

1995

## 1995 ORDINANCES & RESOLUTIONS

ORDINANCE NUMBER	DATE PASSED	DESCRIPTION
95-612	1/23/1995	AMENDMENT TO ORD # 92-540
95-613	1/23/1995	CUMULATIVE CAPITOL
95-614	1/23/1995	AMENDMENT TO ORD # 95-611
95-615	1/23/1995	AMENDMENT OF ORD# 92-542 FLOOD HAZARDS
95-616	3/13/1995	RESCENDING OF ORD # 95-613
95-617	5/22/1995	RENEWAL OF CULMITAVE CAPITOL
95-618	4/27/1995	RESCINDING ORDINANCE # 922-542
95-619	4/24/1995	COLLECTION OF YARD WASTE
95-620	4/24/1995	AMENDMENT TO ORD # 395
95-621	4/24/1995	SALARY ORDINANCE
95-622	5/1/1995	AMENDMENT OF ORDIN # 96-600, LONGETIVITY PAY
96-623	5/1/1995	ADDITIONAL APPROPRIATIONS
95-624	7/10/1995	TRANSFER OF APPROPRIATIONS
95-625	7/10/1995	AMENDMENT OF ORD # 94-600, SALARIES
95-626	7/10/1995	AMENDMENT OF ORD # 207, OPEN BURNING
95-627	7/24/1995	SEWER WORKS REVENUE BONDS
95-628	8/14/1995	TRANSFER OF APPROPRIATIONS
95-630	8/28/1995	AMENDMENT TO ORD# 95-619, YARD WASTE
95-631	8/28/1995	TRANSFER OF APPROPRIATIONS
95-632	9/11/1995	MILEAGE RATES
95-633	9/11/1995	COMPENSATION FOR BOARD MEMBER
95-634	10/9/1995	TRANSFER OF APPROPRIATIONS
95-635	11/13/1995	TRANSFER OF APPROPRIATIONS
95-636	11/13/1995	TRANSFER OF APPROPRIATIONS
95-637	1/11/1995	AMENDMENT OF POLE BARN BUILDINGS
95-638	12/11/1995	TRANSFER OF APPROPRIATIONS

RESOLUTION NUMBER	DATE PASSED	DESCRIPTION
95-28	3/13/1995	ECOMOMIC REVITALIZATION
95-29	5/1/1995	ELIMINATION OF BILLING CLERKS
95-31	9/11/1995	PUECHASE OF POPERTY FOR RETENSON BASIN FOR W/W PLANT
95-32	10/10/1995	REDUCTION OF BUDGET

RESOLUTION NO. 95-28

RESOLUTION OF THE TOWN COUNCIL OF SELLERSBURG,  
INDIANA, DESIGNATING A CERTAIN AREA WITHIN THE TOWN  
OF SELLERSBURG AS AN ECONOMIC REVITALIZATION AREA  
FOR THE PURPOSES OF REAL AND PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, a Petition to determine the following area to be an area desirable for an Economic Revitalization Area has been filed with the Clerk of the Town of Sellersburg, Indiana, for consideration by the Town Council, said area is generally located in the eastern part of the Town of Sellersburg near Bean Road and is more particularly described as follows:

(See attached "Exhibit A")

The foregoing area is eligible for designation as an economic revitalization area under provisions I.C. 6-1.1-12.1-1 et seq.; and

WHEREAS, the Town Council for the Town of Sellersburg has concluded pursuant to an investigation and other information provided that the area qualifies as an economic revitalization area under I.C. 6-1.1-12.1-1 et. seq., and has further created a map and plat showing the boundaries and such other information regarding the area in question as required by law. It is, now, therefore

WHEREAS, the Town Council for the Town of Sellersburg has determined that additional value will be added to the tax rolls by the redevelopment and rehabilitation that can be reasonably expected to occur by the projects that will result in the area so designated. Additionally, an increase in numbers of individuals will be employed or whose employment will be retained can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

That additional annual of those individuals or whose employment will be retained can reasonably expected to result from the proposed redevelopment or rehabilitation;

That the other benefits about which information was requested of benefits that can be reasonably be expected to result and proposed described redevelopment or rehabilitation; and

**WHEREAS**, the totality of benefits is sufficient to justify the deductions, all of which satisfy the requirements of I.C. 6-1.1-12.1.3, and can be reasonably expected to result in the installation of new manufacturing equipment and rehabilitation and development.

**WHEREAS**, the Town Council for the Town of Sellersburg hereby determines and finds that the proposed redevelopment and rehabilitation proposed new manufacturing equipment can be reasonably expected to yield benefits and is sufficient to justify the deductions granted and made available under I.C. 6-1.1-12.1-4.5 and I.C. 6-1.12.1-3 of the Indiana Code.

**WHEREAS**, the Town Council for the Town of Sellersburg hereby designates the area described as an economic revitalization area for the purposes of real and personal property tax abatement and hereby makes such a designation.

The Town Council for the Town of Sellersburg hereby determines that the property owner who qualifies for and is granted property tax deductions will be for a period of five years for manufacturing equipment and ten years for real property.

The Town Council for the Town of Sellersburg directs the Clerk of the Town of Sellersburg to cause notice that the adoption of this declaratory resolution determining the area to be an economic revitalization area for personal and real property tax shall be published and that said publication providing the date and notice to me of the public hearing for the Town Council to confirm, rescind or modify the proposed declaration.

**BE IT RESOLVED**, by the Town Council for the Town of Sellersburg as follows:

1. The Town Council for the Town of Sellersburg hereby determines and finds that application for real and personal property tax abatement shall be accepted by the Town Council for the Town of Sellersburg and determined under the provisions of I.C. 6-1.1-12.1-1 et seq.; and

2. The Town Council hereby determines and finds that the Petition to designate the foregoing area as an economic revitalization area for the purposes of real and personal property tax abatement shall be and hereby is approved.

RESOLUTION NO. 1995- 29

A RESOLUTION OF THE TOWN OF SELLERSBURG COMMON COUNCIL  
ELIMINATING THE POSITION OF BILLING CLERK FOR THE TOWN OF  
SELLERSBURG, INDIANA

WHEREAS, The Town of Sellersburg Common Council has removed the Town of Sellersburg Clerk/Treasurer from the position of utilities billing clerk, and

WHEREAS, prior to the Town of Sellersburg Clerk/Treasurer's removal as utilities billing clerk, said Clerk/Treasurer was directly responsible for billing and collection of utility rates and charges for the Town of Sellersburg, and

WHEREAS, the Town of Sellersburg now employees three (3) billing clerks who have maintained responsibility for the billing and collection of the Town of Sellersburg's utility's rates and charges, and

WHEREAS, the Town of Sellersburg Town Common Council has contracted with Environmental Management Corporation "EMC" to manage the Town of Sellersburg Utilities for a period of ninety days beginning on the 1st day of May, 1995, and

WHEREAS, Environmental Management Corporation "EMC" and the Town of Sellersburg Common Council have agreed pursuant to contract that three (3) billing clerks will be hired by EMC, those billings clerks of the Town of Sellersburg whose positions will be eliminated by the herein Resolution will be offered employment as billing clerks for EMC first, with wages and benefits comparable to

the current wages paid to them by the Town of Sellersburg, and

**WHEREAS**, if, after the expiration of the ninety (90) days, under the "Interim Contract" the Town of Sellersburg Common Council does not contract further with Environmental Management Corporation "EMC" the Town of Sellersburg shall hire three (3) billing clerks to maintain responsibility for the billing and collection of the Town of Sellersburg's utility's rates and charges, at the same rate of pay and with all benefits previously enjoyed as a Town of Sellersburg employee. Said billing clerk position shall be offered first to those individuals who served as billing clerks for "EMC" under the ninety (90) day Interim Contract.

**WHEREAS**, because the Town of Sellersburg Town Common Council has removed the duties of utilities billing clerk from the Town of Sellersburg Clerk/Treasurer there is no longer a need for billing clerks in the Town of Sellersburg,

**WHEREAS**, the Town of Sellersburg Common Council has determined the elimination of said billing clerks positions will result in the efficient administration of Town government.

**BE IT THEREFORE RESOLVED** by the Town of Sellersburg Common Council that the position of three (3) utilities billing clerks shall be and hereby are eliminated, as said positions are no longer needed by the Town of Sellersburg.

**BE IT FURTHER RESOLVED** by the Town of Sellersburg Common Council that all salaries and benefits associated with said billing clerks' positions shall be terminated beginning May 1, 1995.



Part of Survey No. 89 of the Illinois Grant described as follows, to-wit: Beginning at a stone at the east corner of Survey No. 89; thence N. 40°00' W. with the line dividing Surveys Nos. 89 and 90 2665.3 feet to an iron pin in the Southwest right of way line of what was formerly known as the Louisville and Northern Railway and Lighting Company; thence N. 51°16' W. 235.5 feet to a stone in said right of way line at the east corner of a track of land now owned by the Y.W.C.A. of Louisville, Kentucky; thence with the southeast line of the said Y.W.C.A. land with the following bearings and distances, S. 35°41' W. 878.5 feet to the west corner of an old stone foundation; thence S. 30°17' W. 917.5 feet to a stone; thence S. 52°27' W. 261.4 feet to a stone in the P.C.C. and St. L. Rail Road east right of way line at the southwest corner of the Y.W.C.A. land; thence S. 12°33' E. with said right of way line 983.00 feet to an iron pin; thence S. 39°59' E. 1505.2 feet to a stone in the line dividing Surveys Nos. 89 and 67; thence n. 50°00' E. with said dividing line 2473.6 feet to the place of beginning, containing 141.77 acres, more or less.

Excepting out of the above tract and not being conveyed with this conveyance a small tract which is described as follows: Beginning at a stone at the north corner of the above tract, said stone being at the east corner of the Y.W.C.A. land; thence South 35°41' W with the Y.W.C.A. southeast line 380.4 feet to an iron pipe in said line; thence S. 44°49' E. 15.0 feet to a stake, the true place of beginning and being the north corner of this tract being retained; thence S. 35°41' W. 292.9 feet to an iron pipe, said pipe being S. 40°00' E. 15.0 feet from an iron pipe in the aforesaid Y.W.C.A. southeast line; thence S. 40°00' E. 73.8 feet to an iron pipe; thence N. 64°55' E. 313.7 feet to an iron pipe; thence N. 44o49' W. 228.0 feet to the true place of beginning, containing 1.01 acre, more or less.

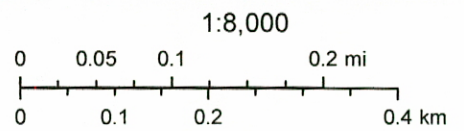


Leaving after said exception 140.76 acres, more or less, hereby conveyed subject to all existing easements, including, but not limited to, the easements of record given by deed of avocation and hazard to facilitate transportation by air to and from the Clark County Airport, Clark County, Indiana, being of record in Deed Drawer 21, Instrument No. 9161, in the office of the Recorder of Clark County, Indiana.

# Clark County, IN



September 12, 2013



BE IT FURTHER RESOLVED, by the Town Council for the Town of Sellersburg determines and finds that the purposes of an economic revitalization area as defined by law would be served by allowing deductions;

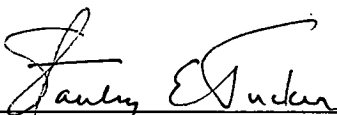
This Resolution shall be in full force and effect from and after the date of its' adoption by the Town Council.


A statement of benefits is not waived and must be submitted within thirty days for consideration by the Town Council.

BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg upon submission of an application for deduction presented by the Statement of Benefits filed by the applicant and that said applicant shall be entitled to deductions for a period of ten (10) years from improvements of real property, pursuant to I.C. 6-1.1-12.1-3(d) and I.C. 6-1.1-12.1-4(d)(3) and fives years from new manufacturing equipment pursuant to I.C. 6-1.1-12.1-4.5 with the timely filing and perfection thereof with the Clark County Auditor's Office.

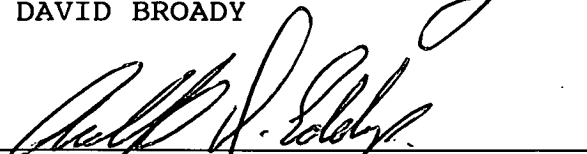
PASSED AND ADOPTED this 28<sup>th</sup> day of February 1995, 1995, by the Town Council for the Town of Sellersburg, Indiana.

SO ORDAINED this 28<sup>th</sup> day of February, 1995.

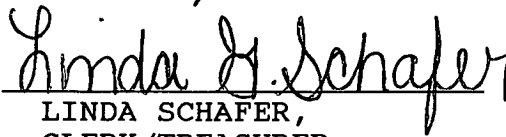
  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFER,  
CLERK/TREASURER

**RESOLUTION NO. 95-31**

**A RESOLUTION OF THE TOWN OF SELLERSBURG TOWN COUNCIL INDICATING INTENT TO PURCHASE A SPECIFIED TRACT OF REAL PROPERTY.**

**WHEREAS,** the Town Council for the Town of Sellersburg, Indiana, has determined there is a need to acquire and purchase a tract of real property for the construction of a retention basin for the Town's Waster Water Treatment Facility; and


**WHEREAS,** the Town Council for the Town of Sellersburg has engaged in preliminary negotiations for the purchase of a tract of real property as more particularly described by the Exhibit attached hereto; and

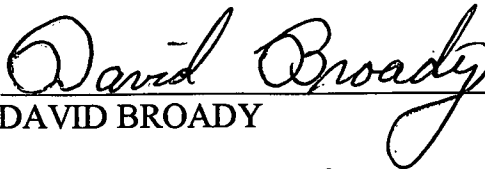
**WHEREAS,** the Town Council for the Town of Sellersburg has appointed a purchasing agent to act on behalf of the Town for acquisition of said real property; and

**WHEREAS,** the purchasing agent shall appoint two appraisers professionally engage in making appraisals or trained as an appraiser and licensed as a broker under I.C. 25-34.1, to appraise the fair market value of said real property;

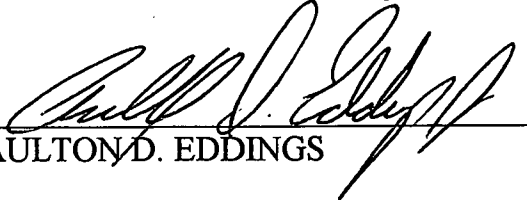
**BE IT THEREFORE, RESOLVED,** by the Town Council for the Town of Sellersburg that the Town of Sellersburg through its purchasing agent initiate the purchase of the heretofore described real property under the conditions and requirements of I.C. 36-1-10-5-5.

SO RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

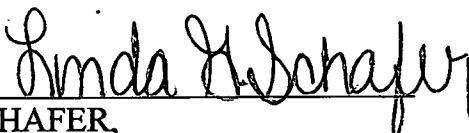
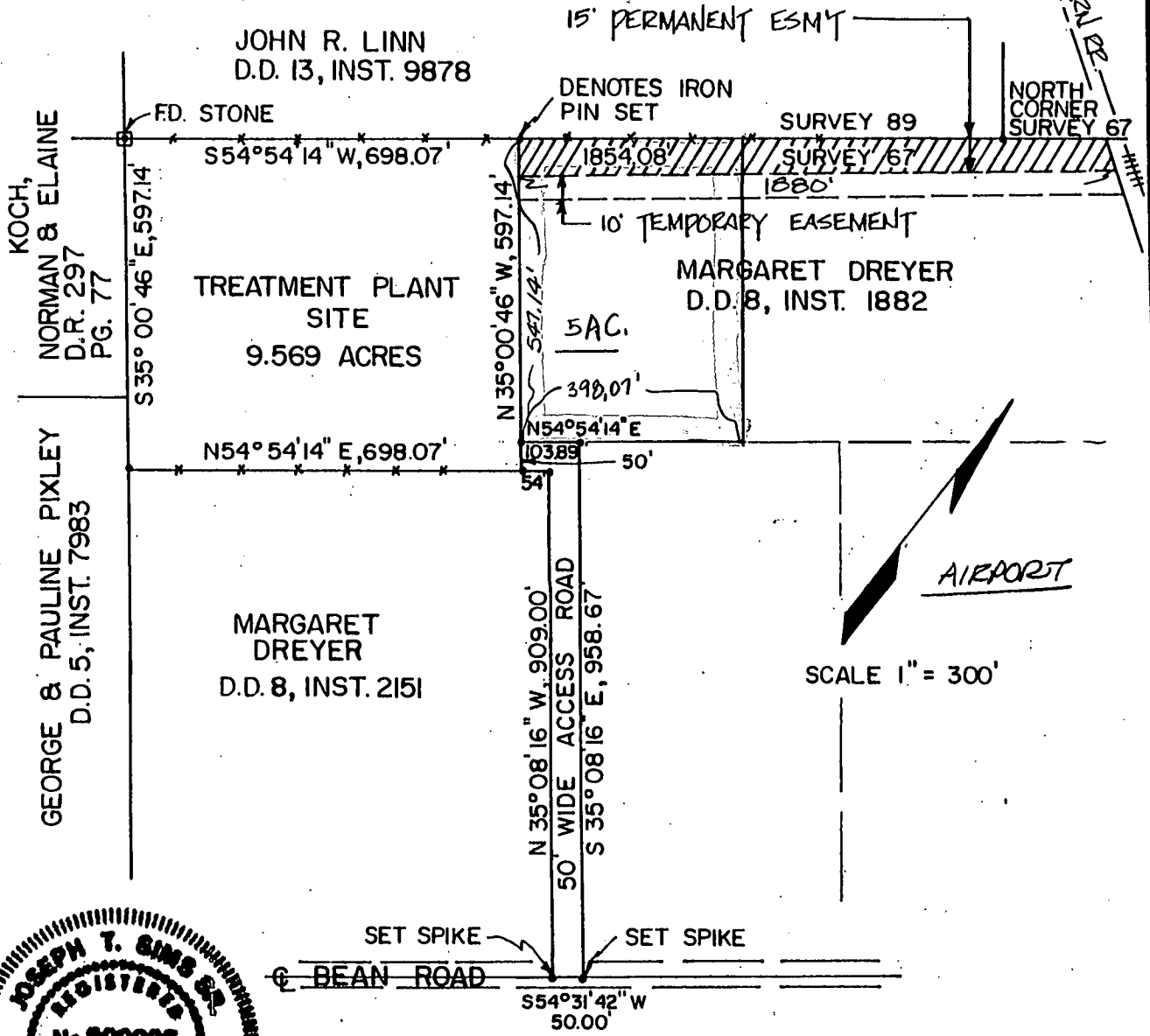
ATTEST:   
LINDA SCHAFER,  
CLERK/TREASURER

