

1991

1991 ORDINANCES & RESOLUTIONS

ORDINANCE NUMBER	DATE PASSED	DESCRIPTION
494-A	2/11/1991	TRANSFER OF APPROPRIATIONS
495	2/11/1991	ESTABLISH DEFERRED COMPENSATION PLAN
496	2/11/1991	POLICE DEPT CHARGE FOR HISORY DATA REQUIREMNET
497	3/25/1991	SEWER BOARD MEMBERS
499	3/25/1991	ORDINANCE PROHIBITTING STREET BASKETBALL GOALS
499-A	4/22/1991	REVOKING ORDINANCE PLACEMENT OF BASKETBALL GOALS
501	4/22/1991	AMENDMENT TO ORDINANCE # 208
502	5/13/1991	AMENDMENT TO LITTERING ORDINANCE
502-A	5/13/1991	CONSTRUCTION OF WATER WORKS BUILDING
503	7/8/1991	AMENDMENT TO ORDINANCE #503
503-A	7/8/1991	CONSTRUCTION REGULATIONS ON PRIMARY/ACCES BLDG IN TOS
504	6/24/1991	SPEED LIMIT CHANGE ON PENN STREET
505	7/22/1991	AMENDING NSF FEES AND DISCONNECT FEES
506	7/22/1991	FALSE POLICE ALARMS
508	8/12/1991	1992 SALARY ORDINANCE
509	8/8/1991	SEWER RATE CREDITS FOR SPRINKLERS
510	10/7/1991	SALARY AMENDMENT
511	10/28/1991	RATE CHANGES FOR WATER
512	10/26/1991	CAPITOL DEVELOPMENT FUNDS
513	12/23/1991	SEWER LINSSES SPECS FROM HOUSE TO PUBLIC SEWER LINES
514	11/25/1991	TRANSFER OF APPROPRIATIONS
515	12/23/1991	AMMENDMENT TO ORD# 402
517	12/23/1991	SALARY AMENDMENT

RESOLUTION NUMBER	DATE PASSED	DESCRIPTION
129	1/28/1991	INSTALLATION OF PIPING FOR SEWER PLANT
130	1/28/1991	(EXTENSION SMITHWOOD DR N FERN ST (BOTH THESE ORDIN ARE130)
130	1/14/1991	ROBERT ADAMS AUTHORIZATION TO NEGOTIATE W/W PLANT
131	2/19/1991	FINANCIAL AID FOR CONSTRUCTION SEWER PLANT
132	2/25/1991	ECONOMIC REVITALIZATION
134	3/19/1991	CONSOLIDATED RAIL CORP CONSTRUCTION
135	3/25/1991	WASTEWATER PLANT CONSTURCTION
136	3/25/1991	NEW INSURANCE BENEFITS
140	5/28/1991	FIRE PROTECTION
141	5/28/1991	KEN HOBACK -LAND MAINTENANCE
146	5/28/1991	LOAN FROM PARKS/REC DEPT

Whereas the Town is desirous of obtaining a railroad crossing permit;

Now, therefore be it ordained by the Town of Sellersburg that it is authorized to enter into a License Agreement For Wire, Pipe, and Cable Tranverse Crossings and Longitudinal Occupations for construction of new piping for the sewer treatment plant, as shown on Plan No. S-1442 dated January 11, 1991.

So resolved this 28th day of January 1991.

Roy E. Everett
Charles Peterson
Robert Adams

Mary Adella Rose

Patricia Rush
Patricia Rush, Clerk/Treasurer

January 28, 1991

RESOLUTION 130

The Town of Sellersburg hereby accepts the deeds from the Smith heirs to land that is called Smithwood Drive (extension of North Fern Street) without any commitment as to maintenance of the road thereon.

Charles J. Pedersen

1-28-91

Raymond H. Adams

Nancy Adelle Rosa

Robert Adams

Patricia Rush

January 28, 1991

RESOLUTION NO. 130

WHEREAS, on December 10, 1990, the Town Council for the Town of Sellersburg held a meeting wherein they approved and authorized Robert Adams and Ed Haire to negotiate and contract for the purchase of the waste water treatment plant site; and

WHEREAS, the Town Council held a special meeting on December 19, 1990 wherein they authorized Robert Adams and Ed Haire to negotiate and contract for the purchase of easements and other parcels to complete construction of the waste water treatment plant;

WHEREAS, this Resolution is being prepared in order to document said actions;

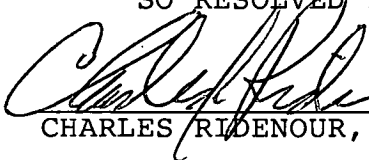
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Sellersburg that:

1. Robert Adams is hereby authorized to sign all contracts, easements, options, and any other documentation necessary to complete the negotiation and acquisition of all required parcels for the construction of the new waste water treatment plant and refurbishment or extension of any sewer lines;


2. Ed Haire is hereby authorized on behalf of the Town of Sellersburg to negotiate the purchase of all fee simple parcels and easements as indicated on the Exhibits attached hereto as Exhibits A, B, C, and D, for prices not to exceed those set forth therein;

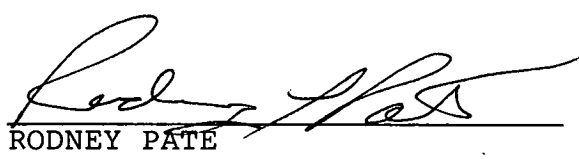
3. The Council hereby accepts as reasonable and just compensation for all parcels to be purchased, those amounts indicated by the appraiser and review appraiser set forth in Exhibits A, B, C, and D.

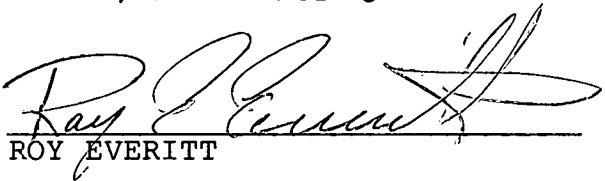
SO RESOLVED THIS 14TH DAY OF JANUARY, 1991.


CHARLES RIDENOUR, PRESIDENT


ROBERT ADAMS


MARY ANN DELLAROSA


RODNEY PATE


ROY EVERITT

ATTEST: 
PATRICIA RUSH
CLERK-TREASURER



Carl M. LEFFERT, SRA

Real Estate Appraiser

P.O. Box 927 • Jeffersonville, Indiana 47131 • (812) 283-3556

1573 Mona Vista Ct. • New Albany, Indiana 47150



November 24, 1990

President and Town Board Members
Civil Town of Sellersburg,
Town Hall
316 E. Utica St.
Sellersburg, Indiana 47172

RE: 9.569 Acre Wastewater Plant Site
Margaret A. Dreyer
Project No. 180558
Parcel No. 54

Gentlemen:

As requested, I have personally inspected the above referenced for Fair Market Valuation purposes by which to obtain this parcel of land, in fee simple, for proposed construction of a sewer treatment facility.

It is my opinion, after evaluating all factual data contained herein, that subjects Fair Market Value as of October 9, 1990 was:

NINETY FIVE THOUSAND FIVE HUNDRED (\$95,500.00) DOLLARS

Fee Take 9.569 acres	\$73,203.00
Remainder Damages	<u>\$22,257.00</u>
Total Due Owner (Rounded)	\$95,500.00

I hereby certify that I have no present or future contemplated interest in property being appraised.

Respectfully,

Carl M. Leffert
Carl M. Leffert, SRA
Appraiser

EX. A

APPRAISALS

MARKET ESTIMATE FOR EASEMENTS, LESS THAN \$2,500.00

TYPE OF PROPERTY: Farm land - Potential Industrial PROJECT: C180558
LOCATION: Bean Road, Sellersburg, Indiana PARCEL NO: 54A
OWNER: Margaret A. Dreyer PHONE NO: 246-2214 ROAD: Bean
ADDRESS: 899 E. Utica St., Sellersburg, IN 47172 COUNTY: Clark

AREA AND TYPE OF ACQUISITION:

PERMANENT EASEMENT 15' X 1880' = 28,200 SF = 0.647 AC.
TEMPORARY EASEMENT 10' X 1880' = 18,800 SF = 0.432 AC.

COMMENTS ABOUT PROPERTY TO BE ACQUIRED:

Easements extend from plant site (Parcel # 54) NE to Indiana Southern RR R/W. Area of take is level and follows property fence line. Take area is at rear of owners property.
SUPPORT FOR THE MARKET ESTIMATE (INCLUDING IMPROVEMENTS AND COST TO CURE): Comps. # 1, 2, 3, 4, 5 & 6, Plant Site Appraisal (Parcel # 54).
No observed damages or noted improvements will be disturbed by take.
Temporary Easement Compensation = Fair Market Rental @ 12% for 3 YRS.
UNIT VALUE OF LAND: \$7,115.00

COMPUTATIONS:

Permanent;
 $0.647 \text{ ac.} \times \$7115 = \$4603$ SIGNATURE: Carl M. Jeffert SRA
 $50\% \text{ Loss in Utility} = \2301.50 APPRAISER
Temporary;
 $0.432 \text{ ac.} \times \$7115 = \$3,074.00$ DATE INSPECTED: Oct. 9, 1990
 $3074 @ 12\% \times 3 \text{ YRS} = \$1,107.00$ DATE SIGNED: Dec. 3, 1990

RECAPITULATION:

LAND VALUE $\$2301.50 + \$1107 = \$3408.50$ REVIEW APPRAISER: [Signature] DATE: 12/4/90

COST-TO-CURE DNA * * * * *

IMPROVEMENTS DNA APPROVED FOR PURCHASE

TOTAL DUE OWNER \$3408.50 SIGNATURE: _____ LPA OFFICIAL/TITLE

MISC. AND ATTACHMENTS:

DATE SIGNED: _____

- 1. Certificate of Appraiser
- 2. Easement Photos
- 3. Survey of take area
- 4. legal Description
- 5. Registered letter to owner


EX. B

Note: Easement take exceeds 2,500.00 but it is my opinion that value findings in Plant Site Appraisal (Parcel # 54) was adequate for this short form use. CM Jeffert

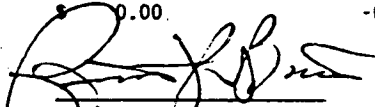
TOWN OF SELLERSBURG
SEWER EASEMENT ACQUISITIONS
PROJECT C180558
VALUES OF LESS THAN \$2500

EASEMENT VALUE

AREA	PARCEL #	OWNER	PERMANENT	TEMPORARY	DAMAGE	TOTAL COMPENSATION
A	44	Louisville Cement	\$1,225.00	\$ 885.00	-0-	\$2,110.00
A	45	Louisville Cement	\$ 175.00	\$ 0.00	-0-	\$ 175.00
A	46	Jo A. Wilkerson	\$ 400.00	\$ 288.00	\$300.00	\$ 988.00
A	47	West Clark School Board of Clark County	\$1,600.00	\$ 576.00	-0-	\$2,176.00
A	48	Robert Krajnak	\$ 330.00	\$ 0.00	-0-	\$ 330.00
A	49	Delbert D. and Marilyn Vick	\$ 330.00	\$ 0.00	-0-	\$ 330.00
B	1	Swarens	\$ 263.00	\$ 504.00	-0-	\$ 770.00
B	3	Kopp	\$ 140.00	\$ 428.00	-0-	\$ 520.00
C	17	Temple Baptist Church	\$ 808.00	\$1,484.00	-0-	\$2,300.00
C	18	Sprigler	\$ 360.00	\$ 620.00	-0-	\$ 980.00
C	19	Snyder	\$ 740.00	\$1,070.00	-0-	\$1,810.00
C	20	Meyer	\$ 325.00	\$ 185.00	-0-	\$ 510.00
C	21	Meyers	\$ 765.00	\$1,100.00	-0-	\$1,865.00
C	22 & 5	Heritage Properties	\$ 550.00	\$ 600.00	-0-	\$1,150.00
C	23	Benson	\$1,280.00	\$1,045.00	-0-	\$2,325.00
C	25	Kukla	\$ 235.00	\$ 335.00	-0-	\$ 570.00
C	31	Whitworth	\$ 677.00	\$ 0.00	-0-	\$ 677.00
C	39	Stewart	\$ 475.00	\$1,020.00	-0-	\$1,495.00
C	52	Reed	\$ 45.00	\$ 0.00	-0-	\$ 45.00


Appraiser
Charles R. Mills, Jr.
MAI, SRPA

12-13-90
Date


Reviewer
Richard Baird, SRA, ASA

12/15/90
Date

EX. C

TOWN OF SELLERSBURG
SEWER EASEMENT ACQUISITIONS
PROJECT C180558
VALUES OF LESS THAN \$2,500.00

AREA	PARCEL #	OWNER	EASEMENT VALUE		TOTAL COMPENSATION
			PERMANENT	TEMPORARY	
C	50	PYLES	\$119.50	\$172.00	\$ 291.50
C	53	MCIVROY	\$190.00	\$384.00	\$ 574.00
C	59	FRESSEN PROPERTIES		\$350.00	\$ 350.00
C	40	FENTRESS	\$287.50	\$291.06	\$ 578.50
C	41	DEAN		\$486.00	\$ 486.00
C	36	EDLRIDGE		\$270.00	\$ 270.00
C	42	WATERFILL		\$485.00	\$ 485.00
C	43	% MR. JOHN PETERS	\$337.50	\$399.00	\$ 736.50
C	37	VEST		\$270.00	\$ 270.00
C	32	PETERS	\$440.50	\$634.00	\$1074.50
C	35	HEDRICK		\$270.00	\$ 270.00
C	51	KNIES	\$668.50	\$389.00	\$1057.50
C	7	GROVES	\$332.50	\$718.00	\$1050.50
C	58	HOWARD FEELER		\$243.00	\$ 243.00
C	38	CAMPBELL		\$270.00	\$ 270.00
C	29	CELIA WINTERES	\$404.00	\$582.00	\$ 986.00
C	6	ALTEN	\$ 87.00	\$ 74.00	\$ 161.00
C	8	MARTIN L. PARKINS	\$162.50	\$117.00	\$ 279.50
C	30	GILLENWATER	\$ 81.00	\$117.00	\$ 198.00
C	34	GILLENWATER-COATS		\$364.50	\$ 364.50
C	33	CUNNINGHAM	\$636.50	\$1375.00	\$2011.50
C	27	DREW	\$343.00	\$494.00	\$ 837.00

Ex. D

RESOLUTION NO. 131

TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Indiana General Assembly and the Federal Water Pollution Control Act provide financial aid for the construction of sewage treatment works; and

WHEREAS, the Town of Sellersburg, Indiana, herein called the Municipality, has plans for a municipal water pollution control project generally described as the construction of new interceptor and sanitary sewers, sanitary sewer rehabilitation and a new wastewater treatment plant to meet State and Federal regulations, such as the NPDES discharge limitations, and the Municipality intends to proceed with the construction of such works; and

WHEREAS, the Town of Sellersburg, Indiana has adopted, this Resolution No. 131 dated February 19, 1991;

NOW THEREFORE, BE IT RESOLVED by the Town Council, the governing body of said Municipality as follows:


1. That Charles Ridenour, President of the Town Council be authorized to make applications for State and Federal grants and provide the Department of Environmental Management such information, data and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.
2. That Robert E. Adams, Member of the Town Council be authorized as the co-designated representative of the Municipality and act as a substitute representative in the absence of the above designated representative.
3. That the Municipality agrees that if a Federal grant and State assistance are provided for the project pursuant to Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 446 et seq.), and the Indiana General Assembly, the Town of Sellersburg, Indiana, will pay the remaining costs of the approved construction.
4. That all statements, data and supporting documents made or submitted by the Municipality in connection with any application for Federal assistance for the proposed construction are to be deemed a part of the application for State assistance.
5. That the Municipality agrees to comply with the requirements of the Department of Environmental Management.

6. That two certified copies of the Resolution be prepared to accompany the applications for State and Federal grants for the construction of the municipal water pollution control project.


ADOPTED this 19th day of February, 1991.

TOWN COUNCIL
TOWN OF SELLERSBURG, INDIANA

Authorized Signatory


Charles Rydenour

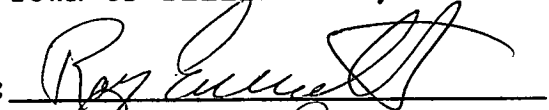

Co-Authorized Signatory


Robert E. Adams

Attest:


Clerk-Treasurer

By:

Original

RESOLUTION 132

A RESOLUTION CONFIRMING THE ADOPTION OF A
DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS
WITHIN THE TOWN OF SELLERSBURG, INDIANA, TO BE AN
ECONOMIC REVITALIZATION AREA FOR PURPOSES OF REAL
AND PERSONAL PROPERTY TAX ABATEMENT FOR

AVCO LEASING, INC.

WHEREAS, the Town Board of Sellersburg, Indiana, has adopted a Declaratory Resolution designating certain areas within the town as Economic Revitalization Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as approximately 52 acres located to the West of the I-65 - Hamburg exit, and which is more particularly described as follows:

TRACT I

A PART OF SURVEY NO. 87 OF THE ILLINOIS GRANT OF CLARK COUNTY, INDIANA, BEING A PART OF THE SAME 90.5 ACRE TRACT CONVEYED TO OTTO F. AND ETHEL KOEHLER AT DEED DRAWER 164, PAGE 44, AND DEED DRAWER 2, INSTRUMENT NO. 4148 AND BOUNDED AS FOLLOWS:

COMMENCING AT THE WEST CORNER OF SURVEY NO. 87 OF THE ILLINOIS GRANT, THENCE THE FOLLOWING COURSES: NORTH 55 DEG. 23' 24" EAST, 2216.09 FEET WITH THE LINE DIVIDING SURVEYS NO. 87 AND 88 OF SAID ILLINOIS GRANT TO AN IRON PIPE AT THE WEST CORNER OF THE LAND HERETOFORE CONVEYED TO CHARLES AND MARY JENKINS, SR., AT DEED DRAWER 1, INSTRUMENT NO. 3387 AND DEED DRAWER 2, INSTRUMENT NO. 6016; SOUTH 31 DEG. 37' 56" EAST, 1093.78 FEET TO AN IRON PIPE IN THE NORTHWEST LINE OF SAID OTTO F. AND ETHEL KOEHLER, WHICH IS THE TRUE PLACE OF BEGINNING.

THENCE THE FOLLOWING COURSES OF THE BOUNDARY: NORTH 55 DEG. 21' 57" EAST, 2278.06 FEET WITH SAID NORTHWEST LINE OF OTTO F. AND ETHEL KOEHLER TO AN IRON PIN; SOUTH 34 DEG. 38' 03" EAST, 426.51 FEET TO AN IRON PIN, WHICH IS THE WEST CORNER OF A TRACT CONVEYED TO JAMES E. AND BONNIE L. HAWN AT DEED DRAWER 2, INSTRUMENT NO. 4147; SOUTH 54 DEG. 59' 13" EAST 109.00 FEET WITH THE SOUTHWEST LINE OF SAID HAWN TO AN IRON PIN, WHICH IS HAWN'S SOUTH

CORNER; NORTH 73 DEG. 08' 05" WEST, 36.39 FEET TO AN IRON PIN, WHICH IS THE NORTH CORNER OF A 26.340 ACRE PARCEL PREVIOUSLY CONVEYED TO VICTOR O. AND JEAN M. UNRUH AT DEED DRAWER 15, INSTRUMENT NO. 7273; SOUTH 55 DEG. 22' 58" WEST, 2319.51 FEET WITH THE NORTHWEST LINE OF SAID VICTOR O. AND JEAN M. UNRUH TO AN IRON PIN, WHICH IS SAID UNRUH'S WEST CORNER; NORTH 31 DEG. 37' 56" WEST, 500.24 FEET TO THE TRUE PLACE OF BEGINNING AND CONTAINING 26.320 ACRES OF LAND.

TRACT II

BEING A 26.34 ACRE PART OF A 90.5 ACRE TRACT OF LAND HERETOFORE CONVEYED TO OTTO F. AND ETHEL KOEHLER BY DEED AS RECORDED IN DEED RECORD 149, PAGE 136 OF THE CLARK COUNTY, INDIANA RECORD OF DEEDS AND BEING A PART OF SURVEY NO. 87 OF THE ILLINOIS GRANT, CLARK COUNTY, INDIANA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE WEST CORNER OF SAID SURVEY NO. 87 OF THE ILLINOIS GRANT AND RUNNING THENCE NORTH 55 DEG. 23' 24" EAST ALONG THE LINE DIVIDING SURVEYS NO. 87 AND 88 OF SAID ILLINOIS GRANT, 2216.09 FEET TO AN IRON PIPE AT THE WEST CORNER OF THE LAND HERETOFORE CONVEYED TO CHARLES AND MARY JENKINS, SR., BY DEEDS AS RECORDED IN DEED DRAWER 1, INSTRUMENT NO. 3387 AND IN DEED DRAWER 2, INSTRUMENT NO. 6016 OF SAID CLARK COUNTY RECORDS; THENCE SOUTH 31 DEG. 37' 56" EAST ALONG JENKINS' SOUTHWEST LINE, 1093.78 FEET TO AN IRON PIPE ON THE NORTHWEST LINE OF SAID OTTO F. AND ETHEL KOEHLER; THENCE CONTINUING SOUTH 31 DEG. 37' 56" EAST, 497.74 FEET TO A POINT AND BEING THE TRUE PLACE OF BEGINNING OF LAND TO BE HEREIN DESCRIBED:

THENCE NORTH 55 DEG. 22' 58" EAST, 2319.51 FEET; THENCE SOUTH 34 DEG. 36' EAST 492.30 FEET TO A POINT ON THE SOUTHEAST LINE OF SAID KOEHLER'S LAND; THENCE SOUTH 55 DEG. 24' WEST ALONG SAID SOUTHEAST LINE, 2345.00 FEET; THENCE NORTH 31 DEG. 37' 56" WEST, 492.26 FEET TO THE PLACE OF BEGINNING AND CONTAINING 26.34 ACRES OF LAND.

ALSO, THE RIGHT TO USE, IN COMMON WITH THE GRANTORS, A 50 FOOT ROADWAY EASEMENT, SAID EASEMENT RUNNING FROM THE STATE HIGHWAY FRONTAGE ROAD, WHICH LIES ALONG THE NORTHEAST LINE OF SAID KOEHLER'S 90.50 ACRE TRACT OF LAND, ALONG AN EXISTING GRAVEL

ROAD TO THE NORTHEAST LINE OF THE HEREINABOVE DESCRIBED 26.34 ACRE PARCEL OF LAND.

TRACT III

A PART OF SURVEY NO. 87 OF THE ILLINOIS GRANT IN SILVER CREEK TOWNSHIP OF CLARK COUNTY, INDIANA, BEING A PART OF THE SAME TRACT CONVEYED TO OTTO F. AND ETHEL KOEHLER AT DEED RECORD 164, PAGE 44, AND DEED DRAWER 2, INSTRUMENT NO. 4148 AND BOUNDED AS FOLLOWS:

BEGINNING AT AN IRON PIN IN THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 60, RELOCATED, WHICH IS IN THE SOUTHEASTERLY LINE OF A TRACT CONVEYED TO NORMAN O. AND AGNES BYERS AT DEED RECORD 218, PAGE 231, WHICH IS THE TRUE PLACE OF BEGINNING.

THENCE THE FOLLOWING COURSES OF THE BOUNDARY: SOUTH 54 DEG. 59' 15" EAST, 288.26 FEET WITH SAID RIGHT-OF-WAY LINE OF STATE ROAD NO. 60 TO A STEEL FENCE POST SET IN CONCRETE; SOUTH 35 DEG. 00' 45" WEST, 70.00 FEET TO AN IRON PIN AT A CONCRETE RIGHT-OF-WAY MARKER WHICH IS THE NORTH CORNER OF A LOT CONVEYED TO HAWN AT DEED DRAWER 2, INSTRUMENT NO. 4147; SOUTH 35 DEG. 04' 37" WEST, 380.38 FEET WITH SAID HAWN'S WESTERLY LINE TO AN IRON PIN; NORTH 34 DEG. 38' 03" WEST, 426.51 FEET TO AN IRON PIN IN THE NORTHWEST LINE OF SAID KOEHLER TRACT; NORTH 55 DEG. 21' 57" EAST, 106.24 FEET WITH SAID KOEHLER'S LINE TO AN IRON PIPE IN THE SOUTH CORNER OF SAID BYER'S TRACT; NORTH 55 DEG. 21' 57" EAST, 215.90 FEET WITH BYER'S SOUTHEASTERLY LINE TO THE TRUE PLACE OF BEGINNING AND CONTAINING 3.068 ACRES OF LAND.

