alexander stated P.S.I. and I have the one reactivated and look at the possibility of putting one 200 to 300 feet up and then that being...

Council Member Alexander stated enough until we're about 4 years away and we get both of the M. So that the whole interchange there...

President Broady stated we can get the light that was there, if the light has been cut off, it would be much improvement until they do this whole, which you are well aware of.

Mr. Killen stated oh, yeah.

President Broady stated as Ken said they are going to redo this whole intersection.

Mr. Killen stated right.

President Broady stated can you handle that.

Council Member Alexander stated I can handle that.

Council Alexander stated I can handle that.

Mr. Killen ok, Thanks.

President Broady stated do you want these photos back sir.

Mr. Killen stated yes.

President Broady stated ok, Mrs. Meyer.

MRS. MEYERS ADDRESSES THE COUNCIL ON/WATERBILL.

Mrs. Meyers stated I've had some trouble with my waterbill for about the last 5 months I wrote it down. My average bill runs about 48.00 and for January I had a almost 90.00 bill and then February I had a 117.00, but nothing has changed. Just one little person roaming around in there and the most recent one was 86.00 and I received a letter from EMC stating that they were sorry my bill had been so miscalculated and for every time I called and asked about the bill and asked why it was so high, if there had been a rate increase or what was wrong and why I was getting these out of line bills. They would say well, something was wrong with the computer, we'll decrease is some, which they did, but even when they did decrease it was 17 to 20 to 10.00 over my bill. Then I called again this month because I get a 93.00 bill and I'm saying what's wrong here and why do I keep getting this high of water bill, please come out you know, do something about this. They came out and checked the meter again and they said the meter was running all the time. And I had a leak, and of course I was not aware I had a leak because they said in

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 9.

this letter there was something wrong with the billing and we're sorry. So I assumed there was something was wrong with the billing, that's not my problem. Well, of course not I've gotten a plumber out to fix the leak but I would like to get some relief on the sewage part of these bills to get this in line a little bit more. And so I called the billing office and they indicated they could give me help on one bill but, it really, they have already told me to wait till next month because you already have another 100.00 waterbill coming next month for the same leak. So I'm just trying to get some relief on this.

President Broady stated ok, you got the leak fixed and everything.

Mrs. Meyer stated oh yeah.

President Broady stated ok.

Mrs. Meyer stated I've got the receipts on that.

President Broady stated ok, I don't have any problem what so ever of giving back her average. Whatever it takes to get an average and average that sewer bill back to where it belongs. And if it needs to be down next month and the following month bill we'll do so on that one also and that should take care of it then, ok.

Mrs. Meyer stated ok, Thank You.

President Broady stated ok, Mr. Sprigler, is Sonny here tonight? Is he represented? Ok, Mrs. Diefenbach, Mrs. Pixley, do you have anything?

MRS. PIXLEY ADDRESSES THE COUNCIL ON/FILING A LETTER.

Mrs. Pixley stated I just want to know about the, Perry's not here, you know you were given 60 days, I mean there were about 60 days to get that filed and I called Keith Groth and as of yet Perry had not filed the letter.

President Broady stated I'll make a note and I'll assure you it will be done tomorrow.

Mrs. Pixley stated the 60 days was up Friday.

President Broady stated ok, what ever it takes we'll get it on the ballot, I assure you of that.

Mrs. Pixley stated ok.

President Broady stated he had to go, he had someone that had emergency surgery in his family, so that's the reason he had to run off. But I'll assure you it will be on the ballot, I'll take care of it. Anything else, Mrs. Diefenbach?

Mrs. Diefenbach stated no, the only question is that I have is we have learned from Charlestown from away back that we have a garbage of 1.50 and recycling of 1.50. I believe that we have someone that was on the board then that is here maybe he can explain.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 10.

Mr. Everitt stated they asked me about it and it was either in 89 or 90 we started charging 3.00.

President Broady stated yeah, for sanitation.

Mr. Everitt stated a half of that was supposed to go toward, at the time the county had the towns and cities. It was going to be at the time a 1.00, 1.50 and we set it at 3.00. That would pay for recycling for Sellersburg and the landfill. To take our stuff to the landfill. Charlestown used the same ordinance and that is what they have used for the last years. We are getting bills now for the recycling and I think it's time we started paying the same Charlestown is.

President Broady stated recycling comes...

Council Member Alexander stated but since then Roy, the yardwaste program is the reason it, the 1.50.

Mr. Everitt stated well...

Council Member Alexander stated please Roy, let me finish.. Ok, back when you all signed that there was no yardwaste program at all, is that correct?

Mrs. Pixley stated yes there was.

Mr. Everitt stated it had been talked, but we had already started that yardwaste Alexander, we started that thing back in 88.

Council Member Alexander stated what did you do?

Mr. Everitt stated we picked up garbage, sitting bins out and stuff like that.

Council Member Alexander stated no, yardwaste.

Mr. Eberitt stated before that.

Council Member Alexander stated green vegetation, you all picked that up on a separate truck and took it to a, Mark is that what you did in 89?

Mr. Warren stated no, we would take it to the landfill.

Council Member Alexander stated right, back then you could take it to the landfill. Yardwaste was banned from.

Mr. Everitt stated what I want to know is, I know that there is money there, the money is there to pay for all of this.

Council Member Alexander stated you're not following the question, the question is we had to start a whole new yardwaste program. Most towns went to a 1.00 a bag for yardwaste. Is that the, Clark County of Jeffersonville, I think charges 1.00 a bag and that's per bag. What we did was created the yardwaste program and not put any fee on it at all. So I meant as far as a justification where that 1.50 went, it went into our yardwaste program. Because we do, we do trash.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 11.

Mrs. Diefenbach stated what about the 1.50 that was set aside for our recycling?

Mr. Everitt stated the yardwaste and recycling was all the same.

Council Member Alexander stated yardwaste.

Mr. Everitt stated why they pay 1.00 in Charlestown.

Council Member Alexander stated that was your Commissioners, I think that they signed your contract for that. I don't think the town had a choice.

Council Member Fenner stated that's right.

Mr. Everitt stated the towns are on there for 1.50.

Council Member Alexander stated right, but what I'm saying is the yardwaste program was never part of your all's 3.00 because yardwaste at that time you were still allowed to burn, you were still allowed to take it to the landfill. Back in 89, that did not take effect until 95 when there was a ban put on outside fires, that you couldn't put it with your trash. We had a truck that was refused at the landfill, at the landfill I think in 96, because of flowers or corn shucks or something else. This all happened after that Roy, way after 89. The yardwaste program on most companies that we checked into would cost the Town Of Sellersburg and each resident 2.00 a stop to put that into...

Mr. Everitt stated ok, I've got another question, on the recycling, on the recycling that's nothing to do with yardwaste, if you would go back and read the minutes and it says recycling, recycling and landfill money that 3.00...

Council Member Alexander stated exactly Roy, that is my point, my point is since then we've had to establish a yardwaste program.

Mr. Everitt stated you could have started something else with that 3.00...

Council Member Alexander stated a 1.00 a bag would have cost most residents 3.00.

Mr. Everitt stated the money was put down to spend for recycling and for the landfill. That was it, it doesn't say anything about yardwaste.

Council Member Alexander stated no, there is no charge for yardwaste, there is no charge for yardwaste.

Mr. Everitt stated look at the minutes.

President Broady stated ok.

Council Member Alexander stated there is no charge for yardwaste and I will not put a 1.00 a bag on people in Sellersburg because most communities, a person...

Mr. Everitt stated most...

Council Member Alexander stated a person, let me finish Roy, you are on a council Roy, let me finish. Most people in Southern Indiana will pay with there recycling their yardwaste and their garbage in excess of 12 to 17.00 a month because of the 1.00 a bag

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 12.

garbage.

Mrs. Vick stated we don't live in Jeffersonville.

Council Member Alexander stated exactly we pay 3.00, we should be grateful that we don't.

Mr. Everitt stated that's what I'm saying, that the recycling program is part of that 3.00. I didn't say a thing about yardwaste.

President Broady stated ok, I think what we need to do is go back and verify that in the minutes. That shouldn't be hard to do. We'll go back and verify what we did, I'm not disputing your word, I just, that's too long for me to remember. We'll verify what was said in the minutes what we pay that 3.00 for. And if that's the case then we'll just regroup and try to correct the problem. We're not trying to beat anybody out of anything. And we'll look into it and see what we can do. Is that ok, that's the way we'll handle that. Chief Kinder.

Chief Kinder stated nothing.

President Broady stated Mark.

Mark Ball stated I don't have a problem if you don't.

President Broady stated nope, not that Mark.

Mark Ball stated he doesn't have a problem.

President Broady stated ok, Mark you got any problems or no.

Mr. Warren stated no.

President Broady stated ok, EMC.

EMC/TIM CRAWFORD ADDRESSES THE COUNCIL ON/MONTHLY REPORT/REVENUE REPORT FOR THE WEEK OF APRIL THE 13TH THROUGH APRIL 26TH.

Mr. Crawford stated the first thing I want to hand out is the monthly report. The second item I want to hand out to you is your revenue report for the week of April the 13th through April 26th in the amount of 57374.88. The next thing I have Dave, is a Capital Expenditure that was voted on February the 22nd board meeting for the sewer rod machine, that is the invoice that is associated with the quote and it is in exactly the same amount.

President Broady stated ok, we did vote on those.

Mr. Crawford stated yes sir.

President Broady stated and it is the exact same amount. Ok, I'll entertain a motion to go ahead and approve to pay the bill as presented then.

Vice-President Eddings stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 13.

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

Mr. Crawford stated the next item I've got is the invoice for the check that I submitted at the last board meeting for the insurance reimbursement at the high school fire hydrant. And I am asking on reimbursement on that. It is for the same amount.

Council Member Fenner stated which one is that, over there on Oak.

Clerk Treasure Schafer stated at the high school.

Mr. Crawford stated no, that's on the high school, where the student run into it.

President Broady stated somebody ran into it and then issued us a check and...

Clerk Treasurer Schafer stated we deposited it in water.

Mr. Crawford stated right, there may be more information there than you need Dave, I didn't know.

President Broady stated I'll entertain a motion to approve this bill as presented for the fire hydrant as present.

Council Member Voyles stated I'll make that motion.

President Broady stated I have a motion on the floor, do I have a second?

Vice-President Eddings stated second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

Mr. Crawford stated the next item I have Dave is an invoice for 735.00 for water testing done in the lagoons at the water treatment plant. The reason why I'm submitting this invoice in particular is it is associated with a Capital Improvement Project that was talked about approximately three to four months ago. We feel like it is an out of scope based on prior discussions.

President Broady stated ok, what this is, if they had to test the ponds down there.

Mr. Crawford stated in order for it to become...

President Broady stated it could be under scope or it could not be under scope, it's not in the maintenance or not in normal standard procedure of keeping up with the sewer and water.

Council Member Fenner stated we had to do it because of the dredging of the ponds.

Mr. Crawford stated yes sir, as a matter of fact I expected to see Mr. Toombs here tonight. We got the approval of the to dispose of it. We know exactly how much it's going to cost per load. With the testing, I just need to work with John now and get the price worked up.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 14.

Vice-President Eddings stated I suggest we table this, we ought to be able to incorporate this cost that project somewhere.

President Broady stated this is done by a separate invoice, have you already paid this?

Mr. Crawford stated EMC has already paid this.

Council Member Alexander stated I don't have a problem paying it, I was just curious as far as the cost. I mean with the testing of the water, how far along they are on the design and...

Mr. Crawford stated as far as I'm concerned Ken we're at the point to where we can start taking bids on actually cleaning out those ponds. We got the ok to dispose of it once it starts.

Council Member Alexander stated are you going to make it one pond or....

Mr. Crawford stated that part, that's not my understanding. But once again I'm coming in on a project that was already had the reoccurring before I got here. I think there had been talk about taking the center dam out of between the two lagoons but I don't think that, that's the direction we want to continue. What it does is it offers us an opportunity to pump one pond into another pond, clean out the one pond while we keep the other pond in service. And then back it up into the other pond and clean it out. That way you don't lose any.

Council Member Alexander stated the only thing that I would like to ask is if, before we go cleaning and we get Mr. Toombs to tell us where.

Mr. Crawford stated yes sir, yes sir.

Council Member Alexander stated reconfiguring or are we going to be ok.

President Broady stated I don't think we're going to do...

Mr. Crawford stated exactly and I understand that.

Vice-President Eddings stated I think we to, I would just as soon table this.

Council Member Alexander stated I would like to make a motion.

President Broady stated do you want to make a motion, you want to pay it or see if we can get...

Council Member Alexander stated I don't have a problem with that, I mean this needed to be done, it's part of the cost.

Vice-President Eddings stated yeah, but we have Capital Improvement money set aside a, we told them to go down the path and find one project that we were going to do and I don't see spending, taking money away from the project to reimburse them back for something under 2000.00 because it's part of the Capital.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 15.

Vice-President Eddings stated Improvement Project that we've already dedicated ourselves, you know every cost of our Capital Improvement Project, and every penny of it needs to come out of that money.

Council Member Alexander stated I mean, we can approve this on paying it out of the Capital Improvement.

President Broady stated pay it out of Capital Improvement.

Vice-President Eddings stated yes.

Council Member Alexander stated yes.

Vice-President Eddings stated but we ought to tag it you know, make sure we flag that it's for the Improvement Project and pay it out of that.

President Broady stated ok, does anybody have a problem paying, just pulling it out of the Capital and tag it for...

Vice-President Eddings stated right.

President Broady stated ok, I'll entertain a motion to do so.

Vice-President Eddings stated I'll make that motion.

President Broady stated ok, I've got a motion on the floor, do I have a second?

Council Member Alexander stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 Anything else?

Mr. Crawford stated the last two item's we talked about in the last board we tabled both of them. One, the first one being, the rebuilding of the pumps at the high school lift station.

President Broady stated we do need to go ahead and approve that, they are in bad shape and they are way down of efficiency and they are overflowing and it might help some of that. That's something we defiantly need to go ahead and get done. I'll entertain a motion that we go ahead and approve the rebuilding of the pumps at the high school lift station.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly second, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

Mr. Crawford stated the last item is concerning the installation of the manhole on Florida Ave., where the three laterals enter a dead end line and we have no access. It is becoming a problem area, has been for the last year or so from my understanding, and

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 16.

if you were to install a manhole at this point it would give you the access needed to see exactly what the problem was.

President Broady stated ok, I checked into that, it's also a problem, it's something if we postpone until next week, and then until next month, it's something that needs to be done.

Clerk Treasurer Schafer stated do you have an invoice on the lift station?

President Broady stated I don't think we've got it done yet.

Mr. Crawford stated no, it's not done yet. We just...

President Broady stated we just approved it tonight, so go ahead. I mean do you all want to move on this now, or hold for later or what?

Council Member Fenner stated go ahead.

President Broady stated it's for 3425.00 and Dan Christiani is low bid on it. I'll entertain a motion to go ahead and get this done.

Council Member Fenner stated I'll make the motion that we approve the expenditure to Christiani for 3425.00 to install a manhole on Florida Ave.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

Council Member Alexander stated can you make sure that all trenches are parallel?

Mr. Crawford stated gentlemen that's all I have, I appreciate your patience unless you have something of me.

Vice-President Eddings stated we did get the permit.

Mr. Crawford stated I did want to make the statement that we have received a new permit for the wastewater treatment plant. It's something that's been a long time coming to my understanding. The major changes on it is we'll be required to do biomonitoring which is required of any facility of our size across the state. And they lowered our ammonia discharge limit, and that was the only two areas that were changed.

President Broady stated we did finally get the permit?

Mr. Crawford stated yes sir and it is signed.

