

SELLERSBURG TOWN COUNCIL

January 8, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 8, 2001. Present for the meeting were Town Board President James H. Lamaster, Vice President Danny F. Yost, Council Members Kenneth E. Barnes, Sr., Edward D. Denton and Louis R. Imhof, Jr., Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President James H. Lamaster called the meeting to order at 6:05 P.M.

TOPIC OF DISCUSSION:

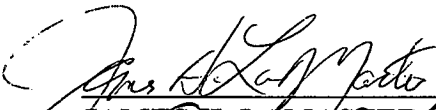
Personnel for positions on Recreation Board, Police Commission, Plan Commission, and the Zoning Appeals Board.

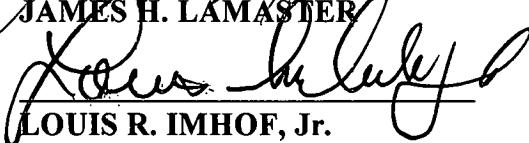
Possible future litigation.

ADJOURN:

Motion to adjourn the meeting by Kenneth E. Barnes, Sr. 2nd by Danny F. Yost, 5 yeas 0 nays adjourned at 7:02 P.M.

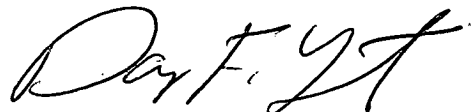
There was no subject matter discussed in the executive session other than the subject matter specified in the public notice.



JAMES H. LAMASTER


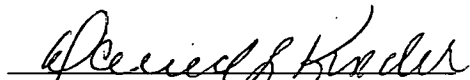
LOUIS R. IMHOF, Jr.

KENNETH E. BARNES, Sr.



DANNY F. YOST

EDWARD D. DENTON



ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

January 8, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 8, 2001. Present for this meeting were Town Board President James H. LaMaster, Vice President Danny F. Yost, Council member Louis R. Imhof, Jr., Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President James H. LaMaster called the meeting to order at 7:04 P.M.

PRAYER:

Reverend Larry Poe

PLEDGE OF ALLEGIANCE:

Recited by all present.

Motion was made by Kenneth E. Barnes, Sr. to approve the minutes from the special meeting of December 28, 2000, seconded by Danny F. Yost, 5-aye, 0-nay, motion approved.

First order of business for the year 2001 will be the re-organization of the Town Council. I open the floor for nomination for President. Louis R. Imhof, Jr. nominates Danny F. Yost, 2nd by Edward D. Denton. Being no other nominations all in favor of Mr. Yost being President of the Council, 5-aye, 0-nay. President LaMaster now turns the meeting over to President Yost.

Mr. Yost now entertains motion for nomination for Vice President. Kenneth E. Barnes, Sr. nominates Louis R. Imhof, Jr. for Vice President, 2nd by James H. LaMaster. All in favor 5 aye, 0-nay, motion carries.

Now need nomination for Police liaison. James H. LaMaster nominates Kenneth E. Barnes, Sr., 2nd by Louis R. Imhof, Jr. All in favor, 5-aye, 0-nay, nomination approved.

Parks & Animal Liaison. Louis R. Imhof, Jr. nominates James H. LaMaster, 2nd by Kenneth E. Barnes, Sr. All in favor, 5-aye, 0-nay, nomination approved.

Street and Sanitation Department Liaison. Kenneth E. Barnes, Sr. nominates Louis R. Imhof, Jr. 2nd by James H. LaMaster. All if favor, 5-aye, 0-nay, nomination approved.

Sewer Department Liaison. Kenneth E. Barnes, Sr. nominates Danny F. Yost, 2nd by James H. LaMaster. All in favor, 5-aye, 0-nay, nomination approved.

Water Department Liaison, James H. LaMaster nominates Edward D. Denton, 2nd by Kenneth E.

Regular Sellersburg Town Council Meeting
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Barnes, Sr. All in favor, 5-aye, 0-nay nomination approved.

I will entertain appointment to the Police Commissioner Board, need one Democrat and one Republican appointment. James H. LaMaster makes motion to appoint Wayne Byrn, Democrat, for 3 year (3) term 2nd by Kenneth E. Barnes, Sr. All in favor 5-aye, 0-nay, motion approved.

James H. LaMaster makes motion to appoint Mike Zody, Republican, to the Police Commissioner Board for three (3) year term, 2nd by Kenneth E. Barnes, Sr. All in favor, 5-aye, 0-nay, motion approved.

Need nominations for appointment to the Parks (Recreation) Board, one Democrat and one Republican appointment. James H. LaMaster makes motion for Terry Langford, Democrat, for appoint to Parks (Recreation) Board, 2nd by Louis R. Imhof, Jr. All in favor, 5-aye, 0-nay, motion approved.

James H. LaMaster makes motion to appoint Gary Fenner, Republican, to the Parks (Recreation) Board, 2nd by Kenneth E. Barnes, Sr. All in favor, 5-aye, 0-nay, motion approved.

Kenneth E. Barnes, Sr. makes a motion that Keith Coats, Democrat, is appointed to the Planning and Zoning Appeals Board, 2nd by Edward D. Denton. All in favor, 5-aye, 0-nay, motion approved.

Mr. James H. LaMaster makes motion that Mr. Keith Coats and Mr. Francis Conroy will be appointed four (4) year term. Mr. Charles Popp for a three (3) year term; Mr. Kenneth R. Hecker for two (2) years and Mr. Charles J. Ridenour for one (1) year term to the Planning and Zoning Appeals Board, 2nd by Kenneth E. Barnes, Sr. All in favor, 5-aye, 0-nay, motion approved.