TRACT IV

BEING A PART OF SURVEY NO. 87 OF THE ILLINOIS GRANT AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SURVEY NO. 87; THENCE WITH THE LINE DIVIDING SURVEYS NOS. 87 AND 88, NORTH 52 DEG. 19' EAST, 999.90 FEET TO A POINT; THENCE SOUTH 38 DEG. EAST 2,085.93 FEET TO A POINT; THENCE NORTH 52 DEG. 19' EAST, 3,816.42 FEET TO A POINT; THENCE NORTH 24 DEG. 50' 17" WEST (PASSING AN IRON PIPE AT 27.36 FEET) A DISTANCE OF 208.86 FEET TO AN IRON PIPE; THENCE NORTH 34 DEG. 21' 17" WEST 290.45 FEET TO AN IRON PIPE ON THE

SOUTHERN RIGHT-OF-WAY LINE OF STATE ROAD NO. 60 AS RELOCATED; THENCE NORTH 57 DEG. 57' 17" WEST 109.06 FEET TO AN IRON PIPE ON SAID RIGHT-OF-WAY LINE, THE TRUE PLACE OF BEGINNING; THENCE SOUTH 32 DEG. 02' 43" WEST 380.22 FEET TO AN IRON PIPE; THENCE NORTH 57 DEG. 57' 17" WEST 109.00 FEET TO AN IRON PIPE; THENCE NORTH 32 DEG. 02' 43" EAST 380.22 FEET TO AN IRON PIPE ON SAID STATE ROAD NO. 60 RIGHT-OF-WAY RELOCATED; THENCE SOUTH 57 DEG. 57' 17" EAST, 109.00 FEET TO THE TRUE PLACE OF BEGINNING AND CONTAINING 0.951 ACRE, MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND/OR RESTRICTIONS OF PUBLIC RECORD WHICH MAY APPLY TO THE ABOVE DESCRIBED REAL ESTATE.

as an Economic Revitalization Area;

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Town Board has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Town Board held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Town Board has determined that the qualifications for an economic revitalization area have been met.

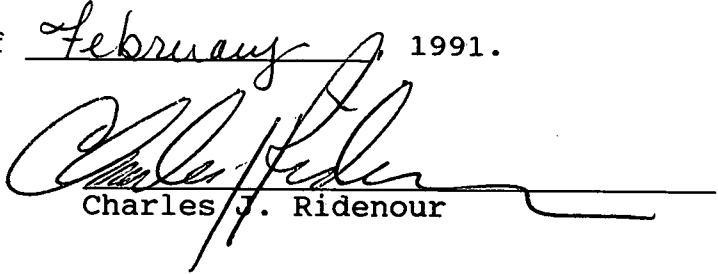
NOW, THEREFORE, BE IT RESOLVED by the Town Board of Sellersburg, Indiana, as follows:

Section I. The Town Board hereby confirms its Declaratory Resolution dated December 21, 1990, designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for real and personal property tax abatement as set forth in the Declaratory Resolution.

Section II. The Town Board hereby determines that the property owner is qualified for and is granted personal property tax deduction for a period of five (5) years, and real property tax deduction for a period of six (6) years.

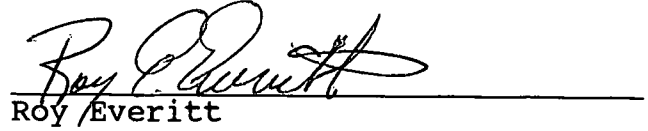
Section III. This Resolution shall be in full force and effect from and after its adoption by the Town Board.

Dated this 25 day of February, 1991.


Charles J. Ridenour

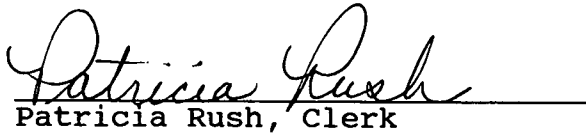
Mary Ann DellaRosa


Rod Pate


Roy Everitt


Robert Adams

ATTEST:


Patricia Rush, Clerk

original

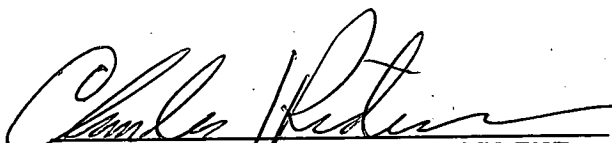
RESOLUTION 134

WHEREAS, Consolidated Rail Corporation has agreed to license and permit the Town of Sellersburg to construct improvements in certain areas; and,

WHEREAS, the execution of the License Agreement For Wire, Pipe, and Cable Transverse Crossings and Longitudinal Occupations is necessary to consummate said transaction.

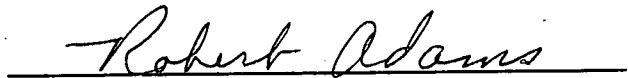
NOW, THEREFORE, BE IT RESOLVED by the Town of Sellersburg that Charles Ridenour is authorized, on behalf of said Town, to execute and enter into the License Agreement For Wire, Pipe, and Cable Transverse Crossings and Longitudinal Occupations with Consolidated Rail Corporation.


SO RESOLVED THIS 19TH DAY OF MARCH, 1991.

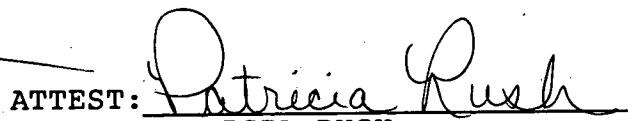

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA

ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

W. SE. 022

RESOLUTION 135


WHEREAS, the Town of Sellersburg, is in the process of constructing a new waste water treatment plant;

WHEREAS, the specifications of the construction contracts require that the Town and the contractors enter into Escrow Agreements for the purpose of holding back construction payments until completion of the project; and


WHEREAS, said contractors have entered into Escrow Agreements with INB Banking Company;


NOW, THEREFORE, BE IT RESOLVED by the Town of Sellersburg, that they are authorized to enter into Escrow Agreements between each of the contractors and INB Banking Company and that Charles Ridenour and/or Robert Adams are authorized to sign said Escrow Agreements and any other related documents with respect to execution and performance of those Escrow Agreements with their signatures to be properly attested by the Town Clerk Treasurer.


SO RESOLVED THIS 25TH DAY OF MARCH, 1991.


CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

RESOLUTION 136

WHEREAS, the town of SELLERSBURG is obtaining new insurance benefits for its employees;

WHEREAS, the town is now wishes to change its reimbursement policies for payment of said insurance benefits;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Effective April 1, 1991 health insurance will be provided to the employees through Travelers insurance company, dental insurance will be provided through Western Life insurance company, and life, accidental death, short term and long term disability will be provided by Principle insurance company.

2. The Town will reimburse the employees for and /or pay for the following coverages:

- a. 100% of premium for:
 - (i) life, accidental death, and disability
 - (ii) single and family dental coverage.
- b. 80% of the premium for single health insurance coverage with employee to pay remainder of single or family health premium.

SO RESOLVED THIS 25TH DAY OF MARCH, 1991

Charles Ridenour
CHARLES RIDENOUR

Mary Ann Dellarosa
MARY ANN DELLAROSA

Robert Adams
ROBERT ADAMS

Roy Everitt
ROY EVERITT

Rod Pate
ROD PATE

Patricia Rush
PATRICIA RUSH, CLERK

RESOLUTION OF THE
SELLERSBURG TOWN COUNCIL

#140

Comes now the Town of Sellersburg, by its council members, on the 28th day of May, 1991 and hereby passes the following resolution:

WHEREAS, the Town of Sellersburg on the 25th day of September, 1989 conveyed and warranted unto the Sellersburg Fire Protection District a certain tract of land as stated in Deed Drawer 21, Instrument No. 10221 of the Recorder's Office of Clark County, Indiana.

WHEREAS, said Warranty Deed conveying this property contained a provision wherein if the property were to ever cease being used for the purpose of actively providing the Town of Sellersburg fire protection services, then said property shall automatically revert back to the Town of Sellersburg and the Sellersburg Fire Protection District shall have no ownership interest in said property.

WHEREAS, the Sellersburg Volunteer Fire Department has leased said property from the Sellersburg Fire Protection District for a period of fifty (50) years.

WHEREAS, the Sellersburg Volunteer Fire Department desires to pledge an assignment of its Lease of said premises for securement of a loan with the Liberty National Bank.

WHEREAS, the Sellersburg Fire Protection District has provided its consent to the pledge of an assignment of said Lease Agreement for security of said loan and now seeks the approval of the Town of Sellersburg of a waiver of the reverter clause as contained in the Warranty Deed specifically for the benefit of the Liberty National

Bank and limited to this transaction and only for the duration of said debt obligation by the Sellersburg Volunteer Fire Department to the Liberty National Bank.

WHEREAS, it is in the best interest of the Town of Sellersburg to facilitate the advancement of its fire protection services and the granting of such a waiver will directly benefit the ability of the Sellersburg Volunteer Fire Department to provide fire protection services to the Town of Sellersburg.

WHEREAS, this Resolution is specifically and expressly contingent upon the Fire District's ^{AGREEMENT} ~~representation~~ that they will be responsible for directly making the payment themselves to the Liberty National Bank for this loan. It is therefore,

RESOLVED that the Town of Sellersburg, by and through its Town Council, hereby passes this resolution stating that the reverter clause as contained in the Warranty Deed as recorded in the Deed Drawer 21, Instrument 10221 of the Clark County Recorder's Office, is expressly waived for the purposes of permitting the Sellersburg Volunteer Fire Department to pledge an assignment of its Lease Agreement for said property as security for a loan with the Liberty National Bank. It is further,

RESOLVED that this waiver will be effective during the term of the outstanding debt obligation from the Sellersburg Volunteer Fire Department to the Liberty National Bank. It is further,

RESOLVED that said reverter clause shall remain in full force and effect as it relates to any other transaction or entity other than the Liberty National Bank. It is further,

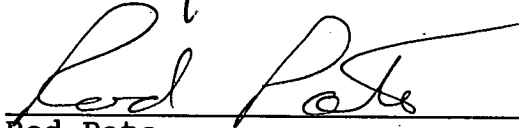
RESOLVED that in consideration for the advancement of the fire


protection services to the Town of Sellersburg and the increased value of said services, said reverter clause as contained in the Warranty Deed is hereby waived as it pertains to the interest of the Liberty National Bank.

This resolution was voted on and approved by the Sellersburg Town Council on the 28 day of May, 1991.

Town of Sellersburg
Board of Trustees

By: 
Charles Ridenour, President


Rod Pate


Roy Everett


Robert Adams

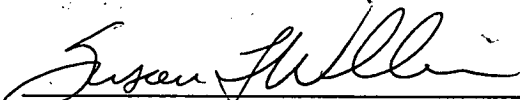

Mary Ann Dellarosa

STATE OF INDIANA)
) SS:
COUNTY OF FLOYD)

Before me, a Notary Public, in and for said County and State, personally appeared Charles Ridenour, Rod Pate, Roy Everett, Robert Adams and Mary Ann Dellarosa and being duly sworn upon their oath, say that they are the persons who executed the foregoing, that they have read the same and that the statements therein contained are true.

WITNESS my hand and Notarial Seal this 28th day of

May, 1991.


NOTARY PUBLIC,
A RESIDENT OF Floyd
COUNTY, INDIANA

MY COMMISSION EXPIRES:

4-28-94

This instrument prepared by:

Karl N. Truman
Attorney for Sellersburg Fire Protection District
WINKLER, FIFER & INGLE
220 East Main Street
P.O. Box 905
New Albany, Indiana 47151-0905
(812)949-2529

RESOLUTION NO. 141

WHEREAS, the Town of Sellersburg is desirous of maintaining certain property for the better appearance of the Town's property; and,

WHEREAS, certain residents of the Town have volunteered their services to maintain said property for, on behalf of, and to the benefit of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby grants KEN HOBACK the right to maintain, repair, and landscape that property located within the red boundaries as identified in Exhibit A and attached hereto and incorporated herein. Said right shall continue so long as the property is properly maintained and landscaped.

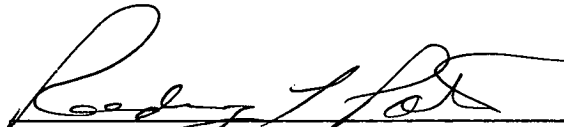
SO RESOLVED THIS 28th DAY OF MAY, 1991.

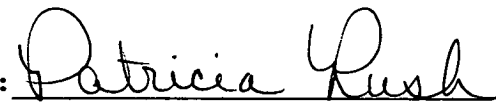

CHARLES BIDENOUR, PRESIDENT

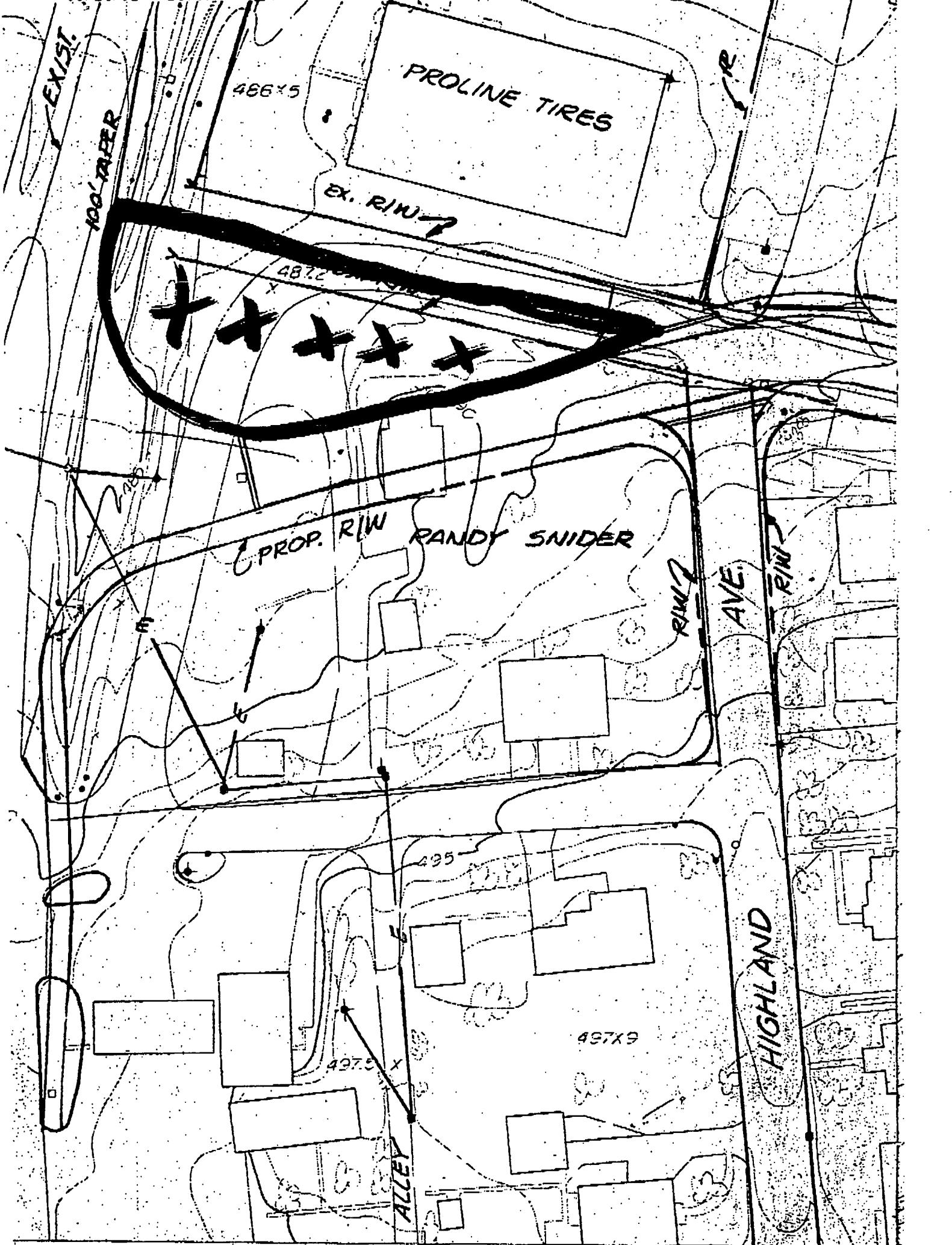

MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER



RESOLUTION

WHEREAS, the Town of Sellersburg entered into a loan agreement, security agreement, and promissory note with Ran-Paige Company, Inc., d/b/a M.C. General, Inc. for the purpose of loaning them sums in conjunction with a grant program, being Grant No. 11-86-013; and

WHEREAS, the Town of Sellersburg is desirous of concluding said grant program by liquidating all receivables due from Ran-Paige Company, Inc.; and,

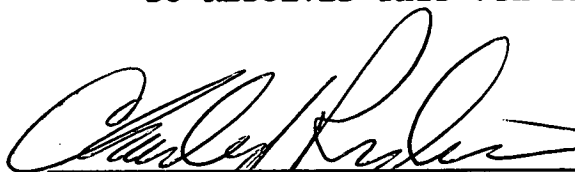
WHEREAS, Ran-Paige Company, Inc., has offered to purchase its promissory note from the Town of Sellersburg for the amount of Sixty-six Thousand Dollars (\$66,000.00), and the Council being otherwise sufficiently advised,

NOW, THEREFORE, BE IT RESOLVED by the Sellersburg Town Council this 7th day of October, 1991, that:

1. The offer of Ran-Paige Company, Inc., d/b/a M.C. General, Inc. to purchase its promissory note from the Town of Sellersburg (identified above) for the payment of Sixty-Six Thousand Dollars (\$66,000.00), as is evidenced by the letter attached hereto as Exhibit A, be and hereby is accepted by the Town of Sellersburg.

The Town of Sellersburg's agreement to allow Ran-Paige Company, Inc. to purchase said promissory note for the total sum of Sixty-six Thousand Dollars (\$66,000.00) is dependent upon the Company's ability to pay said funds immediately, but in no event, no later than October 24, 1991.

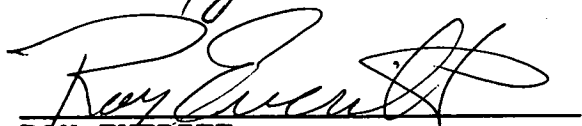
SO RESOLVED THIS 7TH DAY OF OCTOBER, 1991.



CHARLES RIDENOUR, PRESIDENT



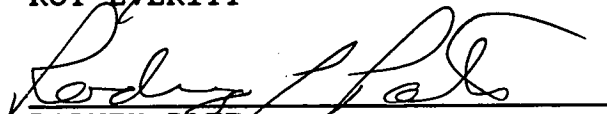
MARYANN DELLAROSA



ROY EVERITT



ROBERT ADAMS



RODNEY PATE

ATTEST: 

PATRICIA RUSH,
CLERK TREASURER

RESOLUTION NO. 146

WHEREAS, it is necessary for the Town to lend funds from one to another in order to provide for payment of expenses incurred and to be incurred through December 31, 1991; and,

WHEREAS, Indiana Law allows funds within a municipality to borrow from one another so long as said loan is paid back by year end;

NOW, THEREFORE, BE IT RESOLVED and authorized by the Town Council of the Town of Sellersburg that:

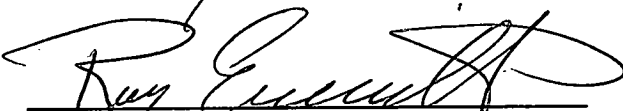
1. The General Fund is hereby authorized to borrow the sum of Thirty Thousand Dollars (\$30,000.00) from the Parks and Recreation Department Funds. Said loan is to take place immediately and to be without interest. Said loan is to be repaid by the General Fund to the Parks and Recreation Department Fund on or before December 31, 1991. It is anticipated that the Town of Sellersburg will receive appropriations for 1992 in late December from which there will be sufficient funds for repayment of this loan.

The Clerk-Treasurer is hereby authorized to take those steps necessary to implement this loan transaction and cause repayment of same without any further act of the council.


SO RESOLVED THIS 25TH DAY OF NOVEMBER, 1991.

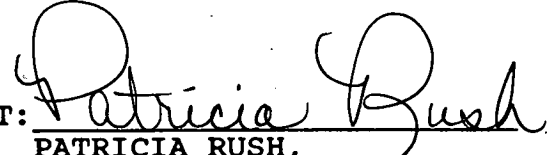

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

RESOLUTION APPROVING THE REZONING OF REAL ESTATE

BE IT RESOLVED, that the petition of Ronald L. Trissel and Barbara T. Trissel, husband and wife, dated the 11th day of March, 1991, seeking rezoning of the following described real estate, to-wit:

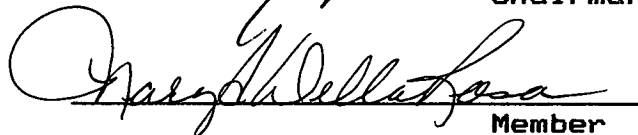
A part of Survey No. 111 of the Illinois Grant, Town of Sellersburg, Clark County, Indiana, described as: Lot 4, 5, 6, and 10 feet of Lot 7 of Dietricks First Addition to the Town of Sellersburg as recorded in Plat Book 4, Page 19, more particularly described as follows: Beginning at the South corner of Lot No. 3 of Dietricks First Addition at a nail on the Northeast line of Paradise Street, 43' right-of-way, said point being N. 40 deg. W. 150 feet from the Northwest line of Paradise Alley; Thence N. 40 deg. W. 160 feet along Paradise Street to a nail; Thence N. 50 deg. 44' 20" E. 201.23 feet along a chain link fence and the West Clark Community School Tract, DD10-14866 (Dedd in error) to an iron pipe corner post; thence S. 28 deg. 45' 09" E. 161.23 feet along the Southwest line of Paradise Alley 14' right-of-way and a chain link fence to an iron pipe found; thence S. 50 deg. 14' 40" W. 169.77 feet along the Northwest line of Lot No. 3 and a chain link fence to THE TRUE PLACE OF BEGINNING, containing 0.6779 acre more or less.

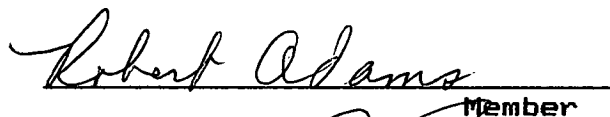
is hereby approved, and that the above real estate is hereby rezoned to R-2 in accordance with the Master Plan of the Town of Sellersburg.


Dated this 22nd day of April, 1991.

TOWN OF SELLERSBURG


Chairman

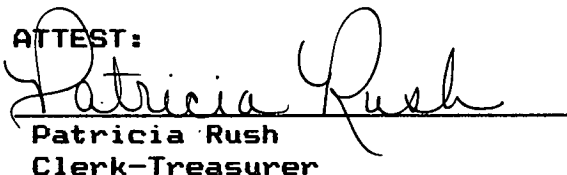

Member


Member


Member

Member

ATTEST:


Patricia Rush
Clerk-Treasurer

ORDINANCE NO. 494A

WHEREAS, the funds needed for operation and inclusion in the 1991 budget were appropriated by Ordinance No. 494;

WHEREAS, said Ordinance and appropriations must be established by line item detail;

BE IT ORDAINED, by the Town Council of Sellersburg, Clark County, Indiana, that for the expenses of said municipal corporation the following sums of money are here appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

<u>NAME OF FUND</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>	<u>EX.</u>
General	\$907,810.76	\$771,690.58	1
Debt Service (Packer Bond)	2,800.00	34,400.00	2
Police Pension	40,000.00	77,385.00	3
Local Road and Street	40,775.42	60,390.00	4
Park	113,315.00	112,344.00	5
Cumulative Capital Improvements	11,300.00	42,629.00	6
Cumulative Capital Development	15,000.00	43,660.00	7
Motor Vehicle & Highway	91,048.42	56,048.40	8

as more specifically set forth in the Exhibits attached hereto and incorporated herein respectively a Exhibits 1-8 inclusive.

ADOPTED THIS 11TH DAY OF FEBRUARY, 1991.

NAY

AYE

David Deltap...

Robert Adams

...

...

ATTEST:

Patricia Rush

 PATRICIA RUSH
 SECRETARY OF APPROPRIATING BODY

IN THE MATTER OF ESTABLISHING A DEFERRED COMPENSATION PLAN

WHEREAS, the Town of Sellersburg wishes to establish a Deferred Compensation Plan for all eligible employees and elected officials; and

WHEREAS, certain tax benefits could accrue to employees, which would act as incentives for them to voluntarily set aside and invest portions of their current income, so as to provide for future financial security and to supplement their retirement benefits; and

WHEREAS, the State of Indiana currently sponsors a deferred compensation plan and permits public entities to utilize its plan document, its investment options, and the enrollment and administrative support of its Servicing Manager;

NOW, THEREFORE THE SELLERSBURG TOWN BOARD DOES HEREBY RESOLVE AS FOLLOWS:

The Sellersburg Town Board, meeting in a regularly scheduled session, this 11th day of February, hereby establishes the Town of Sellersburg Deferred Compensation Plan for the voluntary participation of all eligible employees and elected officials.