President Broady stated and it's been only four or five years. Ok, we're on a roll. Did you have anything Mark as far as Building Commissioner stuff?

Mr. Ball stated no, there's a couple of things I need to get with Perry on sometime.

President Broady stated ok, Animal Control, Chief Kinder, Doug you got anything?

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 17.

Vice-President Eddings stated no.

President Broady stated Bill.

COUNCIL MEMBER WILLIAM VOYLES ADDRESSES THE COUNCIL ON/GARBAGE PICK-UP.

Council Member Voyles stated I do and it probably don't concern me too much. But it does a lot on my people in my neighborhood, on Edgewood and some of the other streets are calling me about garbage pick-up. Pertaining to cardboard boxes, it seems like we'll pick them up if you lay them across the top of the cans. If the wind blows them off they don't pick them up. You know we've got to come up with something that if the cardboard boxes are empty we need to pick them up. I mean I get 6 or 7 phone calls a week and I need to get rid of those phone calls. And is there a problem with that Mark, to get them to pick up the cardboard boxes.

Mr. Warren sometimes people put...

Mr. Voyles stated I mean if they are empty, I can understand if they are full of garbage leave them there, but I'm saying if they are empty.

Mr. Warren stated that's up to the council.

Mr. Voyles stated does anybody have...

Mr. Warren stated the ordinance says not to pick up anything on the ground, you all made the ordinance.

Council Member Voyles stated we're talking about cardboard boxes.

President Broady stated we've have to change the ordinance to accommodate that. We can look into that.

Council Member Voyles stated see if you can look into that. I'll get Perry to look into it.

President Broady stated the way it is right now, it's either...

Council Member Voyles stated that's all I have.

President Broady stated ok, Gary.

COUNCIL MEMBER GARY FENNER ADDRESSES THE COUNCIL ON/TRI-TELL COMMUNICATIONS COMPANY.

Council Member Fenner stated just one thing, several months ago I told you that I had been in contact with Tri-Tell which is a Communications Company and they had asked about the possibility about placing a communications tower on our property at the water treatment plant down on Holman's Lane and they have been talking about it for several months now and going back and forth, and I gave each of you a copy of the letter that they have sent asking for authorization to proceed with that as well as a proposal of what they are prepared to pay us to do that. Here is a picture that they have done to superimpose the tower as they see it. They anticipate it being on the back lefthand corner of the property you know, we have done this with other companies here in town, even and they are willing to bear all the cost to do everything that needs to be done and do all the testing, apply for all the permits, you know, do everythig.

SELLERSBURG TOWN COUNCIL

Regular Meeting

April 26, 1999

Page 18.

And basically if we approve and if it comes about then they are prepared to pay us 8400.00 a year for the first 5 years and then another 10% increase every 5 years thereafter. So, I mean its something I think, obviously if they get the permit from the City Of Jeffersonville then I think more power to them. And we will benefit by it. So, I have given Perry as well as what I gave you, I gave him a copy of the lease, of the contract that they have suggested and Perry needs to look that over. But, tonight they would just like for us to approve this letter of authorization that I have given to you. It basically says we're interested and we give you authorization to proceed and they will come back to us with the final contract.

Mr. Everitt stated Mr. President, May I?

President Broady stated sure.

Mr. Everitt stated you might want to talk to them again. The F.O.P. up on 62 is getting close to 16000.00 a year.

President Broady stated ok.

Mr. Everitt stated I would talk to them again.

President Broady stated you want to negotiate a little bit?

Council Member Fenner stated we can certainly do that. We're getting 8000.00 for what we have here in town.

President Broady stated is it 8.

Council Member Broady stated why don't we, I'll tell you what, I will approve it on the condition you do a little negotiation and see what we can come up with. And also where ever they decide to go I think we need to have John or whoever along with Tim out there and specifally make sure where they are going to go and make sure we're not planning any connection with the Indiana American out there and they are redoing the ponds and John talked with them from what I understand. I, that ok with everyone, does that sound good?

Council Member Fenner stated ok.

President Broady stated let Gary peruse this then to that respect.

Council Member Fenner stated sure.

President Broady stated I would like to...

Council Member Fenner stated it says this I permission to enter the property for testing purposes, I believe that, they say they require this just to, but they do take all responsibility for anything that happens, they take all risks you know, and they promise to repair anything that would go wrong. So I believe we probably do need to sign it.

President Broady stated ok, I'll entertain a motion to sign the letter.

Council Member Fenner stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 19.

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 Is it ok if I sign?

Council Member Fenner stated sure.

President Broady stated anything else Gary.

Council Member Fenner stated nope that's all.

President Broady stated Ken.

COUNCIL MEMBER KEN ALEXANDER ADDRESSES THE COUNCIL ON/STREETLIGHTING.

Council Member Alexander stated I have a proposal for Twinbrook for their streetlighting. Here's a map, showing the number of where it would go.

President Broady stated is this in agreement with everybody, I mean...

Council Member Alexander stated yeah, we'll no bascially since they back up with Hunter Station I mean one road actually comes out at Hunter Station, we're staying this is the type of lighting, PSI does it a lot different that REMC does it. PSI was basically a 25-year lease, which kept it relatively low. Correct me if I'm wrong, Bill, and 13 something in Forrest Estates alone.

Council Member Voyles stated 13 for electric.

Council Member Alexander stated see that's a lease, it's like a 25 year lease. They extend it over 25 years. REMC does a 10 year. So what you have is the cost for the first 10 years. After you compare them apples to apples over 25 years you're going to come out with the same. But it is substainly higher.

Vice-President Eddings stated we still need it though.

Council Member Alexander stated yeah we have to have it, I would suggest we do the 100 watt, the 27.31 and they will try to conform even though there is two cities there. You have to look at where the blacktop ends to tell whether you're in Clarksville or Sellersburg.

Vice-President Eddings stated you want to make it in the form of a motion?

Council Member Alexander stated if everyone's conformable with it tonight, I'll make a motion that we approve the REMC proposal for lighting for the 27.31.

Vice-President Eddings stated I'll second.

President Broady stated there is a motion on the floor and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

Council Member Alexander stated you want to sign that Dave.

President Broady stated yes.

Council Member Alexander stated that will contact all the homeowners.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 20.

President Broady stated anything else.

Council Member Alexander stated yes, just to let you all know where we are on our storm drain projects for this year. Our paving we will be working heavily around the pool area, increasing the entrance and East Utica will become a, there is two big projects, one down on the corner down by Maple Manor and one up by Schellers Ave. that does go across the street. We are rerouting some storm drains. I think everyone in town will probably notice a lot of catch basins and curbing being replaced. We found a lot of curbs that are raised and water doesn't flow properly and we've got 1949 catch basins and its time for their replacement. Lastly I have we have been working with Lakeside Apartments, Mr. Rawlings was supposed to be here tonight, is there a representative here for him? We've had some problems with what he said he would do and what he is doing, not to thrilled to say the least. The fence is in the wrong place, the trees are in the wrong place, wrong timing. There is vinyl where is supposed to be brick, he was supposed to be here tonight to share the reason for the vinyl instead of the brick. Since he is not here tonight I would like to have the boards permission to send him a strong letter if he doesn't conform to what was agreed upon in the next two weeks then a stop order be put on the construction until he is in the conformance of the guidelines that he himself agreed to the night of the approval. I have talked it over with Perry, he did send him a letter explaining to him where the problems where. They did respond, they show a diagram of the fence and the berm and it's wrong. He's got trees on top of the berm and fence along the property line and that was not what was agreed.

President Broady stated ok.

Council Member Alexander stated when we were done, it was supposed to be a 10-foot area. So..

President Broady stated you want to make that into a motion?

Council Member Alexander stated I would like to make a motion that we instruct the attorney to send a letter to Mongold Construction Company informing them that they have 14 days to comply with the agreement with the Town Of Sellersburg concerning the berm or stop order of construction will be inforced.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

Presidnet Broady stated and duly seconded, any discussion?

Council Member Fenner stated we have cleared this with Perry?

Council Member Alexander stated we have cleared this with Perry. We will have another meeting, we went two weeks so that we would have another meeting in case something happened in between the two weeks.

President Broady stated yes sir.

Resident stated I have a question. I live over in that area being that he has already gone against what he said he was going to do why are you giving him two weeks.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 21.

President Broady stated to correct the problem.

Council Member Alexander stated to correct the problem.

Resident stated the problem should have never occurred.

President Broady stated we have to give him a chance.

Resident stated over in Louisville when the Meijer's over on Preston Highway had to cease and exist, they closed them down.

President Broady stated well that's what we're giving them, either correct it or we close them.

Resident stated no, they said they were going to do the job a certain, you gave them a leeway, they didn't perform their duty to what they agreed to, they should be shut down now.

President Broady stated ok.

Resident stated and if they are shut down now, what are they going to do with all the stuff they've got back there? Have any of you board members been in there? You see an old dumpy barn, you see old dumpy building, there is no common there.

Council Member Alexander stated that's on another property, you're talking about the old barn that's a different property line.

Mrs. Imhoff stated didn't they originally say they were going to have a play area.

Council Member Alexander stated I'm assuming behind where you first come in on your right where the office is, I'm assuming in that green space right before that.

Vice-President Eddings stated we got a motion and second, we need a vote.

President Broady stated we have a motion on the floor and duly seconded, any further discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 You going to get a hold of Perry and let him know.

Council Member Alexander stated I'll get hold of Perry.

President Broady stated anything else?

Council Member Alexander stated nope.

President Broady stated Linda.

Clerk Treasurer Schafer stated I had written the State Board Of Accounts for approval on the Animal Control citation for Mark Robinson, there's my letter and the reply of approval. So, it's in the process of being printed at the printers with the approval of the State Board Of Accounts.

President Broady stated ok.

Clerk Treasurer Schafer stated and I'd like to present the bills for this meeting.

SELLERSBURG TOWN COUNCIL
Regular Meeting
April 26, 1999
Page 22.

President Broady stated ok, everybody's had a copy of the bills in their box and I'll entertain a motion to accept the bills as presented.

Vice-President Eddings stated I'll make the motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 I'll entertain a motion to adjourn.

Vice-President Eddings stated I'll make a motion to adjourn?

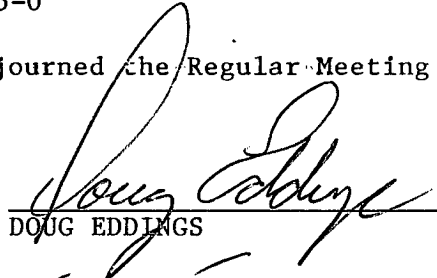
Council Voyles stated I second.

President Broady stated and seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0

With no further business President Broady adjourned the Regular Meeting at 7:40 p.m.

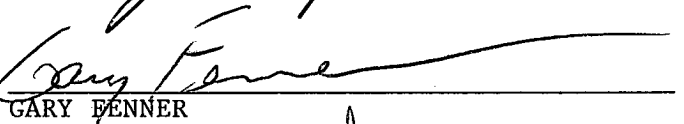


DAVID BROADY

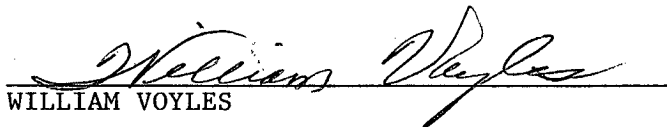


DOUG EDDINGS


KENNETH ALEXANDER



GARY PENNER



WILLIAM VOYLES



ATTEST: LINDA G. SCHAFER
CLERK TREASURER

SELLERSBURG TOWN COUNCIL

MAY 10, 1999

Executive Session

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall at 6:00 p.m. To discuss pending litigation and personnel matters. Those present were: David Broady, Council President; Doug Eddings, Council Vice-President; Gary Fenner, Council Member; William Voyles, Council Member; Linda G. Schafer, Clerk Treasurer with William P. McCall, Town Attorney; and Kenneth Alexander, Council Member being absent.

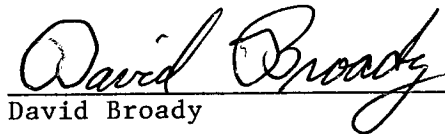
Called To Order

President Broady called the Executive Session to order at 6:03 p.m.

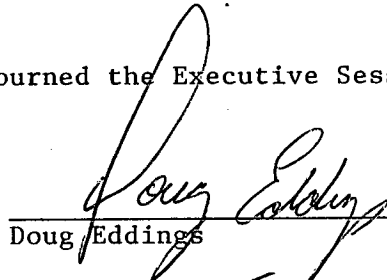
Topics Of Discussion

Mr. Toombs/List Of Claims.
I.U.R.C.
Animal Control Officer/Mark Robinson
Police Chief Rules
Census/Address On Houses

With no further business President Broady adjourned the Executive Session at 6:13 p.m.



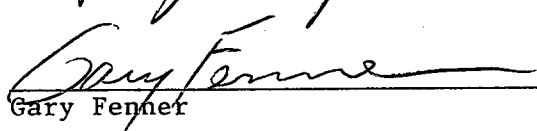
David Broady



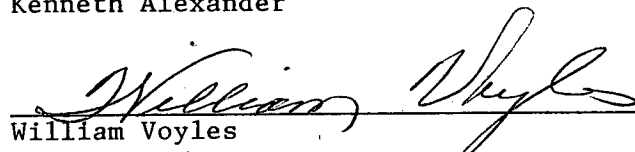
Doug Eddings

Absent

Kenneth Alexander



Gary Fenner



William Voyles

Attest: Linda G. Schafer
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

May 10, 1999

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall at 6:30 p.m. Those present were: David Broady, Council President; Doug Eddings, Council Vice-President; Gary Fenner, Council Member; William Voyles, Council Member; Linda G. Schafer, Clerk Treasurer with William P. McCall, Town Attorney; and Ken Alexander, Council Member being absent.

Called To Order

President Broady stated called the Regular Meeting to order at 6:30 p.m.

Prayer

Bro. Dale Offutt offered up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the flag was recited.

PRESIDENT BROADY ADDRESSES THE COUNCIL ON MINUTES.

President Broady stated we've had the minutes of April 26th in our box, you all had a chance to review them. I'll entertain a motion to approve the minutes as presented.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Fenner stated I'll second it.

President Broady stated and duly seconded, any discussion? If not, all those in favor signify by saying I, opposed nay. I's have it. Vote 4-0 First on tonight's agenda is Laura Terry with Ameritech would like to address the council concerning the Centrex Contract.

LAURA TERRY/AMERITECH ADDRESSES THE COUNCIL ON THE CENTREX CONTRACT.

Ms. Terry stated I have some information here for you. You all are aware of what Centrex is. Most people aren't. It is your basic phone service and basically we've got, looks like 11 lines for the Police Station and then 4 for the Town Hall. Currently you are out of contract. The first page is going to show you all of what your existing numbers are that we show. Again, 11 for the Police Department and 4 for the Town Hall. The bottom is going to show you how much you pay for each line. Right now, you're paying 16.50 for each phone line. The exchange access count and DPR'S, etc. those are FCC mandated charges that depend on where you are in the state and if you wanted a discription of that I can get you one. The most important part is on the second page and it shows you where you can go for 16.50. Right now, again you are on month to month if you look up to a 13 month, or I'm sorry a 36 month agreement then you would go to 14.50 per month. If you have a 60 month it would be 13.50 per line and 84 month would be 13.00 per line. Most cities and town governments choose the 84 month only because obviously it is the lease expensive. At the very bottom it shows you where, what the difference is of what you are paying today verses the 84 month agreement. And you can see over the 84 months it would be approximately 5000.00 that

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 2.

LAURA TERRY/AMERITECH ADDRESSES THE COUNCIL ON THE CENTREX CONTRACT.

you save.

Council Member Fenner stated where we ever under contract or is this something new?