EXHIBIT 'B'



*Joseph T. Sims, Jr.*

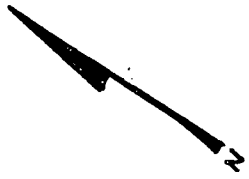
PARCEL NO. 54 & 54A  
 TREATMENT PLANT PARCEL  
 AND  
 ACCESS ROAD TO PLANT  
 FOR  
 SELLERSBURG EPA PROJ.  
 SELLERSBURG, INDIANA

Jacobi, Toombs and Lanz, Inc.  
 Consulting Engineers  
 120 Bell Avenue  
 Clarksville, Indiana 47130  
 812 288-6648

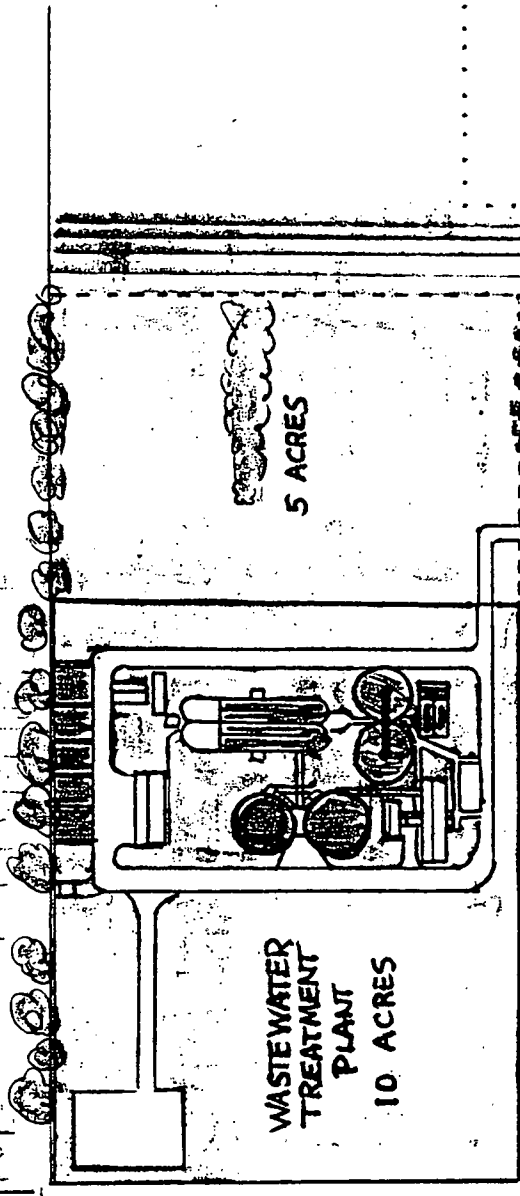
DATE: 10/16/90 REV. 10-29-90  
 JOB NO: 8915



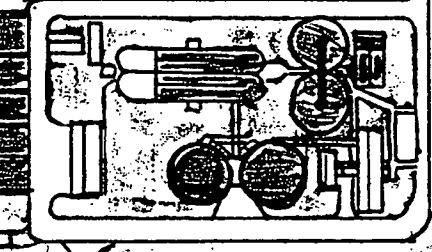
6/27/95 NAD



BRINGHAM



5 ACRES



WASTEWATER TREATMENT PLANT  
10 ACRES

POND

DREYER

BEAN ROAD

POND

PIXLEY

'E

**RESOLUTION NO. 1995-32**

**A Resolution to Reduce the 1995 Current Budget  
as it Concerns the Town of Sellersburg Parks Department**

**WHEREAS**, the Town Council for the Town of Sellersburg has adopted its 199\_\_  
budget after following all proper notice procedures; and

**WHEREAS**, the Town Council for the Town of Sellersburg has determined it  
necessary to reduce the Town's budget as it concerns the Town of Sellersburg Parks  
Department by the amount of \$25,000.00 for the 199\_\_ year, thereby reducing the budget  
of said Town of Sellersburg Parks Department to \$49,833.00; and

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that the  
reduction in the Town of Sellersburg Parks Department budget is due to unnecessary  
expenditures and will result in the efficient and effective administration of Town  
government.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council for the Town of  
Sellersburg, Indiana, that the 199\_\_ budget for the Town of Sellersburg Parks Department  
shall be and hereby is reduced by the sum of \$25,000.00 to a total budget sum of \$49,833.00  
and that said reduction is warranted due to unnecessary expenditures.



SO RESOLVED this 19<sup>th</sup> day of October, 1995.

Stanley E. Tucker  
STANLEY E. TUCKER

David L. Broady  
DAVID BROADY

Ken Alexander  
KEN ALEXANDER

Aulton D. Eddings  
AULTON D. EDDINGS

Karl N. Truman  
KARL N. TRUMAN

ATTEST: Linda H. Schaffer  
LINDA SCHAFER,  
CLERK/TREASURER

**RESOLUTION NO. 1995-\_\_\_\_\_**

**A Resolution to Reduce the 1995 Current Budget  
as it Concerns the Town of Sellersburg Parks Department**

**WHEREAS**, the Town Council for the Town of Sellersburg has adopted its 199\_\_ budget after following all proper notice procedures; and

**WHEREAS**, the Town Council for the Town of Sellersburg has determined it necessary to reduce the Town's budget as it concerns the Town of Sellersburg Parks Department by the amount of \$25,000.00 for the 199\_\_ year, thereby reducing the budget of said Town of Sellersburg Parks Department to \$49,833.00; and

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that the reduction in the Town of Sellersburg Parks Department budget is due to unnecessary expenditures and will result in the efficient and effective administration of Town government.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council for the Town of Sellersburg, Indiana, that the 199\_\_ budget for the Town of Sellersburg Parks Department shall be and hereby is reduced by the sum of \$25,000.00 to a total budget sum of \$49,833.00 and that said reduction is warranted due to unnecessary expenditures.

SO RESOLVED this \_\_\_\_\_ day of October, 1995.

\_\_\_\_\_  
STANLEY E. TUCKER

\_\_\_\_\_  
DAVID BROADY

\_\_\_\_\_  
KEN ALEXANDER

\_\_\_\_\_  
AULTON D. EDDINGS

\_\_\_\_\_  
KARL N. TRUMAN

ATTEST:

\_\_\_\_\_  
LINDA SCHAFFER,  
CLERK/TREASURER

Rescinded 2/22/2016<sup>by</sup> Ord# 2016-001

ORDINANCE NO. 95 - 611

**AN ORDINANCE AMENDING ORDINANCE NO. 384 REGARDING THE POSITION  
OF TOWN MANAGER, DUTIES, POWERS AND  
COMPENSATION OF TOWN MANAGER**

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 5th day of January, 1994, pursuant to Indiana Code 36-5-5 et seq., establish the position of Town Manager and set forth duties, powers, and salary for said position; and

WHEREAS, the Town Council for the Town of Sellersburg desires to amend Ordinance No. 384 to include more specific duties and powers of the Town Manager for the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg believes that the position of Town Manager and the hiring of an individual into said position will provide for the efficient and effective administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg did consider this matter in an open meeting at which the public was invited to participate and attend.

BE IT THEREFORE ORDAINED BY THE SELLERSBURG TOWN COUNCIL, Sellersburg, Indiana, as follows:

1. **GENERAL DUTIES.** The Town Manager shall operate under the direction of the Town Board and shall be responsible for initiating and coordinating the clerical and administrative functions required for the effective implementation of policy decisions and project administration by the Town Board. The Town Manager is responsible for making administrative and program recommendations to the Town Board in accordance with the Board's goals and objectives. The Town Manager serves as the primary liaison between the Town Council and its constituents.

2. SPECIFIC DUTIES.

A. The Town Manager shall perform and coordinate clerical duties as required.

B. Establish procedures which implement operational and/or fiscal policies determined by the Board.

C. Interpret policies and procedures including personnel policies as established by the Board.

D. Compile data, including financial statements for utilities departments, at the request of the Board, based on research techniques and on statistical compilations involving an understanding of the operating units.

E. Arrange, participate in and implement, as directed by the Board, Board meetings, conferences, committee meetings, Board filings, and Board mailings.

F. Assist in the preparation of all budgets: familiarity with budget format for all regular programs, prepare budgets based upon general spending and funding limits, prepare administrative budgets for program modifications.

G. Manage and coordinate all Town Utilities and departments, including Police department, to minimize costs and increase efficiency. Serve as liaison for the Town Board and the appointed commissioners and boards in matters of disciplinary procedures for all departments.

H. Develop and maintain a complete and current set of data on all State and Federal grants. Develop an expertise in grant writing in order to facilitate funding for board developed projects and expansions.

I. Perform other duties as assigned by the Town Board.

3. MINIMUM QUALIFICATIONS. The Town Council would prefer its Town Manager to have a minimum of two years of college; three to five years management experience; knowledge in grant writing;


the ability to communicate clearly, concisely, logically and coherently; and possess a valid drivers license and access to a private vehicle for day to day job performance.


4. SALARY. The Town Council for the Town of Sellersburg shall establish the salary for the position of Town Manager, said salary shall be commensurate with the experience and knowledge possessed by the selected candidate for the position.

BE IT THEREFORE ORDAINED BY THE SELLERSBURG TOWN COUNCIL, Sellersburg, Indiana, that all provisions of Ordinance No. 384, which are not inconsistent herewith, shall remain in full force and affect.

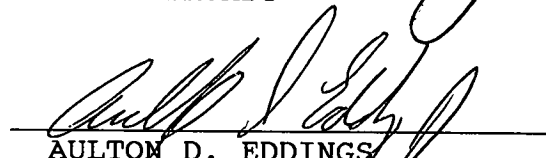
BE IT FURTHER ORDAINED BY THE SELLERSBURG TOWN COUNCIL, Sellersburg, Indiana, that the Town Manager shall execute a bond for the performance of his/her duties pursuant to Indiana Code 5-4-1 et seq. and Indiana Code 36-5-5 et seq.

SO ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995.


  
\_\_\_\_\_  
STANLEY E. TUCKER

  
\_\_\_\_\_  
DAVID BROADY

  
\_\_\_\_\_

  
\_\_\_\_\_  
AULTON D. EDDINGS

  
\_\_\_\_\_  
KARL N. TRUMAN

ATTEST:   
\_\_\_\_\_  
LINDA SCHAFFER  
CLERK/TREASURER

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2016 – 001**

**AN ORDINANCE REMOVING THE POSITION OF TOWN MANAGER**

**WHEREAS**, pursuant to I.C. 35-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative and fiscal bodies and the President of the town council is the town executive; and,

**WHEREAS**, this Council has previously adopted *Ordinance No. 384* and *Ordinance No. 95-611 Amending Ordinance No. 384 Regarding the Position of the Town Manager, Duties, Powers, and Compensation of Town Manager* which established the position of Town Manager for the Town of Sellersburg, Indiana; and,

**WHEREAS**, said Ordinances were codified in Sections 32.01 through 32.04 of the Town of Sellerburg’s Code of Ordinances; and,

**WHEREAS**, currently, a Town Manager does not exist, nor has one been employed by this Council for several years; and,

**WHEREAS**, this Council desires to remove the position of Town Manager.

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

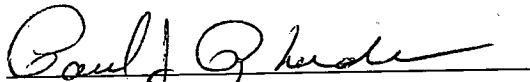
1. This Council does hereby rescind *Ordinance Nos. 384* and *95-611*, respectively, and hereby removes the position Town Manager from the Town of Sellersburg, Indiana.
2. This Council does hereby order Sections 32.01 through 32.04 regarding the Town Manager to be removed from the Town of Sellersburg’s Codification of Ordinances.

3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.


So Ordained this 22 day of February, 2016

“Aye”

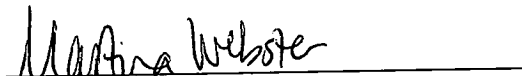
“Nay”

  
Paul J. Rhodes  
Council President


\_\_\_\_\_  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President


\_\_\_\_\_  
Brad Amos  
Council Vice President

  
Martina Webster  
Council Member

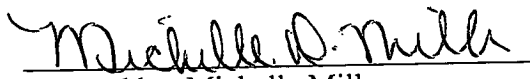
\_\_\_\_\_  
Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer



ORDINANCE NO. 95- 612

AN ORDINANCE AMENDING ORDINANCE NO. 92-540  
AUTHORIZING THE ESTABLISHMENT OF CUMULATIVE CAPITAL  
DEVELOPMENT FUND FOR THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg did on the 26th day of October, 1992, pass Ordinance No. 92-540 establishing a Cumulative Capital Development Fund for the Town of Sellersburg, Indiana; and

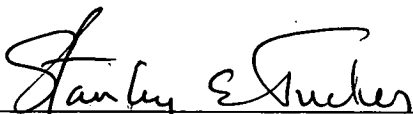
WHEREAS, contained in the body of said Ordinance was provisions for the imposition of a tax levy for the Cumulative Capital Development Fund in the amount of 12%; and


WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has realized that there should be an amendment to the Ordinance to reflect the tax levy to be imposed as twelve (12) cents and not twelve (12) percent.

BE IT THEREFORE ORDAINED by the Town Council for the Town of Sellersburg that Ordinance No. 92-540 shall be and hereby is amended to reflect the change of the tax levy to be imposed for the Cumulative Capital Development Fund as twelve (12) cents rather than twelve (12) percent.;

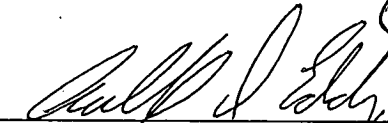
BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that all other provisions of said Ordinance No. 92-540 shall remain in full force and effect without change.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 1995.


  
STANLEY E. TUCKER

  
DAVID BROADY

  
~~ROY E. EVERITT~~

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFFER,  
CLERK/TREASURER

**ORDINANCE NO. 95-613**

**AN ORDINANCE RENEWING CUMULATIVE CAPITAL  
DEVELOPMENT FUND FOR THE TOWN OF SELLERSBURG, INDIANA**

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, did on the 26th day of October, 1992, establish a Cumulative Capital Development Fund for the Town of Sellersburg pursuant to Ordinance No. 92-540;

**WHEREAS**, the Cumulative Capital Development Fund as established by said Ordinance for tax years 1993, 1994 and 1995;

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that they desire to return the Cumulative Capital Fund for tax years 1996, 1997 and 1998;

**WHEREAS**, the Town Council for the Town of Sellersburg proposes that said property tax [tax levy] be imposed for a period of three (3) years;

**WHEREAS**, the Town Council for the Town of Sellersburg has determined and proposes the tax levy that should be imposed for the Cumulative Capital Development Fund for said years should be twelve (.12) cents;

**WHEREAS**, the Town Council for the Town of Sellersburg has determined and proposes that they use the Cumulative Capital Development Fund for the purposes found under I.C. 36-9-15.5 et seq.;

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that for the administration of effective and beneficial Town government, the Town of Sellersburg, Indiana, should renew the Cumulative Capital Development Fund as set forth under I.C. 36-9-15.5-1 et seq.;

**WHEREAS**, the Town Council for the Town of Sellersburg has had a public hearing on the proposal to renew the Cumulative Capital Development Fund for the Town of Sellersburg, Indiana, to discuss the issue of the Cumulative Capital Development Fund.

**BE IT THEREFORE ORDAINED** by the Town Council for the Town of Sellersburg that Cumulative Capital Development Fund for the Town of Sellersburg, Indiana, as set forth under I.C. 36-9-15.5-1 et seq. shall be and hereby is renewed for a period of three (3) years;

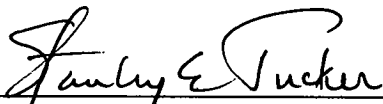
**BE IT FURTHER ORDAINED** by the Town Council for the Town of Sellersburg that the Cumulative Capital Development Fund shall be renewed for the tax years 1996, 1997 and 1998;

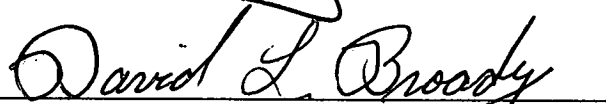
BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg that the Cumulative Capital Development Fund shall be used for all purposes proposed under I.C. 35-9-15.5 et seq.;

BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that the tax levy to be imposed for said Cumulative Capital Development Fund shall be twelve (.12) cents;

BE IT FURTHER ORDAINED that the Clerk/Treasurer for the Town of Sellersburg shall issue notice pursuant to I.C. 5-3-1, regarding the Town of Sellersburg's submission of the plan for the renewal of the Cumulative Capital Development Fund to the State Board of Tax Commissioners for their approval.

SO ORDAINED this 23 day of January, 1995.


  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFER,  
CLERK/TREASURER

PREPARED BY:

William P. McCall, III  
Attorney for the Town of Sellersburg  
425 Watt Street, P.O. Box 729  
Jeffersonville, Indiana, 47131  
(812) 282-8429

ORDINANCE NO. 95- 814

AN ORDINANCE OF THE TOWN COUNCIL OF THE  
TOWN OF SELLERSBURG, INDIANA, AMENDING ORDINANCE NO. 95-611

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, did on the 9th day of January, 1995, amend Ordinance No. 384 concerning the position of the Town of Sellersburg Town manager; and

**WHEREAS**, the Town Council for the Town of Sellersburg, desires to amend Ordinance No. 611;

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that Ordinance No. 611 should be amended to reflect that the Town manager employed by the Town of Sellersburg shall only be terminated for cause as provided for under I.C. 36-5-5-2;

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that this amendment to said Ordinance is necessary for the effective and efficient administration of Town government;

**WHEREAS**, the Town Council for the Town of Sellersburg did consider said ordinance in an open meeting in which the public was invited to attend.

**BE IT THEREFORE ORDAINED** by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 95-611 shall be and hereby is amended as follows:

1. That the Town Manager of the Town of Sellersburg may only be dismissed and terminated for cause as provided by I.C. 36-5-5-2.