The Town will utilize the State's plan document and its investment options. The Town will contract with Indiana Deferred Compensation Plan, Inc. to be the exclusive Servicing Manager and Enroller.

The Town Board hereby appoints the Patricia Rush as the Administrator of the Plan, and authorizes him/her to make deductions from the pay of employees, who voluntarily participate, and to make such other arrangements as are necessary to implement the Plan. It is understood that, other than the incidental expense of collecting the employees' deferrals and other minor administrative matters, there is to be no cost to the Town or contribution by the Town to this Plan.

IT IS HEREBY FURTHER ORDERED, that a true copy of this Ordinance be spread upon the Sellersburg Town Board's record of this date.

[Signature]
Board Member

[Signature]
Board Member

[Signature]
Board Member

Board Member

[Signature]
Board Member

Board Member

Attested: Patricia Rush
Clerk - Treasurer

AGREEMENT

THIS AGREEMENT, made and entered into on this 2/11/91, by and between Town of Sellersburg (hereinafter referred to as the "Town") and Indiana Deferred Compensation Plan, Inc. of 150 West Market Street, Suite #406, Indianapolis, Indiana, an Indiana Corporation (hereinafter referred to as "IDCP").

WITNESSETH THAT

WHEREAS, IDCP is an Indiana Corporation which specializes in assisting the State of Indiana and its political subdivisions, in the development, installation, administration and supervision of deferred compensation plans created for the benefit of their employees; and

WHEREAS, the Town has established the Town of Sellersburg Deferred Compensation Plan (hereinafter referred to as the "Plan") to be administered under the supervision of the Plan Administrator; and

WHEREAS, the Town deems it desirable to authorize and appoint IDCP to perform certain functions as hereinafter provided:

NOW, THEREFORE, it is mutually agreed between the parties hereto as follows:

1. AGREEMENT TERMS

a) The Town hereby appoints IDCP as the exclusive Servicing Manager and Enroller for the Plan, effective as of the date of this Agreement and continuing for a period of five years. This agreement shall be renewable for an additional five years unless written notice of termination is given at least six months prior to expiration.

b) This Agreement may, upon 60 days advance written notice, be terminated a) by the Town for malfeasance or gross neglect should IDCP fail to or unreasonably refuse to perform the services required and described herein; or b) by IDCP upon failure of the Town to support IDCP in meeting its responsibilities.

2. IDCP RESPONSIBILITIES:

IDCP hereby agrees to utilize its best efforts and to provide appropriate personnel to:

a) Provide the Clerk-Treasurer a copy of the State's Deferred Compensation Plan document and from time to time, provide the appropriate amendments to maintain the Plan in compliance with provisions of Section 457 of the Internal Revenue Service.

b) Utilize only those funding options which have been selected by competitive bid and approved by the Treasurer of the State for use in the State's Plan. Alternate funding options may be utilized only upon approval of IDCP and written acceptance by Town.

c) Meet with the appropriate Town officials and provide the assistance necessary to implement the Plan and to maintain its effective and orderly operation.

d) Provide a comprehensive administrative service system to facilitate employee deferrals, verify reconciliations, make disbursements to investment carriers and maintain individual account records, provide periodic statements, coordinate employee distributions, and assure proper tax reporting.

e) Conduct group presentations during business hours on the Town's premises and provide employee educational material to all interested employees so as to insure that they have a thorough understanding of the Plan, its advantages, its restrictions, and its costs.

f) Conduct individual counseling sessions with interested employees, in a confidential environment, to assure effective employee understanding.

g) Recommend appropriate procedures to the Administrator for audits and controls to insure the fiscal integrity of the Plan.

h) Provide semi-annual financial reports detailing the activity and financial aspects of the Plan. This report will include the number of active participants, amount of disbursements by IDCP to investment carriers, and asset values as carried by the investment carriers.

i) Indemnify, defend, and hold harmless the Town, and its officials from any loss arising from IDCP or its Agents' failure to perform their duties and services pursuant to this agreement.

3. THE TOWN'S RESPONSIBILITIES:

The Town agrees to the following:

a) To collect all deferred amounts from participating employee paychecks and remit to IDCP on a timely basis.

b) To execute the forms necessary for an employee to participate in the Plan.

c) Assist in arrangements for IDCP Field Representatives to conduct group and individual presentations with its employees.

d) To be responsible for the review and evaluation of emergency withdrawal requests from your employees.

4. IDCP COMPENSATION

In its capacity as exclusive Servicing Manager and Enroller, IDCP shall receive compensation equal to the standard commissions or fees, as paid by the investment media. In no event shall the Town be liable to IDCP for any compensation, directly or indirectly. It is implicitly understood that, other than the incidental expenses of collecting employees' deferrals and other minor administrative matters, there is to be no cost to or contribution by the Town to this Plan.

This contract constitutes the whole agreement between the parties hereto and this agreement shall be construed with the laws of the State of Indiana.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement on the day first above written.

INDIANA DEFERRED COMPENSATION PLAN, INC.

BY: _____

TOWN OF SELLERSBURG:

BY: Mary Della Rosa

BY: Robert E. Adams

BY: Leroy Spate

BY: Ray E. Smith

BY: _____

BY: Patricia Rush
Clerk - Treasurer

THE INDIANA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN

The Town of Sellersburg (hereinafter called the "Employer") hereby adopts and establishes the Town of Sellersburg Public Employee Deferred Compensation Plan hereinafter called the "Plan"). The Plan consists of the provisions set forth in this document, as amended and restated. The Plan is effective as to each public employee who becomes a "Participant" as of the date he signs and files with the Administrator the Participation Agreement referred to herein.

ARTICLE I Definitions

- 1.01 "Administrator" means the agency or department appointed by the Employer, as required by IC 5-10-1.1, Section 5(a).
- 1.02 "Beneficiary" means the person or persons designated by a participant to receive any benefits payable upon the Participant's death.
- 1.03 "Compensation" means all remuneration payable to an Employee by the Employer, including salary, wages and fees.
- 1.04 "Employee" means any individual who performs services for the Employer for Compensation on a regular basis, specifically including any salaried employee, or elected or appointed official, or any independent contractor who has been approved by the Employer.
- 1.05 "Employer" means the Town of Sellersburg as defined in IC 5-10-1.1, Section 1.
- 1.06 "Includible Compensation" means the amount of an Employee's Compensation from the Employer that is includible in gross income for federal income tax purposes for a taxable year. Such term does not include any amount excludable from gross income under section 457 or section 403(b), 401(k) or 408(k)(6) of the Internal Revenue Code. Includible Compensation shall be determined without regard to any community property laws.
- 1.07 "Normal Retirement Age" means the age or date selected by a Participant which fixes the time when he or she may utilize the catch-up limitation under section 3.02. A Participant's Normal Retirement Age established for this purpose does not necessarily coincide with the age at which the Participant actually retires or commences the receipt of benefits under the Employer's basic pension plan. The Normal Retirement Age selected by a Participant may not be earlier than the earliest date that the Participant will become eligible to retire and receive unreduced benefits under the basic pension plan of the Employer applicable to the Participant; if the Participant will not become eligible to receive benefits under a basic pension plan of the Employer, the Participant's selected Normal Retirement Age may not be earlier than age 60. A Participant's selected Normal Retirement Age may not be later than age 70-1/2 unless the Participant remains in the service of the Employer after attainment of age 70-1/2, in which case the Normal Retirement Age may be the date of the Participant's expected Separation from Service. If a Participant utilizes the special catch-up limitation under section 3.02, he will automatically be deemed to have selected as his Normal Retirement Age the third calendar year following the first calendar year in which that limitation is utilized, or such earlier year as is necessary to comply with the limitations set forth above. Once a Participant has utilized the catch-up limitation under section 3.02 his Normal Retirement Age may not thereafter be changed. If a Participant does not utilize the catch-up limitation under section 3.02 prior to Separation from Service, then for purposes of determining the latest date to which the commencement of benefits may be deferred under section 6.01(b), the Participant shall be treated as having selected age 70-1/2 as Normal Retirement Age.
- 1.08 "Participant" means an Employee who participates under this Plan by signing a Participation Agreement.
- 1.09 "Participation Agreement" means the Application to the Administrator to participate in the Plan.
- 1.10 "Plan Year" means the calendar year.
- 1.11 "Retirement" means the date on which a participant has had a Separation from Service and (i) commenced receiving benefits under the Employer's basic retirement plan, or (ii) if the Participant is not eligible to receive such benefits, attained age 65.
- 1.12 "Separation from Service" means severance of a Participant's employment with the Employer for any reason, including retirement. A Participant shall be deemed to have severed his employment with the Employer for purposes of the Plan when, in accordance with the established personnel practices of the Employer, the employment relationship is considered to have actually terminated. In the case of a Participant who is an independent contractor of the Employer, Separation from Service shall be deemed to have occurred when the Participant's contract under which services are performed has completely expired and terminated; there is no foreseeable possibility that the Employer will renew the contract or enter into a new contract for the Participant's services; and it is not anticipated that the Participant will become an employee of the Employer.

ARTICLE II

Election to Defer Compensation

2.01 An Employee's Compensation will be deferred for any pay period only if the Employee enters into a Participation Agreement prior to the beginning of the calendar month in which compensation is deferred.

2.02 Upon signing a Participation Agreement, an Employee elects to participate in this Plan and agrees to have his or her Compensation for each pay period reduced by the amount specified in the Participation Agreement. The dollar amount deferred ("deferred amount") must equal at least \$10 per pay period.

2.03 A Participant may revoke his election to participate or may amend the amount of Compensation to be deferred, or may amend his investment election by signing and filing with the Administrator a written revocation or amendment on a form and at such times as approved by the Administrator.

ARTICLE III

Limitations on Deferrals

3.01 Except as provided in section 3.02, the maximum that may be deferred by a Participant for a taxable year shall not exceed the lesser of (a) \$7,500 or (b) 33-1/3% of the Participant's Includible Compensation.

3.02 For one or more of a Participant's last 3 taxable years ending before he attains Normal Retirement Age under the Plan, the maximum deferral shall be the lesser of (a) \$15,000, or (b) the sum of the plan ceiling established under 3.01 for the taxable year plus so much of the plan ceiling established under 3.01 for each prior taxable year that has not heretofore been utilized under 3.01 in such prior taxable years. Prior taxable years include taxable years beginning after December 31, 1978, in which the Participant was eligible to participate in this Plan or any other eligible State deferred compensation plan. A Participant may elect to apply 3.02 only once, whether or not the catch-up is utilized in less than all three taxable years ending before the Participant attains Normal Retirement Age, and whether or not the Participant or former Participant rejoins the Plan or participates in another eligible plan after retirement.

3.03 Any amounts contributed for the purchase of an annuity contract described in section 403(b) of the Internal Revenue Code, or contributed after December 31, 1988, by the Participant to a plan pursuant to section 401(k) or section 408(k)(6) of the Internal Revenue Code, shall reduce the maximum amount that may be deferred under sections 3.01 and 3.02, as if such contribution had constituted deferred amounts under this Plan for the taxable year or years in which the contributions were made.

ARTICLE IV

Accounts and Reports

4.01 The Administrator or his duly appointed Servicing Manager shall maintain a deferred account with respect to each Participant which shall be credited with the Participant's deferred amount for each pay period; the balance of such account shall be adjusted to reflect any distributions to the Participant and all interest, dividends, charges for premiums, and changes of market value resulting from the investment of the Participant's deferred amounts. All records and individual account information pertaining to the Plan which are maintained by the Servicing Manager shall be the exclusive property of the Employer. These records and accounts shall be preserved and be placed in the custody of the Administrator upon written request.

4.02 A written report of the status of each Participant's deferred account shall be furnished at least annually and within ninety (90) days after the end of each Plan Year. All reports to Participants shall be based on the fair market value of investments credited to their deferred accounts as of the reporting dates.

4.03 Within ninety (90) days after the end of each Plan Year, a written report shall be prepared and maintained on file by the Administrator showing the assets held under the Plan, a schedule of all receipts and disbursements, and all material transactions of the Plan during the preceding year. This report shall be in such form and contain such other information as the Administrator shall determine or require.

4.04 The Administrator's records shall be open to inspection during normal business hours by any Participant or a designated representative of the Employer or a Participant, provided however, that no Participant (or representative of a participant) may review any records specifically relating to any other Participant.

ARTICLE V

Investment of Deferred Amounts

5.01 For purposes of satisfying its obligation to provide benefits under this Plan, the Employer will invest each Participant's deferred amount. It is anticipated that the Employer's investments with respect to a Participant will conform to the investment

selection set forth in the Participant's Participation Agreement, but nothing herein shall be construed to require the Employer to make any particular investment of a Participant's deferred amounts.

5.02 The Employer shall remit to the Administrator the deferred amounts to be invested under the Plan or shall remit the deferred amounts directly to the financial institutions or other providers of investments if agreed upon by the Administrator. The Administrator shall have no duty to determine whether the funds paid to him by the Employer are correct or to collect or enforce such payments.

5.03 All assets held in connection with the Plan, including all deferred amounts, and property and rights acquired with deferred amounts, shall be the exclusive property of the Employer and shall be subject to the claims of all creditors of the Employer without protection or preference. All contracts (including life insurance contracts) and other evidence of the investment of assets held under this Plan, all of which shall have been approved by the Treasurer of State, shall be registered in the name of the Employer which shall be the legal owner thereof. The Treasurer of State shall select depositories for the safekeeping of assets held under the Plan.

5.04 The rights of a Participant under this Plan shall be no greater than those of a general creditor of the Employer, and the Employer's obligation to each Participant shall be limited to the value of the amounts credited to the Participant's deferred account. The Employer shall not be liable for losses arising from expense charges of any kind or from depreciation or shrinkage in the value of investments made under this Plan.

ARTICLE VI Benefits

6.01 Benefits shall be paid in accordance with this Article following a Participant's Separation from Service or the occurrence of an unforeseeable emergency. Benefits payable to a Participant will be based upon the value of the Participant's deferred account.

(a) Retirement. Except as otherwise provided in this Article, the payment of benefits to a Participant shall commence within 60 days following the date of the Participant's Retirement. Such benefits shall be paid under a payment option elected by the Participant under paragraph (d).

(b) Separation from Service. The Participant may select not later than 45 days following Separation from Service to have benefits commence on a date other than Retirement. Such date may not be later than 60 days after the close of the Plan Year of the Participant's Separation from Service or attainment of Normal Retirement Age, whichever occurs later, and may not be earlier than 30 days following the date such election is made. Such benefits shall be paid under a payment option elected by the Participant under paragraph (d).

(c) Death. In the event of the Participant's death prior to the commencement of benefits under paragraphs (a) or (b), the value of the Participant's deferred account shall be paid to the Beneficiary under a payment option elected by the Beneficiary under paragraph (d). Such benefits will be payable commencing within 60 days after receipt of satisfactory proof of death by the Administrator, provided, however, that the Beneficiary may elect within 60 days of the Participant's death to defer the commencement of such benefits to a date not later than 60 days after the close of the later of (i) the Plan Year in which the Participant would have attained Normal Retirement Age or (ii) the Plan Year in which death occurred if the Participant was employed by the Employer in that Plan Year. In the event of the Participant's death after the commencement of benefits under paragraphs (a) or (b), the Participant's Beneficiary shall receive the guaranteed or remaining payments, if any, under the applicable payment option, subject to the limitations set forth in paragraph (d).

(d) Payment Options. Payment of benefits to a Participant or Beneficiary shall be made under any payment option available under the investment or investments credited to the Participant's deferred account, provided that such payment option complies with the limitations set forth in this paragraph. The election of a payment option by a Participant under paragraph (a) or (b) or by a Beneficiary under paragraph (c) must be made no later than 30 days prior to the commencement of such benefits. Absent such a timely election, benefits will be paid in equal or approximately equal monthly installments over a period of 5 years. No payment option may be selected by a Participant unless the amounts payable to the Participant are expected to be at least two-thirds (2/3) of the total expected payments under such option. Payments to a Beneficiary shall not extend over a period longer than (i) the Beneficiary's life expectancy if the Beneficiary is the Participant's spouse, or (ii) 15 years if the Beneficiary is not the Participant's spouse. All payments made under this paragraph distributable over a period of more than one year must be in substantially non-increasing amounts. For purposes of this paragraph, life expectancies shall be determined in accordance with the expected return multiples set forth in 26 C.F.R. 1.72-9, or, in the case of payments derived from contracts issued by life insurance companies, in accordance with the mortality assumptions used under such contracts.

(e) Lump Sum Settlement. Notwithstanding anything in this Plan to the contrary, if a Participant's deferred account has a credit balance of less than \$5,000 at the time of Separation from Service (other than for retirement of disability), the Administrator may effect a lump sum settlement.

(f) Designated Beneficiary. The Participant shall have the right to file with the Administrator a written form designating the Beneficiary or Beneficiaries who shall receive the benefits payable under the Plan in the event of the Participant's death. No Beneficiary designation will take effect until it is signed by the Participant and filed with the Administrator. A Beneficiary

designation may be changed by the Participant at any time in the same manner. If the Participant dies without having a Beneficiary form on file, the payments shall be made to the Participant's estate. In the event of the death of a Beneficiary after the Beneficiary has become entitled to receive distributions by reason of the death of the Participant, the remaining benefits, if any, shall be paid to the estate of the Beneficiary, unless otherwise provided for in the Participant's Participation Agreement.

6.02 Notwithstanding any other provisions herein, a Participant may request that benefits be paid to him in the event of an unforeseeable emergency. If the application for payment is approved by the Administrator, payment shall be effected as soon as practicable thereafter. Such benefits shall be strictly limited to the amount necessary to meet the emergency situation constituting financial hardship. Any remaining amounts in the Participant's deferred account shall be paid in accordance with Paragraph 6.01 of this Plan. Benefits shall be paid under this paragraph only if the Participant experiences an unforeseeable emergency creating severe hardship as a result of sudden and unexpected illness or accident of the Participant or of a dependent of the Participant (as defined in section 152(a) of the Internal Revenue Code), disability, loss of the Participant's property due to casualty or other similar extraordinary and unforeseeable events beyond the control of the Participant. In any case, payment will not be made to the extent that such hardship is or may be relieved through insurance, liquidation of the Participant's assets (to the extent the liquidation of such assets would not itself cause severe financial hardship) or by cessation of deferrals under the Plan. Foreseeable personal expenditures normally budgetable, such as a down payment for a home, the purchase of an automobile, or educational expenses, will not constitute a financial hardship. The decision of the Administrator concerning financial hardship shall be final.

ARTICLE VII

Plan to Plan Transfers

7.01 Amounts deferred by a Participant may be transferred to another eligible deferred compensation plan under section 457 of the Internal Revenue Code of which the Participant has become a participant if the plan provides for the acceptance of such amounts. Unless a participant has made a benefit election pursuant to Article VI, any Participant who separates from service in order to accept employment with another such employer shall have the balance of his deferred account transferred automatically to such other employer's plan, provided that such employer maintains an eligible deferred compensation plan under section 457 of the Internal Revenue Code which accepts the transfers, and no payment of benefits shall be available under this Plan upon Separation from Service.

7.02 Subject to the approval of the Administrator, this Plan shall accept transfers of amounts deferred on behalf of a Participant under eligible deferred compensation plans under section 457 of the Internal Revenue Code maintained by other employers.

ARTICLE VIII

Administration of Plan

8.01 At all times the Plan will be administered in accordance with Section 457 of the Internal Revenue Code and its accompanying Regulations.

8.02 The Administrator shall have the power to appoint a Servicing Manager to perform enrollment and administrative services under this Plan.

8.03 The Employer and its authorized agent, the Administrator, shall be authorized to construe the Plan and resolve any ambiguity in the Plan and to resolve any questions of fact necessary to decide the rights of Participants under the Plan. Such decisions shall be binding on all Participants and Beneficiaries.

8.04 The Employer and its agents, including the Administrator, if in doubt concerning the correctness of their action in making a payment of a benefit, may suspend payment until satisfied as to the correctness of the payment or the person to receive the payment, or may file, in any state court of competent jurisdiction, a suit, in such form as they consider appropriate, for legal determination of the benefits to be paid and the persons to receive them. The Employer shall comply with the final order of the court in any such suit and Participants and Beneficiaries shall be bound thereby insofar as such order affects the benefits payable under this Plan or the method or manner of payment.

8.05 The Administrator shall not be required to participate in any litigation concerning the Plan except upon written demand from the Employer. The Administrator may compromise, adjust or effect settlement of litigation when specifically instructed to do so by the Employer.

8.06 Participants and beneficiaries may not seek recovery against the Administrator, or any employee, contractor, or agent of the Employer or Administrator for any loss sustained by any Participant or Beneficiary, for the nonperformance of their duties, negligence, or any other misconduct of the above named persons. This paragraph shall not, however, excuse fraud or a wrongful taking by any person.

8.07 Any company that issues any policy, contract, or other investment acquired by the Employer or specified by a Participant, is not a party to this Plan and no such company shall be responsible or accountable to any Participant or Beneficiary with regard to the operation of this Plan.

ARTICLE IX
Amendment or Termination of the Plan

The employer may at any time amend, modify, or terminate this Plan without the consent of Participants (or any Beneficiaries thereof), provided that:

(a) All Amendments shall become effective on the first day of the month following the giving of not less than forty five (45) days prior notice of the amendment. Notice shall be deemed given when the amendment is posted in the office of the Administrator. To the extent it is possible to do so, the Administrator shall mail a copy of all amendments that became effective during the year to each Participant with his annual report. No amendments shall deprive any Participant of any of the benefits to which he is entitled under this Plan with respect to amounts credited to his deferred account prior to the effective date of the amendment; and

(b) If the Plan is curtailed or terminated, or if the acceptance of additional deferred amounts is suspended, the Administrator shall nonetheless be responsible for the supervision and the payment of benefits resulting from amounts deferred prior to the amendment, modification, or termination in accordance with Article VI hereof.

ARTICLE X
Nonassignability

10.01 It is agreed that neither Participants nor their Beneficiaries or designees shall have any right to commute, sell, assign, transfer, or otherwise convey the right to receive any payments hereunder which payments and rights thereto are expressly declared to be nonassignable and nontransferrable.

10.02 The rights of Participants and Beneficiaries under this Plan shall not be subject to the rights of their creditors, and shall be exempt from execution, attachment, prior assignment, or any other judicial relief or order for the benefit of creditors or other third person to the extent otherwise required by law.

ARTICLE XI
Miscellaneous

11.01 Participation in this plan by an Employee shall not be construed as a contract of employment for such Employee, nor shall participation in this Plan be construed as affording to such Employee any representation or guarantee regarding his continued employment.

11.02 The Employer and the Administrator do not represent or guarantee that any particular Federal or State income, payroll, personal property, or other tax consequence will occur because of participation in this Plan.

11.03 This Plan, including any properly adopted amendment hereof, and the Participation Agreement, including any properly executed amendment thereof, shall constitute the total agreement or contract between the Employer and any Participant regarding the Plan. No oral statement regarding the Plan may be relied upon by any Participant.

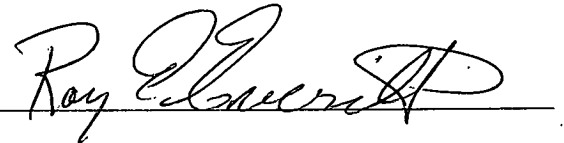
11.04 The law of the State of Indiana shall apply in determining the construction and validity of this Plan.

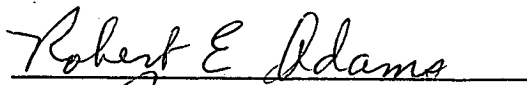
11.05 Whenever used herein, the masculine gender shall include the feminine and the singular shall include the plural unless the provisions of the contract specifically require a different construction.

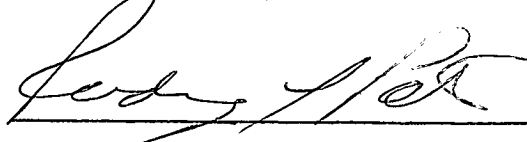
IN WITNESS WHEREOF the undersigned has executed this amended and restated Plan this

11th day, of February, 1991.









Service Manager
Indiana Deferred Compensation Plan, Inc.
150 West Market St., #406
Indianapolis, Indiana 46204
(317) 638-1195
1-(800) 382-1195

WHAT IS IT?

Deferred Compensation is a voluntary fringe benefit program whereby employees may set aside a portion of their paycheck toward a retirement income. The amount deferred is invested prior to computation of any federal, state or local taxes. **THE RESULT IS A TAX SAVINGS FOR THE EMPLOYEE EVERY PAY DAY.** A participant may defer as little as \$10 per pay or as much as 25% of annual compensation, not to exceed \$7500.

The deferred amount can be directed to the employee's choice of investment options. Interest rates available are usually higher than the current market.