Ms. Terry stated it is something that has expired and...

Vice-President Eddings stated where we under a 3 year contract, one year, two year, what just expired?

Ms. Terry stated do you...

Clerk Treasurer Schafer stated it was effective back in 92 when I came in.

President Broady stated 84 months.

Clerk Treasurer Schafer stated yeah.

President Broady stated so rates have, I mean, your comparing 84 months in comparison the month to month.

Ms. Terry stated that you're currently on, yes.

President Broady stated we are on a month to month just because our contract expired just recently.

Ms. Terry stated correct.

President Broady stated ok how is the 84 month today compared to the 84 month that we were on.

Ms. Terry stated it's a tariff program. Periodically I am confident that it was the exact same. Basically what that means is we file a tariff with the I.U.R.C., the Indiana Utility Regulatory Commission and determine rates for the State Of Indiana. So everybody in the State Of Indiana has these rates.

President Broady stated ok, this is with Ameritech?

Ms. Terry stated yes.

Council Member Fenner stated when was the last time you asked for an increase from the I.U.R.C., do you know?

Ms. Terry stated it's been, no, I don't know.

Council Member Fenner stated ok.

President Broady stated when we put this system in Charlie Ridenhour was President of the board when we went with Centrex. And like Linda said it was right before she came in and we were in the 84 month deal. We didn't know it had run out either and all the sudden we started getting...

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 10, 1999

Page 3.

Chief Kinder stated these notices. Another service came out and talked to us and they said here's the breakdown, identical, dollar for dollar.

Council Member Fenner stated so what you are saying is these figures she gave us now are identical to figures that we were under?

Chief Kinder stated that we would have got from another contract, we can't get it any cheaper any place else. We tried and we couldn't.

Council Member Fenner stated ok, what do you need from us?

Ms. Terry stated I brought two copies of the agreement, briefly I had talked to Linda and Chief Kinder and so I went ahead and did an 84- month if you want to do something else I can change them. But I brought two copies, one for yourselves and one for to take back with me and it will go in effect within two weeks.

Resident stated may I ask a question of the board? Because you all didn't know it had expired until four or five months.

Ms. Terry stated we had sent out notices that it had expired, we can't reactively change it.

Resident stated for the four or five months they have been without a contract and they have changed?

Ms. Terry stated they went up to 16.50 and that's why we're out today and trying to get it renewed so it will go back down.

President Broady stated ok, I'll entertain a motion to approve the 84-month contract with Ameritech.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion?

Resident stated are they going to make a note that the next time that they need the contract renewed they will pay the additional monthly fees?

President Broady stated I don't know ma'am.

Resident stated isn't that the responsibility of the board to make sure things don't lapse?

President Broady stated well, I don't know, as far as I'm concerned we found out about it we took care of it.

Council Member Voyles stated we will probably have two different boards by the time this contract comes up again. Hopefully

Resident stated with the information you have from one board to the other I think you

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 4.

would. You have four or five months to...

President Broady stated we do our best, we just found out at the end of the month what happened. We corrected it.

Clerk Treasurer Schafer stated ok, let's get back on the agenda.

Ms. Terry stated both of the contracts that are in the Town Hall and the Police Department are relatively old. What we have done is requested the technician come out to look at what you have here, look at what you've got over there and determine whether or not you need anything new, whether or not you need any kind of upgrade, whether or not you are in the year 2000 compliance, etc. All indication right now is that it is old, but I may be, we will be able to tell when the technician, he will come back and give you all the information.

President Broady stated ok, I've got a motion on the floor and seconded, is there any further discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 4-0) Ok, I will give this copy to Linda, where do I sign this at? Do I need to sign both?

Ms. Terry stated if you can, you can do that later if you prefer you can send that to me.

President Broady stated that's all right, I'll do it right here.

Ms. Terry stated sign on the third page, there should be a page to initial.

Council Member Fenner stated you say you do send a notice out before it expires?

Ms. Terry stated we usually do.

Clerk Treasurer Schafer stated I don't recall getting one.

Ms. Terry stated you didn't.

Clerk Treasurer Schafer stated I got a call.

Ms. Terry stated ok, somehow you were notified, whether the account representative or...

Clerk Treasurer Schafer stated we found an increase in our bill and we called and found out why.

Ms. Terry stated ok.

President Broady stated ok, Mr. Sprigler.

MR. SPRIGLER ADDRESSES THE COUNCIL ON PLANS AND DRAWINGS ON THE SEWER AND WATER LINES.

Mr. sprigler stated I've got these plans or plat from Paul. And then I got these drawings on the sewer and water lines.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 5.

MR. SPRIGLER ADDRESSES THE COUNCIL ON PLANS AND DRAWINGS ON THE SEWER AND WATER LINES.

Council Member Fenner stated this is the addition.

Mr. Sprigler stated yes, I got the copy from Paul, he couldn't be here tonight. He's at a New Albany zoning meeting and he said if you guys needs him I could call him on his cell phone. He sent these letters with me and I got this bid from Dan. And I got this from the bank, so if you got any questions I got a letter of credit from the bank. He signed it too.

President Broady stated this is, you've already been through everything and got a line of credit and all the letters that you needed.

Mr. Toombs stated we asked them to put some new easements in here for the streets. The streets look like they are on there.

Mr. Sprigler stated we got those easements in here, so we can get the water line from street to street.

President Broady stated this is filed somewhere and we've got a copy of it.

Mr. Toombs stated I'll take care of that, I've got a file on it and I can put it in there.

President Broady stated you got anything else.

Mr. Toombs stated the Planning Commission has to sign it. You guys have to...

President Broady stated ok, the Planning Commission has to sign it, we just pass and it goes back to the Planning Commission to sign, is that correct?

Mr. Toombs stated they just didn't sign the other copy because he hadn't put the easements in.

Vice-President Eddings stated they have all ready approved it.

Mr. Toombs stated yeah, they just didn't have the easement recorded in.

President Broady stated ok, I'll entertain a motion for the final approval for the Lakeside Estates.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. John is there somewhere I need to sign this.

Mr. Toombs stated no.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 6.

MR. SPRIGLER ADDRESSES THE COUNCIL ON PLANS AND DRAWINGS ON THE SEWER AND WATER LINE.

President Broady stated the Building Commissioner it.

Mr. Sprigler stated then it goes to the Planning Commission.

President Broady stated ok.

Mr. Sprigler stated do I take it to him?

President Broady stated yeah, take it to the Planning Commission, it's approved. Their meeting is next Monday night.

Mr. Sprigler stated do I need any kind of letter stating that?

President Broady stated Bill and I will be there.

Mr. Sprigler stated at the meeting.

President Broady stated and it's in the minutes.

Mr. Sprigler stated ok, now I'm supposed to take it to Clark County.

President Broady stated Recorder Office.

Mr. Sprigler stated did you all need these planning things here.

President Broady stated no, Boz do you need these things now.

Mr. Adams stated I'll need to get a set.

President Broady stated that'll take care of it.

Mr. Sprigler stated all right.

President Broady stated Mrs. Harshey.

MRS. HARSHEY ADDRESSES THE COUNCIL MEMBERS CONCERNING A WATER PROBLEM.

Mrs. Harshey stated yes sir, April the 28th I was going upstairs to get some water in my bathroom and the water came out brown. Like a good citizen I called the Water Company to see if there was a problem or to report the problem. I was told that there was no problem with the water and as long as I had water pressure there was no problem with the water. Well, after I hung up I thought well I remembered I put a load of laundry in, went and looked my laundry and that was at one o'clock when I did that. My whites were now brown. So I called back again, the answering service politely told me there was no problem as long as I had water pressure. I told them that they do have a problem and I was told they would check into it at eight o'clock when they come to work. Well, again I washed out my sink, this was at 7:30, my water still looked like this and I came up here to the office and they said well they had found the problem when they come to work at 8:00. And I called and told them that you know, the problem was before 1:00, why do we have to wait 8 or 9 hours later after everybody's laundry ruined. All I was

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 7.

MRS. HARSHEY ADDRESSES THE COUNCIL MEMBERS CONCERNING A WATER PROBLEM.

doing was trying to help and I get told to mind my own business and there is no problem as long as I've got water pressure. I can't understand why we've got employees who are on call, why do we have to wait to have it checked out?

President Broady stated what time was it when you first called in?

Mrs. Harshey stated I called at 4:00 in the morning and then I called the answering service back, well anyway I talked to...and she asked me if I wanted to report it and I said yes. And I said I think somebody needs to check into it. Well, she told a gentleman called and he said as long as I had water pressure there was no problem. She asked me how brown the water was, well half the sink was tan. She said he said they will check into it at 8:00 in the morning. Well, why do we have to wait, like I said I went to check the laundry. He put the laundry in at 1:00, the problem was there before 1:00. So I mean you know, if we can't call and ask for help, we have to wait for 8 or 10 hours to get it, what's the since of having a water company or having on call?

President Broady stated Tim are you aware that the calls were made and received and obviously someone on call.

Mr. Crawford stated I was not aware of the answering service response in that matter. It sounds like to me that...

Mrs. Harshey stated excuse me, the first time he did call me back and I told him and his answer was there was no problem if I had water pressure. And then when I called she cut me off short and whoever I talked to said there wasn't no problem that it was...

Mr. Crawford stated it sounds like I need to set up a meeting with the answering service.

Mrs. Harshey stated the gentleman, when I talked to him he wasn't willing to check it out any further until 8:00 in the morning. I can't see why anybody didn't.

President Broady stated I agree.

Mrs. Harshey stated my opinion on getting out of the Water Commission was I, now going through this is my opinion has changed. I mean, if we can't have some back up somewhere.

President Broady stated I agree with you, someone should have come out, I mean even if the problem had been explained to you what the problem was or whatever, they should have come out.

Mrs. Harshey stated I don't call when there is no problem.

President Broady stated I understand, I think maybe, and I'm not taking defense of what they have done, but I think when you called and they should have come out and talked to you about the problem that you were having. Now as far when they said as long as you got water pressure, he was probably saying as long as you got pressure there was no main break. But you were not concerned about a main break you were concerned about brown water.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 8.

MRS. HARSHEY ADDRESSES THE COUNCIL MEMBERS CONCERNING A WATER PROBLEM.

Mrs. Harshey stated yeah, I was concerned about brown water. Would you give your grandchild a drink, I watch my grandkids. I mean would you give them that water to drink?

President Broady stated no, and I think the response...

Mrs. Harshey stated you know, you've got kids getting up for school in the morning. And when I come up here they said we found out we had a problem when we came in at 8:00. I said I beg to differ with you, I reported it at 4 and they were just starting to flush the hydrants out at 9:30 up on Celesta Way. They never got down to us at 9:30. I don't know how long it finally took them to flush it out. It was after lunch before it finally cleared up. So that was almost 12 hours later.

President Broady stated well, the only thing I can say is we apologize that it happened and we will definitely check into it and if...

Mrs. Harshey stated if you all were trying to help and make the community better as a whole then I can't see why...

President Broady stated I understand, I understand and it should have been addressed, it certainly should have. If they would have come out and said the water is brown let me, if the only thing we can do is flush it at least you would have known what you was up against. What makes it go brown is sometimes it could have been a fire or sometimes even if the ground temperature changes we get.

Mrs. Harshey stated well if there was a break somewhere why wait another 4 hours and the problem could be a lot worse.

President Broady stated and I agree with you.

Mr. Crawford stated I will make the correction the rectify the problem.

President Broady stated our apology again. Ok, Mrs. Pixley, Mrs. Diefenbach.

Mrs. Pixley stated no.

President Broady stated Chief Kinder.

Chief Kinder stated nothing.

President Broady stated Mark Warren's not here, EMC.

MR. CRAWFORD/EMC ADDRESSES THE COUNCIL ON THE MONTHLY REPORTS AND METER CHANGE OUT PROGRAM.

Mr. Crawford stated I just have a couple of things tonight, the first one being your revenue for April the 27th to May the 5th in the amount of 74911.69. The next thing I have is the invoice for the NSF'S, the Meter Deposit Refunds and the Monthly Sales Tax.

President Broady stated ok, a request for payment of amount of 545.80 for nonsuffencent checks, 300.00 Meter Deposit Refund and 2605.89 for the Monthly Sales Tax for a total

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 9.

MR. CRAWFORD/EMC ADDRESSES THE COUNCIL ON THE MONTHLY REPORTS AND METER CHANGE OUT PROGRAM.

of 3451.69. I'll entertain a motion to approve the claims as presented.

Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 4-0)

Mr. Crawford stated the last thing on the list, sorry, I'll go ahead and give you this. This is an invoice for the meter change out program, where you buy so many meters through out the course of the year so just for your preventative maintenance program.

President Broady stated this is where we change out the old meters for the new meters, is that correct?

Mr. Crawford stated that is correct.

President Broady stated I'll entertain a motion that we approve 1950 meter change out.

Council Member Fenner stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 4-0)

Mr. Crawford stated so I don't need to bring those, in the future I won't need to bring that before the board?

President Broady stated yeah.

Vice-President Eddings stated we started that two years ago and we just now...

Mr. Crawford stated I understand.

Mrs. Harshey stated I've got a question for the board.

President Broady stated ok.

Mrs. Harshey stated why haven't the tests, that test that they, the test for March and April.

President Broady stated why haven't the...

Mrs. Harshey stated the backtee sample.

Mr. Crawford stated the one sample was, one set of samples was failed to be taken in March.

Mrs. Harshey stated there was supposed to be 10 and there was 7.

Mr. Crawford stated right.

Mrs. Harsley stated you did the same thing for April.

Mr. Crawford stated no, we got all the series in April.

Mrs. Harshey stated well when the article came out in the paper and you had only done 7.

Mr. Crawford stated for March.

Mr. Harshey stated no, 7 for March and you said, the date of the leader in April only 7 had been done and that was just a couple of days before the end of the month.

Mr. Crawford stated but 10 samples were done in April.

Mr. Harshey stated how many times since you all have taken over have they made a mistake on getting the requirements?

Mr. Crawford stated this is the only one in my opinion, or to my understanding. I have been here since January 5th and from my understanding this is the only time that it has ever happened. The state statute states that if a sample is missed you are not in any type of non compliance if the required 7 samples tested negative and the next 7 samples test negative.

Mrs. Pixley stated Dave, I did have a problem, if you don't mind. For about 3 or 4 months I've been having the Animal Control Officer down for the dog problem. We've got them really bad. Are your dogs coming over? He has gone over and talked to them, he was supposed to have fined and everything else.

President Broady stated is that the neighbors over to...

Mrs. Pixley stated I've got 4 on my back porch practically every morning I get up.

President Broady stated ok, we will check with them and see where he's at on it and see if he needs any help.

Mrs. Pixley stated he can't do anything with them. I got some really nasty calls from Adam Koch telling me to leave his relative alone, to stop calling the Animal Control Officer because they are not going to keep them up.

President Broady stated ok, well I'll, we might, we'll check on it Mrs. Pixley.

Mrs. Pixley stated he's been as good as gold coming out, I mean no kidding, he's even took some of them down to the dog pound.

Mrs. Harshey stated is there a maximum on how many dogs you can have?

President Broady stated yes, there is and I think we just passed it not long ago. Does anybody remember what.

Council Member Fenner stated we just changed it, so I'm not sure.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 11.

President Broady stated he's not here tonight or he could, but there is a maximum amount of dogs per owner, per residence. Mrs. Pixley I will follow that up. Boz do you have anything?

Mr. Adams stated I don't have anything right now.

President Broady stated Doug.

Vice-President Eddings stated nope.

President Broady stated Bill.

Council Member Voyles stated nope.

President Broady stated Gary.

COUNCIL MEMBER FENNER ADDRESSES THE COUNCIL MEMBERS ON THE POOL.