**BE IT FURTHER ORDAINED** by the Town Council for the Town of Sellersburg, Indiana, that all prior Ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

*Abstain*

STANLEY E. TUCKER

*David Broady*

DAVID BROADY

*Roy E. Everitt*

ROY E. EVERITT

*Kenneth Alexander*

*Kenneth Alexander*

KARL N. TRUMAN

*Aulton D. Eddings*

AULTON D. EDDINGS

ATTEST:

*Linda H. Schaffer*

LINDA SCHAFER,  
CLERK/TREASURER

c:\wp51\sellersburg\amendord.611

PREPARED BY:

William P. McCall, III  
Attorney for the Town of Sellersburg  
425 Watt Street, P.O. Box 729  
Jeffersonville, Indiana, 47131  
(812) 282-8429

ORDINANCE NO. 95-615

AN ORDINANCE AMENDING ORDINANCE NO. 92-541,  
REGARDING THE INDIANA MODEL ORDINANCE FOR FLOOD HAZARD AREAS

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, did on the 9th day of November, 1992, adopt Ordinance No. 92-541, regarding the Indiana Model Ordinance for Flood Hazard Areas; and

**WHEREAS**, the Town Council for the Town of Sellersburg, has been informed by the Indiana Department of Natural Resources that said Ordinance No. 92-541, contains various information which must be corrected; and

**WHEREAS** the Town Council for the Town of Sellersburg, Indiana, has determined in an open meeting in which the public was allowed to participate, that Ordinance No. 92-541, should be amended to reflect the changes requested by the Indiana Department of Natural Resources.

Be it ordained by the Town Board of the Town of Sellersburg, Indiana, as follows:

SECTION 1. STATUTORY AUTHORIZATION. The Indiana Legislature granted the power to local units of government (I.C. 36-7-4) to control land use within their jurisdictions in order to accomplish the following.

SECTION 2. STATEMENT OF PURPOSE. The purpose of this ordinance is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief. Under the authority granted to local units of government to control land use within their jurisdiction, which includes taking into account the effects of flooding, the Sellersburg Town Board of Trustees hereby adopts the following floodplain management regulations in order to accomplish the following.

- a. to prevent unwise developments from increasing flood or drainage hazards to others;
- b. to protect new buildings and major improvements to buildings from flood damage;
- c. to protect human life and health from the hazards of flooding;

- d. to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- e. to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- f. to make federally subsidized flood insurance available for property in the Town of Sellersburg by fulfilling the requirements of the National Flood Insurance Program.

SECTION 3. DEFINITIONS. For the purpose fo this ordinance, the following definitions are adopted:

- a. Building - see "structure."
- b. Development - any man-made change to improved or unimproved real estate including but not limited to:
  - 1. construction, reconstruction, or placement of a building or any addition to a building valued at more than \$1,000;
  - 2. installing a manufactured home on a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
  - 3. installing utilities, erection of walls and fences, construction of roads, or similar projects;
  - 4. construction of flood control structures such as levees, dikes, channel improvements, etc.;
  - 5. mining, dredging, filling, grading, excavation, or drilling operations;
  - 6. construction and/or reconstruction of ridges or culverts;
  - 7. storage of materials; or
  - 8. any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the

construction of permanent buildings.

- c. Existing manufactured home park or subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- d. Expansion to an existing manufactured home park or subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- e. FHBM - means Flood Hazard Boundary Map.
- f. FIRM - means Flood Insurance Rate Map.
- i. FBFM - Flood Boundary and Floodway Map.
- h. FEMA - Federal Emergency Management Agency.
- i. Flood - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
- j. Floodplain - the channel proper and the areas adjoining any wetland, lake or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.
- k. Flood Protection Grade or the "FPG" - means the elevation of the regulatory flood plus two feet at any given location in the SFHA.
- l. Floodway - means the channel of a river or stream and those portions of the flood plains adjoining the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.
- m. Floodway fringe - means those portions of the flood hazard areas lying outside the floodway.



- n. Letter of Map Amendment (LOMA) - An amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA is only issued by FEMA.
- o. Letter of Map Revision (LOMR) - An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.
- p. Lowest Floor - means the lowest of the following:
  - 1. the top of basement floor;
  - 2. the top of the garage floor, if the garage is the lowest level of the building;
  - 3. the top of the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or
  - 4. the top of the floor level of any enclosure below an elevated building where the walls of the enclosure provided any resistance to the flow of flood waters unless:
    - (a) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of such openings shall be no higher than one (1) foot above grade.
    - (b) such enclosed space shall be usable for the parking of vehicles and building access.
- m. Manufactured home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- n. New manufactured home park or subdivision - means a manufactured home part or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or

the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

- o. Recreation vehicle - means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use.
- p. Regulatory Flood - means the flood having a one percent probability of being equalled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. The regulatory flood elevation at any location is as defined in Section 5 of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood."
- q. SFHA or Special Flood Hazard Area - means those lands within the jurisdiction of the Town that are subject to inundation by the regulatory flood. The SFHAs of the Town are generally identified as such on the Flood Insurance Rate Map of the Town prepared by the Federal Emergency Management Agency and dated August 1, 1980. The SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town are generally identified as such on the Flood Insurance Rate Map prepared for Clark County by the Federal Emergency Management Agency and dated February 18, 1983.
- r. Structure - means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.
- s. Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a

"historic structure", provided that the alternation will not preclude the structures continued designation as a "historic structure".

SECTION 4. DUTIES OF THE ADMINISTRATOR. The Building Inspector for the Town of Sellersburg shall implement this ordinance and hereafter be referred to as the Zoning Administrator. The Zoning Administrator for the Town of Sellersburg is appointed to review all development and subdivisiion proposals to insure compliance with this ordinance, including but not limited to the following duties:

- a. Ensure that all development activities within the SFHAS of the jurisdiction of the Town meet the requirements of this ordinance.
- b. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
- c. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to Section 7 of this ordinance, and maintain a record of such authorization (either copy of actual permit or letter of recommendation).
- d. Maintain a record of the "as-built" elevation of the lowest floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA. Inspect before, during and after construction.
- e. Maintain a record of the engineer's certificate and the "as built" floodproofed elevation of all buildings subject to Section 8 of this Ordinance.
- f. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
- g. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and letters of recommendation, federal permit documents, and "as built" elevation and floodproofing data and all buildings constructed subject to this ordinance.

SECTION 5. REGULATORY FLOOD ELEVATION. This ordinance's protection standard is the regulatory flood. The best available regulatory

flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Department of Natural Resources for review and approval.

- a. The regulatory flood elevation and floodway limits for the SFHAs of Muddy Fork Creek and Silver Creek shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of the Town dated February, 1980, and corresponding FIRM dated August 1, 1980 prepared by  
  
Federal Emergency Management Agency.
- b. The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Town.
- c. The regulatory Flood Elevation for each of the remaining SFHAs delineated as an "A Zone" in the Flood Insurance Rate Map of the Town shall be according to the best data available as provided by the Department of Natural Resources.
- d. The regulatory flood elevation and floodway limits for the SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town shall be delineated on the 100 year Flood Profiles in the Town shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of Clark County prepared by the Federal Emergency Management Agency and dated March, 1980, and the corresponding FIRM dated September 30, 1980, prepared by FEMA.
- e. If the SFHA is delineated as "AH Zone or AO Zone," the elevation (or depth) will be delineated on the County Flood Insurance Rate Map. If the SFHA is delineated as "Zone A" on the County Flood Insurance Rate Map, the regulatory flood elevation shall be according to the best data available as provided by the Department of Natural Resources.

SECTION 6. IMPROVEMENT LOCATION PERMIT. No person, firm, corporation, or governmental body not exempted by state law shall commence any "Development" in the SFHA without first obtaining an Improvement Location Permit from the Town Zoning Board. The Zoning Board shall not issue an Improvement Location Permit if the proposed "development" does not meet the requirements of this ordinance.

- a. The application for an Improvement Location Permit shall

be accompanied by the following:

1. A description of the proposed development.
  2. Location of the proposed development - sufficient to accurately locate property and structure in relation to existing roads and streams.
  3. A legal description of the property site.
  4. A site development plan showing existing and proposed structure locations and existing and proposed land grades.
  5. Elevation of lowest floor (including basement) of all proposed structures. Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD).
- b. Upon receipt of an application for an Improvement Location Permit, the Zoning Administrator shall determine if the site is located within an identified floodway or within the floodplain where the limits of the floodway have not yet been determined.
1. If the site is in an identified floodway the Zoning Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Under the provisions of IC 13-2-22 a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the Zoning Administrator until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the Zoning Administrator may issue the local Improvement Location Permit, provided the provisions contained in

Sections 7 and 8 of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

2. If the site is located in an identified floodway fringe, then the Zoning Administrator may issue the local Improvement Location Permit provided the provisions contained in Section 7 and 8 of this ordinance have been met. The key provision is that the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade.
3. If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as Zone A on the Flood Insurance Rate Map), and the drainage area upstream of the site is greater than one square mile, the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources for review and comment.

No action shall be taken by the Zoning Administrator until either a permit for construction in the floodway or a letter of recommendation citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources.

Once the Zoning Administrator has received the proper permit or letter of recommendation approving the proposed development, an Improvement Location Permit may be issued provided the conditions of the ILP are not less restrictive than the conditions received from Natural Resources and the provisions contained in Section 7 and 8 of this ordinance have been met.

**SECTION 7. PREVENTING INCREASED DAMAGES.** No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

- a. Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:

1. No development shall be allowed which acting alone or in combination with existing or future similar works, will cause any increase in the elevation of the regulatory flood; and
  2. For all projects involving channel modifications or fill (including levees) the Town shall submit a request to the Federal Emergency management Agency to revise the regulatory flood data.
- b. Within all SFHAs identified as A Zones (no 100 year flood elevation and/or floodway/floodway fringe delineation has been provided) the following standard shall apply:
1. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.
- c. Public Health Standards in all SFHAs
1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in Floodproofed tank or Floodproofed building constructed according to the requirements of section 8 of this ordinance.
  2. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPG are watertight.

SECTION 8. PROTECTING BUILDINGS. In addition to the damage prevention requirements of Section 7, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.

- a. This building protection requirement applies to the following situations:
1. construction or placement of any new building valued at more than \$1,000; or greater than 400 square feet, whichever is less.

2. structural alternations made to an existing building that increase the market value of the building by more than 50% (excluding the value of the land) or any structural alternation made previously (one time only alteration);
  3. any subsequent alterations;
  4. reconstruction or repairs made to a damaged building that are valued at or more than 50% of the market value of the building (excluding the value of the land) before damage occurred.
  5. installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site is lawfully occupied before it was removed to avoid flood damage; and
  6. installing a travel trailer on a site for more than 180 days.
- b. This building protection requirement may be met by one of the following methods. The Building Official shall maintain a record of compliance with these building protection standards as required in Section 4 of this ordinance.
1. A residential or nonresidential building may be constructed on a permanent land fill in accordance with the following:
    - (a) The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method.
    - (b) The fill should extend at least ten feet beyond the foundation of the building before sloping below the FPG.
    - (c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.
    - (d) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
    - (e) The lowest floor (see definition of lowest floor in Section 3. Definitions) shall be at or above the FPG.



2. The residential or nonresidential building may be elevated in accordance with the following:

(a) The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundations provided:

(1) Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of all such opening shall be no higher than one (1) foot above the enclosed area's floor.

(2) Any enclosure below the elevated floor is used for non-residential purposes and building access.

(b) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.

(c) All areas below the FPG shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.

3. Manufactured homes and travel trailers (also called recreational vehicles) to be installed substantially improved on a site for more than 180 days must meet one of the following anchoring requirements:

(a) The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and

securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;

(1) outside a manufactured home park or subdivision;

(2) in a new manufactured home park or subdivision;

(3) in an expansion to an existing manufactured home park or subdivision; or

(4) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

(b) The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood

4. Recreation vehicles placed on a site shall either:

(a) be on the site for less than 180 consecutive days;

(b) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

(c) meet the requirements for "manufactured homes" in paragraph (3) of this section.

5. A non-residential building may be floodproofed to the FPG (in lieu of elevating) if done in accordance with the following:

(a) a Registered Professional Engineer shall certify that the building has been designed so

that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The Building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.

- (b) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

SECTION 9. OTHER DEVELOPMENT REQUIREMENTS.

- a. The Planning Commission shall review all proposed subdivisions to determine whether the subdivision lies in a flood hazard area as defined elsewhere by ordinance. If the (review agency or official) finds the subdivision to be so located, the (review agency or individual) shall forward plans and materials to the Indiana Department of Natural Resources for review and comment. The (review agency or individual) shall require appropriate changes and modifications in order to assure that:
  - 1. it is consistent with the need to minimize food damages;
  - 2. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
  - 3. adequate drainage is provided so as to reduce exposure to flood hazards;
  - 4. onsite waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
- b. Developers shall record the 100 year flood elevation on all subdivision plats containing lands identified elsewhere by ordinance as within a flood hazard area prior to submitting the plats for approval by the Plan Commission.
- c. All owners of manufactured home parks or subdivisions located within the SFHA identified as Zone A on the community's FHMB or FIRM develop an evacuation plan for those lots located in Zone A and file it with the local Plan Commission and have it filed and approved by the appropriate community emergency management authorities.

SECTION 10. VARIANCES.

- a. The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this ordinance provided the applicant demonstrates that:
1. there exists a good and sufficient cause for the requested variance;
  2. The strict application of the terms of this ordinance will constitute an exceptional hardship to the applicant, and
  3. The granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
- b. The Board of Zoning Appeals may issue a variance to the terms and provisions of this ordinance subject to the following standards and conditions:
1. No variance or exception for a residential use within a floodway subject to Section 7 (a) or (b) may be granted.
  2. Any variance or exception granted in a floodway subject to Section 7 (a) or (b) will require a permit from Natural Resources.
  3. Variances or exceptions to the Building Protection Standards of Section 8 may be granted only when a new structure is to be located on an lot of one-half acres or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
  4. Variance or exception may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;
  5. All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction; and
  6. The Board of Zoning Appeals shall issue a written notice to the recipient of a variance

or exception that the proposed construction will be subject to increased risks to life and property and could require payment of excessive flood insurance premiums.

SECTION 11. DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the community, Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

SECTION 12. VIOLATIONS. Failure to obtain an Improvement Location Permit in the SFHA or failure to comply with the requirements of a permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the Town of Sellersburg.

- a. A separate offense shall be deemed to occur for each day the violation continues to exist.
- b. The Sellersburg Zoning and Planning Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- c. Nothing herein shall prevent the Town from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

SECTION 13. ABROGATION AND GREATER RESTRICTIONS. This ordinance repeals and replaces other ordinances adopted by the Town Council to fulfill the requirements of the National Flood Insurance Program. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence.

SECTION 14. SEPARABILITY. The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 15. EFFECTIVE DATE. This ordinance shall take effect upon its passage by the Town Council.

Passed and enacted by the Town of Sellersburg, Indiana, on the  
13 day of February, 1995.

Stanley E. Tucker  
STANLEY E. TUCKER

David Broady  
DAVID BROADY

Roy E. Everitt  
ROY E. EVERITT  
Kenneth J. Alexander  
KENNETH J. ALEXANDER

Aulton D. Eddings  
AULTON D. EDDINGS

Karl N. Truman  
KARL N. TRUMAN

ATTEST: Linda H. Schaffer  
LINDA SCHAFFER,  
CLERK/TREASURER

- o. Letter of Map Revision (LOMR) - An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.
- p. Lowest Floor - means the lowest of the following:
1. the top of basement floor;
  2. the top of the garage floor, if the garage is the lowest level of the building;
  3. the top of the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or
  4. the top of the floor level of any enclosure below an elevated building where the walls of the enclosure provided any resistance to the flow of flood waters unless:
    - (a) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of such openings shall be no higher than one (1) foot above ~~the enclosed area's floor~~ grade.
    - (b) such enclosed space shall be usable for ~~non residential purposes and building access~~ the parking of vehicles and building access.
- m. Manufactured home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- n. New manufactured home park or subdivision - means a manufactured home part or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- o. Recreation vehicle - means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3)

designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use.

- p. Regulatory Flood - means the flood having a one percent probability of being equalled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. The regulatory flood elevation at any location is as defined in Section 5 of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood."
- q. SFHA or Special Flood Hazard Area - means those lands within the jurisdiction of the Town that are subject to inundation by the regulatory flood. The SFHAs of the Town are generally identified as such on the Flood Insurance Rate Map of the Town prepared by the Federal Emergency Management Agency and dated August 1, 1980. The SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town are generally identified as such on the Flood Insurance Rate Map prepared for Clark County by the Federal Emergency Management Agency and dated February 18, 1983.
- r. Structure - means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.
- s. Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

*Building Inspector*

SECTION 4. DUTIES OF THE ADMINISTRATOR. The ~~Zoning Board~~ for the Town of Sellersburg shall implement this ordinance and hereafter be referred to as the Zoning Administrator. The Zoning Administrator for the Town of Sellersburg is appointed to review all development and subdivisiion proposals to insure compliance with this



Ordinance, including but not limited to the following duties:

- a. Ensure that all development activities within the SFHAs of the jurisdiction of the Town meet the requirements of this ordinance.
- b. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
- c. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to Section 7 of this ordinance, and maintain a record of such authorization (either copy of actual permit or letter of recommendation).
- d. Maintain a record of the "as-built" elevation of the lowest floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA.  
*Inspect before, during and after construction.*
- e. Maintain a record of the engineer's certificate and the "as built" floodproofed elevation of all buildings subject to Section 8 of this Ordinance.
- f. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
- g. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and letters of recommendation, federal permit documents, and "as built" elevation and floodproofing data and all buildings constructed subject to this ordinance.

SECTION 5. REGULATORY FLOOD ELEVATION. This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Department of Natural Resources for review and approval.

- a. The regulatory flood elevation and floodway limits for the SFHAs of Muddy Fork Creek and Silver Creek shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of the Town dated February, 1980, and corresponding FIRM dated August 1, 1980 prepared by

Federal Emergency Management Agency.

- b. The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Town.
- c. The regulatory Flood Elevation for each of the remaining SFHAs delineated as an "A Zone" in the Flood Insurance Rate Map of the ~~(City, Town or County)~~ shall be according to the best data available as provided by the Department of Natural Resources.
- d. The regulatory flood elevation <sup>and floodway limits for</sup> of the SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town shall be delineated on the 100 year Flood Profiles in the Town shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of Clark County prepared by the Federal Emergency Management Agency and dated March, 1980, and the corresponding FBFM dated September 30, 1980, prepared by FEMA.
- e. If the SFHA is delineated as "AH Zone or AO Zone," the elevation (or depth) will be delineated on the County Flood Insurance Rate Map. If the SFHA is delineated as "Zone A" on the County Flood Insurance Rate Map, the regulatory flood elevation shall be according to the best data available as provided by the Department of Natural Resources.