The participant has access to his account upon separation from public service, retirement, death or disability. At the time of separation, he may receive his funds in the method most suited to his financial needs.

The benefits of Deferred Compensation are similar to those enjoyed for several years by teachers participating in Tax Deferred Annuities.

WHO'S ELIGIBLE?

Any public employee in the State of Indiana who works for "any political subdivision, including counties, cities, towns, townships, school districts, city or county hospitals or agencies or departments thereof." (I.C. 5-10-1.1-1). The employer needs only to establish a plan.

WHICH PLAN?

The State of Indiana has established a plan for all its employees. The State is making all aspects of its plan available for use by the local government in establishing their own deferred compensation plan. The investment options and service manager were selected by the State after evaluating competitive bids. Local governments can now benefit from the State's efforts! Your participating employees will enjoy the advantages of the combined purchasing power of the State and Local government. This provides higher interest rates and a cost effective plan. The enrollment and administration is handled for you by Indiana Deferred Compensation Plan, Inc. There will be **NO DIRECT COST OR CONTRIBUTION** by the sponsoring employer.

ADMINISTRATIVE ASPECTS

INDCP will

- Conduct group educational meetings
- Provide individual enrollment counseling
- Distribute information material
- Complete and process forms
- Provide daily service via a toll free number
- Direct deductions to the proper accounts
- Assure accurate account balances
- Provide semi-annual statements
- Counsel with retiring participants

EMPLOYER BENEFITS!

- NO direct cost of implementation or administration
- Administration limited to 10 minutes per pay period
- Legal and bidding requirements already satisfied by the State
- Utilization of an established program in which over 10,000 Indiana state and local employees are participating
- Immediate implementation of fringe benefit
- NO employer contribution
- Popular employee program
- Retention of valuable employees.

EMPLOYEE BENEFITS!

- Reduction of federal, state and local taxes
- Tax deferred accumulation
- No reduction to regular retirement benefits
- Provides for future financial security
- Above average return on your investment
- Savings via payroll deductions
- No special tax reporting required

HOW TO DO IT!

Contact the Indiana Deferred Compensation office for assistance to:

1. Pass the resolution/ordinance.
2. Execute the documents.
3. Start payroll deduction.

ORDINANCE NO. 496

WHEREAS, I.C. 5-2-5-7 allows the Town of Sellersburg Police Department to charge for criminal history data requests; and

WHEREAS, in accordance with said Statute, the Town of Sellersburg and its Police Department desire to comply with same and pass this Ordinance for said purpose;

NOW, THEREFORE, BE IT ORDAINED by the Town of Sellersburg, in accordance with I.C. 5-2-5-7 that:

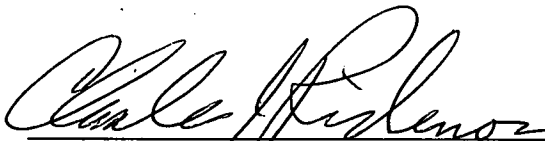
1. All requests for data for criminal histories and responses thereto must be in conformity with I.C. 5-2-5-7;

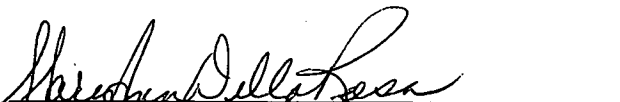
2. The Town of Sellersburg Police Department is hereby authorized to charge and collect a fee equal to Three Dollars (\$3.00) for each request for record inspection in order to defray the cost of processing;

3. The Town of Sellersburg Police Department is hereby authorized to charge and collect a fee of Seven Dollars (\$7.00) for each request for release of information to defray the cost of processing. However, the Department may not charge this fee for requests received from the Parent Locator Service of the Child Support Division of the State Department of Public Welfare.

4. All fees collected to be deposited with the Town Clerk Treasurer no less than monthly and credited to its crime fund.


SO ORDAINED THIS 11TH DAY OF MARCH, 1991.

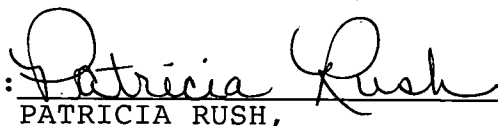

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY DATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

original

ORDINANCE NO. 497

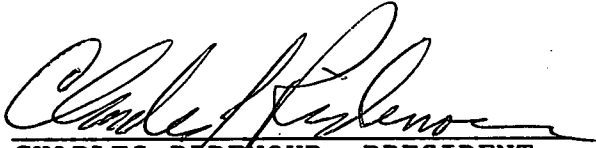
WHEREAS, on September 5, 1988, the Town Council of the Town of Sellersburg passed Ordinance No. 427-A to establish a Sanitary Board for the acquisition, operation, and maintenance of the Town's sewer plant;

WHEREAS, it is necessary to appoint members to serve on said Sanitary Sewer Board in conformity and as authorized by I.C. 36-9-23-4.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg that those members of the Board previously appointed pursuant to 427-A are no longer authorized to continue in said capacity and the following members are hereby appointed to serve on said Sanitary Board in accordance with I.C. 36-9-23-4:

- A. Charles Ridenour;
- B. Bill Nunn; and,
- C. Frances Conroy

SO ORDAINED THIS 25TH DAY OF MARCH, 1991.



 CHARLES RIDENOUR, PRESIDENT

Absent

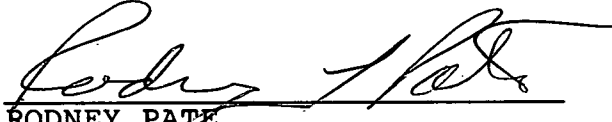
 MARYANN DELLAROSA



 ROY EVERITT

Robert Adams

 ROBERT ADAMS



 RODNEY PATE

ATTEST: *Patricia Rush*

 PATRICIA RUSH,
 CLERK TREASURER

S.1.SE.016

ORDINANCE NO. 498

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana:

SECTION ONE

That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit E, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

SECTION TWO

BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described in Exhibit E as part of the Town of Sellersburg, Indiana.

SECTION THREE

This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 2.

SO ORDAINED THIS 25th DAY OF MARCH, 1991.

Charles Ridenour
CHARLES RIDENOUR, PRESIDENT

Rod Pate
ROD PATE

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

Robert Adams
ROBERT ADAMS

ATTEST: Patricia Rush
PATRICIA RUSH
CLERK TREASURER

ANNEX AREA E

Beginning at the intersection of the north right-of-way line of Bean Road (extended) with the east right-of-way line of Highway 31-E, said point being on the east line of the present town of Sellersburg, thence the following courses:

In a northerly direction with the east right-of-way line of Highway 31-E and Penn Ave., which is also the west right-of-way line of the Conrail Railroad and the present boundary of Sellersburg approximately 6600 feet, more or less, to a point in the present boundary of Sellersburg;

Thence in an easterly direction with the boundary of Sellersburg, crossing the Conrail Railroad, the property conveyed at D.R. 291 page 40:

Thence continuing eastwardly with said present town boundary, crossing the Southern Indiana Railroad, to a point on said present town boundary:

Thence southeastwardly with said east line of Southern Indiana Railway and the town boundary to a point of the present boundary of Sellersburg:

Thence northeasterly with said boundary to a point in the westerly line of Utica Street, also known as the Utica-Sellersburg Road, said point being the north corner of a tract of land conveyed to Sellersburg Stone at D.D. 3, Inst. 1602:

Thence in a southeasterly direction with said westerly right-of-way line of Utica Sellersburg Road (as reconstructed), to the point where the westerly right-of-way of said Utica-Sellersburg Road intersects the north right-of-way line of Bean Road, (reconstructed);

Thence westwardly with said north line of Bean Road, (reconstructed), to the point where said north right-of-way line of Bean Road (reconstructed) intersects the east line of a tract of land conveyed to the Clark County Board of Aviation:

Thence Northwestwardly, 229 feet more or less with said Board of Aviation property:

Thence North, 295.43 feet, more or less with said Board property;

Thence West, 100 feet, more or less with said Board property;

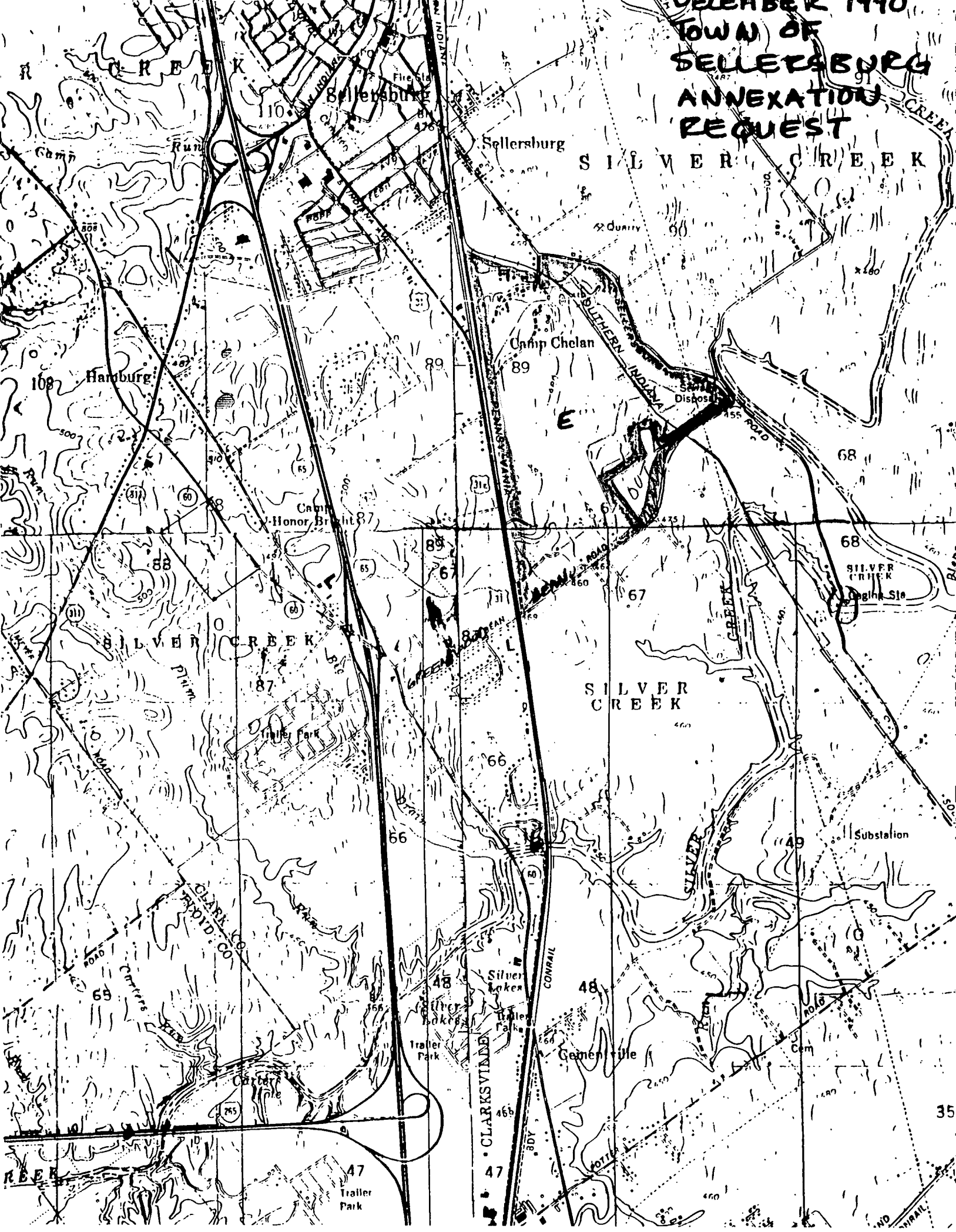
Thence South, 401.75 feet, more or less with said Board property;

Thence Southwestwardly, 381 feet, more or less with said Board property;

Thence Southeastwardly; 300 feet, more or less with said Board property to the northerly right-of-way line of Bear Road;

Thence Southwestwardly with the northerly right-of-way of Bear Road to the point of beginning, containing approximately 381 acres, more or less.

SEPTEMBER 1970 TOWN OF SELLETSBURG ANNEXATION REQUEST



COPY

ORDINANCE NO. 498

94

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana:

SECTION ONE

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SECTION TWO

BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described in Exhibit E as part of the Town of Sellersburg, Indiana.

SECTION THREE

This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 2.

SO ORDAINED THIS 25th DAY OF MARCH, 1991.

CHARLES RIDENOUR, PRESIDENT

RUD PATE

ROY EVERETT

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

MARY ANN DELLAROSA

ROBERT ADAMS

JAN 05 1993

ATTEST: PATRICIA RUSH CLERK TREASURER

AUDITOR CLAY COUNTY

COPY

ORDINANCE NO. 498

94

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SO ORDAINED THIS 25th DAY OF MARCH, 1991.

Charles Ridnour, President

Rud Pate

Roy Everett

Mary Ann Dellarosa

Robert Adams

ATTEST: Patricia Rush, CLERK TREASURER

[Handwritten signature]

ANNEX AREA E

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In a northerly direction with the east right-of-way line of Highway 31-E and Fern Ave., which is also the west right-of-way line of the Conrail Railroad and the present boundary of Sellersburg approximately 660 feet, more or less, to a point in the present boundary of Sellersburg:

Thence in an easterly direction with the boundary of Sellersburg, crossing the Conrail Railroad, the property conveyed as D.R. 201 page 40:

Thence continuing eastwardly with said present town boundary, crossing the Southern Indiana Railroad, to a point on said present town boundary:

Thence southeastwardly with said east line of Southern Indiana Railway and the town boundary to a point of the present boundary of Sellersburg:

Thence northwesterly with said boundary to a point in the westerly line of Utica Street, also known as the Utica-Sellersburg Road, said point being the north corner of a tract of land conveyed to Sellersburg Stone at D.D. 3, Inst. 1602:

Thence in a southeasterly direction with said westerly right-of-way line of Utica-Sellersburg Road (as reconstructed), to the point where the westerly right-of-way of said Utica-Sellersburg Road intersects the north right-of-way line of Bean Road, (reconstructed):

Thence westwardly with said north line of Bean Road, (reconstructed), to the point where said north right-of-way line of Bean Road (reconstructed) intersects the east line of a tract of land conveyed to the Clark County Board of Aviation:

Thence Northwesterly, 223 feet more or less with said Board of Aviation property:

Thence North, 236.43 feet, more or less with said Board property:

Thence West, 100 feet, more or less with said Board property:

Thence South, 401.25 feet, more or less with said Board property:

Thence Southwestwardly, 801 feet, more or less with said Board property;

Thence Southeastwardly, 800 feet, more or less with said Board property to the northerly right-of-way line of Bean Road;

Thence Southwestwardly with the northerly right-of-way of Bean Road to the point of beginning, containing approximately 381 acres, more or less.

RECEIVED
FOR RECORD

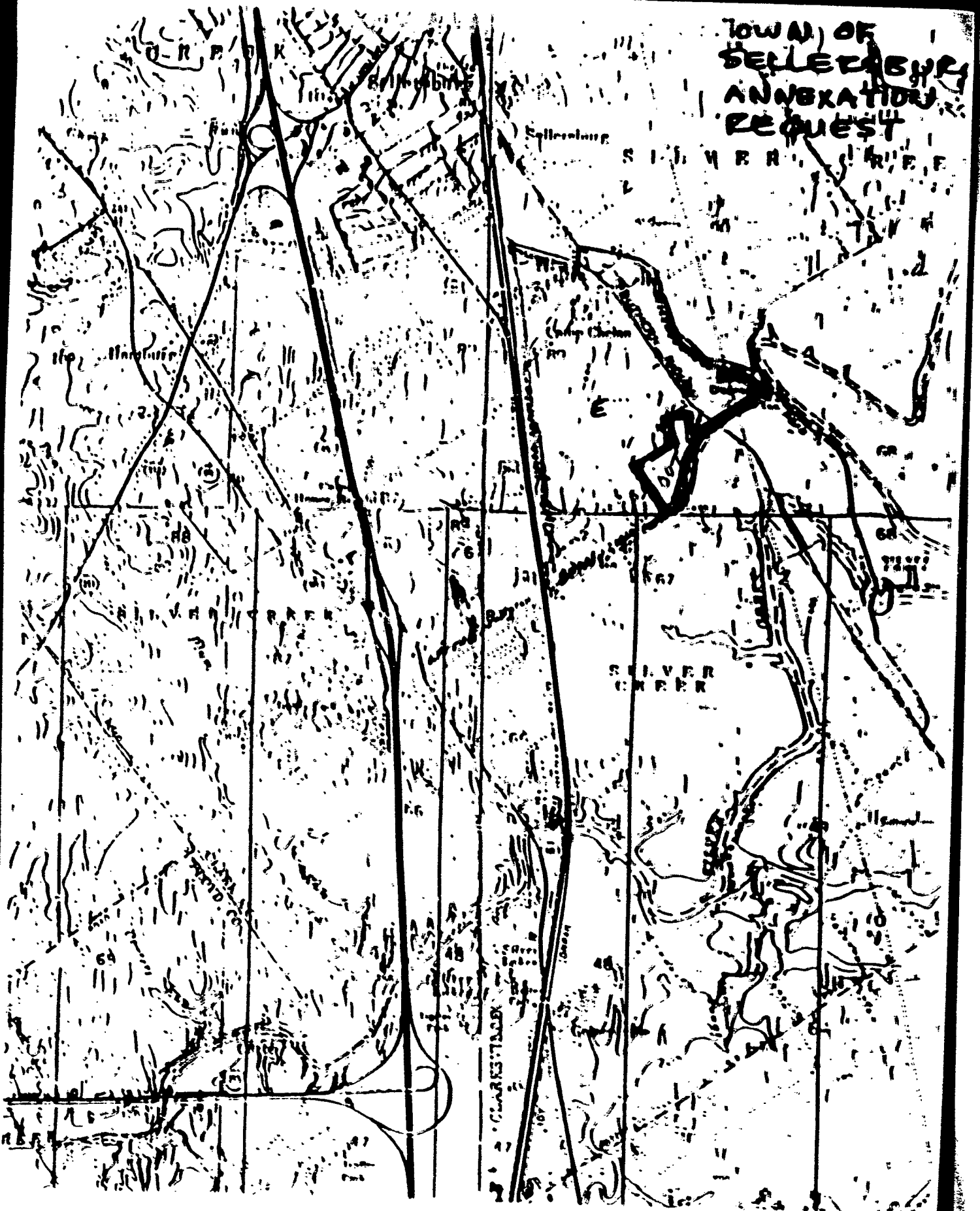
JAN 5 1 14 PM '93

RECORDED IN Deed ORA 25

INSTR. NO. 94

SALV. STEPLER
REGISTER OF DEEDS CO.

TOWN OF BELLEFAY ANNEXATION REQUEST



TOWN COUNCIL MEETING
MARCH 25, 1991

The Town Council of the Town of Sellersburg met in the Town Hall, on the 25th day of March, 1991, at the hour of 6:30 p.m., in regular meeting pursuant to call in accordance with the rules of Council.

The meeting was called to order by President Ridenour, who presided. On call of the roll the members of the Council were shown to be present as follows: Charlie Ridenour, Rodney Pate, Mary Ann DellaRosa, Robert Adams and Roy Everitt. Also present was Town Attorney, Susan Williams.

The previous minutes were read from the March 11th meeting and motion mad by Bob to approve, adopt and accept with a second from Rod. Voted 5-0

On agenda was Danny Lotich who presented the 125 Cafeteria Plan for the Town and its employees. Questions and discussion with the Council with decision to hold on the 125 until Susan could review a person or company to handle the paperwork. Resolution #136 was presented for obtaining new insurance benefits. Effective April 1, 1991 health insurance would be handled through Travelers, dental would be provided through Western Life along with life, accidental death, short term and long term disability would be provided by Principle insurance company. Motion was made by Mary Ann to adopt and pass with Roy making a second. Voted 5-0

Next was Bruce Kotter from Commonwealth Engineers to discuss the problem with Pixley's water. More information and decision to be made upon results of findings. Susan will return to the Council and a solution will be decided.

Gary Fenner's sewer backup problem was the next issue that had to have a decision by the Council. Charlie and Mary Ann went to the Fenner's residence and made some kind of recommendation. It was suggested that Gary plug up the floor drain and have a pump to discharge the water from his washing machine. After he had made his corrections to his basement, he is to notify President Ridenour and after completion then the town would reimburse him \$1,405.69 total of his claim submitted. Roy made motion to approve with a second from Mary Ann Voted 4-Yes and Robert Adams with 1 No Vote

Ordinance #497 in regard to establish a Sanitary Board for th acquisition, operation and maintenance of the Town's sewer plant was delayed until a later date.

Brad Hook announced that Tubs Inc. had donated \$100.00 toward the purchase of smoke detectors.

Resolution #135 had a motion made by Rod to adopt and accept in regard to contractors entering into Escrow Agreements with INB Banking Company with regards to the Waste Water Project.

Page 2
March 25, 1991

Motion was made by Mary Ann to accept Community Bank as the investment agent for our funds on the Waste Water Project. Motion was second by Rod.
Voted 5-0

A letter of request was made by Robert Smith of the Zoning & Planning Board. They need to purchase three (3) books for their information. Mary Ann entered a motion to accept by Rod and second by Mary Ann. Voted 5-0

Congratulations was made to William Patrick Bradshaw who was chosen by the American Legion for Policeman of the Year.

Resolution #132 was submitted in regard to confirming the adoption of designating certain areas within the Town of Sellersburg to be an economic revitalization area for purposes of real and personal property tax abatement for AVCO Leasing, Inc. Motion was moved by Roy and second by Rod.
Voted 5-0

Resolution #137 regarding the Fiscal Plan & Cost/Revenue Analysis in annexation of Area E only. This would be the beginning at the intersection of the north right-of-way line of Hwy 31-E, said point being on the east line of the present town of Sellersburg. Motion was made by Mary Ann and second by Rod in regard to the Fiscal Plan.
Voted 5-0

Mary Ann moved for unanimous consent by the Council for consideration of Ordinance #498 concerning the annexation of adjacent and contiguous territories. This is concerning Exhibit E. Motion was second by Rod.
Voted 5-0

Mary Ann made motion that regarding Ordinance #498 that the property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct #2. Motion second by Roy.
Voted 5-0

Mary Ann made motion to waive the formal readings of requirements regarding Ordinance #498 with a second from Roy.
Voted 5-0

Mary Ann made motion to accept and adopt Ordinance #499 in regard for protection of the safety of its town citizens and their children. This is in regard to basketball goal location where children play in the street. After the warning, each said resident or other individual will have ten days to remove or reposition the basketball goal. If not removed or repositioned, you will be subject to a fine of \$10.00, for each day that the basketball goal remains in position in violation of this Ordinance. The motion was second by Bob.
Voted 5-0

Page 3
March 25, 1991

William Collier had questions in regard to line damage at his residence. Town employees are to see what the problem is and what the solution would be.

Mr. Prather was present and addressed the Council on complaints for dogs tearing up bags of garbage and on stray dogs. President Ridenour informed Mr. Prather that all residence are suppose to have their garbage in a can and not laid on ground in bags. Our employees will not pick up garbage that has been scattered out of bags and on the ground. The problem with stray dogs has been an issue for about a year or more and the Council is still trying to work on a solution.

The meeting adjourned at 8:00 p.m. Our next meeting will be held on April 8, 1991.

Charlie Ridenour, President

Mary Ann Dellakoso, Member

Roy Everett, Member

Robert Adams, Member

Rodney Pate, Member

ATTESTED:

Patricia Kish
Clerk-Treasurer

ORDINANCE NO. 499

WHEREAS, the Town of Sellersburg desires to pass this Ordinance for protection of the safety of its town citizens and their children;

WHEREAS, it appears that the safety of children, citizens, and motorists within the town may be adversely affected by those playing basketball in the town's streets;

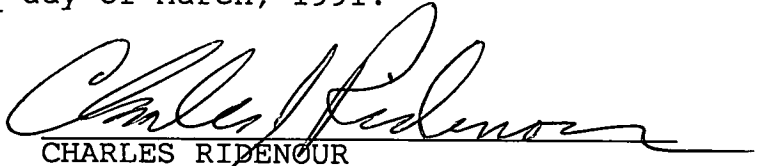
NOW THEREFORE, be it ordained by the Town of Sellersburg that no resident or property owner or any other individual within the Town of Sellersburg may place any basketball goal in such a manner that the streets of the town will be used as a playing surface. Anyone who has a basketball goal which, because of its location, uses any part of the street surface as a basketball court, has thirty (30) days from the date of this Ordinance within which to remove and/or reposition said goal so that the street will not be used in conjunction with playing basketball. Anyone who violates this Ordinance will be subject to receipt of a written citation by the Sellersburg Police Department. Each resident will receive one warning before being fined. After the warning, each said resident or other individual will have ten (10) days to remove or reposition the basketball goal. If not removed or repositioned, you will be subject to a fine of \$ 10.00, for each day that the basketball goal remains in position in violation of this Ordinance.