Council Member Fenner stated two things real quick, one is up date on the pool. We are hopefully on schedule to open on Memorial Day weekend and we're doing a couple of major improvements especially in the chloriation area. We hope it will make it much more efficient and safer. So we have a lot of other work going on as well. The other thing is Tri-Tell Communications, that we have been in contact with and talking with about them putting up a communications tower on our property down on Holman's Lane at our treatment plant. Last meeting I brought to you their offer of 8000.00 a year for rent for use of that and your suggestion was to go back and negotiate a little bit with them. We've negotiated price up to 12000.00 a year.

Vice-President Eddings stated there you go.

Council Member Fenner stated and so, I told them 16000.00 one and that one didn't slide.

President Broady stated ok.

Council Member Fenner stated or didn't float anyway so they are in the process of working some of the things they have to do, they have quite a few. Perry, our attorney has the contract, he's looking that over and hopefully we're going to be able to do something with it. They would like to have it done by the end of this month. But the balls basically in their court except for Perry looking at the contract and saying it's ok. So, just to bring you up to date on that. Is 12000.00 satisfactory?

President Broady stated yes.

Council Member Fenner stated all right that's all I have.

President Broady stated ok, Perry's not here, Linda.

Clerk Treasurer Schafer stated one thing, it took me 5 years almost for EMC to spell my name correctly they finally got it right and I'll be out of office soon. The Evening News did call me Brenda Schafer and I'd appreciate for the next 8 months if you would get it right if you all write about me. Otherwise it's Mr. Kinder. I'd like to congratulate Mr. Kinder I wish him well on his endeavor to the Clerk Treasurer. The only other thing I have is the bills.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 12.

CLERK TREASURER LINDA SCHAFER ADDRESSES THE COUNCIL MEMBERS ON THE BILLS.

President Broady stated ok, everybody's had a copy of the bills in their box and I'll entertain a motion to approve the bills as presented.

Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Fenner stated I second it.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 4-0)

Clerk Treasurer Schafer stated that's all I have.

President Broady stated ok, we've got claims from Jacobi, Toombs and Lanz on different projects. Do we have to sign all of these if we...

PRESIDENT BROADY ADDRESSES THE COUNCIL MEMBERS ON THE CLAIMS FROM JACOBI, TOOMBS AND LANZ.

Clerk Treasurer Schafer stated you still have to sign them but you can approve them all in one lump but sign all the vouchers.

President Broady stated ok, I'll entertain a motion to approve the claims for Jacobi, Toombs and Lanz:

Adkins Court Project	387.50
Lisa Avenue Project	675.00
Planning Commission Review	300.00
1998 Water Project Rate Increase	867.50
1998 Storm Sewers Encumbered 1998	1672.90
Utica Street Storm Sewer	1177.50
Wastewater Treatment Plant	100.00
Total	<u>5180.40</u>

Vice-President Eddings stated I'll make a motion to pay them.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. (Vote 4-0) Ok, the only other thing I want to bring up the Army Ammunition Plant refuse authority that we've known for quite some time, about two weeks ago that we voted to get out and then they brought it back to our attention that they, it was possible to get a loan through a bank to cover the cost of different groups staying in financing this thing. Which would make, if we wanted to stay in it would probably not cost us any money out of our budget persia but we stand good for the amount that we would be financing.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 13.

PRESIDENT BROADY ADDRESSES THE COUNCIL MEMBERS ON THE CLAIMS FROM JACOBI, TOOMBS AND LANZ.

And I told them I would bring it back to the board for one last consideration. I will open up discussion on that. Do you all want to stay in or do you want to get out? There is no guarantee if you want to stay in if you will make enough money to pay back that loan. You're not contingent to the property. Does anybody want to entertain a motion, I mean discuss it.

Vice-President Eddings stated I'll make a motion we still stay out of it.

President Broady stated ok, I've got a motion on the floor to stay out, do I have a second?

Council Member Voyles stated I'll second it.

President Broady stated and duly seconded, is there any discussion?

Council Member Fenner stated I'd like to discuss it a little bit. I mean if we're not going to have to put any money into it, I mean from everything that I have read, and everything that I understand, long term this thing is going to be something that is going to be very good, very big, very productive. In spite of the governmental process, eventually it's going to turn into something good. If we could reap some of the benefits from it, without putting ourselves, obviously putting money into it, putting ourselves at too great of risk, I mean I would like to see us hang in there for a while just to see which way they are going to go.

President Broady stated ok, here's what the detail of what the plan is now instead of taking our appropriations, dollars out of our fund, which we have none. They are going to go down and borrow whatever the total appropriation would be. Which would be somewhere, I'm guessing here, somewhere around a half a million dollars. The county is putting up another half a million just to get the thing going. They'll get this financed for a year. At the end of the year if this thing is not going if income is not coming off of this the town would probably have to foot their share. I don't know exactly how much the Town Of Sellersburg would have to stand good for, because they haven't given me that amount. I think it's somewhere around 30 to 40 or 50000.00. Clarksville has definitely dropped out. We are still contingent, Charlestown is in, Jeff is in, Utica is staying in and they're most concern, I think borden is getting out, the people that have contingency to the property that might be able to annex sometime is what they are looking at. One really big cost that they don't know is the clean up cost and the government does not know how much that is going to be, that is going to be part of the buying in part. And you're talking major, major millions of dollars. So that's, I don't have all the exact numbers, I can, if you want to I can get more information and bring it back, more numbers. That's kind of the scenario of it.

Council Member Fenner stated well, at the end of that year you don't think that they would just refinance and rollover that financing rather than build, rather than...

President Broady stated I don't know, I think just by pure logic the banks are going to go, and you don't have anything to show what they are going to do with it. I mean, nobody who knows can tell me when is the dollars going to start generating.

Council Member Fenner stated right.

President Broady stated one person they're not even sure that the revenues they are getting off the leases now that they will be able to pick that up.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 14.

Council Member Voyles stated the way I read in the paper is that they are, and if this thing fails Sellersburg going to lose a lot of money and I don't think we have it and I don't think we should do it. It might work and it might be something that we will look back and say I wish we would of done it, but I don't know, you're talking about a lot of money.

Vice-President Eddings stated there's a lot of ifs.

Council Member Voyles stated there is too many ifs for me.

President Broady stated the commissioners told me I want to make sure that you know what is going on. There is a great big if, if it even will go. Because he said once the government says here is what it is going to finally cost and here's what clean up is going to cost you know he said we may if the county even has a say, we ain't going to be able to hack it, we aren't going to be able to get our money out of it. And I, like Gary, made the statement in the paper, would sure kick myself if I got out and realized there was going to be some bucks to be made. But the more I understand...

Council Member Fenner stated is there anyway we can delay our decision until you know, there is a little bit more definite information and can we request more definite information?

President Broady stated I can request more information and try to get it. I know Charlestown was voting to stay in, but they are going to have to start generating this money rather quickly. So we are going to have to either make a decision this time or next at the very latest.

Council Member Fenner stated I mean, I see it as a long term thing and I don't want to put the town at risk by any means but, at the same time I don't want to pass it up just because we are a little bit afraid of any risk. I'd like for us to at least evaluate the risk a little bit more before we make a decision.

Vice-President Eddings stated if we can make that available I'll withdraw the motion.

President Broady stated we can make that available, you know the worst that can happen they said if you can't make up your mind well, get out. We can ask for more information, what is our portion of it going to be. For Clarksville it was a hundred and some odd thousand and as each one drops out that money would have to be absorbed by the others. Ours may have went from 30 to 70, I don't know. I just don't have, I've talked to everybody I can talk to and there is still so many questions not answered and I don't think they're trying to be dishonest with me. They just don't know.

Vice-President Eddings stated the information is just not there.

President Broady stated do you all want me to peruse it and, perhaps you all would like to make some calls yourselves. Do you want to table it until next meeting.

Council Member Fenner stated I would like to delay the decision.

Vice-President Eddings stated I withdraw my motion.

President Broady stated ok, we'll withdraw and table it until next meeting.

Council Member Fenner stated and if we don't have any better answers then I'll be glad

SELLERSBURG TOWN HALL
Regular Meeting
May 10, 1999
Page 15.

to go along and say let's get out of it.

President Broady stated ok, if there is no other business then I'll entertain a motion to adjourn.

Vice-President Eddings stated hang on.

Mr. Imhoff stated I've got an up date on Lakeview Apartments.

President Broady stated ok.

Mr. Imhoff stated the berm is not progressed at all since the last meeting. We did contact Doug Rawling today.

President Broady stated ok, did you ever get a hold of him.

Mr. Imhoff stated finally, and the problem we got now is all the children, they ride their bikes not on the streets but in the yards.

President Broady stated is the fence up?

Council Member Fenner stated no, there is no fence, there is a pile of lumber laying there.

Mr. Imhoff stated yeah he did say when the fence does go up it's going to go to the berm and stop. Which basically if you want to walk 2-ft. around the fence, what I'd like to find out what the possibility is of if he bought that fence down and I don't know the run around he has been giving us thats probably a useless point but I'd like to see what the boards opinion is on that is.

President Broady stated I'll assure you it will be done.

Mr. Imhoff stated in the meantime the kids are slidding up and down the rough berm where there is no grass there's no straw.

President Broady stated ok, I'll see what we can do. If there will be no further business, I'll entertain a motion to adjourn.

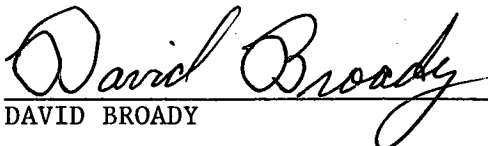
Vice-President Eddings stated I'll make a motion to adjourn.

President Broady stated I've got a motion to adjourn, do I have a second?

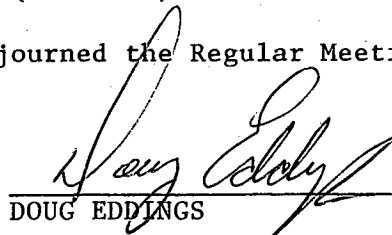
Council Member Voyles stated I second.

President Broady stated and duly second, any discussion? If not all those in favor signify by saying I opposed nay. I's have it. (Vote 4-0)

With no further business President Broady.. adjourned the Regular Meeting at 7:20 p.m.



DAVID BROADY



DOUG EDDINGS

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 10, 1999
Page 16.

KENNETH ALEXANDER

William Voyles

WILLIAM VOYLES

Gary Fenner

GARY FENNER

ATTEST: LINDA G. SCHAFER
CLERK TREASURER

SELLERSBURG TOWN COUNCIL

May 24, 1999

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall at 6:30 p.m. Those present were: David Broady, Council President; Doug Eddings, Council Vice-President; Gary Fenner, Council Member; William Voyles, Council Member; Kenneth Alexander, Council Member; William McGall, Town Attorney; with Linda G. Schafer, Clerk Treasurer being absent.

Called To Order

President Broady called the Regular Meeting to order at 6:33 p.m.

Prayer

Rev. Bob Hauselman will offer up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the flag was recited.

PRESIDENT BROADY ADDRESSES THE COUNCIL ON THE MINUTES.

President Broady stated ok, everyone's had a copy of the minutes in their box and I hope you've had a chance to go over them. If so, I'll entertain a motion to approve the minutes.

Vice-President Eddings stated I make a motion to approve the minutes.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Fenner stated I'll second.

President Broady stated and duly seconded, any discussion? Yes, we do have one line correction, on the last page where it says President Eddings adjourned the regular meeting, so that should obviously should be me. So I'll approve the minutes as per corrected. Is that ok with everyone.

Vice-President Eddings stated yes.

Council Member Voyles stated yeah.

President Broady stated and duly seconded if that's the case then all those in favor signify by saying I, opposed nay. I's have it. Vote 4-0

Council Member Alexander stated I'll abstain.

President Broady stated ok, first on the agenda tonight is Joe Olson, our insurance carrier for insurance.

Mr. Olson stated how you all doing? Let me give you all this first, before I start out. I thought I would give them to you before the session, but I didn't make it. What you have before you there is a letter outlining a little bit about our last meeting concerning the group health insurance review. Initially you know we got several

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 24, 1999

Page 2.

JOE OLSON ADDRESSES THE COUNCIL MEMBERS CONCERNING THE TOWN'S HEALTH INSURANCE.

quotes from different companies and what the bottom line is the best thing for the employees of the town after reviewing all the different carriers is to stay with Alternative Health. However there were a couple of quotes that were pretty competitive and the Atena and John Alden. However they require that you do medical underwriting on all the employees before they would go ahead and give you a final quote. I had suggested that before we do that we get medical records for those people that have pre-existing conditions, that were causing the rate increase. I did get these medical records and did submit it to the two companies and also went back to Alternative Health. Alternative Health said after they reviewed the records they would stay with their rates and that's final. John Alden said that they would go ahead and underwrite it but most likely increase the rates to the maximum 89% that they possibly can. And then Atena said that they would take the group if you would make a couple of exclusions. Now, I don't want to get into names as far as the employees are concerned but one problem that you have on a kidney transplant you know very few companies if any are even going to look at it. There is one option that is still open and I want to mention it to you and if you want further information I'll be glad to give it to you. If there is anything that you want to try to see if that person can get the coverage. Well, they can get the coverage, it's guaranteed. But if you want to go through this, you know, just let me know. However, I think you ought to go ahead and check with your attorney Perry McCall before you do so. Alright? That's the conclusion of my review on the group health insurance. If you have any questions I'd be glad to answer them at this time.

President Broady stated is there any questions at this time. Ok, Joe I think what we're going to have to do is give this some thought and we can go to...

Mr. Olson stated the Indiana Comprehensive Health Insurance Association.

President Broady stated Ok, we'll have to talk among ourselves and see what we can come up with here and get back with you.

Mr. Olson stated I appreciate your patience on this. In that envelope is a copy of the medical records, the proposals that I submitted to you. Ok, Thank You.

President Broady stated Thank You, I think we'll go ahead and do the same as we're doing right now until we get some better ideas of what we might want to do.

Council Member Fenner stated do we need to make a motion to do that?

President Broady stated no, I think we, it's covered, we decided to do that until we change it.

Council Member Fenner stated I agree.

President Broady stated next on the group is the Culpepper Group, is there anyone here representing that?

CULPEPPER GROUP ADDRESSES THE COUNCIL MEMBERS CONCERNING THE TOWN'S INSURANCE.

Diane Swank stated good evening, I am Diane Swank and this is my associate Joe Cavallo and he's giving you some information about us. We represent National Insurance

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 3.

Group which is a corporation, which is actually a merger of the Culpepper Group and Dick Williams Insurance. So there is information in there in terms of the scope of our services, both employee benefits as well as property causality and references and a little bit about our company. If you have any questions we'd be glad to address it with that. That should be a little bit of background for us. What we are here tonight to do is ask your permission to get the information necessary to quote on your property causality and your group employee benefits.

President Broady stated property causality and group employee. Does anybody have a problem with that?

Council Member Fenner stated no.

Council Member Voyles stated I have none.

Diane Swank stated ok, then to direct the Clerk Treasurer's office and they will have the information for us.

President Broady stated ok.

Diane Swank stated ok, Thank You very much. And your renewal on property causality is July 1, correct?

Vice-President Eddings stated it's coming up at the end of July.

President Broady stated end of July I think, I'm not sure but it's awfully close.

Diane Swank stated ok, we'll check on that also with the Clerk Treasurer office. Thank You very much.

President Broady stated next is Mr. Pulley, Mr. Fred Pulley with the Postal Service. Is Mr. Pulley here? Paul Primevera I think, Cindy did you say he would be here next meeting?

Chief Deputy Shelton stated next meeting.

President Broady stated Mr. Speedy.