SECTION 6. IMPROVEMENT LOCATION PERMIT. No person, firm, corporation, or governmental body not exempted by state law shall commence any "Development" in the SFHA without first obtaining an Improvement Location Permit from the Town Zoning Board. The Zoning Board shall not issue an Improvement Location Permit if the proposed "development" does not meet the requirements of this ordinance.

- a. The application for an Improvement Location Permit shall be accompanied by the following:
1. A description of the proposed development.
  2. Location of the proposed development - sufficient to accurately locate property and structure in relation to existing roads and streams.
  3. A legal description of the property site.
  4. A site development plan showing existing and proposed structure locations and existing and proposed land grades.

5. Elevation of lowest floor (including basement) of all proposed structures. Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD).

- b. Upon receipt of an <sup>Zoning Administrator</sup> application for an Improvement Location Permit, the ~~Building Official~~ shall determine if the site is located within an identified floodway or within the floodplain where the limits of the floodway have not yet been determined.

1. If the site is in an identified floodway the ~~Building Official~~ shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Zoning Administrator

Under the provisions of IC 13-2-22 a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the ~~Building Official~~ until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the ~~Building Official~~ may issue the local Improvement Location Permit, provided the provisions contained in Sections 7 and 8 of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

Zoning Administrator

2. If the site is located in an identified floodway fringe, then the ~~Building Official~~ may issue the local Improvement Location Permit provided the provisions contained in Section 7 and 8 of this ordinance have been met. The key provision is that the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade.

Zoning Administrator

3. If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as

Zone A on the Flood Insurance Rate Map), and the drainage area upstream of the site is greater than one square mile, the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources for review and comment.

No action shall be taken by the ~~Building Official~~ <sup>Zoning Administrator</sup> until either a permit for construction in the floodway or a letter of recommendation citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources.

Once the Zoning Administrator has received the proper permit or letter of recommendation approving the proposed development, an Improvement Location Permit may be issued provided the conditions of the ILP are not less restrictive than the conditions received from Natural Resources and the provisions contained in Section 7 and 8 of this ordinance have been met.

SECTION 7. PREVENTING INCREASED DAMAGES. No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

a. Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:

1. No development shall be allowed which acting alone or in combination with existing or future similar works, will cause any increase in the elevation of the regulatory flood; and
2. For all projects involving channel modifications or fill (including levees) the Town shall submit a request to the Federal Emergency management Agency to revise the regulatory flood data.

b. Within all SFHAs identified as A Zones (no 100 year flood elevation and/or floodway/floodway fringe delineation has been provided) the following standard shall apply:

1. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not

increase the regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.

c. Public Health Standards in all SFHAs

1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in ~~storage tank or Floodproofed building~~ Floodproofed constructed according to the requirements of section 8 of this ordinance.
2. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPG are watertight.

SECTION 8. PROTECTING BUILDINGS. In addition to the damage prevention requirements of Section 7, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.

a. This building protection requirement applies to the following situations:

1. construction or placement of any new building valued at more than \$1,000; or greater than 400 square feet, whichever is less.
2. structural alternations made to an existing building that increase the market value of the building by more than 50% (excluding the value of the land) or any structural alternation made previously (one time only alteration).
3. ~~any subsequent alterations;~~
- 4.2. reconstruction or repairs made to a damaged building that are valued at or more than 50% of the market value of the building (excluding the value of the land) before damage occurred.
- 5.4. installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site is lawfully occupied before it was removed to avoid flood damage; and
- 6.5. installing a travel trailer on a site for more than 180 days.

ORDINANCE NO. 95-616

ORDINANCE RESCENDING ORDINANCE NO. 95-613


WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 23rd day of January, 1995, pass Ordinance No. 95-613 which renewed the Cumulative Capital Development Fund for the Town of Sellersburg.


WHEREAS, the Town Council for the Town of Sellersburg failed to provide notice to the citizens of the Town of Sellersburg, Indiana, in regard to said proposal and failed to conduct a hearing on the renewal of the Cumulative Capital Development Fund for the Town of Sellersburg, Indiana.

WHEREAS, the Town Council is determined that Ordinance No. 95-613 is defective for the reasons set forth above.

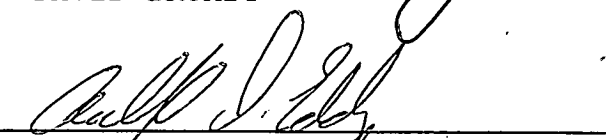
IT IS, THEREFORE, ORDAINED by the Town Council for the Town of Sellersburg that the Ordinance No. 95-613 shall be and hereby is rescinded.

SO ORDAINED this 13<sup>th</sup> day of MARCH, 1995.


  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFFER,  
CLERK/TREASURER

ORDINANCE NO. 95- 617

AN ORDINANCE AUTHORIZING THE RENEWAL OF THE  
CUMULATIVE CAPITAL DEVELOPMENT FUND FOR  
THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 26th day of October, 1992, establish by Ordinance No. 92-540 a Cumulative Capitol Development Fund for the Town of Sellersburg, Indiana; and

WHEREAS, the Cumulative Capitol Development Fund must be renewed every three years pursuant to I.C. 36-9-15.5 et. seq.; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that renewal of the Cumulative Capitol Development Fund is necessary for the efficient and effective administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined and proposed a tax levy that should be imposed for the Cumulative Capitol Development Fund as \$0.12 for the years 1996, 1997, and 1998; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined and proposed that the Property Tax tax levy shall be imposed for a period of three (3) years; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined and proposed the use of the Cumulative Capitol Development Fund for the purposes found under Indiana Code 31-9-15.5 et. seq.; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Cumulative Capitol Development Fund should be renewed for the benefit and effective administration

of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has conducted a public hearing at which the public was invited to attend and participate on the renewal of the Cumulative Capitol Development Fund and have considered all input by the public before making their decision.

BE IT THEREFORE NOW ORDAINED that the Town Council for the Town of Sellersburg, Indiana, shall renew the Cumulative Capitol Development Fund for the Town of Sellersburg, Indiana, as set forth under Indiana Code 36-9-15.5-1 et seq.

BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that the Cumulative Capitol Development Fund shall be used for all purposes proposed under Indiana Code 35-9-15.5 et seq.

BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that a tax levy to be imposed for said Cumulative Capitol Development Fund shall be \$0.12 for the years 1996, 1997, and 1998.

BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that the Cumulative Capitol Development Fund shall be imposed for a period of three (3) years.

BE IT FURTHER ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, shall issue notice pursuant to Indiana Code 5-3-1 regarding the Town of Sellersburg's submission of the renewal of the Cumulative Capitol Development Fund to the State Board of Tax Commissioners for approval.



SO ORDAINED this 22<sup>nd</sup> day of May, 1995.

Stanley E. Tucker  
STANLEY E. TUCKER

Aulton D. Eddings  
AULTON D. EDDINGS

Ken Alexander  
KEN ALEXANDER

David Broady  
DAVID D. BROADY

Kare N. Truman  
KARE N. TRUMAN

Linda G. Schaffer  
ATTEST: LINDA SCHAFER  
CLERK-TREASURER

ORDINANCE NO. 95 - 618

**AN ORDINANCE RESCINDING ORDINANCE NO. 92-542 REGARDING  
THE CLERK/TREASURER SERVING AS UTILITIES CLERK**

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 26th day of October, 1992, adopt Ordinance No. 542 which appointed the Clerk/Treasurer of the Town of Sellersburg to serve as Utilities Clerk for the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined it no longer desires for the Town of Sellersburg Clerk/Treasurer to serve as Utilities Clerk for the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said Ordinance should be rescinded for the efficient and effective administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg has considered this matter in an open meeting at which the public was invited to attend and participate.

BE IT NOW THEREFORE ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, that Ordinance No. 92-542 shall be rescinded, whereby the Town of Sellerburg Clerk/Treasurer shall no longer serve as the Utilities Clerk for the Town of Sellersburg.

SO ORDAINED THIS 27 DAY OF April, 1995.

Voted no  
STANLEY E. TUCKER

David Broady  
DAVID BROADY

[Signature]  
KEN ALEXANDER

[Signature]  
AULTON D. EDDINGS

[Signature]  
KARL N. TRUMAN

ATTEST: Linda H. Schaffer  
LINDA SCHAFER, CLERK/TREAS

ORDINANCE NO. 95- 619

AN ORDINANCE FOR THE COLLECTION OF  
YARD WASTE, LEAVES, BRANCHES AND OTHER  
VEGETATIVE MATERIALS, WITHIN THE TOWN OF SELLERSBURG

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 23rd day of December, 1991, did adopt an amended ordinance establishing a schedule of service charges for the collection of refuse and garbage in the Town of Sellersburg, Clark County, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, feels it is necessary for the administration of efficient town government to make further amendments to said ordinance; and

WHEREAS, this matter was presented at a public meeting and open for discussion at which time the owners and occupants of property served by municipal refuse and garbage collection service were provided an opportunity to be heard and voice their opinions and concerns;

BE IT THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, as follows:

1. Each owner or occupant of property served by the municipal refuse and garbage collection service will receive two (2) pick-ups per month for yard waste and other yard debris, and vegetative materials such as limbs, sticks and leaves.

2. Each owner and occupant will be entitled to dispose of three (3) bags of yard waste per pick-up and that said yard waste shall be in a recyclable bag no larger than thirty (30) gallons. Each owner and occupant is entitled to dispose of six (6) thirty gallon bags per month.

3. The owner and occupants of property served by the municipal refuse and garbage collection shall be entitled to have picked up two times per month two (2) bundles of limbs, no longer than three (3) feet, and no larger than twenty-four (24) inches in diameter, which must be tied.

ORDINANCE NO. 95 - 620

AN ORDINANCE AMENDING ORDINANCE NO. 395 (SECTION 6-114)  
CONCERNING SIGNS ON UTILITY POLES RESTRICTED/PENALTY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 24th day of September, 1984, pass Ordinance No. 395 regarding signs on utility poles, and restrictions and penalties associated therewith; and

WHEREAS, the Town Council for the Town of Sellersburg desires to amend Paragraph c, Subsection 1 of said Ordinance to read as follows:

"In any case where any violation of this ordinance may be found to exist, the Town Police Officers shall serve notice upon the violator ordering the person, firm or association to abate the violation immediately."

and

WHEREAS, this matter considered in an open meeting by the Town Council for the Town of Sellersburg in which the public was invited to attend and participate; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said amendment will result in the efficient administration of Town government.

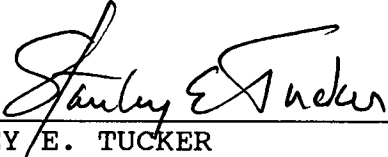
BE IT NOW THEREFORE ORDAINED BY THE SELLERSBURG TOWN COUNCIL, Sellersburg, Indiana, as follows:

1. Ordinance No. 395 (Section 6-114) of the Town of Sellersburg Town code shall be, and hereby is amended and Paragraph c, Subsection 1 shall read as follows:

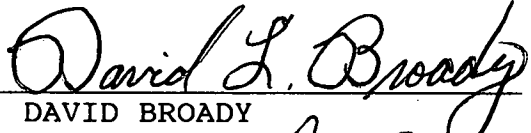
"In any case where any violation of this ordinance may be found to exist, the Town Police Officers shall serve

notice upon the violator, ordering the person, firm or association to abate the violation immediately."

SO ORDAINED THIS 24<sup>th</sup> DAY OF April, 1995.



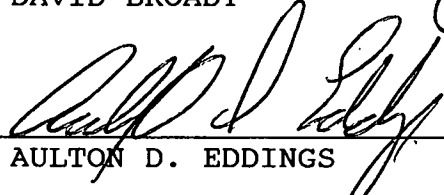
STANLEY E. TUCKER



DAVID BROADY

  
Gen

GENE ALEXANDER



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER  
CLERK/TREASURER

AN ORDINANCE AMENDING ORDINANCE NO. 94-600  
CONCERNING 1995 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 8th day of August 1994, passed Ordinance No. 94-600, establishing the 1995 Salary, Holiday and Longevity pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been informed of the need for changes that need to be made in the calculations of the pay rate for the following employees of the Town of Sellersburg, James Blincoe Jr., Travis Walters, Danny Owsley, Clark Henson, Timothy Oldham and Chief Kinder; and

WHEREAS, The Town Council for the Town of Sellersburg, Indiana, now wishes to make said changes in the calculations of said employees rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that said change is in the best interest for the effective administration of Town government.

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 94-600 concerning 1995 salary, holiday and longevity pay, shall be and hereby is amended to reflect the following changes:

SEWER DEPARTMENT

MAINT. SUPERVISOR (JAMES BLINCOE JR.)

455.60 per week or 11.39 per hour due to an amendment to the 1994 salary ord. # 93-577 adjusting pay. Reference: Loss of Sewer Superintendent Wheeler.

LAB TECH. (TRAVIS WALTERS)

378.00 per week or 9.45 per hour due to an amendment to the 1994 salary ord. # 93-577 adjusting pay. Reference: Loss of Sewer Supervisor Wheeler

ADD COMBINATION LABORER

240.00 per week or 6.00 per hour from January 1, 1995 until February 09, 1995.  
309.20 per week or 7.73 per hour from February 10, 1995 until December 31, 1995.

WATER DEPARTMENT

SUPERINTENDENT

641.72 salary per week due to an amendment to the 1994 salary ordinance # 93-577 adjusting pay. Reference: Loss of Supt. Wheeler.

POLICE DEPARTMENT

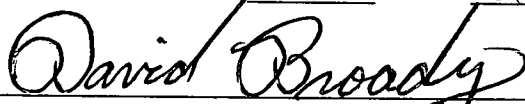
CHIEF OF POLICE SALARY  
CHIEF OF POLICE INSURANCE  
CHIEF OF POLICE HOLIDAY PAY  
CHIEF OF POLICE PERF COMPENSATION

37,685.44 per year of 724.72 per week  
1619.88 per year or 134.99 per month  
1304.64 per year  
5448.04 per year or 1362.01 per quarter  
Note: The above changes reflect the renewal of Chief Kinders contract.

PATROLMAN (OLDHAM)

salary amended to 453.55 per week and holiday pay amended to 816.48 per year.  
Note: Oldham eligible for 1st class officers pay Jan. 1st, 1995.

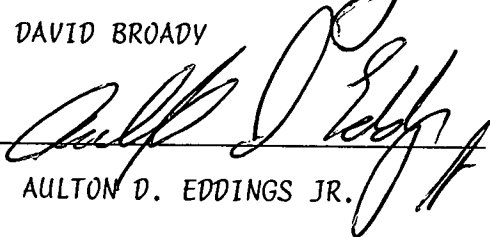
SO ORDAINED THIS 24 DAY OF April 1995.



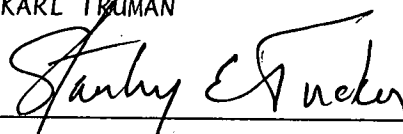
DAVID BROADY



KARL TRUMAN



AULTON D. EDDINGS JR.



STANLEY E. TUCKER

ORDINANCE NO. 95-622

AN ORDINANCE AMENDING ORDINANCE NO. 94-600  
CONCERNING 1995 SALARY, HOLIDAY AND LONGEVITY PAY

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, did on the 8th day of August, 1994, pass Ordinance No. 94-600, establishing the 1995 Salary, Holiday and Longevity pay for the employees of the Town of Sellersburg, Indiana; and

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, has by resolution eliminated three (3) positions for billing clerks who were responsible for the billing and collection for the Town of Sellersburg utility's rates and charges; and

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, now wishes to amend Ordinance No. 94-600 concerning 1995 Salary, Holiday and Longevity pay to reflect the elimination of a position under the Sewer Department for a Town Hall Clerk and under the Water Department for a billing clerk and an accounts receivable clerk; and

**WHEREAS**, the Town Council for the Town of Sellersburg, Indiana, believes that said amendments to the 1995 Salary, Holiday and Longevity Pay Ordinance is in the best interest of the Town and will result in the efficient administration of Town government.

**BE IT THEREFORE, NOW ORDAINED** by the Town Council of the Town of Sellersburg, Indiana, that Ordinance No. 94-600 concerning 1995 Salary, Holiday and Longevity Pay, shall be and hereby is amended to reflect the following changes:

**SEWER DEPARTMENT**

The position of Town Hall Clerk shall be and hereby is eliminated and the salary of \$273.20 per week or \$6.83 per hour associated therewith shall be and hereby is terminated.

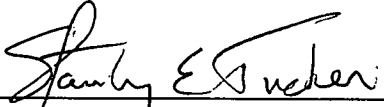
**WATER DEPARTMENT**

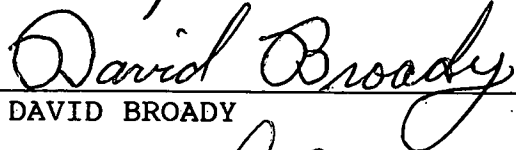
The position of Billing Clerk at \$299.60 per week or \$7.49 per hour associated therewith shall be and hereby is terminated.

The position of Accounts Receivable Clerk at \$299.60 per week or \$7.49 per hour associated therewith shall be and hereby is terminated from the 1995 Salary, Holiday and Longevity Pay Ordinance.

That said amendments to Ordinance No. 94-600 shall take effect as of the 1st day of May, 1995.

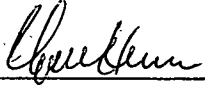
SO ORDAINED this 1 day of May, 1995.

  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST: \_\_\_\_\_  
LINDA SCHAFER,  
CLERK/TREASURER



ORDINANCE 95-623

ADDITIONAL APPROPRIATION ORDINANCE

Whereas, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for calander year 1995; now, therefore:

Be it obtained by the Town Council of the Civil Town of Sellersburg, Clark County, Indiana, that for expenses of the taxing unit the following additional sum of money are hereby appropriated out of fund named and for the purpose specified, subject to the laws governing the same;

NAME OF FUND	ACCT TITLE	AMOUNT OF APPROPRIATION REQUESTED
General/Capital Outlays	Town Hall Bldg/Const. #TC-401	105100.
CCD/Other Serv. & Charges	Misc/Ser & Charges #CCD-394	1500.
CCD/Capital Outlays	Machinery & Equip. #CCD-440	9000.
CCD/Capital Outlays	Office Furniture #CCD-430	6000.
CCD/Capital Outlays	Window Coverings #CCD-431	1500.