If the Town of Sellersburg is required to take legal action to seek enforcement of this Ordinance against you or enforcement of any fines for violation of this Ordinance, you will be required and

shall pay all court costs associated with same including reasonable attorney fees for enforcement.

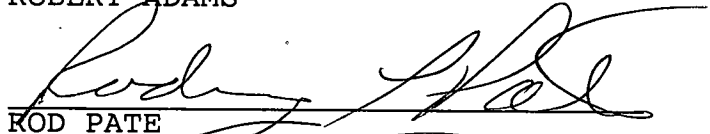
This Ordinance shall be in full force and effect upon the completion of its publication as is required and in accordance with Indiana law.

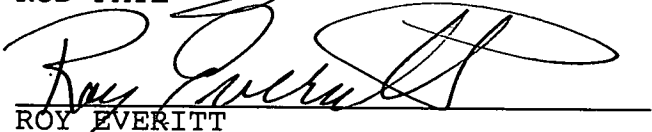
So ordained this 25th day of March, 1991.

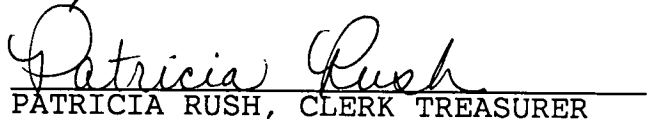

CHARLES RIDENCOUR


MARY ANN DELLAROSA


ROBERT ADAMS


ROD PATE


ROY EVERITT


PATRICIA RUSH, CLERK TREASURER

original

ORDINANCE NO. 499-A REVOKING ORDINANCE
GOVERNING PLACEMENT OF BASKETBALL GOALS

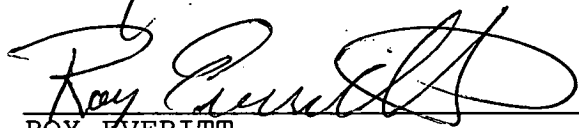
WHEREAS, Ordinance No. 499 previously adopted by the Town Council precluded erection of basketballs goals on Town streets; and,

WHEREAS, the Town is desirous of voiding said Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg this 22nd day of April, 1991, that Ordinance No. 499 be and hereby is rescinded. The Sellersburg Police Department is hereby authorized to enforce the nuisance ordinance against any property owner whose basketball goal, because of its location in conjunction with the streets of the Town of Sellersburg, creates a nuisance for drivers and/or citizens of the Town.


CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS

ABSENT
RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

original

ORDINANCE NO. 501

AMENDMENT TO ORDINANCE NO. 208 DATED 12-11-90

WHEREAS, the Town of Sellersburg is desirous to amend said Ordinance in order to make additional parking restriction within the Town;

WHEREAS, said amendment is necessary in order to protect the interest of Town members and assist and cooperate with development of businesses within the downtown area;

NOW, THEREFORE, BE IT ORDAINED this 22nd day of April, 1991, that, said Ordinance is hereby amended to read as follows:


CHAPTER 4 SPECIFIED PARKING TIME LIMITS

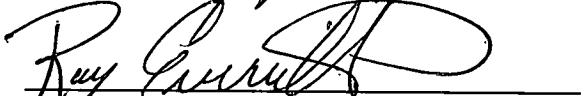
It shall be unlawful for any person to park a motor vehicle or other conveyance, for a continuous period of time, longer than two (2) hours between 6:00 in the morning and 6:00 in the night, Monday through Friday, on the following streets:

1. On Maple Street between East Utica and South New Albany Streets;
2. On West Utica Street between Indiana and Scheller Avenues; and
3. That portion of parking off East Utica which is adjacent to Wilkerson Memorial Park.

The Sellersburg Police Department is hereby authorized to enforce violation of this parking Ordinance with the same fines and penalties as previously established in the original Ordinance or any subsequent amendments thereto. The Street Department is hereby authorized to erect appropriate signs advising the public of these parking regulations.

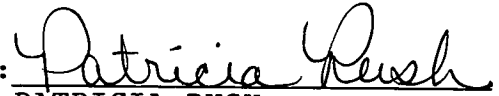

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS

ABSENT
RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

original

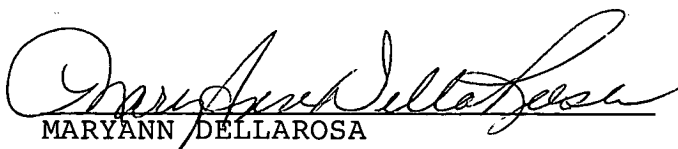
ORDINANCE NO. 502

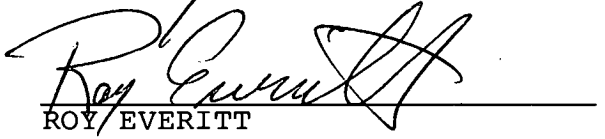
AMENDMENT TO LITTERING ORDINANCE


BE IT ORDAINED by the Town Council of the Town of Sellersburg that, Ordinance No. 431 passed on October 27, 1986 prohibiting littering within the Town of Sellersburg and authorizing a fine of \$50.00 for each violation shall be enforced by the Sellersburg Police Department.

SO ORDAINED THIS 22 DAY OF APRIL, 1991.

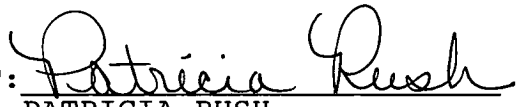

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS

ABSENT
RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

ORDINANCE NO. 502 - A

An Ordinance concerning the construction of additions and improvements to the waterworks of the Town of Sellersburg, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith

WHEREAS, the Town of Sellersburg (the "Town") has heretofore established, constructed and financed its waterworks, and now owns and operates said waterworks pursuant to IC 8-1.5, as amended, and other applicable laws (collectively, the "Act"); and

WHEREAS, the Town Council of the Town, now finds that said waterworks is in need of certain additions and improvements; that cost estimates, plans and specifications for said additions and improvements have been or will be approved by said Town Council; and

WHEREAS, the Town has obtained engineers' estimates of the costs and construction bids for the construction of said additions and improvements; that on the basis of said construction bids and estimates, the total estimated cost of the works, including incidental expenses, is in the amount of \$1,270,709; and

WHEREAS, the Town Council finds that an Indiana Department of Commerce Grant in the amount of \$250,878 and an EDA grant in the amount of \$564,831 will be available for application on the cost of said project, leaving a balance to be financed by the issuance of waterworks revenue bonds in the amount of \$455,000 and, if necessary, bond anticipation notes ("BANs").

WHEREAS, the Town has heretofore issued and now has outstanding revenue bonds payable from the revenues of said waterworks, designated "Waterworks Revenue Bonds of

1961," dated July 1, 1961 (the "1961 Bonds"), now outstanding in the amount of \$190,000, maturing annually over a period ending December 1, 1996, which 1961 Bonds constitute a first charge upon the Net Revenues of the waterworks, as hereinafter defined; and

WHEREAS, the Town has heretofore issued and now has outstanding revenue bonds payable from the revenues of said waterworks, designated "Waterworks Revenue Bonds of 1986," dated July 1, 1986 (the "1986 Bonds"), now outstanding in the amount of 2,385,000, maturing annually over a period ending December 1, 2010, which 1986 Bonds constitute a second charge upon the Net Revenues of the waterworks; and

WHEREAS, the Town has heretofore issued and now has outstanding revenue bonds payable from the revenues of said waterworks, designated "Waterworks Refunding Revenue Bonds of 1988," dated June 29, 1988 (the "1988 Bonds"), now outstanding in the amount of \$219,500, maturing annually over a period ending December 1, 2005, which 1988 Bonds constitute a third charge upon the Net Revenues of the waterworks; and

WHEREAS, the bonds to be issued pursuant to this ordinance will constitute a fourth charge against the Net Revenues of the waterworks and are to be issued subject to the provisions of the laws of the State of Indiana, and the terms and restrictions of this ordinance; and

WHEREAS, the Town desires to authorize the issuance of BANs hereunder, if necessary, payable solely from the proceeds of waterworks revenue bonds issued to finance the aforementioned cost of the project, and to authorize the refunding of said BANs, if issued; and

WHEREAS, the Town Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of said revenue bonds and BANs have been complied with in accordance with the provisions of the Act; now, therefore,

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG,
INDIANA:**

Sec. 1. That the Town proceed with the construction of additions and improvements to its waterworks in accordance with the cost estimates, and the plans and specifications heretofore prepared and filed by the consulting engineers employed by the Town, which cost estimates, plans and specifications are by reference made a part of this ordinance as fully as if the same were attached hereto and incorporated herein and two copies of which are now on file in the office of the Clerk-Treasurer of the Town and are open for public inspection pursuant to IC 36-1-5-4, that the cost of construction of said additions and improvements shall not exceed the sum of \$1,270,709, plus investment earnings on the BAN and bond proceeds, without further authorization from this Town Council. The terms "waterworks," "works," and other like terms where used in this ordinance shall be construed to mean and include all structures and property of the Town's water utility. Said additions and improvements to the waterworks ("Project") shall be constructed in accordance with the plans and specifications heretofore mentioned, which plans and specifications are hereby approved. Said Project shall be constructed and the bonds herein authorized shall be issued pursuant to and in accordance with the Act.

Sec. 2. The Town shall issue, if necessary, its BANs for the purpose of procuring interim financing to apply on the cost of said Project. The Town shall issue its BANs in an amount not to exceed Four Hundred Fifty-five Thousand Dollars (\$455,000) to be designated "Waterworks Bond Anticipation Notes." Said BANs shall be numbered consecutively from 1 upward, shall be in multiples of \$1,000, shall be dated as of the date of delivery thereof, and shall bear interest at a rate not to exceed 9% per annum (the exact rate or rates to be determined through negotiations with a financial institution or the Indiana Bond Bank) payable upon maturity. The BANs will mature one hundred eighty (180) days after their date of delivery. The BANs are subject to renewal or extension at an interest rate or rates not to exceed 9% per annum (the exact rate or

rates to be negotiated with a financial institution or the Indiana Bond Bank). The term of the BANs and all renewal BANs may not exceed five years from the date of delivery of the initial BANs. The BANs shall be registered in the name of the purchasers thereof.

The BANs shall be issued pursuant to IC 5-1-14-5 if sold to a financial institution or pursuant to IC 5-1.5-8-6.1 if sold to the Indiana Bond Bank. The principal of and interest on the BANs shall be payable solely from the issuance of revenue bonds pursuant to and in the manner prescribed by the Act. The revenue bonds will be payable solely out of and constitute a charge against the Net Revenues (herein defined as gross revenues of the waterworks of the Town, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after the payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town, subject to the prior payment of the 1961 Bonds, 1986 Bonds and 1988 Bonds.

The Town shall issue its waterworks revenue bonds in the aggregate amount of Four Hundred Fifty-five Thousand Dollars (\$455,000) to be designated "Waterworks Revenue Bonds of 1991" for the purpose of procuring funds to apply on the cost of said Project, issuance costs and refunding the BANs, if issued. Said bonds shall be issued and sold at a price not less than 97% of the face amount thereof in fully registered form in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof, numbered consecutively from 1 up, originally dated as of the first day of the month in which they are sold or the date of delivery, if sold to the Indiana Bond Bank, and shall bear interest at a rate or rates not exceeding 9% per annum (the exact rate or rates to be determined by bidding or as negotiated with the Indiana Bond Bank). Interest is payable semiannually on June 1 and December 1, in each year, commencing on December 1, 1991. Principal shall be payable in lawful money of the United States of America, at the principal office of the Paying Agent (as hereinafter defined) and such bonds shall mature serially on December 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>
1992	\$ 5,000
1993	5,000
1994	5,000
1995	5,000
1996	5,000
1997	10,000
1998	10,000
1999	10,000
2000	10,000
2001	10,000
2002	15,000
2003	15,000
2004	20,000
2005	25,000
2006	55,000
2007	55,000
2008	60,000
2009	65,000
2010	70,000

A qualified institution will be appointed by the President and Clerk-Treasurer as Registrar and Paying Agent for the bonds, and is hereby charged with the responsibility of authenticating the bonds ("Registrar" or "Paying Agent"). The Clerk-Treasurer is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of a Registrar and Paying Agent. The Clerk-Treasurer is further authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the Waterworks Bond Fund established to pay the principal of and interest on the bonds and fiscal agency charges.

As to the BANs and the bonds, if sold to the Indiana Bond Bank, the Clerk-Treasurer will be designated the Registrar and Paying Agent and will be charged with the performance of all of the duties and responsibilities of Registrar and Paying Agent.

The principal of the bonds and the principal and interest on the BANs shall be payable at the principal office of said Paying Agent. All payments of interest on the bonds shall be paid by check mailed to the registered owners thereof, as of the fifteenth

day of the month preceding each payment ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner on or before such Record Date. All payments on the bonds and BANs shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal office of the Registrar, by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the Town. The Town and the Registrar and Paying Agent for the bonds may treat and consider the person in whose name such bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

Interest on bonds authenticated on or before the Record Date which precedes the first interest payment date shall be paid from the original date. Interest on bonds authenticated subsequent to the Record Date which precedes the first interest payment date thereon shall be paid from the interest payment date to which interest has been paid as of the date on which such bonds are authenticated, unless a bond is authenticated between the Record Date and the interest payment date in which case the interest shall be paid from such interest payment date.

Sec. 3. The BANs are prepayable by the Town, in whole or in part, at any time upon seven days' notice to the owner of the BANs without any premium. The bonds of this issue maturing on or after December 1, 2002 are redeemable at the option of the Town on December 1, 2001, or any interest payment date thereafter, on thirty (30) days' notice, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value together with the following premiums:

- 3% if redeemed on December 1, 2001
or June 1, 2002;
- 2% if redeemed on December 1, 2002.
or June 1, 2003;
- 1% if redeemed on December 1, 2003
or June 1, 2004;
- 0% if redeemed on December 1, 2004
or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the Town not less than thirty (30) days prior to the date fixed for redemption unless such redemption notice is waived by the owner of the bond or bonds redeemed. The notice shall specify the date and place of redemption and the dates of maturity of the bonds called for redemption. The place of redemption may be determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

Sec. 4. Said bonds and BANs shall be signed in the name of the Town by manual or facsimile signature of the President and attested by the manual or facsimile signature of its Clerk-Treasurer, who shall affix the seal of said Town to each of said bonds and BANs manually or shall have the seal imprinted or impressed thereon by facsimile. Said officials, by the signing of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures their facsimile signatures appearing on said bonds and

BANs. The bonds must be authenticated by an authorized officer of the Registrar and Paying Agent.

Said bonds, and any bonds ranking on a parity therewith, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a charge upon the Net Revenues of the waterworks of the Town, subject, however, to the prior payment of the principal of and interest on the outstanding 1961 Bonds, 1986 Bonds and the 1988 Bonds, and such Net Revenues are hereby irrevocably pledged to the payment of the interest on and principal of such bonds, to the extent necessary for that purpose. The Town shall not be obligated to pay said bonds or the interest thereon except from the Net Revenues of said works, and said bonds shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Sec. 5. The form and tenor of said bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

No. _____

Interest Rate:
Maturity Date:
Original Date:
Authentication Date:
CUSIP

TOWN OF SELLERSBURG
WATERWORKS REVENUE BOND OF 1991

Registered Owner:

Principal Sum:

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to the Registered Owner (named above) or registered assigns, the Principal Sum set forth above on the Maturity Date set

forth above (unless this bond be subject to and shall have been duly called for redemption and payment as provided for herein), and to pay interest hereon until the Principal Sum shall be fully paid at the rate per annum specified above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment in which case it shall bear interest from such interest payment date, or unless this bond is authenticated on or before November 15, 1991, in which case it shall bear interest from the Original Date, which interest is, payable semi-annually on the first day of June and December of each year, beginning on December 1, 1991.

The principal of this bond is payable at the principal office of _____ (the "Registrar" or "Paying Agent"), in the _____ of _____, Indiana. All payments of interest on this bond shall be paid by check mailed to the registered owner hereof, as the fifteenth day of the month preceding such payment, at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

This bond shall not constitute an indebtedness of the Town of Sellersburg within the meaning of the provisions and limitations of the constitution of the State of Indiana, and the Town shall not be obligated to pay this bond or the interest thereon except from the special fund provided from the Net Revenues.

The terms and provisions of this bond are continued on the reverse side hereof and such terms and provisions shall for all purposes have the same effect as though fully set forth at this place.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its President, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Clerk-Treasurer.

TOWN OF SELLERSBURG, INDIANA

[SEAL]

By _____
President, Town Council

Attest:

Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one of the bonds described in the Ordinance.

As Registrar

By: _____
Authorized Representative

(To be printed on reverse side)

This bond is one of an authorized issue of bonds of the Town of Sellersburg, of like tenor and effect, except as to numbering, interest rate, and date of maturity, in the total amount of Four Hundred Fifty-five Thousand Dollars (\$455,000), numbered from 1 up, issued for the purpose of providing funds to be applied on the cost of additions and improvements to the Town's waterworks (the "Project"), [to refund notes issued in anticipation of bonds,] and to pay incidental expenses, as authorized by an Ordinance adopted by the Town Council of the Town of Sellersburg on the ____ day of _____, entitled "An Ordinance concerning the construction of additions and improvements to the waterworks of the Town of Sellersburg, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing

ordinances inconsistent herewith" (the "Ordinance"), and in strict compliance with the provisions of IC 8-1.5, as amended (the "Act").

Pursuant to the provisions of said Act and said Ordinance, the principal and interest of this bond and all other bonds of said issue and any bonds hereafter issued on a parity therewith, are payable solely from the Waterworks Bond Fund (continued by the Ordinance) to be provided from the Net Revenues (defined as the gross revenues of the waterworks of the Town, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town.

The Town of Sellersburg irrevocably pledges the entire Net Revenues of said waterworks to the prompt payment of the principal of and interest on the bonds authorized by said Ordinance, of which this is one, and any bonds ranking on a parity therewith; subject, however, to payment of the principal of and interest on certain Waterworks Revenue Bonds of 1961, dated July 1, 1961 (the "1961 Bonds") which 1961 Bonds are now outstanding in the principal amount of \$190,000, and maturing annually on December 1 over a period ending December 1, 1996; also subject to certain Waterworks Revenue Bonds of 1986, dated July 1, 1986 (the "1986 Bonds") which 1986 Bonds are now outstanding in the principal amount of \$2,385,000 and maturing annually on December 1 over a period ending December 1, 2010; and also subject to certain Waterworks Refunding Revenue Bonds of 1988, dated June 29, 1988 (the "1988 Bonds"), now outstanding in the principal amount of \$219,500 and maturing annually on December 1 over a period ending December 1, 2005; to the extent necessary for that purpose, and covenants that it will cause to be fixed, maintained and collected such rates and charges for service rendered by said works as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of said works, for the payment of the sums required to be paid into said Bond Fund under the provisions of said Act and said Ordinance. If the Town or the proper officers of the Town shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for under Indiana law.

The Town of Sellersburg has designated the bonds as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

The Town of Sellersburg further covenants that it will set aside and pay into its Waterworks Bond Fund a sufficient amount of the Net Revenues of said works to meet (a) the interest on all bonds which by their terms are payable from revenues of the waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying the bonds and interest, (c) the principal of all bonds which by their terms are payable from revenues of the waterworks, as such principal shall fall due, and (d) an additional amount to

create and maintain the reserve required by the Ordinance. Such required payments shall constitute a charge upon all the Net Revenues of said works, subject to the prior payment of the 1961 Bonds, the 1986 Bonds and the 1988 Bonds.

The bonds of this issue maturing on December 1, 2002, and thereafter, are redeemable at the option of the Town on December 1, 2001, or any interest payment date thereafter, on thirty (30) days' notice, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value together with the following premiums:

- 3% if redeemed on December 1, 2001
or June 1, 2002;
- 2% if redeemed on December 1, 2002
or June 1, 2003;
- 1% if redeemed on December 1, 2003
or June 1, 2004;
- 0% if redeemed on December 1, 2004
or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the Town not less than thirty (30) days prior to the date fixed for redemption. The notice shall specify the date and place of redemption and the dates of maturity of the bonds called for redemption. The place of redemption may be determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with its depository bank, an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the Town shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the office of the Registrar, by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The Town, the Registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount of the bonds maturing in such year.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____, the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: Signature(s) must be guaranteed by a broker dealer or a commercial bank or trust company.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Sec. 6. The Clerk-Treasurer is hereby authorized and directed to have said bonds and BANs prepared, and the President of the Town Council and Clerk-Treasurer are hereby authorized and directed to execute said bonds and BANs, in the form and manner herein provided. The Clerk-Treasurer is hereby authorized and directed to deliver said bonds and BANs to the respective purchasers thereof after sale made in accordance with the provisions of this ordinance, provided that at the time of said delivery the Clerk-Treasurer shall collect the full amount which the respective purchasers have agreed to pay therefor, which amount shall not be less than the amount of the BANs set forth in the purchase agreement relating thereto, or 97% of the face value of said bonds, as the case may be. The bonds herein authorized, when fully paid for and delivered to the purchaser, shall be the binding special revenue obligations of the Town, payable out of the Net Revenues of the Town's waterworks to be set aside into the Bond Fund as herein

provided. The proceeds derived from the sale of said bonds shall be and are hereby set aside for application on the cost of the Project hereinbefore referred to, the refunding of the BANs, if issued, and the expenses necessarily incurred in connection with the bonds and BANs. The proper officers of the Town are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

Sec. 7. Prior to the sale of said bonds the Clerk-Treasurer shall cause to be published a notice of such sale in the Jeffersonville Clark County Journal and the Jeffersonville News, newspapers published in Clark County, Indiana, two times, at least one week apart, the first publication made at least fifteen (15) days before the date of the sale and the second publication being made at least three (3) days before the date of the sale, all in accordance with IC 5-1-11 and IC 5-3-1. Such notice shall also be posted, at least 15 days before the date of the sale, at the Town Hall and Town's post office (bank if there is no post office). A notice of sale may also be published one time in The Indianapolis Commercial, and a notice or summary notice may also be published in The Bond Buyer in New York, New York. The bond sale notice shall state the time and place of sale, the character and amount of the bonds, the maximum rate of interest thereon, the terms and conditions upon which bids will be received and the sale made, and such other information as the Clerk-Treasurer and the attorneys employed by the Town shall deem advisable and any summary notice may contain any information deemed so advisable. Said notice may provide, among other things, that each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check or a financial surety bond. If a financial surety bond is used, it must be from an insurance company licensed to issue such bond in the State of Indiana, and such bond must be submitted to the Town prior to the opening of the bids. The financial surety bond must identify each bidder whose good faith deposit is guaranteed by such financial surety bond.

If the bonds are awarded to a bidder utilizing a financial surety bond, then that purchaser is required to submit to the Town a certified or cashier's check (or wire transfer such amount as instructed by the Town) not later than 3:30 p.m. (Sellersburg time) on the next business day following the award. If such good faith deposit is not received by that time, the financial surety bond shall be drawn by the Town to satisfy the good faith deposit requirement. In the event the successful bidder shall fail or refuse to accept delivery of the bonds and pay for the same as soon as the bonds are ready for delivery, or at the time fixed in the notice of sale, then said check and the proceeds thereof shall be the property of the Town and shall be considered as its liquidated damages on account of such default; that bidders for said bonds will be required to name the rate or rates of interest which the bonds are to bear, not exceeding the maximum rate hereinbefore fixed, and that such interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). The rate bid on a maturity shall be equal to or greater than the rate bid on the immediately preceding maturity. No conditional bid or bid for less than 97% of the face amount of the bonds will be considered. The opinion of Ice Miller Donadio & Ryan, bond counsel of Indianapolis, Indiana, approving the legality of said bonds, will be furnished to the purchaser at the expense of the Town.

The bonds shall be awarded by the Clerk-Treasurer to the best bidder who has submitted his bid in accordance with the terms of this ordinance, IC 5-1-11 and the notice of sale. The best bidder will be the one who offers the lowest net interest cost to the Town, to be determined by computing the total interest on all of the bonds to their maturities and adding thereto the discount bid, if any, and deducting the premium bid, if any. The right to reject any and all bids shall be reserved. If an acceptable bid is not received on the date of sale, the sale may be continued from day to day thereafter without further advertisement for a period of thirty (30) days, during which time no bid

which is lower than the best bid received at the time of the advertised sale will be considered.

As an alternative to public sale, the Clerk-Treasurer may negotiate the sale of said bonds to the Bond Bank at interest rates not exceeding the rate of nine percent (9%) per annum. The President and the Clerk-Treasurer are hereby authorized to (i) submit an application to the Bond Bank, (ii) execute a Purchase Agreement with the Bond Bank with terms conforming to this ordinance and (iii) sell such bonds upon such terms as are acceptable to the President and the Clerk-Treasurer consistent with the terms of this ordinance.