MR. SPEEDY ADDRESSES THE COUNCIL MEMBERS CONCERNING A SEWER ADJUSTMENT.

Mr. Speedy stated yes sir, I had talked to you all earlier about a outstanding sewer bill and you all wanted to do some investigative work on it. And I'd like to get that resolved.

President Broady stated ok, where we're at on this, we did investigate and he is not, he does not have a sewer lateral to his property. There is an existing 4-inch main that I think someone else put in to serve their own personal property that runs across, I understand, your property.

Mr. Speedy stated so it doesn't even belong to the town. The 6-inch main that would supposedly serve him stops before the creek. The creek goes there and it stops before that creek and it would be too high for him to naturally get on this force main. Now what we've done in the past when that was the case and the people wanted on it we went on and had them put in a lift station, well it's not a lift station but a pump

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 4.

station. It's not a very expensive item and they could pump it and get into it. And your wanting on sewers, I mean do you all really want to get on sewers, are you having trouble or are you just...

Mr. Speedy stated yeah, we're going to have to do something. It, you know if there is no problem with, I don't really have no problem with getting on it. I understand now that there is three homes on it now.

President Broady stated did you talk, Tim did you, are you going to add something here?

Mr. Wright stated yes, I talked to Mr. McNew this afternoon and they said they would not have a problem with them hooking onto the 4-inch line on the back side of their property. The only thing that he was concerned about if there was a blockage there, would we take care of it? We told them that we would take care of any problems that was there.

President Broady stated ok, well that seems to be the most logically way for you guys to solve the problem is just letting him go on that 4-inch then.

Mr. Wright stated Mr. McCew said he doesn't have a problem. He does have three trailers up on the hill of his, one of them he said is coming out. So there would actually only be two on the hill and there would only be three on the 4-inch line. Mr. McNew is going to supply me with plans that they had made when they put in their lines.

President Broady stated ok, I understand that you had said you had already paid a sewer tap in fee a long time ago.

Mr. Speedy stated it was paid, I think they told my wife in as early as 93. It was paid in August or September of 92, when they put all that through there.

President Broady stated did you already verify this, because...

Mr. Crawford stated I haven't been able to verify that yet.

President Broady stated ok, and there is still an outstanding sewer bill, I think you want to talk about too.

Mr. Speedy stated right.

President Broady stated ok, I think Mr. Speedy's contentions is he has been charged all this time and there isn't even a sewer tap there. He doesn't feel like thats justifiable I understand.

Mr. Speedy stated I need a bill on the sanatition so I can pay that.

President Broady stated ok, the sanatition part, the 3.00 charge thats no problem you're willing to pay that. But he feels like you know he has paid his sewer tap in fee, we didn't provide it and he just doesn't think this bill is right. Is that correct?

Mr. Speedy yes sir.

President Broady stated so what is the boards pleasure.

Council Member Fenner stated do you understand it will be up to you to connect into, we provide the tap and you'll connect into it.

Mr. Speedy stated right.

Council Member Fenner stated ok.

President Broady stated in this particular case you'll have to pay the contractor or whoever you know to go in and tie on to it. Ok, I'll entertain a motion to erase the sewer charges that he's been charged and then also to go ahead and have him, honor his tap in fee. As far as we know, he's paid his tap in fee and let him get on that 4-inch. Kevin you've told the people on the 4-inch that we would be basically be responsible for any clogs or clean-outs that need to be done.

Vice-President Eddings stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not, all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 That will take care of the problem.

Mr. Speedy stated ok, Thank You.

President Broady stated ok, Mr. Lyons.

RICK LYONS ADDRESSES THE COUNCIL MEMBERS CONCERNING A TAX ABATEMENT ON PROPERTY IN INDUSTRIAL PARK.

Mr. Lyons stated we are applying for a tax abatement for equipment. It's for a building at Sellersburg Industrial Park.

President Broady stated ok, where's this going at?

Mr. Lyons stated in the Sellersburg Industrial Park.

President Broady stated oh, ok, the Sellersburg Industrial Park.

Mr. Lyons stated yes.

Council Member Fenner stated on 31 at Jesse's.

Mr. Lyons yeah.

President Broady stated and this is for a...

Mr. Lyons stated its going to be a volleyball facility.

President Broady stated ok, I'd like to take it under advisement for tonight. When we get a chance we'll look it over and make it you know, at the next...

Mr. Lyons stated I do have a proposal here from the builder.

President Broady stated let us look this over and we'll take it under advisement and

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 6.

we'll act on it at the next meeting, ok.

Mr. Lyons stated ok, Thank You.

President Broady stated Thank You very much.

Attorney McCall stated real property only.

President Broady stated yes, it's just the property, the building itself is all you're asking for, there's no equipment involved right.

Mr. Lyons stated correct.

President Broady stated ok, Chief Kinder.

Chief Kinder stated nothing.

President Broady stated Mark Warren, he's not here. EMC.

MR. CRAWFORD/EMC ADDRESSES THE COUNCIL MEMBER CONCERNING MONTHLY REPORTS.

Mr. Crawford stated a couple of quick items. The monthly report, we performed pretty well last month. The next item I have is the water and sewer revenue for the period of May 11th through May 24th in the amount of \$85169.52. Thats all I have this evening.

President Broady stated Mrs. Pixley, Mrs. Diefenbach, I over looked your names.

MRS. PIXLEY ADDRESSES THE COUNCIL MEMBER CONCERNING THE DOG PROBLEM.

Mrs. Pixley stated did you do anything about the dogs?

President Broady stated where is our dog man? Have you had anymore problems?

Mrs. Pixley stated they were there that night that I went home, they were in our yard that night and I've not seen them since.

President Broady stated I don't.

Attorney McCall stated I got about 5 new dog citations.

President Broady stated Perry said he got about five new dog citations so he might... Ok, get back on the agenda here, Mark, you got anything from the Building Commissioner.

Mr. Ball stated no sir.

President Broady stated ok, Mr. Eddings.

Vice-President Eddings stated nope.

President Broady stated Mr. Voyles.

WILLIAM VOYLES ADDRESSES THE COUNCIL CONCERNING YARDWASTE.

Council Member Voyles stated I've got two things. A group of people from on of the

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 7.

WILLIAM VOYLES ADDRESSES THE COUNCIL CONCERNING YARDWASTE.

subdivisions approached me about yardwaste and they have a spokesman and I'd like to turn it over, with your permission turn it over to Tom Schuster.

Mr. Schuster stated I'd like to thank the board for giving me this opportunity to speak. My name is Tom Schuster and my wife and I have lived here in Sellersburg for about 9 years now. We bought a home about 2 years ago. One of the problems that I encountered in taking care of my yard is getting rid of yard waste. I know alot of people have had the problem. The small stuff is no problem, really although it's not always picked up on a regular basis or according to the rules that were supposedly set forth. The major problem has to do with the larger items and if you will allow me I'll just read this short paragraph which I have wrote here because it says it just as well as I can do. It says we propose that the Town of Sellersburg provide periodic curbside pick up of yardwaste which is too large to be disposed of in small bundles. This waste will be largely composed of tree limbs. A large portion of the towns residential area has mature trees which are always losing limbs because of storms or other damage. In addition as a part of regular yard maintance and our desire to maintain our property values, not to mention keeping our community looking nice and presenting a desirable environment, respective residential and business, trees need to be regularly trimmed. For those of us who do not own the needed equipment to properly haul, shred or otherwise dispose of these limbs, this presents a problem of what to do with them. Just stacking them somewhere is unsightly and not practical in most cases and also an invitation for mice, rats and other animals. Since the town has the trucks and the commerical chipper shredder which apparently was bought several years ago and is not being used, maybe once a month, twice a month maybe on regular yardwaste pickup day or similar schedule residents could have limbs out by the curb to either be hauled away or be shredded on sight. We believe this service will eleaviate a problem many residents have and also provide a neater and more desirable community. When I first started having this problem it was kind of new to me because various places I've lived before, I've never had this problem. Whatever the sanitation was they would pick up items like this. And I thought for a while maybe it was just me. Well, after I started talking to other people I noticed alot of people were having the same problem. So I contacted Mr. Voyles, my councilman and he said why don't you bring it up at the town meeting. So I wrote this up and I talked to other people around and then Saturday morning I thought well, just for the heck of it I would go around and talk to people. I went around and in about 1½ hrs I got 50 names here just around the neighborhood of people who are very much for this and I got alot of comments from all of them. They said it's about time somebody tried to do something about the yardwaste. And all them echoed my comments that alot of surrendering communities take care of this. There doesn't seem to be an adequate program here. And alot of them were very suprised to hear that the town had a shredder. And they said we've never seen it used, what do they use it for. And I said I've been told it's hardly ever used. So I think, it's not like we're asking the town to outlay capital funds for equipment. The equipment is there. It should just be a matter of maybe repriortizing a few things, utilitizing the manpower a little better. I think it would really help because alot of people are having trouble with this I had talked to people this weekend and I looked in some of their backyards and some of them had huge piles of limbs and stuff laying in them. And they siad we don't like this either but we don't know what to do. Unless you own a truck and can haul it, I mean one fellow hauled his down to Clarksville. I mean, that seems ridiculous to me to have to haul it to another city to get rid of it. Since the shredder's available they could just haul it behind the truck and whoever had the limbs out that week they could grind them up. We're not talking about large trees or

WILLIAM VOYLES ADDRESSES THE COUNCIL CONCERNING YARDWASTE.

anything like that. That would be up to the individual to get a service or something to do that. But we're just talking regular limbs that fall down and we have to cut off our trees and keep the place looking nice. So, we would much appreciate it if you all would consider that. Thank You.

President Broady stated what do we need to implement that.

Council Member Alexander stated sign that ordinance.

President Broady stated you already got an ordinance written up to handle it? Well, Jeff what they do for example and we could do the same thing, they follow the truck on the same day or whatever.

Council Member Alexander stated we have it all.

Council Member Fenner stated I mean, we already have an ordinance providing for tree limbs, it's just that, it's...

Council Member Alexander stated you call that...

Council Member Fenner stated you've got to cut it up what, in 3 foot lengths.

Council Member Alexander stated tie them up.

Council Member Fenner stated tie it up in a bundle.

Council Member Voyles stated but they only take so many.

Council Member Fenner stated right.

Council Member Voyles stated out of the three they'll take 2 and leave 1 and I talked to one elderly lady that she took, because her husband has had a stroke and had dragged down 3 bags, 3 piles of limbs, they took 2. Now she had to drag this thing all the way back. Her husband wanted too, but he walks with a cane and this, you know we're supposed to serve the people of the town and I think this needs to be approached. I think we need to solve it. The same thing with the cardboard. You know, I was walking in the neighborhood and I saw Mrs. Ellen Myers on her knees cutting up a cardboard box so she could cut it up small enough to put in her garbage can. This is ridiculous, I mean why can't we knock the bottom out of the boxes and lay them down and put the trash cans on top of them so they wouldn't blow away and pick them up. Change those two and you know start serving the people the way we should. That's all I have to say about it.

Council Member Alexander stated you have two ordinances beside you that basically.

Attorney McCall stated one deals with the cardboard and the other deals with limbs. The previous ordinance said that the yardwaste of the town shall be picked up twotimes a month, two bundles of limbs no longer than 3 feet and no larger than 24-inches in diameter which must be tied. This ordinance which would be an amendment to section 6.105 says it would be allowed to have a 6 foot by 6 foot by 6 foot, which is 6 foot wide, and then 6 foot tall and 6 foot long.

Council Member Alexander stated basically.

SELLERSBURG TOWN COUNCIL
Regulqr Meeting
May 24, 1999
Page 9.

Attorney McCall stated and not tied.

Council Member Alexander stated right.

Council Member Voyles stated well basically that's for somebody cutting it down trees.

Council Member Alexander stated we don't want to turn into a tree service.

Attorney McCall stated and I put it together and that was the recommendation, that was Friday and today's Monday and then the other one was cardboard and that is it would have to be stacked, and it would have to be placed and bundled. It has to be tied and bundled.

President Broady stated the cardboard.

Council Member Alexander stated right, if you have just one box you can lay it under your trash can, but for several boxes they need to be put, and this is just for respect for the neighbors and stuff, yes when you take your garbage to the end of the street, yes you did a good job as far as stacking and making it look good. But when the wind comes along and blows it over to the next door neighbors house they don't have the same outlook as the neighbors that put it out. And just so we can kind of keep that confusion and this from happening one a piece can go underneath the can and more than that can be bundled up.

Attorney McCall stated and I must admit not a lot of fault, you know as far as doing exactly as what, not a lot of fault went to the ramifications of what it would mean to the other parts. So I don't...

Council Member Fenner stated and now for my question, have you seen this ordinance?

Council Member Alexander stated yeah, it was developed back about three years ago as far as when we bought the chipper.

Council Member Fenner stated the new one is the one I'm talking about.

Council Member Alexander stated yeah.

Council Member Fenner stated ok, all right I mean you don't have any problem with it since you're over the street and sanitation?

Council Member Alexander stated no.

Attorney McCall stated I did this, this afternoon and brought it in and handed it out.

Council Member Alexander stated I would make this suggestion.

Council Member Fenner stated this is the first time I have seen it.

Attorney McCall stated I understand.

President Broady stated is this all of it?

Attorney McCall stated two pages.

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 24, 1999

Page 10.

Council Member Alexander stated just two pages, we've waited three years.

Attorney McCall stated it will be an extra paragraph to the one or deleting the other paragraph, B the sticks and the other one is in addition too the section for card-board.

Council Member Alexander stated right, we had considered making it a once a month at the end of the month but then we're going to have so many dates out there for people to remember we're going to have to send yearly calendar just to get their trash put out. So I would recommend that we keep it with the recycling days.

President Broady stated ok, you all want to take a chance to read this ordinance over and then act on it at the next meeting? Or are you...

Attorney McCall stated it may need some refinements that you want to put on it.

Council Member Alexander stated right.

Council Member Voyles stated well, we can read it over and then bring it up at the next meeting, there is quite a few people here over this. I mean, most of the people are about the...

Council Member Alexander stated it's no problem to implement, they've already got the boxes that goes on top of the, the only problem that I foresee is they are using a garbage packer for the yardwaste and the chipper we could not develop anything for the chipper and make it safe for the packer. The gentleman on the back of the packer, they would need a separate truck. But on the bigger routes they will have to use both, but on the smaller routes they can get by with just the truck and the chipper.

President Broady stated what's the boards pleasure, do you want to read it over and amend it a little bit or what?

Council Member Voyles stated you know, this has been drug on for a long time, I would like to go ahead and act on it. But that's, I don't want to get of you know, be wrong on something, but I think, I would like to see it passed and get on with it. Because we've been fighting this for 3 and 1/2 years. And everybody that I have talked to, I mean it doesn't matter where you go, I don't care where you pick, you pick a home in Sellersburg and go in their back yard or the alley or something you've got a stack of leaves or limbs. And you know we're getting them out of sight but if you go in behind the houses you see all this garbage and the rats and mice and everything else gets into it. And we need to start taking care of our residents.

Council Member Fenner stated I mean I understand we've talked about this off and on for however long it's been but I mean we still haven't even read the ordinance yet. I would like, I mean 2 more weeks I think for us to have a chance to read what we're signing. I would really appreciate that.

President Broady stated to all the people that are here that are concerned we assure you that we are going to pass a new ordinance and straighten this problem out. What our problem, it was presented to us just tonight. Two weeks from tonight, at our next board meeting we will be prepared and pass an ordinance. I was just seeing in there that the bundles should be tied, I don't think, we just need to refine some of the words and we'll get it straightened out. And we'll start picking up and using the chipper and

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 24, 1999

Page 11.

doing what you're asking.