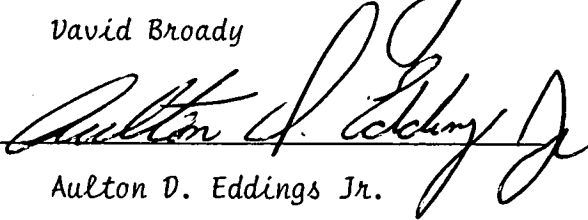
Adopted by the Town Council of the Civil Town of Sellersburg, Indiana, on this 8th day of May 1995.



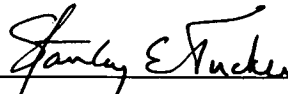
David Broady



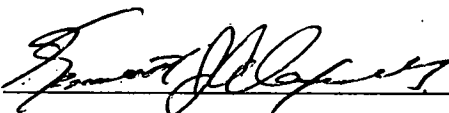
Karl Truman



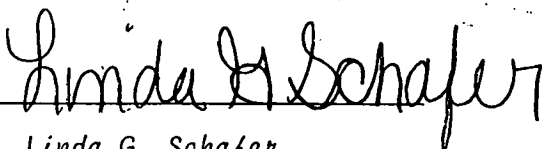
Aulton D. Eddings Jr.



Stanley E. Tucker



Kenneth Alexander

Attested: 

Linda G. Schafer  
Sellersburg Clerk Treasurer

ORDINANCE 95-624

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, AS REQUESTED BY THE CLERK TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existion annual budget for the year of 1995 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 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:

ACCT.#, NAME, & AMOUNT

TO ACCT.#, NAME, & AMOUNT

GENERAL FUND

GENERAL FUND

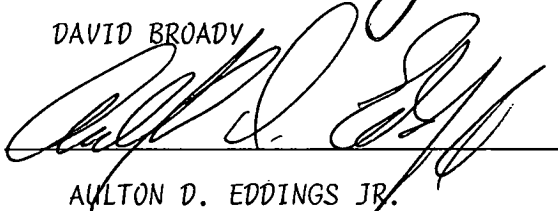
TC-112 TOWN MANAGER SAL. 300.00  
TC-341 INS. OTHER THAN 10000.00

TC-131 TOWN ATTORNEY SAL. 300.00  
TC-312 BLDG. INSPECT. SER 10000.00

SO ORDAINED THIS 10<sup>th</sup> DAY OF July 1995.



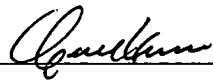
DAVID BROADY



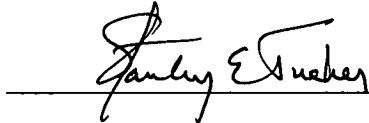
AULTON D. EDDINGS JR.



KENNETH ALEXANDER

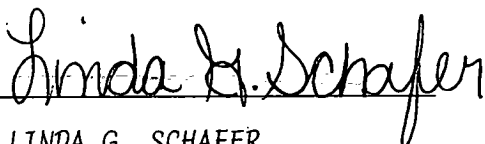


KARL TRUMAN



STANLEY E. TUCKER

ATTEST:



LINDA G. SCHAFER  
CLERK TREASURER

ORDINANCE 95-625

AN ORDINANCE AMENDING ORDINANCE NO. 94-600 CONCERNING  
1995 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 8th day of August 1994, passed Ordinance NO. 94-600, establishing the 1995 Salary, Holiday and Longevity pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been informed of the need for changes that need to be made in the calculations of the pay rate for the following contracted employee of the Town of Sellersburg, Attorney William P. McCall III; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wishes to make said changes in the calculations of said employee's rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that said change is in the best interest for the effective administration of Town government.

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 94-600 concerning 1995 salary, holiday and longevity pay, shall be and hereby is amended to reflect the following changes:

SEWER DEPT

Town Attorney

be changed from 11,250.00 per year to 12,600.00, retroactive back to January 1995. Per contract 06/12/95

WATER DEPT.

Town Attorney

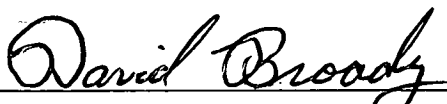
be changed from 11,250.00 per year to 12,600.00, retroactive back to January 1995. Per contract 06/12/95

GENERAL FUND

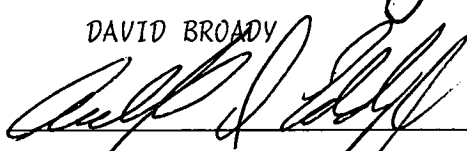
Town Attorney

be changed from 2,500.00 per year to 2,800.00 per year, retroactive back to January 1995. Per contract 06/12/95

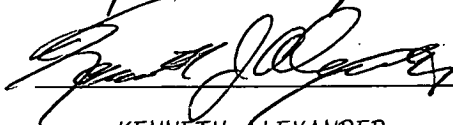
SO ORDAINED THIS 10 DAY OF July 1995.




DAVID BROADY



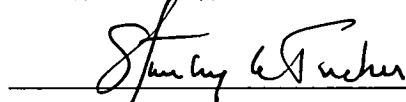
KULTON D. EDDINGS JR.



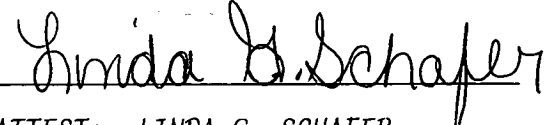
KENNETH ALEXANDER



KARL TRUMAN



STANLEY E. TUCKER



ATTEST: LINDA G. SCHAFER  
CLERK TREASURER

ORDINANCE NO. 95 - 626

**AN ORDINANCE AMENDING ORDINANCE NO. 207 (SECTION 6-12) OF  
THE SELLERSBURG TOWN CODE PERTAINING TO OPEN BURNING**

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 11th day of December, 1958, pass Ordinance No. 207 which made it unlawful for any person to burn any trash, leaves or other matters on the outside between the hours of 5:00 o'clock in the afternoon and 8:00 o'clock the next morning; and

WHEREAS, the Town Council for the Town of Sellersburg has learned as of July 1, 1995, it will be unlawful pursuant to State regulation for any open burning to occur in Clark County, Indiana; and

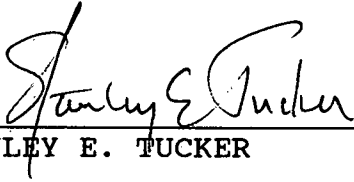
WHEREAS, the Town Council for the Town of Sellersburg desires to amend its ordinance to reflect its compliance with state law; and

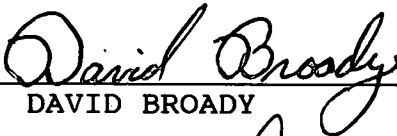
WHEREAS, the Town Council for the Town of Sellersburg has considered this matter in an open meeting in which the public was invited to, and participate in.


BE IT THEREFORE NOW ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, that Ordinance No. 207 (Section 6-12) of the Sellersburg Town Code shall be, and hereby is, amended as follows: It shall be unlawful for any person to burn any trash, leaves or other matters on the outside at any time during the day or night, except as provided by I.C. 13-1-1, et. seq.

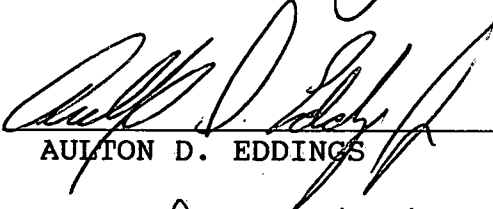
BE IT FURTHER ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, that this Ordinance shall be published in accordance with Indiana Code 5-3-1.

SO ORDERED THIS 10 DAY OF July, 1995.

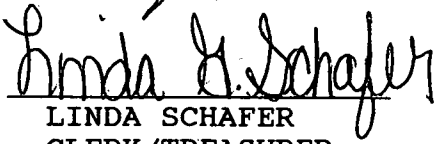
  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFER  
CLERK/TREASURER

ORDINANCE NO. 95-627

An Ordinance concerning the advance refunding by the Town of Sellersburg of its Sewage Works Revenue Bonds of 1991; authorizing the issuance of Sewage Works Refunding Revenue Bonds of 1995 for such purpose; providing for the collection, segregation and distribution of the revenues of the sewage works and the safeguarding of the interests of the owners of the Sewage Works Refunding Revenue Bonds of 1995; other matters connected therewith; and repealing ordinances inconsistent herewith

WHEREAS, the Town of Sellersburg, Indiana (the "Town") has heretofore established, constructed and financed a municipal sewage works and now owns and operates the sewage works pursuant to IC 36-9-23, and other applicable laws; and

WHEREAS, the Town Council finds that certain hereinafter described outstanding bonds of the sewage works should be refunded to obtain a reduction in interest payments and effect a savings to the Town; that the refunding of those outstanding bonds, together with redemption premium and accrued interest thereon and including all costs related to the refunding cannot be provided for out of funds of the sewage works now on hand and the refunding should be accomplished by the use of certain funds on hand and the issuance of revenue bonds of the sewage works; and

WHEREAS, the Town Council finds that there are now outstanding bonds issued to finance certain improvements and additions to the sewage works and to refund certain outstanding bonds of the sewage works originally issued for the construction of improvements and additions to the Town's sewage works and payable out of the revenues therefrom designated "Sewage Works Revenue Bonds of 1991" dated April 16, 1991 (the "1991 Bonds"), originally issued in the amount of \$4,625,000, now outstanding in the amount of \$4,470,000, and maturing annually over a period ending January 1, 2016, which 1991 Bonds constitute a first charge upon the Net Revenues (as hereinafter defined) of the sewage works; and

WHEREAS, the Town Council finds that the 1991 Bonds (the "Refunded Bonds") should be refunded pursuant to the provisions of IC 5-1-5 to enable the Town to obtain a reduction in interest payments and effect a savings to the Town; and

WHEREAS, the Town Council finds that it is advisable to issue its refunding revenue bonds in an amount not to exceed \$5,250,000 and to use the proceeds, together with funds on hand to refund the Refunded Bonds, and to pay for all costs related to the refunding and the issuance of the bonds hereunder; and

WHEREAS, the Town Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of revenue bonds have been complied with in accordance with the provisions of IC 5-1-5 and IC 36-9-23 as in effect on the date of delivery of the bonds authorized herein (collectively, the "Act");

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

Sec. 1. Issuance of Refunding Bonds. (a) The Town, being the owner of and engaged in operating an unencumbered sewage works supplying the Town, its inhabitants, and the residents adjacent thereto, with sewage disposal and treatment services, now finds it necessary to provide funds for refunding the Refunded Bonds thereby reducing its interest payments and effecting a savings, as reported by the Town's financial advisor, H.J. Umbaugh & Associates. The terms "sewage works," "sewage works system," "works," "system," and words of like import where used in this ordinance shall be construed to mean and include the existing sewage works system and all real estate and equipment used in connection therewith and appurtenances

thereto, and all extensions, additions and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired.

(b) The Town shall issue its "Sewage Works Refunding Revenue Bonds of 1995," (the "Refunding Bonds") in an aggregate principal amount not to exceed \$5,250,000 for the purpose of procuring funds to be applied to the refunding of the Refunded Bonds, the payment of costs of issuance, and all other costs related to the refunding. The Town shall apply moneys currently held for the payment of debt service on the Refunded Bonds to the refunding as provided in Section 7.

The Refunding Bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000) each or integral multiples thereof, numbered consecutively from 1 upward, dated as of the first day of the month in which they are sold and interest shall be payable semiannually on January 1 and July 1 in each year, beginning on January 1, 1996. The Refunding Bonds shall be sold at a price of not less than 97.5% of the par value thereof (which price shall include an underwriter's discount of not more than 1.2% of the par value thereof). The Refunding Bonds 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 Refunding Bonds shall bear interest at a rate or rates not exceeding 6.7% per annum and mature annually, or shall be subject to mandatory sinking fund redemption if term bonds are issued, on January 1 of each year over a period ending not later than January 1, 2016 and in such amounts which will achieve the greatest savings as possible with \$5,000 denominations.

All or a portion of the Refunding Bonds may be issued as one or more term bonds, upon election of the Underwriter, as hereinafter defined. Such term bonds shall have a stated maturity



or maturities on the dates as determined by the Underwriter but in no event later than the last serial maturity date of the Refunding Bonds as determined in the above paragraph. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on principal payment dates which are hereinafter determined in accordance with the above paragraph.

Sec. 2. Registrar and Paying Agent. The Clerk-Treasurer is hereby authorized to contract with a qualified financial institution to serve as Registrar and Paying Agent for the Refunding Bonds (the "Registrar" or "Paying Agent"). The Registrar is hereby charged with the responsibility of authenticating the Refunding Bonds. The Clerk-Treasurer is hereby authorized to enter into such agreements or understandings with the Registrar 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 Registrar may charge for the services it provides as Registrar and Paying Agent and such fees may be paid from the Sinking Fund established to pay the principal of and interest on the Refunding Bonds as fiscal agency charges.

The principal of the Refunding Bonds shall be payable at the principal corporate trust office of the Paying Agent. All payments of interest on the Refunding Bonds shall be paid by check, mailed one business day prior to the interest payment date to the registered owners thereof as the names appear as of the fifteenth day of the month preceding the interest payment date and 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. If payment of principal or interest is made to a depository, payment shall be made by wire transfer

on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Refunding Bonds 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 Refunding Bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal corporate trust office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of such Refunding Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Refunding Bond or Refunding Bonds in an authorized 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 except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The Town, Registrar and Paying Agent for the Refunding Bonds may treat and consider the person in whose name such Refunding 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.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving 30 days' notice in writing to the Town and by first class mail to each registered owner of the Refunding Bonds then outstanding, and such resignation will take effect at the end of such 30 day period or upon the earlier appointment of a successor registrar and paying agent by the Town. Any such notice to the Town may be served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Town, in which event the Town may appoint a successor registrar and paying agent. The Town shall notify each registered owner of the Refunding Bonds then outstanding by first class mail of the removal of the Registrar and Paying Agent. Notices to the registered owners of the Refunding Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the Town, the Clerk-Treasurer is authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services required of a registrar and paying agent for the bonds. The Clerk-Treasurer is further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent and such fees may be paid from the Sewage Works Sinking Fund created in Section 13 hereof. Any predecessor registrar and paying agent shall deliver all of the Refunding Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

Interest on the Refunding Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Refunding Bonds unless the

Refunding Bonds are authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Refunding Bonds are authenticated on or before December 15, 1995, in which case they shall bear interest from the original date until the principal shall be fully paid.

Sec. 3. Redemption of Refunding Bonds. The Refunding Bonds maturing on or after January 1, 2004 are redeemable at the option of the Town on July 1, 2003, or on any date thereafter, on thirty 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:

- 2% if redeemed on July 1, 2003,  
or thereafter on or before June 30, 2004;
- 1% if redeemed on July 1, 2004,  
or thereafter on or before June 30, 2005;
- 0% if redeemed on July 1, 2005,  
or thereafter prior to maturity;

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

If any Refunding Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Refunding Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the Town, any Refunding Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Refunding Bond maturing as a term bond so delivered or cancelled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and

any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Refunding Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Refunding Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for redemption, the Refunding Bonds to be called shall be selected by lot by the Registrar. If some Refunding Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Refunding Bonds for optional redemption before selecting the Refunding Bonds by lot for the mandatory sinking fund redemption.

Notice of such redemption shall be given at least thirty (30) days prior to the date fixed for redemption by mail unless the notice is waived by the registered owner of a Refunding Bond. Such notice shall be mailed to the address of the registered owners as shown on the registration records of the Town as of the date which is forty-five (45) days prior to such redemption date. The notice shall specify the date and place of redemption and sufficient identification of the Refunding Bonds called for redemption. The place of redemption shall be determined by the Town. Interest on the Refunding Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the principal office of the Paying Agent to pay the redemption price on the date so named. Coincidentally with the payment of

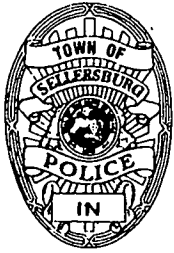
the redemption price, the Refunding Bonds so called for redemption shall be surrendered for cancellation.

Sec. 4. Execution and Negotiability. Each of the Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Town Council President and attested by the manual or facsimile signature of its Clerk-Treasurer, and the seal of the Town shall be affixed, imprinted or impressed to or on each of the Refunding Bonds manually, by facsimile or any other means; and these officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile signatures appearing on the Refunding Bonds. In case any officer whose signature or facsimile signature appears on the Refunding Bonds shall cease to be such officer before the delivery of the Refunding Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

The Refunding Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

The Refunding Bonds shall also be authenticated by the manual signature of the Registrar, and no Refunding Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Sec. 5. Form of Refunding Bonds. The form and tenor of the Refunding Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery:



*Town of Sellersburg*

# *Police Department*

*David L. Kinder*  
*Chief of Police*

*W. Pat Bradshaw*  
*Deputy Chief*

---

123 South Indiana Avenue Sellersburg, Indiana 47172  
(812) 246-4491 Fax (812) 246-3658

August 1, 1995

Ms. Linda Schafer  
316 E. Utica Street  
Sellersburg, Indiana 47172

RE: TRANSFER OF FUNDS

Dear Ms. Schafer:

Request the below listed accounts and amounts be transferred into Police Autos,  
Account 415:

POLICE SALARIES (113)	21,678.96 (new officer)
	3,500.00 (9 weeks Ellenbrand salary)
OFFICE SUPPLIES (213)	500.00
POLICE EQUIPMENT (223)	500.00
POLICE GASOLINE (225)	900.00
POSTAGE (321)	250.00
CLEANING (361)	1,500.00

Sincerely,

DAVID L. KINDER, CHIEF  
SELLERSBURG POLICE DEPARTMENT

DLK:mde

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

Interest Rate      Maturity Date      Original Date      Authentication Date      CUSIP

TOWN OF SELLERSBURG  
SEWAGE WORKS REFUNDING REVENUE  
BOND OF 1995

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, solely out of the special revenue fund hereinafter referred to, the Principal Sum set forth above on the Maturity Date set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest hereon at the Interest Rate per annum stated 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 date in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before December 15, 1995, in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable semiannually on the first days of January and July in each year, beginning on January 1, 1996.