Sec. 8. The accrued interest received at the time of the delivery of the bonds, if any, shall be deposited in the Waterworks Bond Fund (the "Bond Fund"). The remaining proceeds from the sale of said bonds, to the extent not used to refund BANs, and BAN proceeds shall be deposited in a bank or banks which are legally designated depositories for the funds of the Town, in a special account or accounts to be designated as "Town of Sellersburg Waterworks Construction Account" (the "Construction Account"). All funds deposited to the credit of said Bond Fund or Construction Account shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including particularly IC 5-13, and the acts amendatory thereof and supplemental thereto. The funds in said Construction Account shall be expended only for the purpose of paying the cost of the Project, refunding the BANs, if issued, or as otherwise required by said Act or for the expenses of issuance of the bonds. The cost of obtaining the legal services of Ice Miller Donadio & Ryan, shall be considered as a part of the cost of the Project on account of which the bonds and BANs are issued.

Any balance or balances remaining unexpended in such special account or accounts after completion of the Project, which are not required to meet unpaid obligations

incurred in connection with such Project, shall either (1) be paid into the Bond Fund and used solely for the purposes of said Bond Fund or (2) be used for the same purpose or type of project for which the bonds were originally issued, all in accordance with IC 5-1-13, as amended and supplemented.

Sec. 9. All revenues derived from the operation of the waterworks and from the collection of water rates and charges shall be segregated and kept separate and apart from all other funds and bank accounts of the Town. Out of said revenues the proper and reasonable expenses of operation and maintenance of the works shall be paid, the principal and interest of all bonds and fiscal agency charges of bank paying agents shall be paid, and the cost of new construction, extensions, additions and betterments shall be paid as hereinafter provided. No moneys derived from the revenues of the waterworks, except revenues for payment in lieu of taxes to the Town, shall be transferred to the general fund of the Town or be used for any purpose not connected with the waterworks so long as any bonds payable from the revenues of the waterworks are outstanding.

Sec. 10. The special fund created by Ordinance No. 217 and continued by Ordinance Nos. 428 and 454 for the payment of the principal of and interest on the 1961 Bonds, the 1986 Bonds and the 1988 Bonds, respectively, is hereby designated as the special fund for the payment of the principal of and interest on the bonds authorized by this ordinance ("Waterworks Bond Fund"). The payment of the bonds authorized herein is subject to the prior payment of the 1961 Bonds, the 1986 Bonds and the 1988 Bonds. Out of the Net Revenues there shall be deposited in the Waterworks Bond Fund on or before the first day of each calendar month, a sufficient amount of Net Revenues of the Town's waterworks to pay one-twelfth (1/12) of the interest on and principal of the outstanding 1961 Bonds, the 1986 Bonds, the 1988 Bonds, and the bonds issued pursuant to the provisions of this ordinance, which will be payable during the period of the then next succeeding twelve (12) calendar months. Such monthly deposits shall continue until such time as said Fund

contains an amount sufficient to pay all of said bonds then outstanding, together with the interest thereon to the dates of maturity thereof.

In addition to said monthly one-twelfth (1/12) debt service deposits, the Town shall comply with the requirements of Ordinance Nos. 217, 428 and 454 regarding the reserve to be maintained for the 1961 Bonds, the 1986 Bonds and the 1988 Bonds. To account for the bonds issued hereunder also being secured by such reserve, there shall be deposited monthly in said Fund the sum of Three Thousand Three Hundred Seventy-five Dollars (\$3,375) until there has been accumulated from such additional deposits the sum of maximum annual principal and interest on all the outstanding bonds, 125% of average annual debt service on all the outstanding bonds, or 10% of the proceeds of all the outstanding bonds plus a minor portion as defined in the Internal Revenue Code of 1986, whichever is less, as a debt service reserve in said Waterworks Bond Fund. Thereafter said debt service reserve shall be maintained in said Fund as a minimum balance over and above the monthly one-twelfth (1/12) debt service deposits so long as any of the bonds are outstanding, the Town Council finding and declaring that said debt service reserve is a reasonable and proper protection against default.

If the reserve portion of the Bond Fund, allocable to the bonds issued hereunder, does not exceed the lesser of (i) the maximum annual debt service on the bonds, (ii) 125% of average annual debt service on the bonds or (iii) 10% of the proceeds of the bonds plus a minor portion as defined in the Internal Revenue Code of 1986 ("Reserve Requirement"), the moneys contained in this reserve portion of the Bond Fund allocable to the bonds issued hereunder may be invested without restriction as to yield. Any amounts in excess of this Reserve Requirement which are allocable to the bonds issued hereunder, must be invested at a yield which does not exceed the yield on the bonds. Said Waterworks Bond Fund shall be applied in the following order of priority to the payment of the principal of and interest on the 1961 Bonds, the 1986 Bonds, the 1988

Bonds and the bonds issued pursuant to the provisions of this ordinance, in accordance with the terms of said bonds, and to the payment of the principal of and interest on any bonds hereafter issued on a parity therewith, and to no other purpose whatsoever. Only moneys in said Waterworks Bond Fund in excess of said monthly one-twelfth (1/12) debt service deposits and said minimum balance debt service reserve may be used for the purpose of redeeming bonds prior to maturity unless all of the outstanding bonds payable from said Fund can be retired by the application of moneys in said Fund. For federal tax purposes the reserve shall be allocated based on the original face amounts of the 1961 Bonds, 1986 Bonds, 1988 Bonds and the bonds issued hereunder. Moneys in said Waterworks Bond Fund may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly IC 5-13 and IC 5-1-14, as amended and supplemented. No part of the Net Revenues of the Town's waterworks shall be transferred to the general fund or any other fund of the Town not related to the Town's waterworks so long as the bonds issued pursuant to this ordinance are outstanding.

Sec. 11. After providing for the reasonable operating and maintenance expenses and after setting aside the amounts hereinbefore required to be paid into the Waterworks Bond Fund, all or such portion of the remaining income and revenues of said system as shall be necessary shall be set aside into the Depreciation Account continued by Ordinance Nos. 217, 428 and 454, and may be expended in making good depreciation in the waterworks, or in new construction, extensions, betterments, or additions to said waterworks; or funds in such account may be used for the call, prepayment or purchase of outstanding bonds for redemption prior to maturity, provided that no such redemption shall be made at a price in excess of the then applicable redemption price, or if the bonds are non-callable and are not prepayable at the time, then at a price in excess of the highest redemption price provided in the ordinance authorizing the issuance of such

bonds. The funds in said Depreciation Account may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly IC 5-13 and IC 5-1-14, as amended and supplemented.

Sec. 12. The Waterworks Bond Fund shall be deposited in and maintained as a separate bank account or accounts apart from all other bank accounts of the Town. Any operation and maintenance moneys and the Depreciation Account may be maintained in a single bank account or accounts but such bank account or accounts shall likewise be maintained separate and apart from all other bank accounts of the Town and apart from the other waterworks accounts. All moneys deposited in said bank accounts shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana; provided that moneys therein may be invested in accordance with the applicable laws, and in the event of such investment the income therefrom shall become a part of the Funds or Accounts invested and shall be used only as provided in this ordinance. Moneys invested pursuant to the provisions of this ordinance may be restricted as to yield to the extent necessary or advisable to preserve the tax exempt status of interest on the bonds under federal law.

Sec. 13. The Town shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from said works and all disbursements made on account of the works, also all transactions relating to said works. There shall be prepared and furnished, upon written request, to the original purchasers of the bonds and to any subsequent owner of the bonds, not more than ninety (90) days after the close of each fiscal year, complete operating income and expense statements of the works, covering the preceding fiscal year and the balances in the several Funds and Accounts continued by this ordinance. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. Any owner or owners of the bonds then outstanding shall

have the right at all reasonable times to inspect the works and all records, accounts, statements, audits, reports and data of the Town relating to the waterworks. Such inspections may be made by representatives duly authorized by written instrument.

Sec. 14. The Town shall establish, maintain and collect reasonable and just rates and charges for facilities and services afforded and rendered by said water utility, which shall to the extent permitted by law produce sufficient revenues at all times to pay all the legal and other necessary expense incident to the operation of such utility, to include maintenance costs, operating charges, upkeep, repairs, interest charges on bonds or other obligations, to provide the sinking fund for the liquidation of bonds or other evidences of indebtedness, to provide adequate funds to be used as working capital, as well as funds for making extensions, additions, and replacement, and also, for the payment of any taxes that may be assessed against such utility, it being the intent and purpose hereof that such charges shall produce an income sufficient to maintain such utility property in a sound physical and financial condition to render adequate and efficient service. So long as any of the bonds herein authorized are outstanding, none of the facilities or services afforded or rendered by said system shall be furnished without a reasonable and just charge being made therefor. The Town shall pay like charges for any and all services rendered by said utility to the Town, and all such payments shall be deemed to be revenues of the utility. Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation and maintenance, and said requirements of the Bond Fund.

Sec. 15. If, when any of the bonds issued hereunder shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the

premium, if any, so due and payable upon all or any portion of the bonds and coupons then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case such bonds shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Town's waterworks.

Sec. 16. The Town reserves the right to authorize and issue additional BANs at any time ranking on a parity with the BANs. The Town also reserves the right to authorize and issue additional bonds, payable out of the revenues of its waterworks, ranking on a parity with the bonds authorized by this ordinance, for the purpose of financing the cost of future additions, extensions and improvements to the waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Bond Fund shall have been made in accordance with the provisions of this ordinance, and the interest on and principal of all bonds payable from the revenues of the waterworks shall have been paid in accordance with the terms thereof.

(b) The Net Revenues of the waterworks in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the bonds authorized by this ordinance shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said parity bonds, the water rates and charges shall be increased

sufficiently so that said increased rates and charges applied to the previous fiscal year's operations would have produced Net Revenues for said year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the waterworks shall be analyzed and all showings shall be prepared by a certified public accountant employed by the Town for that purpose.

(c) The principal of said additional parity bonds shall be payable on December 1 and the interest on said additional parity bonds shall be payable semiannually on December 1 and June 1 in the years in which such principal and interest are payable.

Sec. 17. For the purpose of further safeguarding the interests of the holders of the bonds and BANs herein authorized, it is specifically provided as follows:

(a) All contracts let by the Town in connection with the construction of said additions and improvements to the waterworks shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred percent (100%) of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employers liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) Said additions and improvements shall be constructed under the supervision and subject to the approval of such competent engineer as shall be designated by the Town. All estimates for work done or material furnished shall first be checked by the engineer and approved by the Town.

(c) The Town shall at all times maintain its waterworks in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the bonds and BANs herein authorized are outstanding, the Town shall maintain insurance on the insurable parts of said works of a kind and in an amount such as would normally be carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. Insurance proceeds shall be used in replacing or repairing the property destroyed or damaged; or if not used for that purpose shall be treated and applied as Net Revenues of the works.

(e) So long as any of the bonds and BANs are outstanding, the Town shall not mortgage, pledge or otherwise encumber such works, or any part thereof, nor shall it sell, lease or otherwise dispose of any portion thereof except replace equipment which may become worn out or obsolete.

(f) Except as hereinbefore provided in Section 16 hereof, so long as any of the bonds herein authorized are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said waterworks shall be authorized, executed, or issued by the Town except such as shall be made subordinate and junior in all respects to the bonds herein authorized, unless all of the bonds herein authorized are redeemed, retired or defeased pursuant to Section 15 hereof coincidentally with the delivery of such additional bonds or other obligations.

(g) The provisions of this ordinance shall constitute a contract by and between the Town and the owners of the waterworks revenue bonds and BANs herein authorized, and after the issuance of said bonds and BANs, this ordinance shall not be repealed or amended in any respect which will adversely affect the

rights of the owners of said bonds and BANs, nor shall the Town Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of said bonds or BANs or the interest thereon remain unpaid. Except for the changes set forth in Section 20(a)-(f), this ordinance may be amended, however, without the consent of BAN or bond owners, if the Town Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the BANs and bonds.

(h) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the bonds and BANs herein authorized for the uses and purposes herein set forth, and the owners of the bonds and BANs shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of said governing Act. The provisions of this ordinance shall also be construed to create a trust in the portion of the Net Revenues herein directed to be set apart and paid into the Bond Fund for the uses and purposes of said fund as in this ordinance set forth. The owners of said bonds and BANs shall have all of the rights, remedies and privileges set forth under Indiana law if there be a default in the payment of the principal of or interest on any of the bonds or BANs herein authorized or in the event the Town shall fail or refuse to fix and collect sufficient rates and charges for said purposes, or shall fail or refuse to operate and maintain said system and to apply properly the revenues derived from the operation thereof.

Sec. 18. (a) The Clerk-Treasurer is hereby authorized to invest moneys pursuant to the provisions of this ordinance (subject to applicable requirements of federal law to insure such yield is then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the bonds and BANs under federal law.

(b) The Clerk-Treasurer shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of the ordinance, the Clerk-Treasurer is hereby authorized and directed to employ consultants or attorneys from time to time to advise the Town as to requirements of federal law to preserve the tax exclusion. The Clerk-Treasurer may pay any fees as operation expenses of the waterworks.

Sec. 19. In order to preserve the exclusion of interest on the bonds and BANs from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the bonds or BANs ("Code") and as an inducement to purchasers of the bonds and BANs, the Town represents, covenants and agrees that:

(a) No person or entity, other than the Town or another state or local governmental unit, will use proceeds of the bonds or BANs or property financed by the bond or BAN proceeds other than as a member of the general public. No person or entity other than the Town or another state or local governmental unit will own property financed by bond or BAN proceeds or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use by the public at large.

(b) No bond or BAN proceeds will be loaned to any entity or person other than another state or local governmental unit. No bond or BAN proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the bond or BAN proceeds.

(c) No portion of the payment of the principal of or interest on the bonds and BANs is (under the terms of the bonds, BANs, this ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for private business use or payments in respect of such property, or to be derived from payments (whether or not to the Town) in respect of property or borrowed money used or to be used for a private business use.

(d) The Town will not take any action nor fail to take any action with respect to the bonds and BANs that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the bonds and BANs pursuant to Section 103 of the Code, nor will the Town act in any other manner which would adversely affect such exclusion.

(e) It shall not be an event of default under this ordinance if the interest on any bonds or BANs is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of the issuance of the bonds or BANs.

(f) The Town represents that it will rebate any arbitrage profits to the United States of America in accordance with the Code.

(g) The Town represents that:

- (1) The BANs and bonds are not private activity bonds as defined in Section 141 of the Code;
- (2) The Town hereby designates the BANs and bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code;
- (3) The reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) obligations and tax-exempt leases but excluding other private activity bonds) which will be issued by

the Town and all entities subordinate to the Town during 1991 does not exceed \$10,000,000; and

(4) The Town has not designated and will not designate more than \$10,000,000 of qualified tax-exempt obligations during 1991.

Therefore, the BANs and bonds qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to newly acquired tax-exempt obligations.

Sec. 20. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the bonds issued pursuant to this ordinance and then outstanding shall have the right, from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Town of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the Town for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any bond or bonds issued pursuant to this ordinance over any other bond or bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance; or

(f) A reduction in the balance to be maintained as a reserve in the Waterworks Bond Fund.

The owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk-Treasurer of the Town. No owner of any bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Town or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the Town and all owners of bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the Town and of the owners of the bonds authorized by this ordinance, and the terms and provisions of the bonds and this ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the Town and the consent of the owners of all the bonds issued pursuant to this ordinance then outstanding.

Sec. 21. (a) The Town, having satisfied all the statutory requirements for the issuance of its bonds, may elect to issue its BAN or BANs to a financial institution or to the Indiana Bond Bank, pursuant to a Bond Anticipation Note Purchase Agreement (the "Purchase Agreement") to be entered into between the Town and a financial institution or between the Town and the Indiana Bond Bank. The Town Council hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing bonds to provide interim construction financing for the Project until permanent financing becomes available. It shall not be necessary for the Town to repeat the procedures for the issuance of its bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the bonds and the use of the proceeds to repay the BAN or BANs.

(b) The President and the Clerk-Treasurer are hereby authorized and directed to execute a Purchase Agreement in such form or substance as they shall approve acting upon the advice of counsel. The President and the Clerk-Treasurer may also take such other actions or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

Sec. 22. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 23. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the bonds and BANs from gross income under federal law ("Tax Exemption") need not be complied with if the Town receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Sec. 24. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Town Council of the Town of Sellersburg on the 13th
day of May, 1991.

TOWN COUNCIL

[Signature]

[Signature]

Robert Adams

[Signature]

[Signature]

Attest:

Patricia Rush

Clerk-Treasurer

AMENDMENT TO ORDINANCE NO. 503

WHEREAS, the Town previously passed Ordinance No. 503 on June 10, 1991; and said Ordinance regulated the construction of pole barns and similar structures within the Town of Sellersburg;


WHEREAS, the Town is now desirous of amending said Ordinance to include additional requirements for the exterior of the building.


NOW, THEREFORE, BE IT ORDAINED by the Town of Sellersburg, this 8th day of July, 1991, that Ordinance No. 503 is amended to reflect that the following materials may be used, in addition to those set forth in the original Ordinance, as the exterior of the building:

Lwalls + Roofing

29 or heavier gauze galvanized or galvalumed painted steel providing that said paint is a baked on enamel finish applied by the manufacturer.


SO ORDAINED THIS 8TH DAY OF JULY, 1991.

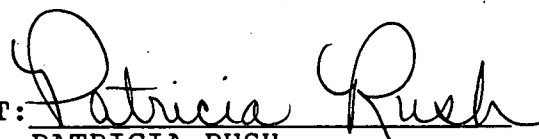

CHARLES RIDEMOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY BATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

AN ORDINANCE REGULATING THE CONSTRUCTION OF PRIMARY AND ACCESSORY BUILDINGS WITHIN CERTAIN ZONING CLASSIFICATIONS IN THE TOWN OF SELLERSBURG

WHEREAS, the Town Council of the Town of Sellersburg is desirous of establishing and maintaining uniformity in appearance of builing structures within certain zoning clas-sifications within the Town, and


WHEREAS, the Town Council of the Town of Sellersburg is empowered to regulate the facade and certain structural aspects of primary and accessory buildings under the zoning ordinances currently in effect in the Town.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg that the following restrictions shall apply henceforth to all primary and accessory structures erected in R-1, R-2, B-1, B-2, and B-3 zoning districts in the Town of Sellersburg:

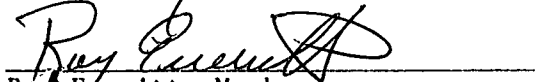
1. Primary and accessory structures in excess of 120 square feet must be constructed of continuous pour concrete foot-ing, concrete block foundation, continuous pour concrete foundation or concrete monolithic pour of slab in accord-ance with the Indiana State Building Code Approved Pract-ices as adopted by the Town of Sellersburg. This is to provide for prevention of seepage of gasoline and oils into the ground surface and to prevent contamination of ground water.
2. Exceptions to Section 1 hereinabove are for the erection of pre-manufactured, pre-packaged yard storage barns and buildings constructed of total metal parts in facade not to exceed 200 square feet. However, these structures must also be placed on the appropriate required foundations pur-suant to the provisions of the Indiana State Building Code.
3. Exterior facade finish of primary and accessory structures exceeding 200 square feet must be compatible to eth struct-ures contiguous and adjoining the property upon which the subject structure is located. Acceptable exterior finishes shall be one or a combination of the following:
 - a. Aluminum siding in either four inch (4") or eight inch (8") horizontal design.
 - b. Vinyl siding in either four inch (4") or eight inch (8") horizontal design.
 - c. Block or brick veneer.
 - d. Wood siding of pre-finished 4' x 8' sheets or individual applied wood products acceptable for exterior finishes with approved protective coating applied at the job site.
4. Roof structure design to be of a minimum 3/12 slope in pitch and constructed according to approved methods under the Indiana State Building Code. Roof shall be constructed of minimum 1/2" plywood sheathing, 15# felt underlayment, and a finish product of 240# composition shingles or heavier, or 235# fiberglass shingles of 3 tab seal tab construction or heavier.

This Ordinance shall be in full force and effect upon its timely adoption, promulgation, approval by the Town Council and publication in accordance with the Indiana Code.

So ordained this 10 day of June, 19 91.


Charles J. Eidenour, President


Robert Adams, Member


Roy Everitt, Member

Rodney Pate, Member


Mary Ann Della Rosa, Member

ATTEST:

Patricia Rush, Clerk-Treasurer

ORDINANCE NO. 504

BE IT ORDAINED this 24th day of June, 1991 that:

The speed limit on Penn St. within the Town of Sellersburg is hereby changed from 20 mph to 30 mph effective June 25, 1991.

ABSENT
CHARLES RIDENOUR

Roy Everitt
ROY EVERITT

Mary Ann DeLarosa
MARY ANN DELAROSA

Rod Pate
ROD PATE

Robert Adams
ROBERT ADAMS

Patricia Rush
PATRICIA RUSH, CLERK-TREASURER

June 24, 1991
DATE

ORDINANCE NO. 505

ORDINANCE AMENDING WATER DISCONNECT RATES
AND RETURN CHECK CHARGES

WHEREAS, the Town of Sellersburg is desirous of increasing the amount of arrearages which will result in water/sewer being disconnected from customers of the Town of Sellersburg; and,


WHEREAS, due to increased return check charges, it is necessary to increase the amount which will be billed and due for checks returned because of insufficient funds;

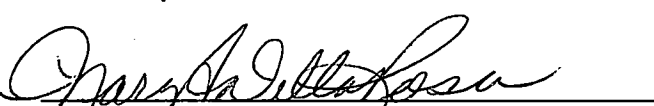
NOW, THEREFORE, BE IT ORDAINED by the Town of Sellersburg that:

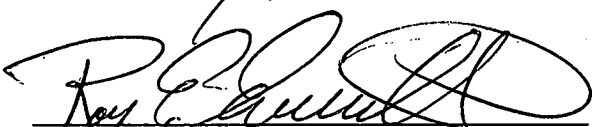
1. Water/sewer disconnect notices will not be issued by the Sellersburg Water/Sewer Departments until an arrearage has accumulated in the amount of \$15.00. If said arrearage is not timely paid in accordance with the previous practices of the Town of Sellersburg after a disconnect notice has been issued, said water/sewer shall be disconnected.

2. All customers shall be charged a fee of \$20.00 on all checks returned to the Sellersburg Sewer and/or Water Department because of insufficient funds.

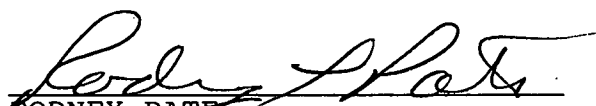
SO ORDAINED THIS 22ND DAY OF JULY, 1991.

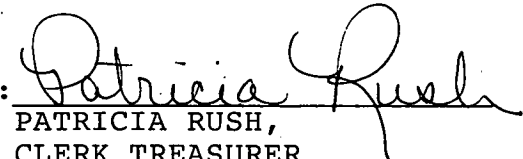

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

ORDINANCE NO. 506

ORDINANCE PROHIBITING FALSE POLICE ALARMS

WHEREAS, the Town of Sellersburg has noticed an increase in the number of false alarms being serviced by the Sellersburg Police Department;

WHEREAS, it is necessary in order to maintain the safety of the individuals of the Town of Sellersburg and avoid unnecessary calls that those individuals who make false alarms be penalized for said action.

NOW, THEREFORE, BE IT ORDAINED by the Town of Sellersburg, that:

1. Any individual or entity, whether in person or by remote or automatic device, makes a report of a false police alarm shall be penalized by civil penalty.

2. All persons and entities shall be penalized for service of false alarms if the Sellersburg Police Department receives more than three (3) false alarms during any twelve (12) month period.

3. Penalties for false alarms shall be as follows:

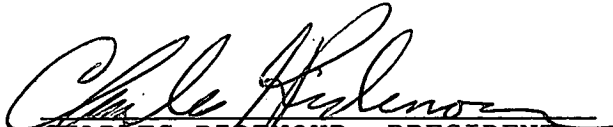
1. A penalty of \$25.00 shall be paid for the 4th and 5th false alarms received by the Police Department from the alarm holder during any twelve (12) month period.

2. A penalty of \$50.00 shall be paid for each false alarm after the 5th false alarm received by the Police Department from the alarm holder during any twelve (12) month period.

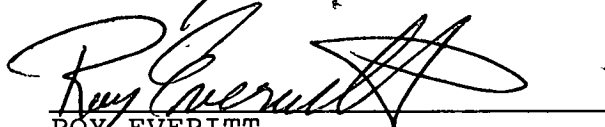
3. The Town of Sellersburg hereby authorizes the Police Department to collect said alarm fees for and on behalf of the Town of Sellersburg, to remit same to the Sellersburg Town Clerk-Treasurer, and the Town Clerk-Treasurer is authorized and directed to deposit said sums for and on behalf of the Police Department Training Fund.