Council Member Alexander stated there is one other comment that needs to be added the, there is a diameter on the limbs, I think it's three inches. I have to check the capacity of the packer out there.

Attorney McCall stated so we have to add that.

President Broady stated ok, we'll be limited to the size of the limbs to what our chipper can handle. We will take care of it and your invited back for the next meeting just so to see us do it if you want to.

Council Member Voyles stated ok, the second thing I have is part of my district. Since Forrest Estates was developed 28 years ago they have different signs than most people, than most towns, most areas. And the people in Forrest Estates have been maintaining them for 28 years. And they are made out of wood so they're pretty well shot. And what the people wanted to ask you know we're going to change the signs. And we were wondering if either whatever the signs the town would have to pay to put up new signs would they put that toward the signs that we want to put in. Or would they pay for the signs that we're going to put up? That's what we wanted to bring up before the town. Either, or if the regular signs cost 70.00 to up on a metal pole with a green sign on it would you put that money towards a sign that we want. Or would you just pay for our signs.

Council Member Alexander stated I talked to Bill on this and I was kind of shocked that they were taking care of the signs in the first place. If we let a developer come into town and put up a certain kind of signs or a certain kind of light it's going to be eventually the responsibility of the town we should be responsible for it. I am happy that they are going with a fiberglass sign. That will...

Council Member Voyles stated it's aluminum.

Council Member Alexander stated it's aluminum that would not require the maintenance and I kind of appreciate them, they are still taking care of the poles. I think we're talking 910.00.

Council Member Voyles stated no, we're talking less, we went out and got two estimates, we're talking less. We got one of 828.00 and then we had one for 675.00. And we're going with 675.00. And that's for 9 signs and we put them up, they're aluminum, they have a ridge around them and that keeps them from rusting or falling or anything like that. And what, all they are asking is for a portion of that bill.

Council Member Alexander stated I would make the suggestion that we go ahead and pay the full amount of the bill and one thing nice about it is when it comes out of Forrest Estates at least they is a majority of the people that will be satisfied. But I would say go ahead and pay for the signs. We haven't had to do anything over there for 28 years. And they are going to put them up and still maintain the poles.

Council Member Voyles stated the poles have already been striped, Mr. Long had stripped all the paint off the poles and repainted them and we can still use the rod iron that's on the poles to hang the signs on and when the signs come in we'll put them up and all we wanted to do is have somebody help us pay or pay, one of the two. We feel like you at least should pay a portion, but we would love to have you pay it all.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 12.

Attorney McCall stated who maintains the street?

Council Member Voyles stated maintain the streets.

Council Member Alexander stated we maintain them, we maintain everything over there, and it's kind of a no brainer.

Council Member Fenner stated we have to be fair.

Council Member Alexander stated we are being fair, when a council lets a developer do certain things in a neighborhood knowing full well that he's going to take responsibility of those things ok, it was the council that let those types of signs go in anyway. It gave this council the responsibility as far as maintaining it. If they did not want to maintain a different kind of sign they should have make them put up a different kind of sign. I can't see going into a neighborhood and changing it's looks.

Council Member Voyles stated we have no problem if the town would get a price on the metal pole and the green sign, whatever that price is.

Council Member Fenner stated I make a motion that we pay 675.00 for new signs.

Council Member Alexander stated I'll second it.

Council Member Fenner stated I don't know who's arguing here.

President Broady stated alright I've got a motion on the floor and duly seconded by, who seconded it, you want to second it?

Council Member Voyles stated I'll second it.

President Broady stated and seconded by Bill, the motion so stated they're willing to pay 675.00 to rebuild the signs is that correct? In Forrest Estates, does everybody understand the motion?

Council Member Fenner stated yes.

President Broady stated ok, all those in favor signify by saying I, opposed nay. I's have it. Vote 4-1 Anything else Bill?

Council Member Voyles stated no, I'm done.

President Broady Gary.

COUNCIL MEMBER GARY FENNER ADDRESSES THE COUNCIL MEMBER ON/POOL/TRI-CELL COMMUNICATIONS.

Council Member Fenner stated a couple of things, one is let me share with you a little, our new brochure for the town pool for the summer. And I also have a stack of them if anyone is interested. It tells you about our pool, we're opening this Saturday. Saturday, Sunday and Monday we're open from 1 to 6. Then closed Tuesday through Friday while the kids are still in school then we'll open again on Saturday and be open for the rest of summer under our regular operating hours. And we are planning some special events. We've done quite a bit of maintenance and upgrading different systems. And we are going to start, I believe it's the first Wednesday night after the kids are out of school, I believe it's June the 9th with a party, a swim party with the teenagers after

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 13.

pool hours. So we're going to be publishing that. Dave, are you going to bring up INAAP thing. Ok, I have one other thing about the Tri-Cell Communications, the cell tower. However Mr. White is supposed to be here, I told him to be here by 7:15.

Attorney McCall stated oh, he stopped by my office and dropped off all the paper work off and gave it to me and said he would be faxing some additional information but it never came.

Council Member Fenner stated ok.

Attorney McCall stated but I have the contract and I can tell you that, I'll do that at the end.

Council Member Fenner stated ok, that's all I have.

President Broady stated ok, Ken.

Council Member Alexander stated nothing.

President Broady stated bestill my soul.

Council Member Alexander stated ok, wait a minute I do have something.

President Broady stated Perry.

ATTORNEY PERRY MCCALL ADDRESSES THE COUNCIL MEMBER CONCERNING IGNICO, RYAN AND MILLER.

Attorney McCall stated a couple of things, this goes back a little bit. Gary asked me, Mr. Fenner asked me to make contact with Ignico, Ryan, and Miller again about the accuracy again of their billing statement. And after careful review they have determined that the billing statement is accurate. And they do not believe at this time an adjustment is in order. So there for the invoice is still outstanding and you may consider acting on it. And then be well advised that next time you decide to pick a bond council. So, there was no desire to adjust it for that couple of paragraphs or couple of items on there. I think that was what I had reflected in my correspondence to her about being billed for that. The next step would be either to pay it or not pay it. Then they would deal with that. There is not a lot of options, but I checked. Second thing, as you know, at some point back maybe a couple of months ago I filed a petition to make the crossing at the Sellersburg Industrial Park, Jesse Ballew property there, a public crossing. On the 20th of last week I met with the Indiana Department of Transportation a representative from CSX Railroad, several representatives from Indiana Department of Transportation probably 6 were there. Jesse Ballew was present and so was his associate. The purpose of meeting at the sight was to see what requirements would be needed for that to be a public crossing.

Attorney McCall stated and also to determine what CSX's preference would be for how they would object, not object or what their objection would be and what they would require the town to do in case it was made a public crossing. So the proposal that they have thrown out is that one if it is going to become a public crossing they would ask that the entrance to the Bingham property that would be closed. However, they would then be required something a little different than what was placed in front of you before a maintainence agreement between the Town of Sellersburg and CSX Railroad which would require right now. It's still in negotiation, but would require the town to place money in escrow for the continuing maintainence of that particular crossing which would

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 14.

ATTORNEY PERRY MCCALL ADDRESSES THE COUNCIL MEMBER CONCERNING IGNICO, RYAN AND MILLER.

mean, talking to those people from the wood of one side through the middle to the wood, out wood on the other side. So everything but the rails the town wouldn't actually do the maintenance but would have the money available for the maintenance to be done. IDOT said or believed that there was going to be required some type signal there, electronic signal either with the gate or flashing. The estimated cost of the signal flashing, electronic signal is 100 to 125000.00 which is your baby. If you decide to proceed with a...

Council Member Fenner stated we're responsible for the initial installation and...

Attorney McCall stated and the maintenance there after of the signal which can run you know, again you're not doing it. You are actually putting the money aside for someone else to do it. And you're supposed, Calour who is the representative of CSX wasn't there that day but he's supposed to get back in touch and put in writing exactly what the maintenance agreement between them and what the town. If we don't agree to his proposal he's going to object and of course that's going to have some influence on the petition and how IDOT reviews it. I mean they can still say ok, we're going to do it without that maintenance agreement. So we're talking about probably a large amount of cost and you know I asked a questions you know if the signal goes bad, you know after it's initially installed there you guys come out and fix it you know you're going to pay for it. No, no that's not our agreement with you. If this goes, the signals are going to be your responsibility. So it's something that...

President Broady stated our responsibility?

Attorney McCall stated your responsibility because it a, what they've got now is they've got a person which is Ballew Enterprises responsible for that whole crossing right now and they're not giving that up. So...

President Broady stated so this is the way they do it with all the other communities?

Attorney McCall stated well, this is dealing with a private crossing. And there is a lot of exposure there. They did number, traffic count, looked at the development, how many people are going to be coming in and out of there each day. So it's a little more entailed than just ok we agree, we did it, make it a public crossing and you walk away from it. You're not in this case. In Clarksville like they said, I talked to them about Clarksville, what about Clarksville they said yeah, we maintain that. We maintain that because that has always been a crossing that we needed for our railroad, it's public, we maintain the signage, we maintain the signal. We do it all. But you got a different situation there.

Council Member Fenner stated did they give you any idea of how much the escrow part would be for the maintenance.

Attorney McCall stated no, that would be, I'm anticipating receiving a maintenance proposal from CSX after IDOT makes it's findings. They'll make findings, submit it to his supervisor then send the report down to the town what's going to be needed for this particular crossing. Based on that then we'll talk to CSX about what the maintenance agreement will be.

Council Member Fenner stated alright.

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 24, 1999

Page 15.

Attorney McCall stated the little crossing that they've got out there now the signs not going to cut it.

Council Member Fenner stated do we have to option then of going to Jesse Ballew and saying ok we put our name on the line here now its up to you to fund.

Attorney McCall stated you got several options and I tried to talk about the options. One you can with draw your petition, you're not bound, you can with draw your petition and say we're not interested. Secondly, I mean, everything from my understanding is IDOT doesn't care. This is between you, the railroad and Ballew Enterprises. So anything you all would come up as long as its satisfisfactory to the parties thats fine. So that could be an avenue. Also there's some talk about having other crossings in the town that we could possibly trade off to have them to assume this crossing. I don't know where that was but one of the IDOT representatives said hey, you got a crossing in town you know maybe CSX could be wanting to close or you know you could give to them. I don't know that but maybe that...

President Broady stated I think what we need now is the rest of the information to see what, to make a possible decision so you're still working on it.

Attorney McCall stated yeah, it's still going on it's not close to being complete yet, I just wanted to make it clear there is alot of representation made that, at this point.

President Broady stated anything that sounds to good to be true is certainly not.

Attorney McCall stated thats right, so thats, that.

Council Member Fenner stated I would suggest that we give, take this in consideration before we approve any more tax abatements for business going into that industrial park.

Attorney McCall stated its going to be, it boils down too...

Council Member Fenner stated if they're going to cost us that much money and we're giving them a tax abatement on top of that.

Attorney McCall stated it's going to boil down to a business decision because there was talk about what type of tax base you're talking about there, you know what type of revenues you can anticipate. You know in long terms is it going to be beneficial and you know. They were concerned, IDOT was particularly concerned abut the number of acreage out there, the development and how many business we're going to go in there with just one enterance. They were really concerned with the number of cars and traffic going in and out. Any-way when I get the additional information I will let you know. The other other thing, I got one, two more things. This is the option and lease agreement between Tri-Tell Communciations and you guys are probably aware of this from one of the previous meetings that they have proposed to lease a 50x50 area off of Holmans Lane at the treatment plant for purposes of constructing one of the cellular towers. I looked through, Gary called me and asked me to take a look at the option and lease agreement, I did. I looked through it and marked this things that I thought were of concern to the town particularly to the town and I contacted their representative who said we could make change. They made those changes and they forwarded it to me today. The agreement with all of those changes made. So, based upon that information that's been changed or those paragraphs that have been changed this is here today for your signature. There is several spots that the Town Council President needs to sign along with an attached...

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 16.

Council Member Fenner stated we ended up with 12000.00 a year for the first 5 years.

Attorney McCall stated 12000.00 a year for the first 5 years and then, payable, or 1000.00 a month installments and then there is a 10% increase. They have 4 renewal periods.

Council Member Fenner stated isn't it a ...

Attorney McCall stated yeah, it's a 5 year initial and then 4 renewals. It's a 25 year deal. One of the paragraphs that I thought was important was that they, there was the ability for them to assign this area. What we kind of cleared up was that's only in case they were bought out or merges with another company. That they cannot take your 50 by 50 pillar, you know, tower and 25 square feet of it and then put another one right next to it for another company then do a sublease. So we got that covered and there was some other language that was simply removed. So, based on the review I recommend for the town council to pass it. We've done this in the past and I think we had it...

President Broady stated it's in there where we do have the right to show them where to put it.

Attorney McCall stated they attached a diagram and I'm sorry that I didn't.

President Broady stated I want to make sure.

Vice-President Eddings stated has John had a chance to review it.

President Broady stated has John have a chance to review it and make sure that any expansion that we might have.

Attorney McCall stated not to my knowledge.

President Broady stated ok, then I recommend that because, we may put a tower, a water tower up there and we certainly don't want to.

Attorney McCall stated I assumed that it had already been discussed.

Council Member Fenner stated I had talked to John about it and had told John where, you know they had wanted it, back in the left hand corner.

President Broady stated they want to put it out by the loading dock now. Have you seen it Tim, I have not.

Mr. Crawford stated I have not.

President Broady stated I think we better.

Vice-President Eddings stated the money and the contract sound good but we better make sure on the location.

Attorney McCall stated there is no, as far as I know, Page 7, if you look it is a description of, supposed to be a description of the property. That has not been placed there, there is no legal description of where it's going to be. So there is going to have to be a legal description put together and that was what was supposed to be faxed this afternoon. Giving us an idea of...

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 24, 1999

Page 17.

Council Member Fenner stated can we approve this pending approval location by our engineer?

Attorney McCall stated I would not suggest that you not sign it until you the proper legal description of where it's going to be.

Council Member Fenner stated here's the picture that they had originally given me and it looks like it matches up.

President Broady stated ok, I still think we probably ought to have it checked to make sure that there's nothing.

Attorney McCall stated I'll take care of that, I did not know that the location had not been discussed.

President Broady stated ok.

Attorney McCall stated the last thing for those that don't know May 3rd on the Town of Sellersburg case, the appeal cases and they anticipate have a decision on that case just for your information by the end of the school year. So I would assume by the end of this month. For those of you that weren't there, I don't think anybody from the town council came, it was the students that actually, with the conjunction of the Local Bar Association of Floyd County and they wanted to have the opinion available for the local students to review prior to the leaving of the school year. So I would anticipate very soon, because school is getting very short, so this probably, that's all I have.

President Broady stated ok, first of all I've got a letter from Sellersburg Celebrates committee and want to know if we would like to contribute to the function as we have in the past and I'll open it up for discussion. Do we want to contribute of Sellersburg Celebrates.

Council Member Voyles stated are we going to run into any kind of trouble with that being in the county and not in the town, as far as overtime for the police and garbage pick-up?

Council Member Alexander stated no, if you notice if you ever drive by Silver Creek High School you'll see the brand new swanky playground equipment of the Sellersburg Celebrates committee wouldn't have moved, would have had difficulty, huge difficulty of putting it on at Silver Creek High School. But I mean, the only location other than this was the Silver Creek Park and part of the Park is in Sellersburg.

President Broady stated what have we given in the past?

Council Member Alexander stated 5000.00.

Mrs. Pixley stated I think that's too much.

President Broady ok.

Mrs. Pixley stated there's a lot of people paid to participate in this Sellersburg Celebrates.

Council Member Alexander stated again as I have told you in the past most towns take on their festivals, Harvest Homecoming and so forth and so on, yes they are bigger towns

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 18.

but they also make a bigger contribution.