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 one business day prior to the interest payment date to the registered owner hereof as of the fifteenth day of the month preceding such interest payment date 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. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments so such payments are received at the depository by 2:30 p.m. (New York City time).



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.

THE TOWN SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE HEREINAFTER DESCRIBED SPECIAL FUND, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE TOWN WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

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 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 the Town Council 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

By \_\_\_\_\_  
Town Council President

[SEAL]

Attest:

\_\_\_\_\_  
Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned 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 date, tenor and effect, except as to rates of interest and dates of maturity; aggregating \_\_\_\_\_ Dollars (\$ \_\_\_\_\_); numbered consecutively from 1 up; issued for the purpose of advance refunding the 1991 Bonds (the "Refunded Bonds") (as defined in the hereinafter defined Ordinance). This bond is issued pursuant to an Ordinance adopted by the Town Council of said Town on the \_\_\_ day of \_\_\_\_\_, 1995, entitled "An Ordinance concerning the advance refunding by the Town of Sellersburg of its Sewage Works Revenue Bonds of 1991; authorizing the issuance of Sewage Works Refunding Revenue Bonds of 1995 for such purpose; providing for the collection, segregation and distribution of the revenues of the sewage works and the safeguarding of the interests of the owners of the Sewage Works Refunding Revenue Bonds of 1995; other matters connected therewith; and repealing ordinances inconsistent herewith" (the "Ordinance"), and in accordance with the provisions of Indiana law, including without limitation Indiana Code 5-1-5 and Indiana Code 36-9-23 as in effect on the date of delivery of this bond (hereinafter collectively, the "Act"), the proceeds of which bonds are to be applied solely to the advance refunding and legal defeasance of the 1991 Bonds, including the incidental expenses incurred in connection therewith.

Pursuant to the provisions of the Act and the Ordinance, the principal of and interest on this bond and all other bonds of said issue and any bonds hereafter issued on a parity therewith are payable solely from the Sewage Works Sinking Fund created by the Ordinance (the "Sinking Fund") to be provided from the Net Revenues (herein defined as the gross revenues of the sewage works of the Town remaining after the payment of the reasonable expenses of operation, repair and maintenance) of the sewage works.

Pursuant to the Ordinance and the Escrow Agreement defined therein, the Town of Sellersburg has set aside securities (purchased from proceeds of the bonds of this issue and funds on hand of the sewage works), and certain cash in a Trust Account to provide payment of the

principal of and interest and redemption premium on the Refunded Bonds by the purchase of obligations of the United States of America.

The Town of Sellersburg irrevocably pledges the entire Net Revenues of the sewage works to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one, and any bonds ranking on a parity therewith, to the extent necessary for that purpose, and covenants that it will cause to be fixed, maintained and collected such rates and charges for services rendered by the utility as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of the sewage works and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. If the Town or the proper officers thereof 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 in the Act, including the right to have a receiver appointed to administer the works and to charge and collect rates sufficient to provide for the payment of this bond and the interest hereon.

The Town of Sellersburg further covenants that it will set aside and pay into its Sinking Fund monthly, as available, or more often if necessary, a sufficient amount of the Net Revenues of the works for payment of (a) the interest on all bonds which by their terms are payable from the revenues of the sewage works, as such interest shall fall due, (b) the necessary fiscal agency charges for paying bonds and interest, (c) the principal of all bonds which by their terms are payable from the revenues of the sewage works, as such principal shall fall due, and (d) an additional amount as a margin of safety to [create and] maintain the debt service reserve required by the Ordinance. Such required payments shall constitute a first charge upon all the Net Revenues of the sewage works.

The bonds maturing on and after January 1, 2004 are redeemable at the option of the Town on July 1, 2003, or any 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, with the following premiums:

- 2% if redeemed on July 1, 2003, or thereafter  
on or before June 30, 2004;
- 1% if redeemed on July 1, 2004, or thereafter  
on or before June 30, 2005;
- 0% if redeemed on July 1, 2005, or thereafter  
prior to maturity;

plus accrued interest to the date of redemption.

[The bonds maturing on January 1, \_\_\_ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, on January 1 in the years and in the amounts set forth below:

Year

Amount

\*

\*Final Maturity]

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional [and mandatory] redemption. If less than an entire maturity is called for redemption, the bonds to be redeemed shall be selected by lot by the Registrar. [If some bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the bonds for optional redemption before selecting the bonds by lot for the mandatory sinking fund redemption.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the Town as of the date which is forty-five (45) days prior to such redemption date not less than thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this bond. The notice shall specify the date and place of redemption and sufficient identification 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 principal corporate trust 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 an authorized 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. This bond may be transferred without cost to the registered owner except for any tax or governmental charge required to be paid with respect to the transfer. The Town, the Registrar, the Paying Agent and any other registrar or 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.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein. **THE OWNER OF THIS BOND, BY THE ACCEPTANCE**

HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. The Ordinance may be amended without the consent of the owners of the bonds as provided in the Ordinance if the Town Council determines, in its sole discretion, that the amendment shall not adversely affect the rights of any of the owners of the bonds.

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 bonds maturing in any one year are issuable only in fully registered form in the denomination of \$5,000 or any integral multiple thereof.

### ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ this 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 an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

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. Authorization for Preparation and Sale of the Refunding Bonds. (a) The Clerk-Treasurer is hereby authorized and directed to have the Refunding Bonds prepared, and the Town Council President and Clerk-Treasurer are hereby authorized and directed to execute and attest the Refunding Bonds in the form and manner provided herein. The Clerk-Treasurer is hereby authorized and directed to deliver the Refunding Bonds to Raffensperger, Hughes & Co., Inc. (the "Underwriter") in accordance with the Purchase Contract (the "Purchase Contract") between the Town and the Underwriter. The substantially final form of Purchase Contract

attached hereto is hereby approved by the Town Council, and the Town Council President and Clerk-Treasurer are hereby authorized to execute the Purchase Contract with terms consistent with this ordinance, including a final principal amount, interest rates, maturity schedule, optional redemption features and term bond mandatory redemptions, if any.

(b) The Clerk-Treasurer is hereby authorized to appoint a financial institution to serve as escrow trustee (the "Escrow Trustee") for the Refunded Bonds in accordance with the terms of the Escrow Agreement, between the Town and the Escrow Trustee (the "Escrow Agreement"). The substantially final form of Escrow Agreement attached hereto is hereby approved by the Town Council, and the Town Council President and the Clerk-Treasurer are hereby authorized and directed to complete, execute and attest the same on behalf of the Town so long as its provisions are consistent with this ordinance and the Purchase Contract.

(c) The Refunding Bonds, when fully paid for and delivered to the Underwriter, shall be the binding special revenue obligations of the Town, payable out of the Net Revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance) of the sewage works, to be set aside into the Sewage Works Sinking Fund created in Section 13. The proper officers of the Town are hereby directed to sell the Refunding Bonds to the Underwriter, 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.

(d) The execution, by either the Town Council President, Clerk-Treasurer, or the Underwriter, of a subscription for United States Treasury Obligations -- State and Local Government Series for investments of proceeds of the Refunding Bonds to be held under the Escrow Agreement in a manner consistent with this ordinance is hereby approved.

(e) Distribution of an Official Statement (preliminary and final) prepared by H.J. Umbaugh & Associates, on behalf of the Town, is hereby approved and the Town Council President and Clerk-Treasurer are authorized and directed to execute the final Official Statement on behalf of the Town in a form consistent with this ordinance and the Purchase Contract. The President or Clerk-Treasurer is hereby authorized to designate the Official Statement as "nearly final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission ("Rule 15c2-12").

Sec. 7. Refunding of the Refunded Bonds and Costs of Issuance. Concurrently with the delivery of the Refunding Bonds, the Clerk-Treasurer shall acquire, with the proceeds of the Refunding Bonds and cash on hand, direct obligations of or obligations the principal and interest on which are unconditionally guaranteed by, the United States of America (the "Government Obligations") to be used, together with certain cash from the proceeds of the Refunding Bonds and cash on hand as set forth in the Escrow Agreement, to advance refund and legally defease the Refunded Bonds all as set forth in the Escrow Agreement. In order to refund the Refunded Bonds, the Clerk-Treasurer shall deposit Government Obligations and certain cash with the Escrow Trustee under the Escrow Agreement in an amount sufficient to provide moneys for the payment of the principal of and interest and redemption premium on the Refunded Bonds until January 1, 2001, the earliest date upon which the Refunded Bonds may be called for redemption.

The Clerk-Treasurer shall obtain a verification of an accountant as to the sufficiency of the funds deposited in the Trust Account under the Escrow Agreement to accomplish said advance refunding and legal defeasance of the Refunded Bonds.

Costs of issuance of the Refunding Bonds not otherwise paid shall be paid from the remaining proceeds by the Clerk-Treasurer. When all the costs of issuance of the Refunding Bonds have been paid, the Clerk-Treasurer shall then transfer any amount then remaining from the proceeds of the Refunding Bonds to the Sinking Fund herein created.

Sec. 8. Accrued Interest. The accrued interest received at the time of delivery of the Refunding Bonds, if any, shall be deposited in the Sinking Fund created in Section 13, to be credited to the Bond and Interest Account of the Sinking Fund.

Sec. 9. Financial Records and Accounts. The Town shall keep proper records and books of account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues received on account of the operation of the sewage works and all disbursements made therefrom and all transactions relating to the utility. There shall also be furnished upon request to the Underwriter and to any owner of the Refunding Bonds, within thirty (30) days of their receipt by the Town, the audited financial statements of the utility prepared by the State Board of Accounts. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. Any owner of the Refunding Bonds shall have the right at all reasonable times to inspect the sewage works system and the records, accounts and data of the Town.

Sec. 10. Pledge of Net Revenues. The interest on and the principal of the Refunding Bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith, shall constitute a first charge on all the Net Revenues and such Net Revenues are hereby irrevocably pledged to the payment of the interest on and principal of such Refunding Bonds, to the extent necessary for that purpose.



Sec. 11. Revenue Fund. All revenues derived from the operation of the sewage works and from the collection of sewer rates and charges shall be deposited in the Revenue Fund, hereby created, and segregated and deposited as set forth in this ordinance. Of these revenues, the proper and reasonable expenses of operation, repair and maintenance of the works shall be paid, the principal and interest of all bonds and fiscal agency charges of registrars or paying agents shall be paid, and the costs of replacements, extensions, additions and improvements shall be paid.

Sec. 12. Operation and Maintenance Fund. Moneys heretofore accumulated pursuant to the ordinance authorizing the Refunded Bonds (the "Existing Ordinance") in an amount equal to the expenses of operation, repair and maintenance of the sewage works for a two-month period, as calculated by the Clerk-Treasurer with the advice of the Town's financial advisor, shall be credited to and become a part of the Operation and Maintenance Fund created hereby as of the date of the advance refunding of the Refunded Bonds. On the last day of each calendar month, revenues of the sewage works shall thereafter be transferred from the Revenue Fund to the Operation and Maintenance Fund. The balance maintained in this Fund shall be sufficient to pay the expenses of operation, repair and maintenance for the then next succeeding two calendar months. The moneys credited to this Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the sewage works on a day-to-day basis. Any monies in said Fund may be transferred to the Sewage Works Sinking Fund if necessary to prevent a default in the payment of principal of or interest on the outstanding bonds of the sewage works.

Sec. 13. Sewage Works Sinking Fund. (a) There is hereby created a sinking fund for the payment of the principal of and interest on revenue bonds which by their terms are payable from the Net Revenues of the sewage works and the payment of any fiscal agency charges in connection with the payment of bonds, which fund shall be designated the "Sewage Works Sinking Fund" (herein, "Sewage Works Sinking Fund" or "Sinking Fund"). There shall be set aside and deposited in the Sinking Fund, as available, and as hereinafter provided, a sufficient amount of the Net Revenues of the sewage works to meet the requirements of the Bond and Interest Account and Reserve Account hereby created in the Sinking Fund. Such payments shall continue until the balances in the Bond and Interest Account and the Reserve Account, equal the principal of and interest on all of the then outstanding bonds of the sewage works to their final maturity.

(b) Bond and Interest Account. Any moneys heretofore accumulated to pay principal and interest on the Refunded Bonds shall be credited to and become a part of the Trust Account under the Escrow Agreement and shall be applied on the first payments made from the Trust Account. Beginning as of the date of issuance of the Refunding Bonds, there shall be credited on the last day of each calendar month from the Revenue Fund to the Bond and Interest Account an amount of the Net Revenues equal to at least one-twelfth (1/12) of the principal of and at least one-sixth (1/6) of the interest on all then outstanding bonds payable on the then next succeeding principal and interest payment dates until the amount of interest and principal payable on the then next succeeding respective interest and principal payment dates shall have been so credited. There shall similarly be credited to the account any amount necessary to pay the bank fiscal agency charges for paying interest on outstanding bonds as the same become payable. The

Town shall, from the sums deposited in the Sinking Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the interest and principal on the due dates thereof together with the amount of bank fiscal agency charges.

(c) Reserve Account. On the date of delivery of the Refunding Bonds, funds on hand of the sewage works, Refunding Bond proceeds or a combination thereof may be deposited into the Reserve Account. The initial deposit or the balance accumulated in the Reserve Account shall equal but not exceed the least of (i) maximum annual debt service on the Refunding Bonds, (ii) 125% of average annual debt service on the Refunding Bonds or (iii) 10% of the proceeds of the Refunding Bonds, plus a minor portion thereof as defined in the Internal Revenue Code of 1986, as existing on the date of issuance of the Refunding Bonds (the "Reserve Requirement"). If the initial deposit into the Reserve Account does not equal the Reserve Requirement or if no deposit is made, an amount of Net Revenues shall be credited to the Reserve Account on the last day of each calendar month until the balance therein equals the Reserve Requirement. The monthly deposits shall be equal in amount and sufficient to accumulate the Reserve Requirement within five years of the date of delivery of the Refunding Bonds. The Reserve Account shall constitute the margin for safety and protection against default in the payment of principal of and interest on the Refunding Bonds, and the moneys in the Reserve Account shall be used to pay current principal and interest on the Refunding Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Reserve Account shall be made up from the next available Net Revenues remaining after credits into the Bond and Interest Account. Any moneys

in the Reserve Account in excess of the Reserve Requirement shall either be transferred to the Sewage Works Improvement Fund or be used for the purchase of outstanding bonds or installments of principal of fully registered Refunding Bonds.

Sec. 14. Sewage Works Improvement Fund. After meeting the requirements of the Operation and Maintenance Fund and the Sinking Fund, any excess revenues may be transferred or credited from the Revenue Fund to a fund designated the "Sewage Works Improvement Fund," and said Fund shall be used for improvements, replacements, additions and extensions of the sewage works or for any other lawful purpose. As of the date of the delivery of the Refunding Bonds, any other available and unrestricted moneys of the sewage works not otherwise deposited pursuant to the terms of this ordinance shall be transferred to the Improvement Fund. Moneys in the Sewage Works Improvement Fund shall be transferred to the Sewage Works Sinking Fund if necessary to prevent a default in the payment of principal and interest on the then outstanding bonds or, if necessary, to eliminate any deficiencies in credits to or minimum balance in the Reserve Account of the Sewage Works Sinking Fund or may be transferred to the Operation and Maintenance Fund to meet unforeseen contingencies in the operation, repair and maintenance of the sewage works.

Sec. 15. Investment of Funds. The Sinking Fund shall be deposited in and maintained as a separate account or accounts from all other accounts of the Town. The Operation and Maintenance Fund and the Sewage Works Improvement Fund may be maintained in a single account, or accounts, but such account, or accounts, shall likewise be maintained separate and apart from all other accounts of the Town and apart from the Sinking Fund account or accounts. All moneys deposited in the 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 obligations in accordance with the applicable laws, including particularly Indiana Code, Title 5, Article 13, as amended or supplemented, and in the event of such investment the income therefrom shall become a part of the funds invested and shall be used only as provided in this ordinance. Nothing in this section or elsewhere in this ordinance shall be construed to require that separate bank accounts be established and maintained for the Funds and Accounts created by this ordinance.

Sec. 16. Defeasance of the Refunding Bonds. If, when the Refunding Bonds or a portion thereof 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 Refunding Bonds or a 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 of the Refunding Bonds or a portion thereof then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, 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 the Refunding Bonds or any designated portion thereof issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Town's sewage works.

Sec. 17. Rate Covenant. The Town covenants and agrees that it will establish and maintain just and equitable rates or charges for the use of and the service rendered by the works,

to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses said sewage works by or through any part of the sewage system of the Town, or that in any way uses or is served by such works; that such rates or charges shall be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of the works, and for the payment of the sums required to be paid into the Sinking Fund by the Act and this ordinance. 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, repair and maintenance of the sewage works and the requirements of the Sinking Fund. The rates or charges so established shall apply to any and all use of such works by and service rendered to the Town and all departments thereof, and shall be paid by the Town or the various departments thereof as the charges accrue.

Sec. 18. Additional Bond Provisions. The Town reserves the right to authorize and issue additional bonds payable out of the Net Revenues of its sewage works ranking on a parity with the Refunding Bonds for the purpose of financing the cost of future additions, extensions and improvements to its sewage works, or to refund obligations, subject to the following conditions:

(a) All required payments into the Sinking 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 Net Revenues of the sewage works shall have been paid in accordance with their terms.

(b) The Net Revenues of the sewage works in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the Refunding Bonds 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 the parity bonds the sewage rates and charges shall be increased sufficiently so that increased rates and charges applied to the previous years' operations would have produced Net Revenues for said period equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of all bonds payable from the revenues of the sewage works, including the additional parity bonds proposed to be issued.

For purposes of this subsection, the records of the sewage works shall be analyzed and all showings prepared by a certified public accountant employed by the Town for that purpose.

(c) The interest on the additional parity bonds shall be payable semiannually on the first days of January and July and the principal on, or mandatory sinking fund redemptions for, the additional parity bonds shall be payable annually on January 1.