4. Should the alarm holder fail to pay said penalties and/or fines within thirty (30) days after assessment by the Sellersburg Police Department then the Town of Sellersburg may file a civil action against the alarm holder for repayment of said penalty and said alarm holder shall be responsible for the cost of any attorney fees and costs incurred in filing and prosecuting said action.

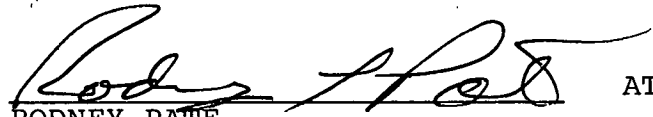
SO ORDAINED THIS 22ND DAY OF JULY, 1991.

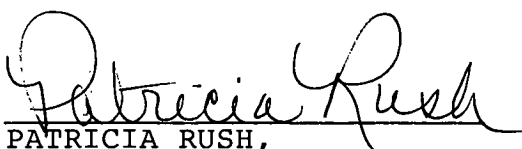

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

S.1.SE.041

ORDINANCE NO. 508

1992 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town of Sellersburg desires to pass the herein Ordinance in order to establish and clarify the salary, holiday and longevity pay of employees of the Town; and

WHEREAS, said Ordinance is necessary for the efficient administration of the Town.

NOW, THEREFORE, BE IT ORDAINED, this 12 day of August, 1991, by the Town Council of the Town of Sellersburg, that:

The following annual/weekly/hourly wage, holiday and longevity pay, as indicated, shall be paid to the following employees, from the funds as indicated, effective January 1, 1992:

SEWER DEPARTMENT

Superintendent	\$ 487.64 per week	
Plant Operator	375.20 per week	\$9.38 per hour
Laborer	315.20 per week	7.88 per hour
Laborer	273.60 per week	6.84 per hour
Laborer	279.60 per week	6.99 per hour
Deputy Clerk Treasurer	289.20 per week	7.23 per hour
Clerk Treasurer	8,959.56 per year	
Town Council Member	1,842.75 per year	
Town Council Member	1,842.75 per year	
Town Council Member	1,842.75 per year	
Town Council Member	1,842.75 per year	
Town Council Member	1,842.75 per year	

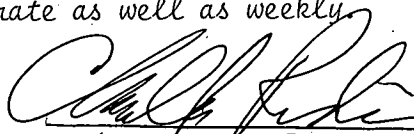
WATER DEPARTMENT

Superintendent	\$ 491.99 per week	
Heavy Equipment Operator	381.20 per week	\$9.53 per hour
Plant Operator/Laborer	308.80 per week	7.72 per hour
Plant Operator/Laborer	273.60 per week	6.84 per hour
Meter Repairman	273.60 per week	6.84 per hour
Billing Clerk	220.40 per week	5.51 per hour
Accounts Receivable Clerk	219.60 per week	5.49 per hour
Clerk Treasurer	8,959.56 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	

GENERAL FUND

Clerk Treasurer	\$1,991.01 per year
Town Council Member	756.00 per year
Town Council Member	756.00 per year
Town Council Member	756.00 per year
Town Council Member	756.00 per year
Town Council Member	756.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year

No changes done to salary ordinance, just a break down for hourly rate as well as weekly.


 CHARLES S. RIDENOUR, PRESIDENT

40

STREET AND SANITATION DEPARTMENT

Superintendent	\$ 491.99 per week	7.42 per hour
Truck Driver	296.80 per week	6.83 per hour
Laborer	273.60 per week	6.83 per hour
Laborer	273.60 per week	6.83 per hour
Laborer	273.60 per week	6.83 per hour
Laborer	273.60 per week	6.83 per hour

POLICE DEPARTMENT


Dispatcher	\$ 248.89 per week
Dispatcher	248.89 per week
Dispatcher	248.89 per week
Dispatcher	248.89 per week
Part-Time Dispatcher	5.91 per hour
Part-Time Dispatcher	4.25 per hour

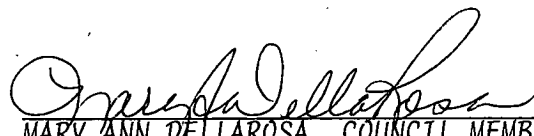
Holiday pay for Dispatchers will be determined on 3 persons for 9 holidays which will be 27 days X 8 hours which equals 216 hours.

\$1,343,52 per year

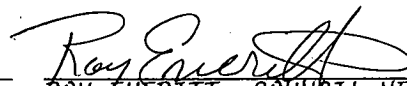
	<u>Salary</u>	<u>Holiday</u>	<u>Longevity</u>
Chief	\$673.28 per week	\$1,211.76	\$ 101.32
Assistant Chief	513.68 per week	924.48	1,722.44
Detective/Capt.	438.07 per week	788.40	1,925.08
Sergent	407.95 per week	734.40	1,418.48
Sergent with Capt.'s salary	438.07 per week	788.40	1,519.80
Patrolman	389.69 per week	701.28	303.96
Patrolman	389.69 per week	701.28	101.32
Patrolman	389.69 per week	701.28	506.60
Patrolman	389.69 per week	701.28	607.92
Patrolman	389.69 per week	701.28	202.64
Patrolman	389.69 per week	701.28	607.92
Patrolman	389.69 per week	701.28	101.32

SO ORDAINED THIS 12 OF August, 1991 FOR THE COMING YEAR OF 1992.


 CHARLES RIDEMOUR, COUNCIL PRESIDENT


 MARY ANN DELLAROSA, COUNCIL MEMBER


 ROBERT ADAMS, COUNCIL MEMBER

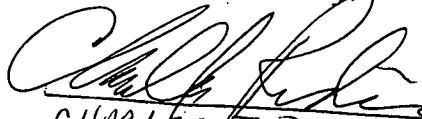

 ROY EVERITT, COUNCIL MEMBER

ABSENT
 RODNEY PATE, COUNCIL MEMBER

ATTESTED: 
 PATRICIA RUSH
 CLERK-TREASURER

DATE: August 12, 1991

No changes done to salary ordinance, just a break down
for hourly rate as well as weekly



CHARLES J. RIDENOUR, PRESIDENT

ORDINANCE NO. 508

1999 SALARY SCHEDULE AND LONGEVITY PAY

ORDINANCE NO. 509

(Ordinance Governing Sewer Rate Credits for Automatic
Lawn Sprinkler Systems)

WHEREAS, the Town of Sellersburg is desirous of passing the herein Ordinance to provide for the use of automatic sprinkler systems within the Town of Sellersburg; and

WHEREAS, the Town believes that said Ordinance is in the best interests of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF SELLERSBURG that:

A. Individuals who use and have permanently installed underground lawn sprinkler systems may be exempt from payment of sewer use charges on the water used for said sprinkler systems, upon owner's application, under the following terms and conditions:

1. This Ordinance applies to only permanently installed underground lawn sprinkler systems;

2. The property owners, at their own expense will have a separate water meter installed adjacent to the main water meter. This separate meter must be behind the main water meter.

3. The main water meter will be read on a monthly basis and the property owner is responsible for water and sewer charges based upon gallons of water used in accordance with the ordinary and customary charges of the Town of Sellersburg. However, three times a year, during the months of April, July, and October, the second water meter will be read. During those months, the Town will calculate the amount of sewer charges based upon water use of the second meter and credit to the account of the owner the amount of sewer charges incurred for the water usage indicated on the second meter. The intent and purpose of this calculation is to provide that the owner of the property pays only for water used for the automatic sprinkler system and does not pay for sewer use charges on water used for lawn purposes.


B. Each owner, upon application for these services, shall be required to pay an annual service fee, of \$25.00, at the time of application.

C. The owner of the property may not connect to or use any water fed through the second meter except for automatic underground permanently installed lawn sprinkler systems.

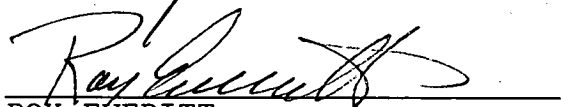
D. If any property owner has connected to or used water from the second meter for any purpose other than that allowed by this Ordinance, the second meter shall be immediately disconnected, the property owner is forever barred from receiving credits pursuant to the terms of this Ordinance, and the property owner must pay a fine of \$250.00.

E. Should the Town determine that the water reserves are insufficient to support the sprinkler systems referenced in this Ordinance, the Town may request of the property owner to disconnect use of the automatic sprinkler system and the property owner must comply with said request.


SO ORDAINED THIS 9th DAY OF SEPTEMBER, 1991.

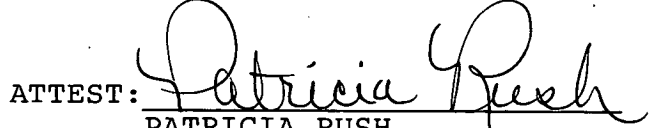

CHARLES RIDEOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

ORDINANCE NO. 510

AMENDMENT TO 1991 SALARY AND LONGEVITY PAY

WHEREAS, the Town of Sellersburg previously passed an Ordinance No. ___ to establish the salary and longevity pay of employees of the Town; and

WHEREAS, said Ordinance needs to be amended as a result of assumption of additional duties in the Sewer Department.

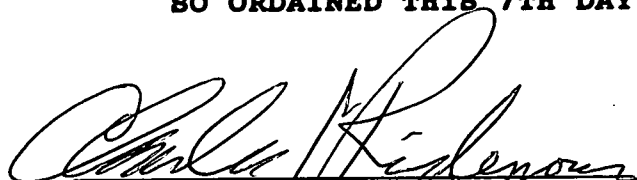
NOW, THEREFORE, BE IT ORDAINED, this 7th day of October, 1991, by the Town Council of the Town of Sellersburg that Ordinance No. ___ shall be amended as follows:

1. The following annual/weekly wage and longevity pay, as indicated, shall be paid to the following employee, from the funds of the Sewer Department, effective as of 9-16-91:

Sewer Plant Superintendent \$25,357.28 per year

All other provisions of Ordinance No. ___ shall remain in full force and effect to the extent modified herein.

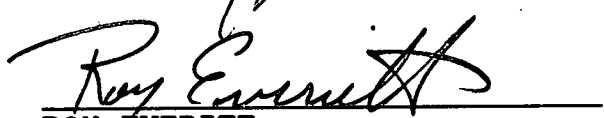
SO ORDAINED THIS 7TH DAY OF OCTOBER, 1991.



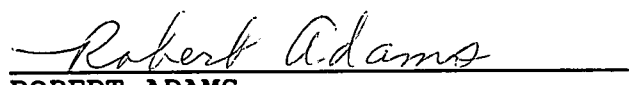
CHARLES RIDENOUR, PRESIDENT



MARYANN DELLAROSA



ROY EVERITT



ROBERT ADAMS

ABSENT

RODNEY PATE

ATTEST: 

PATRICIA RUSH,
CLERK TREASURER

original

ORDINANCE NO. 511

An Ordinance establishing rates and charges for the use of and services rendered by the waterworks system of the Town of Sellersburg

WHEREAS, the Town Council of the Town of Sellersburg has caused a financial study of the municipal waterworks to be made by H.J. Umbaugh & Associates, Certified Public Accountants, Indianapolis, Indiana; and

WHEREAS, the study indicates that the rates and charges are not sufficient to meet the reasonable financial requirements of the utility and that the water rates and charges should be increased on an "across-the-board" basis; and

WHEREAS, the Town Council now finds that the existing rates and charges for the use of and service rendered by the waterworks of said Town are too low and are insufficient to enable the Town to operate and maintain its waterworks plant properly, provide for depreciation, service outstanding indebtedness, make necessary additions and improvements, provide for payment in lieu of property taxes to the Town and return on plant, and that the existing rates and charges should be increased; and

WHEREAS, the increase in said rates and charges has been approved by the Indiana Utility Regulatory Commission; now therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the Town of Sellersburg the following rates and charges, based on the use of water supplied by said waterworks system:

original

ORDINANCE NO. 511

An Ordinance establishing rates and charges for the use of and services rendered by the waterworks system of the Town of Sellersburg

WHEREAS, the Town Council of the Town of Sellersburg has caused a financial study of the municipal waterworks to be made by H.J. Umbaugh & Associates, Certified Public Accountants, Indianapolis, Indiana; and

WHEREAS, the study indicates that the rates and charges are not sufficient to meet the reasonable financial requirements of the utility and that the water rates and charges should be increased on an "across-the-board" basis; and

WHEREAS, the Town Council now finds that the existing rates and charges for the use of and service rendered by the waterworks of said Town are too low and are insufficient to enable the Town to operate and maintain its waterworks plant properly, provide for depreciation, service outstanding indebtedness, make necessary additions and improvements, provide for payment in lieu of property taxes to the Town and return on plant, and that the existing rates and charges should be increased; and

WHEREAS, the increase in said rates and charges has been approved by the Indiana Utility Regulatory Commission; now therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG,
INDIANA:

Section 1. That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the Town of Sellersburg the following rates and charges, based on the use of water supplied by said waterworks system:

(A) Metered Rates (Per Month)

1. Retail Customers

Monthly Rate Per 1,000 Gallons

Consumption

First	2,500 gallons	\$3.10
Next	500 gallons	2.55
Next	2,000 gallons	2.11
Next	15,000 gallons	1.69
Next	30,000 gallons	1.25
Over	50,000 gallons	.96

2. Wholesale Customers:

Rural Membership Water Corporation of Clark County	\$1.03
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(B) Minimum Monthly Charge

<u>Meter Size</u>	<u>Minimum Gallonage</u>	<u>Monthly Rate</u>
5/8" and 3/4"	2,033 gallons	\$ 6.31
1"	6,410 gallons	15.65
1 1/4"	13,800 gallons	28.17
1 1/2"	9,394 gallons	37.65
2"	37,254 gallons	60.24
3"	133,495 gallons	156.63
4"	221,000 gallons	240.95
6"	439,769 gallons	451.78

(A) Metered Rates (Per Month)

1. Retail Customers

Monthly Rate Per 1,000 Gallons

Consumption

First	2,500 gallons	\$3.10
Next	500 gallons	2.55
Next	2,000 gallons	2.11
Next	15,000 gallons	1.69
Next	30,000 gallons	1.25
Over	50,000 gallons	.96

2. Wholesale Customers:

Rural Membership Water Corporation of Clark County	\$1.03
--	--------

(B) Minimum Monthly Charge

<u>Meter Size</u>	<u>Minimum Gallonage</u>	<u>Monthly Rate</u>
5/8" and 3/4"	2,033 gallons	\$ 6.31
1"	6,410 gallons	15.65
1 1/4"	13,800 gallons	28.17
1 1/2"	9,394 gallons	37.65
2"	37,254 gallons	60.24
3"	133,495 gallons	156.63
4"	221,000 gallons	240.95
6"	439,769 gallons	451.78

(C) Private Fire Protection

Per Annum Rate

Sprinklers:

Size of Connection

1½"	\$ 26.37
2"	46.81
2½"	73.17
3"	105.36
4"	187.42
6"	421.65
8"	749.59

(D) Fire Protection Hydrants

Municipal Fire hydrants - per annum	\$421.65
Private Fire hydrants - per annum	421.65

Outside Town Surcharge per customer within 1,000 feet of a fire hydrant - per month	\$ 2.35
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(E) Temporary Users

Water furnished to temporary users, such as contractors, etc., shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Waterworks Superintendent.

(F) Connection Charge

\$340.00

Each applicant shall pay a charge to cover the costs of: excavating and tapping the main to the lot line; furnishing and installing corporation and stop cocks; and furnishing and installing meter crock (if outside), yoke, and meter. The charge for a 5/8 inch meter tap shall be \$340, plus the cost of any highway permits required. The charge for a tap larger than the 5/8 inch meter tap shall be the cost of labor, materials, power machinery, transportation, and overhead incurred for installing the tap, but shall not be less than the charge for a 5/8 inch meter tap.

(G) Reconnection charge \$ 10.00

When the service is turned off for non-payment of bill, or whenever, for any reason beyond the control of the waterworks, a re-establishment of service is required by any one customer, this charge will be made by the waterworks to cover the cost of discontinuance and re-establishment of service during the period of 7:00 a.m. to 3:00 p.m. weekdays. The charge, together with any arrears due the waterworks, shall be paid by the customer before service will be re-established.

(H) Reconnection Surcharge \$ 10.00

This charge will be made in addition to the ten dollar reconnection charge for re-establishment of service on Saturday, Sunday, and after 3:00 p.m. on weekdays.

(I) General Service Charge \$ 5.00

This charge will be made for any trip to the customer's premises at his request for conditions on the customer's side of the meter during the period of 7:00 a.m. to 3:00 p.m. weekdays.

(J) General Service Surcharge \$ 5.00

This charge will be made in addition to the Five Dollar General Service Charge for such service on Saturday, Sunday, and after 3:00 p.m. weekdays.

(K) Security Deposits

~~\$~~30.00

To secure the payment of the water bill, the Town of Sellersburg shall require the customer to pay in advance the sum of Thirty Dollars. Upon termination of water service by the customer, said security deposit shall be refunded to said customer less any outstanding water bill due the Town.

(L) Collection or Deferred Payment Charge

All bills not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of 10% on the first \$3.00 and 3% on the excess over \$3.00.

(M) Insufficient Funds Charge

\$ 20.00

When a customer's check is not honored due to insufficient funds, a charge for processing same will be made by the Town of Sellersburg in the amount of \$.20 . 00 .

Section 2. The Town Council hereby elects to pay the Town, from water rates and charges, payment in lieu of property taxes as provided in IC 8-1.5-3-8.

Section 3. The Town Council hereby elects to earn a reasonable return on its utility plant in accordance with IC 8-1.5-3-8.

Section 4. All ordinances and parts of ordinances in connection herewith are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Town Council of the Town of Sellersburg on the 28th day of
October, 1991.

TOWN COUNCIL

Charles Pedersen

Charles DeLaPena

Robert Adams

Rodney Hat

Ray Christ

ATTEST:

Patricia Rush
Clerk-Treasurer

original

ORDINANCE NO. 512

**ESTABLISHING A CUMULATIVE CAPITAL
DEVELOPMENT FUND**

The proper legal offices of the Town of Sellersburg, Clark County, Indiana, after complying with the statutes pertaining to the establishment of a Cumulative Fund, hereby establishes a Cumulative Capital Development Fund pursuant to I.C. 36-9-15.5. An ad valorem property tax levy will be imposed and the revenues from the levy will be retained in the Town's Cumulative Capital Development Fund.

This fund is to be used for any one or all purposes for which property taxes may be imposed within the municipality under the authority of:

- IC 8-16-3; (improvements to railroad grade crossings)
- IC 8-22-3-25; (establishment of cumulative building fund)
- IC 13-2-31-26; (soil and land conservation)
- IC 13-3-3-89; (establishment of cumulative maintenance fund)
- IC 16-12.2-5-32; (cumulative hospital building fund)
- IC 36-8-14; (cumulative fire fighting building, equipment, and police radio fund)
- IC 36-9-4-48; (cumulative transportation fund)
- IC 36-9-16-3; (1) To acquire land or right-of-ways to be used for public ways or sidewalks.
- (2) To construct and maintain public ways or sidewalks.
- (3) To acquire land or right-of-ways for the construction of sanitary or storm sewers, or both.
- (4) To construct and maintain sanitary or storm sewers or both.
- (5) To acquire, by purchase or lease, or to pay all or part of the purchase price of a utility.
- (6) To purchase or lease land, buildings, or right-of-ways for the use of any utility that is acquired or operated by the unit.
- (7) To purchase or acquire land, with or without buildings, for park or recreation purposes.
- (8) To purchase, lease, or pay all or part of the purchase price of motor vehicles for the use

of the police or fire department, or both, including ambulances and fire fighting vehicles with the necessary equipment, ladders, and hoses.

- (9) To retire in whole or in part any general obligation bonds of the unit that were issued for the purpose of acquiring or constructing improvements or properties that would qualify for the use of cumulative capital improvement funds.
- (10) To purchase or lease equipment and other nonconsumable personal property needed by the unit for any public transportation use.
- (11) In a county or a consolidated city, to purchase or lease equipment to be used to illuminate a public way or sidewalk.

IC 36-9-16.5; (Cumulative street fund).

IC 36-9-17; (General improvement fund).

IC 36-9-26; (Cumulative building fund for sewers).

IC 36-9-27-100; (Cumulative drainage fund).

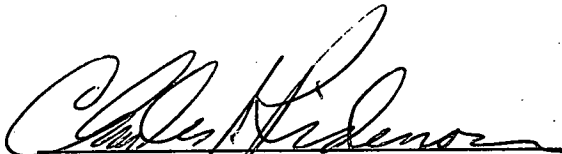
IC 36-10-3-21; (Cumulative building fund); or,

IC 36-10-4-36; (Cumulative sinking and building fund).

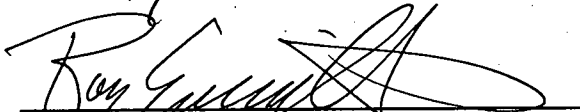
Pursuant to IC 36-9-15.8-8, these funds may also be used to protect the public health, welfare, or safety of the Town or its members in an emergency situation that demands immediate action or to make a contribution to an authority established under IC 36-7-23.


Sellersburg hereby adopts an ad valorem property tax levy of \$.12 on each \$100.00 of assessed valuation of taxable real and personal property for the year 1992. The Town Council also hereby adopts an ad valorem property tax levy \$.12 for 1993 and \$.12 tax levy for 1994.

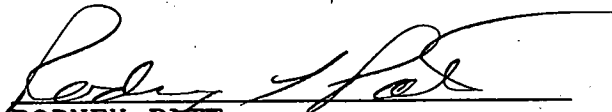
This Ordinance for establishing a Cumulative Capital Development Fund and a tax levy for same is hereby approved and adopted as of October 28, 1991. This fund takes effect upon approval of the State Board of Tax Commissioners.


CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

DATED: Oct. 28, 1991

S.2.SE.025

original
copy

ORDINANCE #513

WHEREAS, the Town of Sellersburg is desirous of amending its Crime Control Fund Ordinance in order to approve and enforce additional fees;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg that Title II, Article 5, Funds, Chapter 1, Crime Control Fund, be expanded and authorize the Police Department for the Town of Sellersburg to collect fees for the following services:

1. Pursuant to I.C. 5-2-5-7, the Town of Sellersburg Police Department is entitled to, upon a request for release or inspection of a limited criminal history to:

(a) collect a \$3.00 fee to defray the cost of processing a request for inspection; and

(b) collect a \$7.00 fee to defray the cost of processing a request for release.

2. Law Enforcement Agencies and the Police Department may not charge a fee for request received from the Parent Locator Service of the Child Support Division of the State Department of Public Welfare.

3. Pursuant to I.C. 5-2-5-8, unless otherwise prohibited by law, the Sellersburg Police Department, upon request and proper identification of the person about whom criminal history data is maintained, will provide that person a copy of his criminal history data for a reasonable fee, being \$7.00.

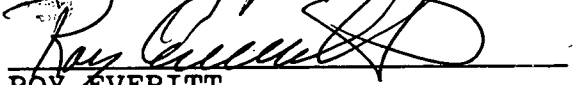
4. The Town of Sellersburg Police Department is also hereby authorized to charge a notary public fee of \$1.00 for each signature notarized for any purpose including but not limited to applications for duplicate or replacement license plates and applications for hand gun licenses.

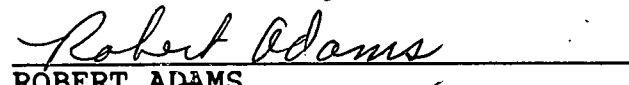
All fees collected pursuant to this Ordinance will be used as directed in Section 3, Subsection 3 of the Crime Control Fund.

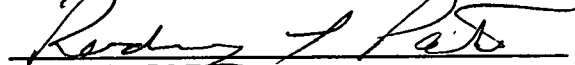
SO ORDAINED THIS 11TH DAY OF NOVEMBER, 1991.



CHARLES RIBENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE
SE.028

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

(SECTION WM 3)

**BACKFILL
FILLS AND EMBANKMENTS**

Description

All trenches or excavations shall be backfilled to the original surface of the ground or such other grades as shown or directed. In general the backfilling shall be carried along as speedily as possible and as soon as the concrete, mortar, and/or other masonry work and pipe joints have sufficient strength to resist the imposed load without damage.