President Broady stated Doug, what do you say?

Vcie-President Broady stated I say we do what we've always done in the past, it's for the residents of Sellersburg.

Mrs. Pixley stated there is too many people that need to much stuff in this town without giving 5000.00 for Sellersburg Celebrates.

Council Member Voyles stated I really believe it brings a lot of recognition to the Town of Sellersburg and I believe it's class act, the whole thing is really classed. It always has been and I can see giving 5000.00. I had reservations because it wasn't in the town and we're calling it Sellersburg Celebrates but it's a little bit on the outside of town but, you know it's a really nice function and it gives a lot of people time to get away from work and enjoy life, so I'd be for it. Gary.

Council Member Fenner stated I think it has done a lot to promote our town, I think it has given us a positive image in the area. It has become one of the best festivals in the state and it does, it causes for there to be a lot of pride in our community. And I don't know that we can put a price tag on that. And especially a measly 5000.00.

Resident stated question please, are you going to charge for parking out there? Is there going to be a parking charge to park out there?

Council Member Voyles stated I would think not.

Council Member Fenner stated we're not in charge of it.

Council Member Alexander stated it is a completely free festival.

President Broady stated does, do we have a place for this to come out of the budget?

Council Member Alexander stated we set a promotional account for that.

Council Member Voyles stated I'll make that motion that we give 5000.00 to Sellersburg Celebrates.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated I'll second.

President Broady stated and duly seconded, any further discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 Ok we got a letter from Chief Kinder requesting the centerline of Enterprise and Ohio be repainted because of some problems there.

Council Member Alexander stated I've contracted that out, can I just leave that in Marks box?

President Broady stated ok, we are working on that then. The reuse authority of the Army Ammunition Plant, you wanted a little more information on that. It looks like our portion if we were to stay is about 37000.00.

SELLERSBURG TOWN COUNCIL

Regular Meeting

May 24, 1999

Page 19.

Council Member Fenner stated out of the 469500.00 was the top figure he was using, our percentage would be 15.77% which makes it 46460.00.

President Broady stated ok, this was the last one that I had, I just went by the same numbers they had given me.

Council Member Fenner stated but that may be with Borden and Clarksville still in and Borden and Clarksville are out. So therefor the other cities, their percentage had to increase. So our percentage went from 6 or 7% to 15.77% and you know I talked with them, and I still think in the long run this is going to be a good thing for the county and for the people of the county but I don't see how it's going to be direct benefits to us as a town for us to put that much money into it. Like I said, we will get indirect benefits from it, just through the tax base for the whole county so, I think we'll still get those benefits and I'm not willing to put up 46000.00 personally.

Council Member Voyles stated I'm not either.

President Broady stated Ok, I'll entertain a motion then to withdraw from the Indiana Army Ammunition reuse authority.

Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motin on the floor to withdraw, do I have a second?

Council Member Fenner stated I'll second it.

President Broady stated and duly seconded, any further discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 Would you redo that letter and tell them we definitely withdraw?

Attorney McCall stated yes.

Council Member Fenner stated I told them that we hope that they succeed, we wish it well, we certainly do not want this to reflect on our communication or associations with them at all. But we just felt like it wasn't in the best interest of our community.

President Broady stated ok I have a request from the Harrison Group requesting that we write a letter that we support their actions and also pointing out our frustrations with the way the state has handled closing the exit ramps out here. They didn't really give us notification or any thing, they just sort of done it and they would like a letter from the Town Council to put it in their file and also they are still dialog with the state trying to get it changed or at least getting one ramp reopened and Ken and myself have met with one of the representatives, Mr. Joe Hall last Friday. We still dialog going we have another meeting coming up. INDOF wants all meeting that they have with the personal of Dan Christini and the Harris Group and all those to be forwarded through the town. They want to deal through the town now. So, I think we've got some more meetings coming up that more dialog is going to be talked about that they thought would be helpful as a town wrote a letter stating that we disagreed with how they handled the whole thing. So, if it's the boards pleasure I will so see that the letter will be written, if that is ok. And I'll entertain a motion to do so.

Vice-President Eddings stated I'll make the motion to write the letter.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 20.

President Broady stated ok, I've got a motion on the floor, is there a second?

Council Member Voyles stated I'll second.

President Broady stated second by Bill, is there any discussion?

Council Member Fenner stated you're not going to make them really mad at us are you?

President Broady stated no, I'll write a nice letter, as a matter of fact I'll ...

Chief Kinder stated you say you're going to write a letter opposed to the building of the new ramps?

President Broady stated we're going to write a letter explaining that we were not really you know, they never did send us anything telling us they were going to close the ramps. The only thing we got out of it was at the public meetings. Yes, we are opposed to having both ramps closed at the same time, both entrance ramps.

Chief Kinder stated both what...

President Broady stated both entrance ramps.

Chief Kinder stated on 65.

President Broady stated yes, what they are trying to do now, and they are looking it over is the coming northbound on 311 to southbound 65 they are trying to look at that and see if there is any way they think that could be possibly opened. I don't know that we're going to get anywhere but they are looking at it.

Chief Kinder stated have you looked at the plans to what they are going to close in order to do that.

President Broady stated we haven't had anything, we haven't had any dialog with INDOT what so ever. The first meeting was last Friday. And that's one thing that's pretty discussed with the town I think. They just sort of said, we got the same information at the public meetings. Have you had any more dialog with them.

Chief Kinder stated I attended all the meetings that they had.

President Broady stated so did Ken, all the public meetings.

Mr. Crawford stated I went to one and all it is just where are your lines at.

President Broady stated they had a meeting over all the emergency vehicles, I mean how they are going to handle emergency stuff is that not correct. Mark weren't you invited to, did you go to that?

Mr. Ball stated they had something similar, it was just who you love and kiss up to when you got there.

President Broady stated was it...

Mr. Ball stated it was not anything discussed about the project.

Council Member Alexander stated one point that needs to be made, I know the exit 7 has been put off, but when they get to exit 7 they will be requiring the town to foot the bill of sewer and water lines. Now that they have finally, I think going all through the meetings it was well it's not final or we actually start digging or whatever, but I think they're probably close enough now to, where it would be a good time to open up a good dialog box as far as how much money we are going to have to have to move these lines, because it's only 5 years away.

Mr. Crawford stated are you talking about the Hamburg exit?

Council Member Alexander stated the Hamburg exit.

President Broady stated we're going to have to get some dialog to make sure that we don't get everything on the last, ok, I have a motion on the floor and du seconded, any further discussion? If not, all those in favor signify by saying I opposed nay. I's have it. Vote 5-0 I need you all to consider replacing one of the board members we approved on the Planning and Zoning Board. We approved him and we haven't seen him since. So, I think we need to replace him.

Council Member Alexander stated do you need a name?

President Broady stated no, it's something we've done without this long, so as far as the next meeting, if you all come back and let me know some names or let me know some names before the next meeting we'll make a reappointment to the Planning and Zoning Board.

Council Member Fenner stated is this one that has to be republican, Democrat?

President Broady stated Republican, ok, also I have some requests and we have talked about several times before, I'll not act on tonight, but I would like some dialog, some feedback is changing the speed limit from 20 miles per hour to 30 miles per hour down utica Street from 31 to St. Joe Road. Leaving New Albany Street 20, leaving Utica Street up here 20 from 31 to Helbig, then changing from back to 30 to the town limits out to the quarry. Think about that and let me know if that is something you all would like to do and if it is I'll get with Perry and have him make a new ordinance.

Council Member Alexander stated ok, we're also talking about no parking on East and West Utica.

President Broady stated think about that too. I've got a claim from L.D. Rice Consturction, doing the storm sewer work around town. John couldn't be here, Nathan Grimes is here representing, he has signed and approved it. It is in the amount of 18681.81. So I'll entertain a motion to approve the claim as presented.

Council Member Alexander stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 And last on list is we have the bills, a copy of the bills, I'll entertain a motion to pay the bills as presented.

Council Member Voyles stated I'll make that motion.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 22.

President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0 If there will be no further business before the board, I'll entertain a...

Council Member Alexander stated the budget, can we go ahead and maybe have an idea as far as the employee salaries.

President Broady stated ok, yeah, I want to talk to you all about the budget. I've got an idea of what I'd like to do. I've also got some idea on the new Chief of Police, I propose that on June 1st we start taking applications for the new Chief of Police and possibly take the applications for 60 days and then take another 60 days to go over them. Then we'll be in a position to hire a new chief or get the position filled somewhere in the later part of the fall. And we can make up how we're going to go about at least I can tell Linda to go ahead and advertise for applications.

Council Member Fenner stated I'm in favor for us going ahead I guess my question is, I mean our town employment applications I don't think are appropriate for the position of Chief of Police. I would like to see us maybe draw up, if we want a resume and then maybe let us draw up a questionnaire you know that is taylor made for our community that we would like to know the answers too. And then ask them to submit the resume and...

President Broady stated we have plenty of time to work on it. I want to get it moving.

Council Member Alexander stated you will love what I have to say then, I just think its' a clean sweep that we should go through an intern with the Assistant Chief, I mean it's going to have to live with what we got. I think they ought to make the decision. We can have the ground work done for them. We can take the applications, wait till after November get some ideas from them, if we missed anything but have it all ready for them. You have an Assistant Chief that can handle the job I would think...

President Broady stated ok, we'll toss that one around, we won't put the applications out yet let's talk in the next meeting. Ok, any thing else?

Vice-President Eddings stated that's it.

President Broady stated I'll entertain a motion that we adjourn the meeting.

Council Member Alexander stated I make the motion that we adjourn.

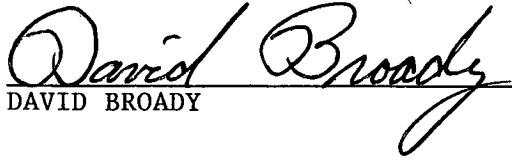
President Broady stated I've got a motion on the floor, do I have a second?

Vice-President Eddings stated I'll second.

President Broady stated and duly seconded, any further discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 5-0.

With no further business President Broady adjourned the Regular Meeting at 7:40 p.m.

SELLERSBURG TOWN COUNCIL
Regular Meeting
May 24, 1999
Page 23.



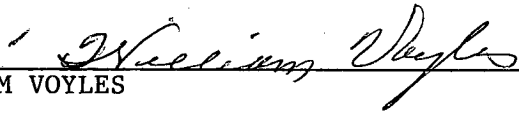
DAVID BROADY

DOUG EDDINGS

KENNETH ALEXANDER



GARY FENNER



WILLIAM VOYLES

ATTEST: LINDA G. SCHAFFER
CLERK TREASURER

SELLERSBURG TOWN COUNCIL

June 18, 1999

SPECIAL MEETING

A Special Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall at 8:00 a.m. Those present were: David Broady, Council President; William Voyles, Council Member; Gary Fenner, Council Member; Kenneth Alexander, Council Member arriving at 8:15; William McCall, Town Attorney arriving at 8:05; with Linda Schafer Clerk Treasurer; and Doug Eddings, Council Vice-President being absent.

Called To Order

President Broady called the Regular Meeting to order at 8:00 a.m.

Prayer

There was no prayer was offered up.

Pledge

The Pledge was dispensed.

PRESIDENT BROADY/MINUTES.

President Broady stated ok, I'll call the meeting to order, a Special Meeting of the Town Council for Friday, the 18th of June. I will dispense with the prayer for this morning, and I will dispense with the pledge. Also the minutes, did you get my minutes corrected?

Chief Deputy Shelton stated yes.

President Broady stated ok, you all have had a chance I hope to have the minutes read, and for the last meeting, I had some corrections and Cindy followed up on those and corrected them. If that's the case, then I'll entertain a motion to approve the minutes of...

Council Member Fenner stated I believe that there is another correction, you have listed that Linda Schafer the Clerk Treasurer attended the last meeting.

President Broady stated oh, she wasn't.

Council Member Fenner stated and she was not there.

President Broady stated ok.

Chief Deputy Shelton stated can you approve them with that in it and we'll change that?

President Broady stated ok, we'll approve. I'll entertain a motion to approve the minutes as corrected again as corrected, with Linda being, Linda's absent.

Council Member Fenner stated I'll make that motion that we approve the minutes as corrected.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 2.

President Broady stated ok, I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, all those in favor signify by saying I, opposed nay. I's have it. Vote 3-0 Ok, sorry Cindy, I didn't catch that one.

Chief Deputy Shelton stated that's ok.

President Broady stated ok, Paul.

PAUL PRIMARERA ADDRESSES THE COUNCIL MEMBERS CONCERNING THE WIDENING OF TERRY LANE.

Mr. Primavera stated yes sir, I'm here in the behalf of Bill Garrett who owns some property just on top of the Gillenwater Subdivision, and he is requesting permission to approve the roadway from Payne Koehler Lane down to his property. The right-of-way for the road was originally purchased by the State of Indiana, so that yellow area on this kind of matches together like so. This being Payne Koehler Road originally before the interstate was built and they purchased this right-of-way to give access to this property.

President Broady stated it runs right along, 65 runs right here.

Mr. Primavera stated right, it's Terry Lane right now and Gillenwater Subdivision.

President Broady stated this was originally going to be a hotel and everything developed by...

Mr. Toombs stated Bob Garrett.

President Broady stated Bob Garrett, yeah.

Mr. Primavera stated ok, the present plans for the property aren't glorified yet, but it's going to be some sort of plan for development, which I would anticipate would some sort of combination of commercial, business, and possibly residential. That would be, and the relocation of interchange of State Road 60, the State will be improving the road down to a point somewhere up in here and he'd like to be able to come in and improve that road so it will hold up to the traffic that he's going to generate with the project. So, basically, we're asking permission to improve that road, obviously with preparing some plans and submitting them to your engineer for his approval.

President Broady stated that would be at no cost to the town.

Mr. Primavera stated no cost to the town.

President Broady stated and also, yeah, I mean, he will submit to us the plans and we'll have them approved by the engineer and John will be sure to check our existing utilities to make sure.

Mr. Primavera stated yeah, we'll work with John on that and try to come up with a plan that is suitable for both parties.

President Broady stated what do we need to do, have John officially give you a letter or just...

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 3.

Mr. Primavera stated I would like to, Mr. Garrett would like a letter stating that he does have permission.

Mr. Toombs stated Harris has an entrance back there.

President Broady stated yeah.

Mr. Primavera stated yeah, this does give a right-of-way all the way to the property line.

President Broady stated let's see, John would you just want to write him a letter that says the board has given him approval pending your approval and give it to Paul?

Mr. Primavera stated Thank You very much.

Mr. Toombs stated who are we writing the letter to, Bill Garrett?

President Broady stated I think, there is no one else on the agenda other than the Tony I believe, right Cindy? Ok, I think that is something that we need to do with the contract. Perry, you want me to go on.

Attorney McCall stated yeah, go ahead, I mean if you want, but you are going to approve it aren't you?

President Broady stated yeah, that's all I'm waiting on.

Council Member Fenner stated we're waiting on the paperwork.

Attorney McCall stated there is bits and pieces everywhere, we got the addendum, let me tell just for the record, the addendum that we talked about and Gary and John about the paving and no use of herbicide, or other chemical to remove the weeds and then move the lateral lines that need to be moved at Tri-Tell expense, those were the three changes that you need to sign addendum. John Toombs had redone the diagram and that is Exhibit B that would be attached and of course.

President Broady stated what do I need, just to make it into a motion?

Attorney McCall stated just make it in the form of a motion and sign the contract.

President Broady stated ok, I'll entertain a motion that you all approve me signing the contract for Tri-Tell on behalf of the board.

Council Member Fenner stated I'll make the motion that we approve the contract with Tri-Tell and authorize the Board President to sign it.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Voyles stated I'll second it.