Sec. 19. Further Covenants of the Town; Maintenance, Insurance, Pledge Not To Encumber, Subordinate Indebtedness, and Contract with Bondholders. For the purpose of further safeguarding the interests of the owners of the Refunding Bonds, it is hereby specifically provided as follows:

(a) So long as any of the Refunding Bonds are outstanding, the Town shall at all times maintain the sewage works system in good condition, and operate the same in an efficient manner and at a reasonable cost.

(b) So long as any of the Refunding Bonds are outstanding, the Town shall maintain insurance on the insurable parts of the system, of a kind and in an amount such as is usually carried by private corporations 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.

As an alternative to maintaining such insurance, the Town may maintain a self-insurance program with catastrophic or similar coverage so long as such program meets the requirements of any applicable laws or regulations and is maintained in a manner consistent with programs maintained by similarly situated municipalities.

All insurance or self-insurance proceeds shall be used either in replacing or restoring the property destroyed or damaged, or shall be deposited in the Sinking Fund.

(c) So long as any of the Refunding Bonds are outstanding, the Town shall not mortgage, pledge or otherwise encumber the property and plant of its sewage works system, or any part thereof, and shall not sell, lease or otherwise dispose of any part of the same, excepting only such machinery, equipment or other property as may be replaced, or shall no longer be necessary for use in connection with said utility.

(d) Except as otherwise specifically provided in Section 18 of this ordinance, so long as any of the Refunding Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the system shall be authorized, issued or executed by the Town, except such as shall be made junior and subordinate in all respects to the Refunding Bonds, unless all of the Refunding Bonds are redeemed or defeased coincidentally with the delivery of such additional bonds or other obligations.

(e) The Town shall take all actions or proceedings necessary and proper, to the extent permitted by law, to require connection of all property where liquid and solid waste, sewage, night soil or industrial waste is produced with available sanitary sewers. The Town shall,



insofar as possible, and to the extent permitted by law, cause all such sanitary sewers to be connected with said sewage works.

(f) The provisions of this ordinance shall constitute a contract by and between the Town and the owners of the Refunding Bonds herein authorized, all the terms of which shall be enforceable by any bondholder by any and all appropriate proceedings in law or in equity. After the issuance of the Refunding Bonds, this ordinance shall not be repealed, amended or modified in any respect which will adversely affect the rights or interests of the owners of the Refunding Bonds, nor shall the Town Council or any other body of the Town adopt any law, ordinance or resolution in any way adversely affecting the rights of the bondholders so long as any of the Refunding Bonds, or the interest thereon, remain outstanding or unpaid. Except in the case of changes described in Section 20(a)-(f), this ordinance may be amended, however, without the consent of bondholders, if the Town Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Refunding Bonds.

(g) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the Refunding Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Refunding Bonds 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 Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of that Fund as in this ordinance set forth. The owners of the Refunding Bonds shall have all the rights, remedies and privileges set forth in the provisions of the governing Act, including the right to have a receiver appointed to administer the sewage works in the event the Town shall fail or

refuse to fix and collect sufficient rates and charges for those purposes, or shall fail or refuse to operate and maintain said system and to apply properly the revenues derived from the operation thereof, or if there be a default in the payment of the interest on or principal of the Refunding Bonds.

(h) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the Town derived from any sources other than the proceeds of the Refunding Bonds and the operation of the sewage works system.

Sec. 20. Amendments with Consent of Bondholders. 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 Refunding 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 Council of the Town of such ordinance or ordinances supplemental hereto or amendatory hereof, 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, or any mandatory sinking fund redemption date for, any Refunding Bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any Refunding 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 or Net Revenues of the sewage works ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any Refunding Bond or Refunding Bonds issued pursuant to this ordinance over any other Refunding Bond or Refunding Bonds issued pursuant to the provisions of this ordinance; or

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

(f) A reduction in the Reserve Requirement.

If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding 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 Refunding 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 Council of the Town 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 Refunding Bonds 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 Refunding Bonds authorized by this ordinance, and the terms and provisions of the Refunding Bonds and this ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the Town and the consent of the owners of all the Refunding Bonds then outstanding.

Sec. 21. Tax Covenants. In order to preserve the exclusion of interest on the Refunding Bonds from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Refunding Bonds (the "Code") and as an inducement to purchasers of the Refunding Bonds, 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 Refunding Bonds or property financed by the Refunding Bond 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 Refunding Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that differentiates that person's or entity's use of such property from use by the general public.

(b) No portion of the principal of or interest on the Refunding Bonds is (under the terms of the Refunding Bonds, this ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for any private business use or payments in respect of any 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 such property or borrowed money used or to be used for a private business use.

(c) No Refunding Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No Refunding Bond 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 Refunding Bond proceeds.

(d) The Town will not take any action nor fail to take any action with respect to the Refunding Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Refunding Bonds 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 be not an event of default under this ordinance if the interest on any Refunding Bond 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 issuance of the Refunding Bonds.

(f) The Town hereby covenants that it will rebate any arbitrage profits to the United States to the extent required by the Code and the regulations promulgated thereunder.

(g) These covenants are based solely on current law in effect and in existence on the date of delivery of such Refunding Bonds.

(h) The Town represents that:

(i) The Refunding Bonds are not private activity bonds as defined in Section 141 of the Code;

- (ii) The Town hereby designates the Refunding Bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; and
- (iii) 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 1995 does not exceed \$10,000,000.
- (iv) The Town will not designate more than \$10,000,000 of qualified tax-exempt obligations during 1995.

Therefore, the Refunding 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. 22. Noncompliance with Tax Covenants. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Refunding Bonds from gross income under federal law (the "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. 23. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that this ordinance shall not be construed or adversely affecting the rights of the owners of the Refunded Bonds.

Sec. 24. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this ordinance.

Sec. 25. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Town Council.

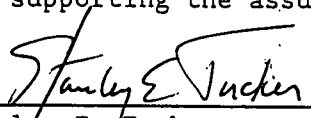
# TOWN OF SELLERSBURG

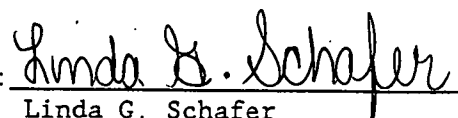
316 EAST UTICA STREET  
P.O. BOX 85  
SELLERSBURG, INDIANA 47172  
(812) 246-3821

H. J. Umbaugh & Associates  
Certified Public Accountants  
9100 Meridian Square, Suite 100  
20 East 91st Street  
P.O. Box 40458  
Indianapolis, Indiana 46240-0458

In connection with your compilation of the forecasted comparative balance sheet and the related schedules of cash receipts and disbursements and summaries of significant assumptions and accounting policies of the Sellersburg Municipal Sewage Works as of December 31, 1995 through 1996 and for the calendar years then ending, we make the following representations:

1. The financial forecasts present our assumptions and, to the best of our knowledge and belief, the Sewage Works' expected revenues, expenses and account balances for the periods in conformity with the generally accepted accounting principles expected to be used by the Sewage Works during the forecast periods, which are consistent with the principles that Sellersburg Municipal Sewage Works uses in preparing its historical financial statements.
2. The financial forecasts are based on our judgement, considering present circumstances, of the expected conditions and our expected course of action.
3. We have made available to you all significant information that we believe is relevant to the forecast.
4. We believe that the assumptions underlying the forecasts are reasonable and appropriate.
5. To the best of our knowledge and belief, the documents and records supporting the assumptions are appropriate.

Signed:   
Name: Stanley E. Tucker  
Title: Town Council, President  
Date: \_\_\_\_\_

Signed:   
Name: Linda G. Schafer  
Title: Clerk-Treasurer  
Date: \_\_\_\_\_

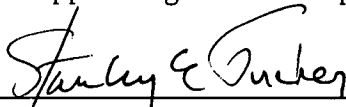


[Town's Letterhead]

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Signed:   
Name: Stanley E. Tucker  
Title: Town Council, President  
Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Name: Linda G. Schafer  
Title: Clerk-Treasurer  
Date: \_\_\_\_\_

LEGAL OPINION AND ENFORCEABILITY OF REMEDIES (Cont'd)

The remedies available to the Bondholders upon default under the Bond Ordinance are in many respects dependent upon judicial actions which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title 11 of the United States Code (the federal bankruptcy code), the remedies provided in the Bond Ordinance may not be readily available or may be limited. Under Federal and State environmental laws certain liens may be imposed on Town property from time to time but the Town has no reason to believe, under existing law, that any such lien would have priority over the lien on the net revenues of the Sewage Works pledged to Bondholders under the Bond Ordinance.

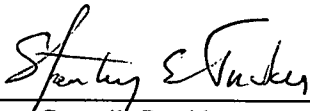
The various legal opinions to be delivered concurrently with the delivery of the Refunding Bonds will state that the enforceability of the various legal instruments is subject to limitations imposed by the valid exercise of the constitutional powers of the Town, the State of Indiana and the United States and bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally, and by general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law.)

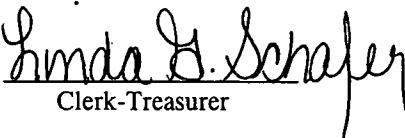
These exceptions would encompass any exercise of the Federal, state or local police powers, in a manner consistent with the public health and welfare. Enforceability of the Bond Ordinance in a situation where such enforcement may adversely impact public health and welfare may be subject to such police powers.

---

The execution of this Official Statement is duly authorized by the Town of Sellersburg.

Town of Sellersburg, Indiana

By:   
Town Council, President

Attest:   
Clerk-Treasurer

PENSION LIABILITIES

Employees of the Municipal Sewage Works have pensions funded under the Public Employees' Retirement Fund of the State of Indiana. Provided below is a statement of the unfunded accrued liability, as reported by PERF, as of June 30, 1994.

	<u>Town of Sellersburg</u>
Number of employees	10
Unfunded accrued liability	\$540.00
Employer contribution (12 months ended December 31, 1994)	\$10,144.63
1995 employer rate of contribution	6.25%

---

The execution of this Official Statement is duly authorized by the Town of Sellersburg.

By: *Stanley E. Tucker*  
Town Council, President

Attest: *Aminda H. Schaefer*  
Clerk-Treasurer



## H.J. Umbaugh & Associates

Herschell J. Umbaugh, CPA  
(1915-1989)  
Myron H. Frasier, CPA  
(Retired)

Certified Public Accountants  
Suite 100 9100 Meridian Square 20 East 91st Street P.O. Box 40458  
Indianapolis, Indiana 46240-0458 Telephone 317 844-7288 Telecopier 317 848-3604

Partners  
Roger L. Umbaugh, CPA  
Edward W. Guntz, CPA  
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Charles A. Dalton, CPA  
David C. Frederick, CPA  
John D. Julien, CPA  
John M. Seever, CPA  
Principal  
Colette J. Irwin-Knott

July 18, 1995

Re: Sellersburg Sewage Works Refunding Revenue Bonds of 1995

Members of the Working Group:

Enclosed is a draft of the Preliminary Official Statement ("POS") for your review and comments.

We would appreciate any suggested changes be given to Judi Bryant of our office no later than the end of the day Tuesday, July 25th.

Enclosed in Stan's envelope are the original of the last page of the Introductory Statement and General Information sections. Also enclosed in Stan's envelope is a Management Representation letter for the forecasted financial statements. Our professional accounting standards require that this be executed and returned to us before we release the forecasts. We ask that the enclosures be signed by him and Linda and returned to our office by Tuesday.

We would also appreciate your enclosing a copy of the signature page(s) of the Bond Ordinance, once adopted. We will need these for the POS as well.

If you have any questions or comments, please do not hesitate to call.

Very truly yours,

H.J. UMBAUGH & ASSOCIATES

David C. Frederick

DCF/JWB/crj

Enclosure

MEMBERS OF THE WORKING GROUP

Mr. Stanley E. Tucker,  
President Town Council  
Town of Sellersburg  
316 East Utica  
Sellersburg, Indiana 47172

Ms. Linda Schaffer, Clerk-Treasurer  
Town of Sellersburg  
316 East Utica  
Sellersburg, Indiana 47172

Mr. William P. McCall, III  
Doehrman & Lewis  
425 Watt Street  
P.O. Box 729  
Jeffersonville, Indiana 47130

Mr. Timothy J. Holmes  
NatCity Investments, Inc.  
20 North Meridian Street  
Indianapolis, Indiana 46204

Mr. Christopher J. Franzmann  
Ice Miller Donadio & Ryan  
One American Square  
Box 82001  
Indianapolis, Indiana 46282

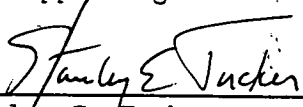
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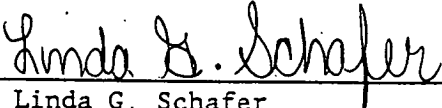
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5. To the best of our knowledge and belief, the documents and records supporting the assumptions are appropriate.

Signed:   
Name: Stanley E. Tucker  
Title: Town Council, President  
Date: \_\_\_\_\_

Signed:   
Name: Linda G. Schafer  
Title: Clerk-Treasurer  
Date: \_\_\_\_\_

[Town's Letterhead]

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Signed: Stanley E. Tucker  
Name: Stanley E. Tucker  
Title: Town Council, President  
Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Name: Linda G. Schafer  
Title: Clerk-Treasurer  
Date: \_\_\_\_\_

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The execution of this Official Statement is duly authorized by the Town of Sellersburg.

By: Stanley E. Tucker  
Town Council, President

Attest: Ronda G. Schaefer  
Clerk-Treasurer



LEGAL OPINION AND ENFORCEABILITY OF REMEDIES (Cont'd)

The remedies available to the Bondholders upon default under the Bond Ordinance are in many respects dependent upon judicial actions which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title 11 of the United States Code (the federal bankruptcy code), the remedies provided in the Bond Ordinance may not be readily available or may be limited. Under Federal and State environmental laws certain liens may be imposed on Town property from time to time but the Town has no reason to believe, under existing law, that any such lien would have priority over the lien on the net revenues of the Sewage Works pledged to Bondholders under the Bond Ordinance.

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These exceptions would encompass any exercise of the Federal, state or local police powers, in a manner consistent with the public health and welfare. Enforceability of the Bond Ordinance in a situation where such enforcement may adversely impact public health and welfare may be subject to such police powers.

---

The execution of this Official Statement is duly authorized by the Town of Sellersburg.

Town of Sellersburg, Indiana

By: *Spencer E. Tucker*  
Town Council, President

Attest: *Linda G. Schaefer*  
Clerk-Treasurer



## H.J. Umbaugh & Associates

Certified Public Accountants

Herschell J. Umbaugh, CPA  
(1915-1989)  
Myron H. Frasier, CPA  
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July 18, 1995

Re: Sellersburg Sewage Works Refunding Revenue Bonds of 1995

Members of the Working Group:

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We would appreciate any suggested changes be given to Judi Bryant of our office no later than the end of the day Tuesday, July 25th.

Enclosed in Stan's envelope are the original of the last page of the Introductory Statement and General Information sections. Also enclosed in Stan's envelope is a Management Representation letter for the forecasted financial statements. Our professional accounting standards require that this be executed and returned to us before we release the forecasts. We ask that the enclosures be signed by him and Linda and returned to our office by Tuesday.

We would also appreciate your enclosing a copy of the signature page(s) of the Bond Ordinance, once adopted. We will need these for the POS as well.

If you have any questions or comments, please do not hesitate to call.

Very truly yours,

H.J. UмбаUGH & ASSOCIATES

David C. Frederick

DCF/JWB/crj

Enclosure

MEMBERS OF THE WORKING GROUP

Mr. Stanley E. Tucker,  
President Town Council  
Town of Sellersburg  
316 East Utica  
Sellersburg, Indiana 47172

Ms. Linda Schaffer, Clerk-Treasurer  
Town of Sellersburg  
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425 Watt Street  
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20 North Meridian Street  
Indianapolis, Indiana 46204

Mr. Christopher J. Franzmann  
Ice Miller Donadio & Ryan  
One American Square  
Box 82001  
Indianapolis, Indiana 46282

WILLIAM PERRY MCCALL III

Attorney at Law  
425 Watt Street  
P.O. Box 729  
Jeffersonville, Indiana 47131-0729

Licensed in Indiana and Kentucky

Telephone (812) 282-8429  
FAX (812) 284-0956

July 23, 1995

Stan:

I continue to receive documents concerning the Sewage Works Refunding of Bonds of 1995. It appears David Friedrich believes the refinancing is going ahead and has sent correspondence to my office during my absence indicating this understanding. I was under the impression that the matter had been put on hold temporarily. If I am mistaken, the attached is the Bond Ordinance which must be amended to proceed further with the refunding. It would have to be passed on a first reading. I will attempt to call you prior to the meeting to discuss this matter further.

Sincerely  
Perry

Passed and adopted by the Town Council of the Town of Sellersburg this 24<sup>th</sup> day of

July, 1995.

TOWN COUNCIL

*Charles*  
*Frank J. [unclear]*  
*Stanley E. Tucker*  
*David Broady*  
*[unclear]*

ATTEST

*Linda H. Schaefer*  
Clerk-Treasurer

ORDINANCE 95-628

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, AS REQUESTED BY THE CLERK TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1995 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 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:

ACCT.#, NAME, & AMOUNT

TO ACCT.#, NAME, & AMOUNT

<u>GENERAL FUND</u>		<u>GENERAL FUND</u>	
PD-113 POLICE SALARIES	25178.96	PD-415 POLICE AUTOS	25178.96
PD-213 OFFICE SUPPLIES	500.00	PD-415 POLICE AUTOS	500.00
PD-223 POLICE EQUIPMENT	500.00	PD-415 POLICE AUTOS	500.00
PD-225 POLICE GASOLINE	900.00	PD-415 POLICE AUTOS	900.00
PD-321 POSTAGE	250.00	PD-415 POLICE AUTOS	250.00
PD-361 CLEANING	1500.00	PD-415 POLICE AUTOS	1500.00

SO ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 199\_\_\_\_\_.

\_\_\_\_\_  
DAVID BROADY

\_\_\_\_\_  
KARL TRUMAN

\_\_\_\_\_  
AULTON D. EDDINGS JR.