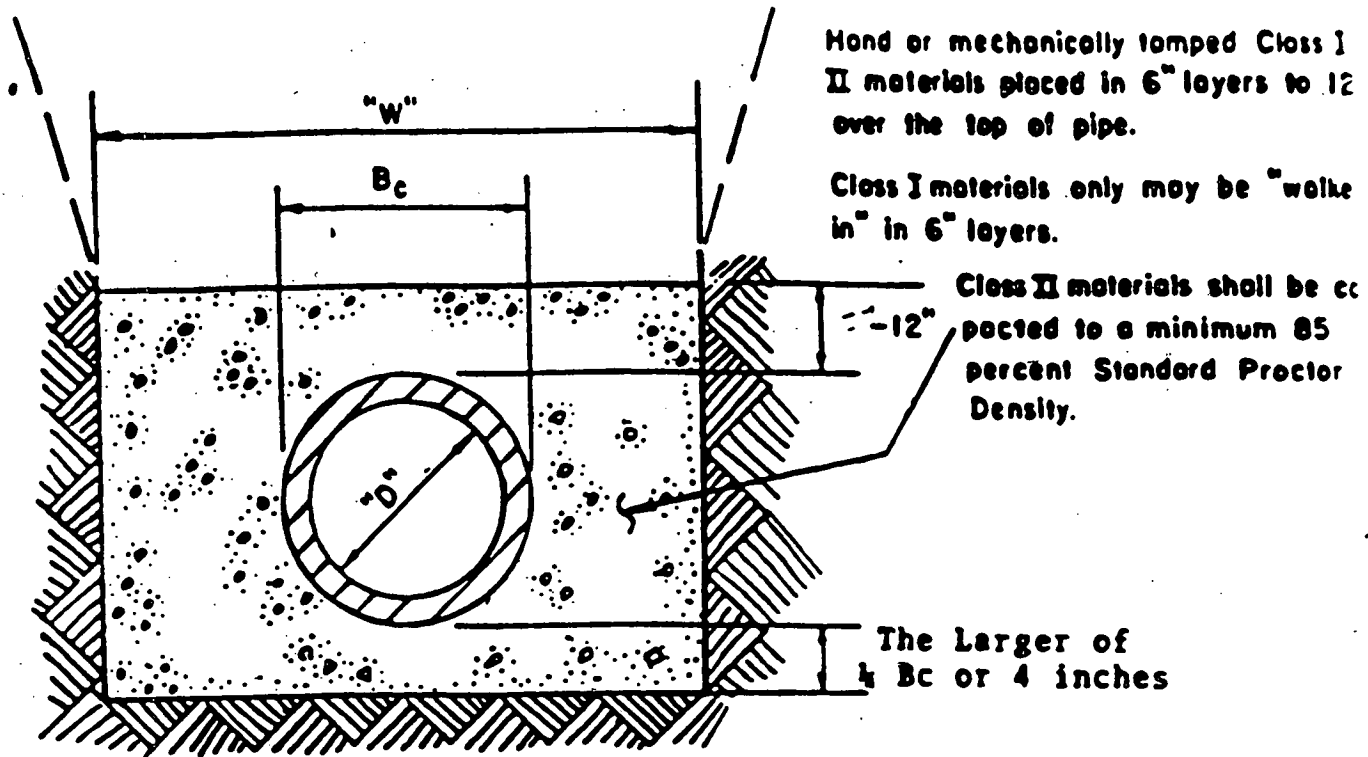
Backfill Materials

The following materials shall be used for backfill in accordance with and in the manner indicated by the requirements specified herein.

- Class I - Angular, 6 to 40 mm (1/4 to 1 1/2 inch), graded stone such as crushed stone.
- Class II - Coarse sands and gravel with maximum particle size of 40 mm (1 1/2 inch), including various grades of sands and gravel containing small percentages of fines, generally granular and non-cohesive, either wet or dry. Soil types GW, GP, SW and SP are included in this class.
- Class III - Fine sand and clayey gravel including fine sands, sand-clay mixtures and gravel-clay mixtures. Soil types GM, GC, SM and SC are included in this class.
- Class IV - Silt, silty clays and clays, including inorganic clays and silts of medium to high plasticity and liquid limits. Soil types MH, ML, CH and CL are included in this class. These materials are not recommended for bedding. This class shall also include any excavated material free from rock (3 inches and larger), concrete, roots, stumps, rubbish, frozen material and other similar articles whose presence in the backfill would cause excessive settlement.

Backfill of Trench Excavations for Pipes and Conduits

Bedding and Backfill materials samples shall be submitted to the Engineer prior to start of construction. Approved samples shall be kept at the Engineer's field office. Materials differing significantly from these samples shall not be used without written authorization from the Engineer.



**COMPACTED GRANULAR
BEDDING**

W = Maximum allowable trench width for Pipe as per ASTM not
to exceed four (4) feet for 6 Through 24 inch pipe.
D = Pipe Diameter (Internal)
B_c = Pipe Diameter (External)

NOTE: Class B Bedding stops at a point 12 inches above the top of
the pipe. Backfilling above this point shall be in accordance
w/Backfill Methods A, B or C.

FIRST CLASS PIPE LAYING METHOD
for
FLEXIBLE CONDUITS (PVC, RPVC, ABS, & HDPE PIPE)

TYPE 1

Resolution # 513

SELLERSBURG SEWAGE WORKS PROJECT
SPECIFICATIONS FOR LATERAL SEWER LINES
FROM HOUSE TO PUBLIC SEWER LINES

PRE INSPECTION

THE PURPOSE OF THE FIRST INSPECTION IS TO INSURE THAT THE SERVICE LATERAL STUB HAS NOT BEEN DAMAGED.

PIPE

All building sewer laterals from the house or commercial establishment shall be constructed of PVC SDR-35 pipe with rubber "O-Ring" joints meeting the requirements of ASTM D3034. The minimum pipe size allowed is 4-inch diameter. The connection hub (inlet) at the service lateral is 6-inch.

CLEAN-OUT

It is required that the property owner install a clean-out outside of the house or building near the building foundation wall or as close as possible to the wall.

PIPE BEDDING

All pipe shall be bedded in granular backfill as shown in the attached detail. The bedding material shall be either clean sand or #8 crushed limestone. Pea gravel and other rounded stones are not acceptable bedding material.

PIPE GRADE (SLOPE)

All 4-inch pipe shall be laid at a slope of at least 1/4" per foot towards the connection point.

BACKFILLING & INSPECTION

After the pipe has been laid and properly bedded and inspected and approved by the Town's inspector, the trench may be backfilled with loose soil. We recommend that large rocks, concrete, stumps, roots and other debris not be used in the backfilling process. Where the trench crosses areas subject to vehicular traffic, i.e. driveways, we recommend that the backfill consist of sand or #11 bank run and gravel.

SUMP PUMPS AND DRAINS

There shall be no sump pumps connected to the system that allow surface or ground water to enter the system. Sump pumps pumping sanitary waste only are allowable. Yard drains, gutters, catch basins shall also not be connected to the system.

ABANDONED SEPTIC TANKS

All existing septic tanks will be abandoned after connection is made to the new system should be cleaned out and filled in with sand or gravel per County and/or State regulations and the State Plumbing Code.

50 RESOLVED THIS 23rd day of December.

Charles Fisher *Mayor* *Robert Adams* *Ray*

Patricia Dech
Clerk-Treasurer
attested:

ORDINANCE NO. 515

An Ordinance amending Ordinance No. 502

WHEREAS, the Town Council of the Town of Sellersburg, Indiana ("Town Council") adopted Ordinance No. 502 on May 13, 1991 ("Ordinance"); and

WHEREAS, the Ordinance authorized the issuance of the Town's waterworks revenue bonds ("Bonds") and the sale of said Bonds to the Indiana Bond Bank; and

WHEREAS, the Ordinance established a first interest payment date for the Bonds of December 1, 1991; and

WHEREAS, the Town Council has been advised that it will be necessary to amend the Ordinance to revise the first interest payment date for the Bonds;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. Sections 2 and 5 shall be amended to read as follows:

"Sec. 2. The Town shall issue, if necessary, its BANs for the purpose of procuring interim financing to apply on the cost of said Project. The Town shall issue its BANs in an amount not to exceed Four Hundred Fifty-five Thousand Dollars (\$455,000) to be designated "Waterworks Bond Anticipation Notes." Said BANs shall be numbered consecutively from 1 upward, shall be in multiples of \$1,000, shall be dated as of the date of delivery thereof, and shall bear interest at a rate not to exceed 9% per annum (the exact rate or rates to be determined through negotiations with a financial institution or the Indiana Bond Bank) payable upon maturity. The BANs will mature one hundred eighty (180) days after their date of delivery. The BANs are subject to renewal or extension at an interest rate or rates not to exceed 9% per annum (the exact rate or rates to be negotiated with a financial institution or the Indiana Bond Bank). The term of the BANs and all renewal BANs may not exceed five years from the date of delivery of the initial BANs. The BANs shall be registered in the name of the purchasers thereof.

The BANs shall be issued pursuant to IC 5-1-14-5 if sold to a financial institution or pursuant to IC 5-1.5-8-6.1 if sold to the Indiana Bond Bank. The

ORDINANCE 514

TITLE: AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR OF 1991, AS REQUESTED BY THE CLERK-TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6.

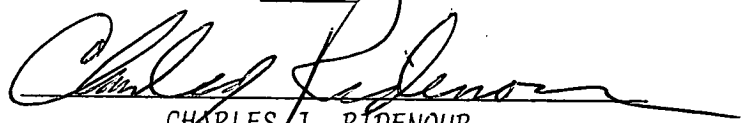
WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year 1991 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law.

SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

FROM:	OTHER SERVICES AND CHARGES:	354 - Hydrant Rental	\$32,169.19
TO:	EMPLOYMENT BENEFITS:		
	122	Unemployment	\$ 151.93
	SUPPLIES:		
	233	Tires & Tubes	\$ 340.31
	OTHER SERVICES AND CHARGES:		
	311	Town Attorney	\$ 4,949.53
	313	Professional Services	3,000.00
	322	Telephone	800.00
	341	Insurance	15,819.86
	352	Heat & Gas	225.69
	353	Water	201.46
	362	Maintenance - Packer	5,000.00
	364	Maintenance - Radio Equipment	73.73
	365	Maintenance - Street Sweeper	316.18
	395	Dog Catcher	361.50
			<hr/>
			\$30,747.95
	CAPITAL OUTLAYS		
	444	Radio	\$ 929.00
			<hr/>
	GRAND TOTAL		\$32,169.19

SECTION 3. PASSED AND ADOPTED BY THE TOWN COUNCIL ON THE 25 DAY OF November, 1991 AT THE HOUR OF 6:30 P.M.


 CHARLES J. RIDENOUR
 PRESIDENT - TOWN COUNCIL

ATTEST: 
 PATRICIA RUSH
 CLERK-TREASURER

principal of and interest on the BANs shall be payable solely from the issuance of revenue bonds pursuant to and in the manner prescribed by the Act. The revenue bonds will be payable solely out of and constitute a charge against the Net Revenues (herein defined as gross revenues of the waterworks of the Town, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after the payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town, subject to the prior payment of the 1961 Bonds, 1986 Bonds and 1988 Bonds.

The Town shall issue its waterworks revenue bonds in the aggregate amount of Four Hundred Fifty-five Thousand Dollars (\$455,000) to be designated "Waterworks Revenue Bonds of 1991" for the purpose of procuring funds to apply on the cost of said Project, issuance costs and refunding the BANs, if issued. Said bonds shall be issued and sold at a price not less than 97% of the face amount thereof in fully registered form in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof, numbered consecutively from 1 up, originally dated as of the first day of the month in which they are sold or the date of delivery, if sold to the Indiana Bond Bank, and shall bear interest at a rate or rates not exceeding 9% per annum (the exact rate or rates to be determined by bidding or as negotiated with the Indiana Bond Bank). Interest is payable semiannually on June 1 and December 1, in each year, commencing on June 1, 1992. Principal shall be payable in lawful money of the United States of America, at the principal office of the Paying Agent (as hereinafter defined) and such bonds shall mature serially on December 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>
1992	\$ 5,000
1993	5,000
1994	5,000
1995	5,000
1996	5,000
1997	10,000
1998	10,000
1999	10,000
2000	10,000
2001	10,000
2002	15,000
2003	15,000
2004	20,000
2005	25,000
2006	55,000

2007	55,000
2008	60,000
2009	65,000
2010	70,000

A qualified institution will be appointed by the President and Clerk-Treasurer as Registrar and Paying Agent for the bonds, and is hereby charged with the responsibility of authenticating the bonds ("Registrar" or "Paying Agent"). The Clerk-Treasurer is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of a Registrar and Paying Agent. The Clerk-Treasurer is further authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the Waterworks Bond Fund established to pay the principal of and interest on the bonds and fiscal agency charges.

As to the BANs and the bonds, if sold to the Indiana Bond Bank, the Clerk-Treasurer will be designated the Registrar and Paying Agent and will be charged with the performance of all of the duties and responsibilities of Registrar and Paying Agent.

The principal of the bonds and the principal and interest on the BANs shall be payable at the principal office of said Paying Agent. All payments of interest on the bonds shall be paid by check mailed to the registered owners thereof, as of the fifteenth day of the month preceding each payment ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner on or before such Record Date. All payments on the bonds and BANs shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal office of the Registrar, by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the Town. The Town and the Registrar and Paying Agent for the bonds may treat and consider the person in whose name such bonds are registered as the absolute owner thereof for all purposes including

for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

Interest on bonds authenticated on or before the Record Date which precedes the first interest payment date shall be paid from the original date. Interest on bonds authenticated subsequent to the Record Date which precedes the first interest payment date thereon shall be paid from the interest payment date to which interest has been paid as of the date on which such bonds are authenticated, unless a bond is authenticated between the Record Date and the interest payment date in which case the interest shall be paid from such interest payment date."

"Sec. 5. The form and tenor of said bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

No. _____

Interest Rate:
Maturity Date:
Original Date:
Authentication Date:
CUSIP

TOWN OF SELLERSBURG
WATERWORKS REVENUE BOND OF 1991

Registered Owner:

Principal Sum:

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to the Registered Owner (named above) or registered assigns, the Principal Sum set forth above on the Maturity Date set forth above (unless this bond be subject to and shall have been duly called for redemption and payment as provided for herein), and to pay interest hereon until the Principal Sum shall be fully paid at the rate per annum specified above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment in which case it shall bear interest from such interest

payment date, or unless this bond is authenticated on or before May 15, 1992, in which case it shall bear interest from the Original Date, which interest is, payable semi-annually on the first day of June and December of each year, beginning on June 1, 1992.

The principal of this bond is payable at the principal office of _____ (the "Registrar" or "Paying Agent"), in the _____ of _____, Indiana. All payments of interest on this bond shall be paid by check mailed to the registered owner hereof, as the fifteenth day of the month preceding such payment, at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

This bond shall not constitute an indebtedness of the Town of Sellersburg within the meaning of the provisions and limitations of the constitution of the State of Indiana, and the Town shall not be obligated to pay this bond or the interest thereon except from the special fund provided from the Net Revenues.

The terms and provisions of this bond are continued on the reverse side hereof and such terms and provisions shall for all purposes have the same effect as though fully set forth at this place.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its President, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Clerk-Treasurer.

TOWN OF SELLERSBURG, INDIANA

[SEAL]

By _____
President, Town Council

Attest:

Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one of the bonds described in the Ordinance.

As Registrar

By: _____
Authorized Representative

(To be printed on reverse side)

This bond is one of an authorized issue of bonds of the Town of Sellersburg, of like tenor and effect, except as to numbering, interest rate, and date of maturity, in the total amount of Four Hundred Fifty-five Thousand Dollars (\$455,000), numbered from 1 up, issued for the purpose of providing funds to be applied on the cost of additions and improvements to the Town's waterworks (the "Project"), [to refund notes issued in anticipation of bonds,] and to pay incidental expenses, as authorized by an Ordinance adopted by the Town Council of the Town of Sellersburg on the _____ day of _____, entitled "An Ordinance concerning the construction of additions and improvements to the waterworks of the Town of Sellersburg, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of notes in anticipation

of bonds, and repealing ordinances inconsistent herewith" (the "Ordinance"), and in strict compliance with the provisions of IC 8-1.5, as amended (the "Act").

Pursuant to the provisions of said Act and said Ordinance, the principal and interest of this bond and all other bonds of said issue and any bonds hereafter issued on a parity therewith, are payable solely from the Waterworks Bond Fund (continued by the Ordinance) to be provided from the Net Revenues (defined as the gross revenues of the waterworks of the Town, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town.

The Town of Sellersburg irrevocably pledges the entire Net Revenues of said waterworks to the prompt payment of the principal of and interest on the bonds authorized by said Ordinance, of which this is one, and any bonds ranking on a parity therewith; subject, however, to payment of the principal of and interest on certain Waterworks Revenue Bonds of 1961, dated July 1, 1961 (the "1961 Bonds") which 1961 Bonds are now outstanding in the principal amount of \$190,000, and maturing annually on December 1 over a period ending December 1, 1996; also subject to certain Waterworks Revenue Bonds of 1986, dated July 1, 1986 (the "1986 Bonds") which 1986 Bonds are now outstanding in the principal amount of \$2,385,000 and maturing annually on December 1 over a period ending December 1, 2010; and also subject to certain Waterworks Refunding Revenue Bonds of 1988, dated June 29, 1988 (the "1988 Bonds"), now outstanding in the principal amount of \$219,500 and maturing annually on December 1 over a period ending December 1, 2005; to the extent necessary for that purpose, and covenants that it will cause to be fixed, maintained and collected such rates and charges for service rendered by said works as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of said works, for the payment of the sums required to be paid into said Bond Fund under the provisions of said Act and said Ordinance. If the Town or the proper officers of the Town shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for under Indiana law.

The Town of Sellersburg has designated the bonds as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

The Town of Sellersburg further covenants that it will set aside and pay into its Waterworks Bond Fund a sufficient amount of the Net Revenues of said

works to meet (a) the interest on all bonds which by their terms are payable from revenues of the waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying the bonds and interest, (c) the principal of all bonds which by their terms are payable from revenues of the waterworks, as such principal shall fall due, and (d) an additional amount to create and maintain the reserve required by the Ordinance. Such required payments shall constitute a charge upon all the Net Revenues of said works, subject to the prior payment of the 1961 Bonds, the 1986 Bonds and the 1988 Bonds.

The bonds of this issue maturing on December 1, 2002, and thereafter, are redeemable at the option of the Town on December 1, 2001, or any interest payment date thereafter, on thirty (30) days' notice, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value together with the following premiums:

- 3% if redeemed on December 1, 2001
or June 1, 2002;
- 2% if redeemed on December 1, 2002
or June 1, 2003;
- 1% if redeemed on December 1, 2003
or June 1, 2004;
- 0% if redeemed on December 1, 2004
or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption.

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the Town not less than thirty (30) days prior to the date fixed for redemption. The notice shall specify the date and place of redemption and the dates of maturity of the bonds called for redemption. The place of redemption may be determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with its depository bank, an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the Town shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the office of the Registrar, by the registered owner

hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The Town, the Registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount of the bonds maturing in such year.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____, the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: Signature(s) must be guaranteed by a broker dealer or a commercial bank or trust company.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever."

Section 2. All other provisions of the Ordinance shall remain in full force and effect.

Section 3. This ordinance shall be effective from and after its date of passage.

TOWN COUNCIL OF THE TOWN
OF SELLERSBURG

Charles J. Fisher
Mary Della Rosa
Robert E. Adams
Lesley J. Pate
Roy E. Smith

Attest:

Patricia Bush
Clerk-Treasurer

ORDINANCE NO. 516 AS AMENDED

**AN ORDINANCE TO ESTABLISH A SCHEDULE OF SERVICE CHARGES
FOR THE COLLECTION OF REFUSE AND GARBAGE
IN THE TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA**

WHEREAS, it is necessary for the Town of Sellersburg, Clark County, Indiana, to establish a schedule of service charges and collect for the same from persons who receive the benefit of municipal refuse and garbage collection in the Town of Sellersburg, Clark County, Indiana, in order to provide a source of revenue sufficient to enable the Town to continue providing refuse and garbage collection service, and

WHEREAS, this matter was open for public discussion before the Town Council on November 25, 1991 and December 9, 1991, at which time owners or occupants of property served by said municipal refuse and garbage collection service were provided an opportunity to be heard concerning the establishment of a schedule of service charges for said service; and

WHEREAS, original Ordinance No. 516 was passed on December 9, 1991 and this Ordinance shall amend and supersede same; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Sellersburg that:

1. There is hereby imposed on each owner, tenant, or occupant of residential, commercial, or business property in the Town of Sellersburg, Indiana, to whom municipal refuse and garbage collection is made available by said Town, a service charge for the collection and removal of refuse and garbage according to the following schedule:

SERVICE CHARGE SCHEDULE

For one regular pick-up per week:

- a. For a one-family dwelling, \$3.00 per month;
- b. For a church, \$3.00 per month;
- c. For a duplex, \$3.00 per dwelling unit per month for garbage can pick-up only;
- d. For a mobile home or trailer court, \$3.00 per dwelling unit per month for garbage pick-up only; and,
- e. For a business or commercial establishment with four (4) thirty (30) gallon garbage cans or less per week, \$3.00 per month.

2. No garbage will be picked up for apartment complexes. No refuse or garbage collection service will be provided for dumpsters or cans in excess of four (4) thirty (30) gallon cans. No garbage will be picked up unless placed in a garbage can or other suitable receptacle with a lid.

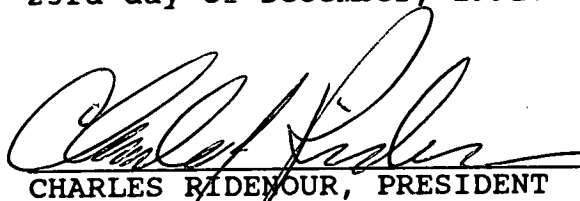
3. Any business or commercial establishment may elect to have garbage removed by a private contractor, and if such an election is made, then no service charge by the Town of Sellersburg will apply. This election must be in writing and filed with the Clerk-Treasurer of the Town. Residential property owners may not elect to be excluded from the Ordinance.


4. Service charges as specified in this Ordinance shall be billed and collected by the Water Department Office. If garbage fee is not paid when due, service will be discontinued.

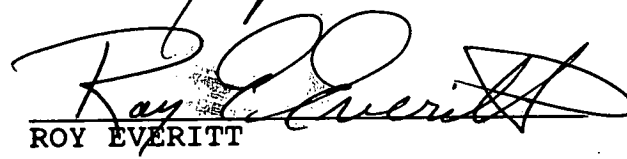
5. Revenue from service charge collections will be deposited in a separate Sanitation Fund within the Town's General Fund and payments of cost incident to the service of collection and disposition of refuse and garbage will be made from this fund. Penalty for failure to pay the service charge shall be the same as penalty for failure to pay water charges.

6. This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the law, but in no event on or before January 1, 1992.

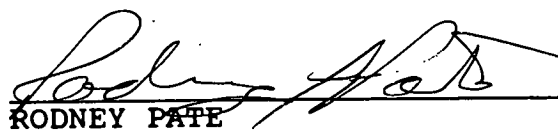
Passed by the Town Council of the Town of Sellersburg this 23rd day of December, 1991.


CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER

S.2.SE.030

ORDINANCE NO. 517

AMENDMENT TO 1992 SALARY AND LONGEVITY PAY

WHEREAS, the Town of Sellersburg previously passed an Ordinance No. 508 on August 12, 1991 to establish the salary and longevity pay of employees of the Town; and

WHEREAS, said Ordinance needs to be amended as a result of the Sewer Plant Supervisor passing recent examinations.


NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Sellersburg that Ordinance No. 508 shall be amended as follows:

The following annual/weekly wage and longevity pay, as indicated, shall be paid to the following employee, from the funds of the Sewer Department, effective as of 1-1-92:

Sewer Plant Superintendent \$26,625.15 per year

All other provisions of Ordinance No. 508 shall remain in full force and effect to the extent not modified herein.

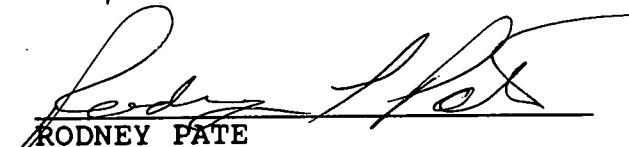
SO ORDAINED THIS 23RD DAY OF DECEMBER, 1991.

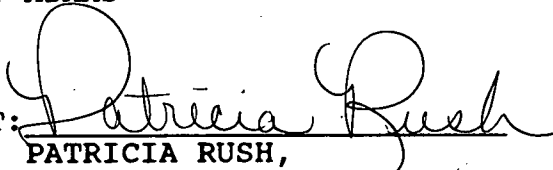

CHARLES RIDENOUR, PRESIDENT


MARYANN DELLAROSA


ROY EVERITT


ROBERT ADAMS


RODNEY PATE

ATTEST: 
PATRICIA RUSH,
CLERK TREASURER