President Broady stated and duly seconded, all in favor signify by saying I, opposed nay. I's have it. Vote 3-0 Dave, you have anything for us?

Chief Kinder stated no sir.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 4.

President Broady stated I didn't think so.

Chief Kinder stated well, wait a minute.

President Broady stated Mark Warren's not here, Tim you have anything?

Council Member Fenner stated you missed it.

EMC/TIM CRAWFORD ADDRESSES THE COUNCIL MEMBERS ON THE REVENUE REPORTS.

Mr. Crawford stated in reference to your letter a while ago, yes John Toombs and I are in the process of responding to it.

President Broady stated ok.

Mr. Crawford stated the first thing I have is your revenue report from 5/25 to 6/14 in the amount of 115951.29. The second thing I have Dave is monthly invoice for NSF's, Meter Deposits, and Monthly Sales Tax.

President Broady stated ok, we have a claim here in the amount of 3056.62 for Non-Sufficient, Meter Deposits, and Monthly Sales Tax. I'll entertain a motion to pay that invoice as presented.

Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second?

Council Member Fenner stated I'll second.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 3-0

Mr. Crawford stated the next I have pertains to an approval by the board on 4/26/99 on the rebuild of the two high school lift station pumps the invoice from...electric. This from all indications and we've done some draw down tests on this particular station after having these pumps rebuilt, it has been a tremendous increase and should hopefully show, help show a decrease in some of the surcharges in the system. So, we're monitoring that very closely, but, I think this has been beneficial.

President Broady stated have we already approved this or...

Mr. Crawford stated yes, it was approved on 4/26/99.

President Broady stated I'll still entertain a motion to reapprove this, I guess in the amount of 5056.80, for the two pumps at the high school lift station, is that right?

Mr. Crawford stated yes.

Council Member Fenner stated I make the motion that we approve the amount indicated of 5056.80.

President Broady stated I've got a motion on the floor, do I have a second?

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 5.

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not, all those in favor signify by saying I, opposed nay. I's have it. Vote 3-0

Mr. Crawford stated that amount is, was the exact quote of the amount.

President Broady stated anything else?

Mr. Crawford stated yes, we got an invoice, once again this was actually approved on 4/26/99. It is the installation manhole on Florida Ave. by Dan Christiani. At the end of the line it had three dead ends, three homeowners on a dead end line, there was no access to them.

President Broady stated is this the price that was quoted.

Mr. Crawford stated yes it was, exactly.

President Broady stated that is what we previously approved?

Mr. Crawford stated yes.

President Broady stated ok, I'll entertain a motion then to approve the claim as presented for 3425.00, as previously approved.

Council Member Voyles stated I'll make the motion we approve the claim for 3425.00.

Council Member Fenner stated and I'll second it.

President Broady stated and duly seconded, any discussion? If not all those in favor signify by saying I, opposed nay. I's have it. Vote 3-0

Mr. Crawford stated the last thing that I have Dave is a copy of the newly approved land contract by IDEM for sludge application. In the effort to correct what has always been a bottleneck in the process at the treatment plant, I think it would be beneficial to get this enacted. We've got a piece of machinery down there, the floater, it's a 150,000.00 piece of machinery, and it's got approximately 120 hours operating time, which is no time at all. Sometime prior to 1993, the compressor went out on it, it's been the piece of equipment has been sitting stagnate for many years, I've had Wheatly look at it, in the effort of getting some type of estimate on getting it back up to operating standards. They are saying to replace the compressor and refurbish what ever else has to be replaced on it would be in the amount of 4055.99. We have been working very diligently in the past couple of...

President Broady stated is the Sales Tax going to come off?

Mr. Crawford stated yes, that's why I did not, to get this program going again to help get around this bottleneck down there and...

President Broady stated what we're talking about here guys is the injector truck that we've had since we put the plant in, that we used for a short period of time, and then for reasons unknown broke down and then we were going to sell it and then we were going to give it away and then we couldn't decide what to do with it. And now we're

SELLERSBURG TOWN COUNCIL:
Special Meeting
June 18, 1999
Page 6.

back to where we can do something with it again. And rather than hauling the sludge off you inject it into the...

Mr. Crawford stated we will be able to inject it a portion of it, we won't have to, in the letter it states...

President Broady stated who pays for the sludge to be hauled off, is that under your contract?

Mr. Crawford stated yes, it comes out of the sludge disposal fee.

President Broady stated ok.

Mr. Crawford stated like I said, it will not eliminate the use of the drying beds as we have discussed in the past, the drying beds create the bottleneck that we have because for one, the climate and the area, for two, the trees, they do not allow the sludge to dry in a timely manner. So the turnover time in those beds are very minimal.

President Broady stated ok, I'm going to table this until the next meeting, bring it back up, we've got to do some investigation.

Mr. Crawford stated sure.

President Broady stated I mean, we've had it this long, is there any other you can get estimates from, rather than, do you think Wheatly is the, is there anybody in Louisville that carries that particular brand or whatever?

Mr. Crawford stated gosh, I don't know, I'll go investigate that.

President Broady stated ok, would you check on that? I would like to have two quotes if possible.

Mr. Crawford stated sure, Thank You.

Council Member Fenner stated Tim, are you, this letter we got from the Fire Department about the fire hydrants.

Mr. Crawford stated yes sir.

Council Member Fenner stated are you...

Mr. Crawford stated that is actually the second letter of that nature, I addressed the first one and I have been working with Boyce Adams on that and all he is really wanting is some response and some investigation on what is going on and...

Council Member Fenner stated are the fire hydrants really not working or are they just ones that they are just concerned about?

Mr. Crawford stated some are, most, all are ones that are working, they all work. They are just concerned about some of them are hard to turn on and off. One of them for example, was sitting close to a guide wire of light pole and they could not open a valve with one sweeping turn, they had open it and then come back and open it again.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 7.

Council Member Fenner stated ok.

Mr. Crawford stated ok.

Council Member Fenner stated ok, Thanks.

President Broady stated my goodness, where am I supposed to initial?

Attorney McCall stated initial here where it says initial.

President Broady stated how's Ken this morning.

Council Member Alexander stated all right.

Council Member Fenner stated worked all night.

Council Member Alexander stated worked all night, ready to go again.

Council Member Fenner stated thought you were the boss.

Council Member Alexander stated I know.

Council Member Voyles stated that's why you got to work all night.

Council Member Alexander stated that's why I worked all night.

President Broady stated the Building Commissioner's not here, Dave, what did you have?

CHIEF KINDER ADDRESSES THE COUNCIL ON SPEED LIMITS.

Chief Kinder stated are we going to discuss the speed limits?

President Broady stated I don't think they are ready, well, we'll bring it up. We've discussed it and I can go ahead and get Perry to do the ordinances and what we come up with is increasing the speed limits from 20 to 30 from on Utica Street from New Albany Street or from Highway 31 to Allentown, no to St. Joe Road, ok, leaving it 20 from Highway 31 to this area down to somewhere approximately the railroad tracks where it splits and goes onto Penn Street.

Attorney McCall stated Penn.

President Broady stated yeah, Penn that will be all right won't it?

Attorney McCall stated from where to Penn?

President Broady stated from 31, then starting from Penn Street and it's intersection with Utica Street it will go to 30 miles an hour from there to the boundaries of the town limits. That's what we come up with.

Chief Kinder stated down Penn Street to 31, because the highway has it 40 out there.

President Broady stated what now?

Council Member Fenner stated he was talking Utica Street rather than Penn Street.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 8.

President Broady stated Penn stays the same. It's already 30.

Chief Kinder stated Utica is what did you say?

President Broady stated it will be from up here.

Council Member Fenner stated it's 20.

Chief Kinder stated from Utica on out, ok, I'm with you now, from Utica Street on out.

President Broady stated we're making two changes, we're raising it from 31 to St. Joe Road, and from the intersection of Penn Street and Utica Street to the town limits. That's the only changes we're making.

Chief Kinder stated on both sides, right.

President Broady stated yes.

Chief Kinder stated there's one way you go 30 and one you go 20.

President Broady stated I think it's 20 one side and 30 on the other, and if you're in the middle you're 25.

Council Member Fenner stated I want to do this but I also and in my note that I sent to you last week, I suggested a concern about getting out onto Utica Street from Sellers.

President Broady stated we've talked about that, we're thinking about.

Council Member Fenner stated especially if we talking about closing St. Paul's Street. I mean, that's dangerous, I drive that way all the time from the pool and I'm kind of concerned about that.

President Broady stated we need no parking on both sides there that section through there.

Council Member Fenner stated that would help.

President Broady stated I don't think no parking all the way through, I don't think we need that.

Council Member Fenner stated no.

President Broady stated you want to make a recommendation on that or?

Chief Kinder stated on the no parking?

President Broady stated yeah.

Chief Kinder stated we could use no parking down through there.

President Broady stated how far and where from?

Chief Kinder stated from the bank, or 31.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 9.

President Broady stated to?

Chief Kinder stated now that I don't know.

President Broady stated I need to go out and look at that. And we'll make a decision on that. Let's take a look at that and I'll call Perry and we'll come up with something.

Council Member Fenner stated I mean people run 30 now and if we raise the speed limit that says 30 then they're going to run 40.

Chief Kinder stated that was the ticket area before, 35 was a warning and anything over that was at the officers discretion.

President Broady stated I think it still should be that way, 35 is...

Chief Kinder stated I think we can still do that.

President Broady stated Bill, you have anything?

Council Member Voyles stated we're not going to vote on leaves or anything are we?

President Broady stated no.

Council Member Voyles stated ok.

Council Member Fenner stated is everything drawn up finally?

Council Member Voyles stated well, about that, have we made any more corrections on that?

Attorney McCall stated I didn't know if you guys wanted any more changes in that, 6 by 6 by 6.

Council Member Voyles stated when you say by three.

Attorney McCall stated when we said 6 now are we talking about a limb only 6 foot long.

Council Member Alexander stated we talked about it and we ought to go by a number of limbs, we should take 15, 20.

Council Member Voyles stated yeah, probably a number of limbs.

Council Member Alexander stated a number of limbs so we don't...

Council Member Voyles stated yeah, you can't get a limb 6 foot long, most limbs are 12, 13, 14 foot long but they are not very big, they are skinny and long. So, maybe a count.

President Broady stated how big in diameter?

Council Member Voyles stated three inch in diameter.

Attorney McCall stated I changed that.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 10.

Council Member Alexander stated and maybe 15 limbs.

Council Member Voyles stated that would be good, 15,15 limbs at a time.

Council Member Alexander stated that way you don't have somebody chopping trees down and hauling it in front of their yard.

Attorney McCall stated 6 by 6 by 6 reminds me of a rick of wood.

Council Member Voyles stated people still have to cut them in 6-foot sections and that might be 6 foot 1 inch and them not take them. But...

Chief Kinder stated are you describing the limb, you can put 15 limbs, what are you talking about?

Attorney McCall stated no more than 3 inches in diameter. Made of wood...

Chief Kinder stated what.

Attorney McCall stated made of wood, come off a tree.

Chief Kinder stated well yeah, but you know, I've got some out there which is a limb after it comes off.

Council Member Voyles stated yeah, but, the little tiny ones, the little ones you're going to have to treat probably them the same way that you treat them now. Put them in a bag or something. Aren't we, are we, the little tiny pieces?

Council Member Alexander stated one limb is a branch, it's got connectors.

Council Member Voyles stated are you talking about the connectors?

Chief Kinder stated I guess so.

President Broady stated write it up and we'll make a little drawing of it.

Attorney McCall stated do you want me to define a limb? I'll just use Webster's definition of a limb.

President Broady stated Bill you got anything else?

Council Member Voyles stated no that's it.

President Broady stated you want to handle that for the next meeting?

Attorney McCall stated yeah.

Council Member Fenner stated can we at least have it so I can read it before we vote?

Attorney McCall stated yes.

Council Member Fenner stated I mean I still haven't seen it yet.

President Broady stated ok, Gary.

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 11.

GARY FENNER ADDRESSES THE COUNCIL MEMBERS ON THE POOL.

Council Member Fenner stated nothing on new business, I'll just say something about the pool. Since the newspaper is here this morning, we have had some problems with the pool and we've been open and closed and we are striving to correct those problems. We hope and anticipate the pool being open again tomorrow. We have done some major repair work in the last two weeks and you know I appreciate the help of Dave Broady while I was gone for helping with that and also the Street Department has helped us in several areas. I appreciate the public who has been understanding and I would ask that the public that hasn't been understanding that they would be more understanding. And that's all I have to say.

President Broady stated we are anticipating to be open...

Council Member Fenner stated the water is clear. You can see the bottom grates in the deep end. So, we anticipate being open tomorrow.

President Broady stated sounds great. Ken.

Council Member Alexander stated nothing.

President Broady stated nary a thing. Perry you have anything else?

ATTORNEY MCCALL ADDRESSES THE COUNCIL MEMBER ON PARKING.

Attorney McCall stated did you talk about whenever I was over there, about the parking, or was that just, was that something to be considered for the next meeting on Utica Street?

Chief Kinder stated yes.

President Broady stated oh, yes, we're changing the speed limit.

Attorney McCall stated and the parking.

President Broady stated parking and speed.

Attorney McCall stated are there going to be certain time restrictions or just a...

President Broady stated I guess, Dave and I will have to look at it and give you a call and tell you exactly what we want to do and how we want to go about it. I think if we put one up I don't think time should be, we just going to do it for all time.

Attorney McCall stated that's it I guess.

President Broady stated ok, John you have anything you want to bring up?

Mr. Toombs stated no.

President Broady stated he's got two proposals that I thought we might need some guidance on concerning the closing of St. Paul's Street and I think the best thing to do is wait for the meeting and I think if we do vote to close it that we defiantly need to go ahead and push for a new road to go around there, take those trees down and make a

SELLERSBURG TOWN COUNCIL
Special Meeting
June 18, 1999
Page 12.

very excessable road out that way. And the other proposal was making it one way, but we can discuss which one that we would like. Ok, we had a copy of the bills in our possession for a few days, had time to review them, discuss them, or look over them, I'll entertain a motion to pay the bills as presented.

Council Member Alexander stated I'll make a motion to pay the bills.

President Broady stated ok, I've got a motion on the floor to pay the bills, do I have a second?

Council Member Voyles stated I'll second.

President Broady stated and duly seconded, any discussion? If not, all those in favor signify by saying I, opposed nay. I's have it. Vote 4-0 Gentlemen don't go away, we've got a lot of signing to do, if that be all.

Council Mmember Fenner stated how about the Chief's position?

President Broady stated I was going to do that the 28th.

Council Member Fenner stated ok.

President Broady stated I'll entertain a motion to adjourn.


Council Member Voyles stated I'll make that motion.

President Broady stated I've got a motion on the floor, do I have a second.


Council Member Alexander stated I'll second.

President Broady stated and duly second, all those in favor signify by saying I, opposed nay. I's have it. Vote 4-0


With no further business President Broady adjourned the Special Meeting at 8:45 a.m.



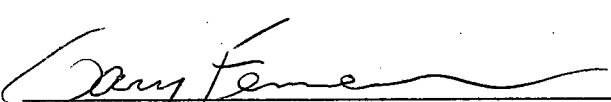
DAVID BROADY



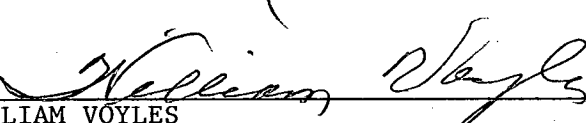
DOUG EDDINGS



KENNETH ALEXANDER



GARY FENNER



WILLIAM VOYLES



ATTEST: LINDA G. SCHAFFER
CLERK TREASURER