\_\_\_\_\_  
STANLEY E. TUCKER

\_\_\_\_\_  
KENNETH ALEXANDER

ATTEST: \_\_\_\_\_

LINDA G. SCHAFER  
CLERK TREASURER

ORDINANCE NO. 95 - 630

AN ORDINANCE AMENDING ORDINANCE NO. 95-619  
FOR THE COLLECTION OF YARD WASTE, LEAVES, BRANCHES,  
AND OTHER VEGETATIVE MATERIALS,  
WITHIN THE TOWN OF SELLERSBURG

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the \_\_\_\_\_ day of \_\_\_\_\_, 1995, adopt an ordinance for the collection of yard waste, leaves, branches, and other vegetative materials within the Town of Sellersburg, Clark County, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that it is necessary to make changes to Ordinance No. 95-619 for the efficient and effective collection of yard waste, leaves, branches, and other vegetative materials within the Town of Sellersburg; and

WHEREAS, this matter was presented at a public meeting and open for discussion at which time the owners and occupants of property served by the municipal refuse and garbage collection service were provided an opportunity to be heard and voice their opinions concerning the changes to Ordinance No. 95-619;

BE IT THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 95-619 shall be amended as follows:

1. Paragraph two (2) shall be amended to read as follows: Each owner and occupant within the Town served by the Town of Sellersburg Municipal Refuse and Garbage Collection Service shall be entitled to dispose of three (3) bags of yard waste per pickup, or in the alternative, one (1) thirty-two (32) gallon container which has been clearly marked for yard waste. All yard waste not otherwise in a clearly marked thirty-two (32) gallon container shall be in a recyclable bag no larger than thirty (30) gallons. Each owner and occupant shall be entitled to dispose of six (6) thirty (30) gallon bags

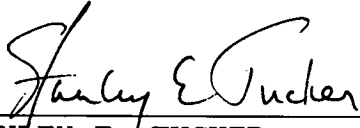
per month, or two (2) thirty-two (32) gallon containers per month, whichever the occupant shall elect.

2. That the owner and occupant will provide their own paper receptacle and/or thirty-two (32) gallon container receptacle for the pickup of yard waste.

3. Failure of the owner or occupant of the property to use paper bag receptacles or tied bundles of limbs and branches in the manner set forth above, or clearly mark their thirty-two (32) gallon container, will result in the refusal of the municipal refuse and garbage collection service to pick up said bags, containers and/or branches and leaves.

4. That all other provisions of Ordinance No. 95-619 shall remain in full force and effect without modification.

SO ORDAINED THIS 28<sup>th</sup> DAY OF August, 1995.




STANLEY E. TUCKER



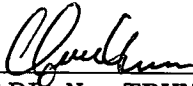
AULTON D. EDDINGS



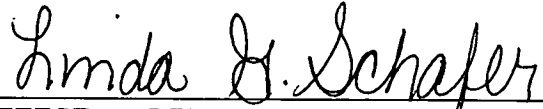
KEN ALEXANDER



DAVID B. BROADY



KARL N. TRUMAN



ATTEST: LINDA SCHAFER  
CLERK-TREASURER



ORDINANCE 95-631

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, 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.

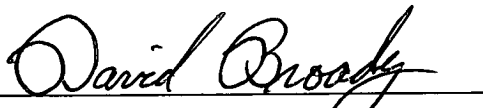
WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1995 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

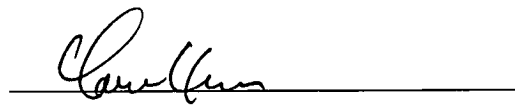
SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the transferred unless otherwise stipulated by law.

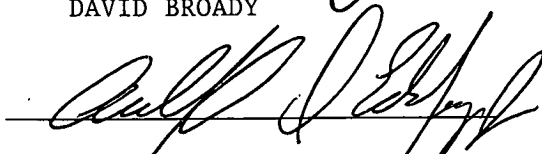
SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

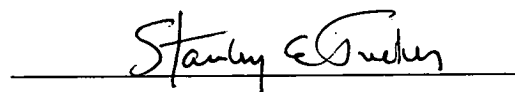
ACCT.#, NAME & AMOUNT	TO ACCT.#, NAME, & AMOUNT
<u>GENERAL FUND</u>	<u>GENERAL FUND</u>
PD-415 POLICE AUTOS 300.00	PD-313 MEDICAL EXAMS 300.00


SO ORDAINED THIS 28 DAY OF August 1995.

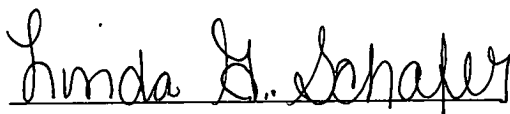
  
\_\_\_\_\_  
DAVID BROADY

  
\_\_\_\_\_  
KARL TRUMAN

  
\_\_\_\_\_  
AULTON D. EDDINGS JR.

  
\_\_\_\_\_  
STANLEY E. TUCKER

  
\_\_\_\_\_  
KENNETH ALEXANDER

  
\_\_\_\_\_  
ATTEST: LINDA G. SCHAFER  
CLERK TREASURER

ORDINANCE NO. 95-632

AN ORDINANCE OF THE TOWN OF SELLERSBURG TOWN COUNCIL  
ESTABLISHING AND ADOPTING THE STATE OF INDIANA  
MILEAGE RATE AS THE MILEAGE RATE FOR THE  
TOWN OF SELLERSBURG, INDIANA

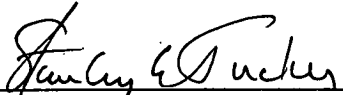
WHEREAS, the Town Council for the Town of Sellersburg has determined the State of Indiana rate for the reimbursement of mileage shall be established and adopted as the mileage rate for the Town of Sellersburg, Indiana, and said mileage rate shall be applied and used by the Town of Sellersburg in all instances where mileage reimbursement claims are submitted for payment; and

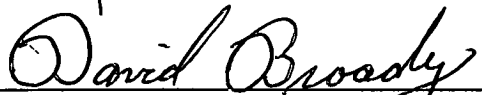
WHEREAS, the Town Council for the Town of Sellersburg has determined said Ordinance is necessary for the efficient and effective administration of Town Government; and

WHEREAS, this matter was considered in a public meeting of the Sellersburg Town Council at which the public were invited to attend and participate.

BE IT THEREFORE NOW ORDAINED by the Town Council for the Town of Sellersburg that the State of Indiana rate for reimbursement of mileage shall be established and adopted as the mileage rate for the Town of Sellersburg, Indiana, and that said mileage rate shall be applied and used by the Town of Sellersburg in all instances where mileage reimbursement claims are submitted for payment.


SO ORDAINED THIS 11 DAY OF September 1995.


  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFFER  
Clerk/Treasurer

ORDINANCE NO. 95-633

AN ORDINANCE OF THE TOWN OF SELLERSBURG  
ESTABLISHING RATE OF COMPENSATION  
FOR MEMBERS OF PARKS AND RECREATION BOARD,  
PLANNING COMMISSION, ZONING APPEAL BOARD AND POLICE COMMISSION

WHEREAS, the Town of Sellersburg, Indiana, has previously established various boards and commissions to perform various and necessary administrative functions of Town Government; and

WHEREAS, the Town Council for the Town of Sellersburg has determined members of all such boards and commissions should receive monthly compensation for performance of their duties on such boards and commissions; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that such action is necessary for the efficient and effective administration of Town Government; and

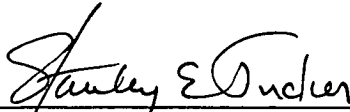
WHEREAS, this matter was presented at an open meeting of the Sellersburg Town Council at which the public were invited to attend and participate in discussion of this matter.

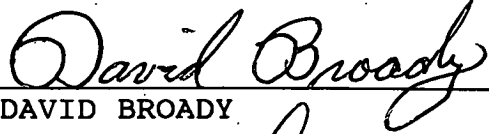
BE IT THEREFORE ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, effective January 1, 1996, each member of the Town's Parks and Recreation Board, Planning Commission and Zoning Appeals Board shall be compensated in the amount of Twenty-five Dollars (\$25.00) for each meeting attended by the member up to a total of Three Hundred Dollars (\$300.00) per year;

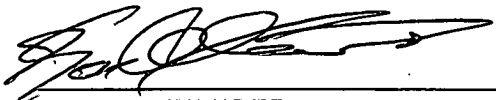
BE IT FURTHER ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, effective January 1, 1996, each member of the Town's Police Commission shall be compensated in the amount of Forty-one Dollars and Sixty-seven Cents (\$41.67) for each meeting

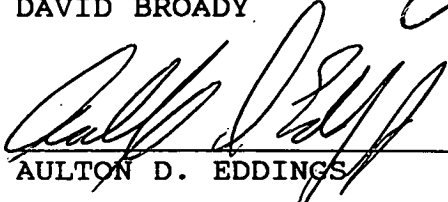
attended by the member up to a total of Five Hundred Dollars (\$500.00) per year.


SO ORDAINED ON THIS 11<sup>th</sup> day of September, 1995.


  
STANLEY E. TUCKER

  
DAVID BROADY

  
KEN ALEXANDER

  
AULTON D. EDDINGS

  
KARL N. TRUMAN

ATTEST:   
LINDA SCHAFER  
Clerk/Treasurer

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, AS REQUESTED BY THE CLERK TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1995 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 transferred unless otherwise stipulated by law.

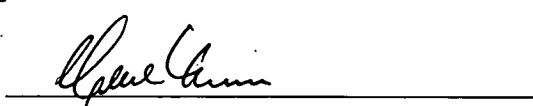
SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

<u>GENERAL FUND</u>		<u>GENERAL FUND</u>	
ACCT.#, NAME, & AMOUNT		TO ACCT.#, NAME, & AMOUNT	
SS-365 MAINT. PACKER	1500.00	SS-367 SIGNAGE	1500.00
SS-365 MAINT. PACKER	2500.00	SS-431 STORM DRAIN/MATCH	2500.00
SS-234 FUEL FOR PACKER	1500.00	SS-431 STORM DRAIN/MATCH	1500.00
SS-224 TIRES & TUBES	500.00	SS-431 STORM DRAIN/MATCH	500.00
TC-311 CONSULTING SER.	1000.00	TC-401 TOWN HALL BLDG.	1000.00
TC-341 INS. OTHER	14000.00	TC-401 TOWN HALL BLDG.	14000.00
TC-395 JUDGEMENTS/SET.	1000.00	TC-401 TOWN HALL BLDG.	1000.00

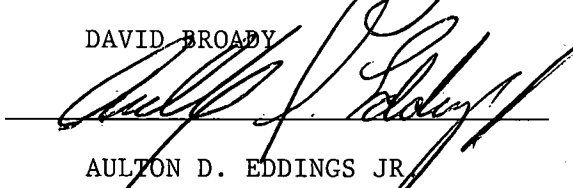
SO ORDAINED THIS 9 DAY OF Oct. 1995.



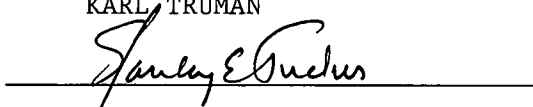
DAVID BROADY



KARL TRUMAN



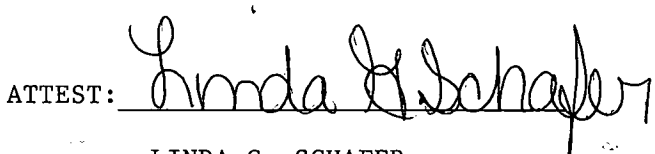
AULTON D. EDDINGS JR.



STANLEY E. TUCKER



KENNETH ALEXANDER

ATTEST: 

LINDA G. SCHAFER  
SELLERSBURG CLERK TREASURER

ORDINANCE

95-635

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, 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 of 1995 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 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:

ACCT.#, NAME & AMOUNT

TO ACCT.#, NAME, & AMOUNT

GENERAL

GENERAL

TC-112 TOWN MANAGERS SAL.	1000.00	TC-312 BUILDING INSPECTOR	1000.00
<u>MVH</u>		<u>MVH</u>	
MVH-366 GRAVEL	1000.00	MVH-275 GASOLINE	1000.00

SO ORDAINED THIS 13<sup>th</sup> DAY OF November 1995.

DAVID BROADY

AULTON D. EDDINGS JR.

KENNETH ALEXANDER

KARL TRUMAN

STANLEY E. TUCKER

ATTEST: LINDA G. SCHAFER  
SELLERSBURG CLERK TREASURER

ORDINANCE 95-636

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, 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 of 1995 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 transferred unless otherwise stipulated by law.

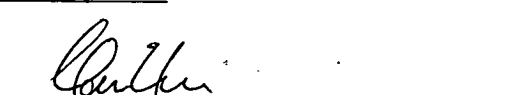
Section 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

ACCT.#, NAME & AMOUNT		TO ACCT.#, NAME, & AMOUNT	
<u>GENERAL</u>		<u>GENERAL</u>	
CT-314 CONSULTING SER.	3000.00	CT-371 ANIMAL CONTROL	3000.00
TC-112 TOWN MANAGERS SAL.	1700.00	TC-341 INS. OTHER THAN GR	1700.00
TC-311 CONSULTING SER.	1000.00	TC-341 INS. OTHER THAN GR	1000.00
<u>CCD</u>		<u>CCD</u>	
CCD-381 LEASE PUR. PACKER	5799.23	CCD-430 OFFICE FURNITURE	5799.23
<u>PARKS</u>		<u>PARKS</u>	
PARKS-357 WATER & SEWER	150.00	PARKS-341 INSURANCE	150.00

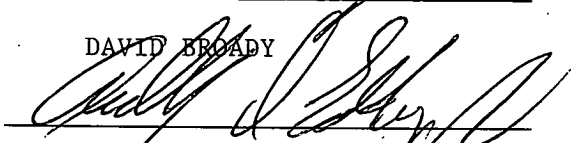
SO ORDAINED THIS 11<sup>th</sup> DAY OF December 1995.



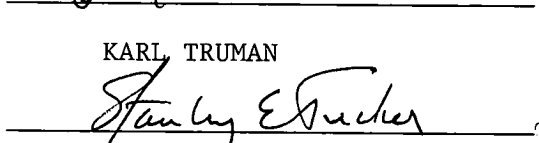
DAVID BROADY



KARL TRUMAN



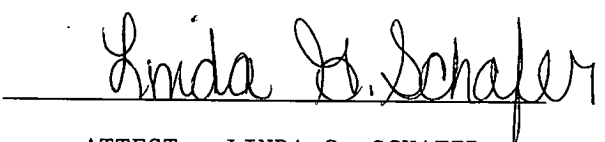
AULTON D. EDDINGS JR.



STANLEY E. TUCKER



KENNETH ALEXANDER



ATTEST: LINDA G. SCHAFER  
SELLERSBURG CLERK TREASURER

ORDINANCE NO. 95-637

AN ORDINANCE AMENDING  
THE TOWN OF SELLERSBURG BUILDING CODE

WHEREAS, the Town Council for the Town of Sellersburg has been advised by the Town's Building Commissioner that the Town of Sellersburg Building Code should be amended regarding the construction of pole barns; and

WHEREAS, the Town Council for the Town of Sellersburg has determined at an open meeting at which the public were invited to attend and participate that said amendment should be made; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said amendment to the Town's Building Code will result in the efficient and effective administration of Town Government.

BE IT THEREFOR ORDAINED by the Town Council for the Town of Sellersburg that the Town of Sellersburg Building Code shall be amended as follows:

The building of a pole type structure in the following zones RPO IB1, B1, B2, B3, MHP is restricted without a variance from the Board of Zoning Appeals.

The building of a pole type structure in the following zones R1, R2, R3 is restricted to a maximum height of 10 (ten) feet (eve height), and a footprint not to exceed 24 (twenty four) feet wide and 40 (forty) feet deep without a variance from the Board of Zoning Appeals.

The building of a pole type structure in the following zones I1, I2 is not restricted in any way so long as it does not violate any other existing building codes and/or ordinances of the State of Indiana and/or the Town of Sellersburg.

SO ORDAINED THIS 11 DAY OF December, 1995.

\_\_\_\_\_  
STANLEY E. TUCKER

\_\_\_\_\_  
KENNETH ALEXANDER

\_\_\_\_\_  
KARL TRUMAN

\_\_\_\_\_  
DAVID BROADY

\_\_\_\_\_  
AULTON D. EDDINGS

ATTEST: \_\_\_\_\_  
LINDA SCHAFER,  
CLERK/TREASURER



AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1995, 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 of 1995 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 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:

ACCT.#, NAME & AMOUNT <u>POLICE DEPT</u>		TO ACCT.#, NAME, & AMOUNT <u>POLICE DEPT.</u>	
PD-133 OFF DUTY COURT PAY	150.00	PD-231 TIRES & TUBES	150.00
PD-314 CONSULTING FEES	200.00	PD-231 TIRES & TUBES	200.00
PD-351 ELECTRIC	350.00	PD-363 MAINTENANCE POLICE VEH.	350.00
PD-354 HEAT/GAS	2100.00	PD-223 POLICE EQUIPMENT	2100.00
PD-355 SEWER/WATER	225.00	PD-223 POLICE EQUIPMENT	225.00
PD-225 POLICE GASOLINE	1000.00	PD-223 POLICE EQUIPMENT	1000.00
PD-323 TELEPHONE/PAGERS	1000.00	PD-413 POLICE RADIOS	1000.00
<u>TOWN COUNCIL</u>		<u>TOWN COUNCIL</u>	
TC-311 CONSULTING SERVICES	1300.00	TC-341 INS OTHER THAN GR.	1300.00
<u>CLERK TREAS.</u>		<u>CLERK TREAS.</u>	
CT-323 TELEPHONE/PAGERS	2500.00	CT-371 ANIMAL CONTROL/SHELTER	2500.00

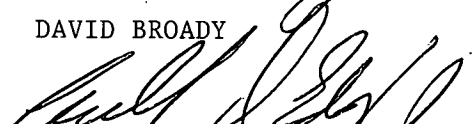
SO ORDAINED THIS 11 DAY OF December 1995.

  
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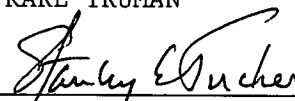
DAVID BROADY

  
\_\_\_\_\_

KARL TRUMAN

  
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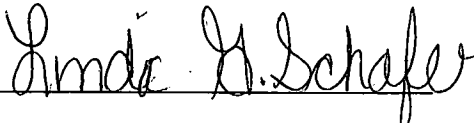
AULTON D. EDDINGS JR.

  
\_\_\_\_\_

STANLEY E. TUCKER

  
\_\_\_\_\_

KENNETH ALEXANDER

ATTEST:   
\_\_\_\_\_

LINDA G. SCHAFFER  
CLERK TREASURER