The Planning Commission, (a.k.a. Board of Planning and Zoning). Kenneth E. Barnes, Sr. makes motion to appoint "Woody" Bailey to the Planning Commission, 2nd by James H. LaMaster. All in favor, 5-aye, 0-nay, motion approved.

Also on the Zoning Appeals and the Planning Commission we have Nathan Grimes, the Building Inspector. Mr. James H. LaMaster makes motion to appoint Nathan Grimes to both Boards, 2nd by Kenneth E. Barnes, Sr. All in favor, 5-aye, 0-nay, motion approved.

Mr. Fred Everett, Jr. addresses the Council concerning a sewer backs up at his apartments, located at 812 South Indiana Avenue, apartment s 5 and 6. Mr. Everett advises the total damage is \$1,896.80. Mr. William P. McCall, Town Attorney, will submit the bill to the Hinton-Corby Insurance Agency, Towns Insurance Agents, and see how this will be handled.

Sellersburg Town Council Meeting

January 8, 2001

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Nathan Grimes desires to sign a one (1) year contract with the Town Council for the position of Building Inspector for the Town of Sellersburg. Motion by James H. LaMaster, 2nd by Kenneth E. Barnes to approve the contract for Mr. Grimes as the Town Building Inspector. All in favor, 5-aye, 0-nay, motion approved.

Charlie Parsley, Best Equipment Company, speaks to the Council concerning evaluation of the Towns trash system and I have done that and I recommend that the Town go to a semi-automated system which you would have trash container for each household, and a side load truck. My findings were we could do a 40% reduction in your sanitation costs. Mr. Imhof recommends that he gets with Mark Warren and then he will give Parsley a call and sit down and go over the whole thing.

Mr. Bob Isgrigg, an Engineer and Land Surveyor representing AJ and Eve Dalton which is Angela, Jason and Betty Sprigler and their manager Mike Knoble, 293 or 300 lot sub division located on Bennettsville Road, which is presently the site of Sun Set Hills sub division. The Spriglers are looking at buying this sub division and re-subdividing it into smaller lots. The Spriglers envision is the construction of smaller lots with a sewer system. The Spriglers want to know if Sellersburg would be interested in providing sewers to this development. The initial phase would be averaging about 35 houses per year, which would be a 10,000 gallons or so per year for the next 7 or 8 years.

Mr. Kevin Wright, EMC, advises that presently our sewer plant cannot handle this type of development. President Yost advises that at this point there is not way we can do it without future upgrades. Isgrigg advises that perhaps later the developers may be happy to participate in Sellersburg's upgrades.

Mr. Barnes suggests that the Council can discuss this matter among them and with Kevin (EMC) and get back with them in a couple of months.

Ms. Linda Long addresses the Council about a water bill. She and her husband moved from their residence at 7407 and requested that the water be turned off on 12-01-00, the lady at the water department said sure let me get my book and when do you want it shut off and I said tomorrow, which would be 12-01-00. On December 19 my landlord called and advised that the water had not been turned off. I called on December 20 and said that the landlady did not think the water was turned off. They advised that they thought the water had been turned off but they would send someone out to check it. Also she advised that the final bill was \$67.42. I came to the office last week with the \$67.42 check and the lady advised I owed 170 some dollars. She said the water was on until 12-20-00.

I also did not get my \$50.00 deposit back. So I am here to ask for the \$50.00 deposit and that the extra be wiped off. Motion by Louis R. Imhof, Jr. 2nd by Kenneth E. Barnes, Sr. to refund the

Regular Town Council Meeting
January 8, 2001
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\$50.00 deposit and accept the \$67.42 as full payment for the total bill. 5 aye, 0-nay, motion approved.

Mr. Keith Alexander seeks a sewer adjustment for 4 months. There was a leak, which has been fixed, but was not located for two months. Motion by James H. LaMaster, 2nd by Louis R. Imhof, Jr. to make the sewer adjustment for the 4-month period. 5-aye, 0-nay, motion approved.

Kevin Wright, EMC, presents the revenue reports for 12-12-00 through 12-25-00 for total of \$94,342.47, also from 12-26-00 through 1-08-00 for a total of \$13,638.30.

Chief Stricker wants to know about the Police Commissioners meeting in January. Mr. Kenneth E. Barnes, Sr. advises to notify the Commissioners that the January meeting is canceled. He also advises that the meetings have been changed to the First Monday of the month at 7:00 P.M. If there is a conflict for the Commissioners to get in contact with Mr. Barnes.

James H. LaMaster says that he has been contacted by a David Dexter, on Poindexter Lane, that needs a sewer adjustment, because of a recent water problem, he let his water run. He said he was not sure when it will be on the bill, but wants sewer adjustment when it is on the bill. Mr. Kevin Wright will make the adjustment.

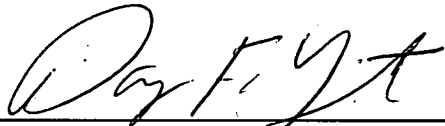
Louis R. Imhof, Jr. makes motion to pay the bills, 2nd by James H. LaMaster, 5-aye, 0-nay, motion approved to pay bills.

Mr. John Toombs submits letter reference Sun Flower Valley and the past water problem. Now there may be a way to get the problem solved and get out \$17,000.00 back and have the system repaired.

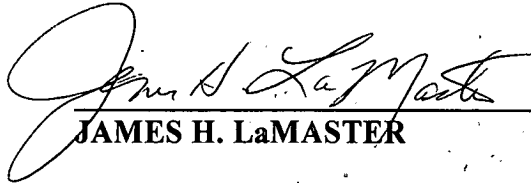
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Also Mr. Toombs, LaMaster and Mark Warren checked on some past drainage problems and I have submitted the approximate cost to repair these if the Council will decide which to repair in what order.

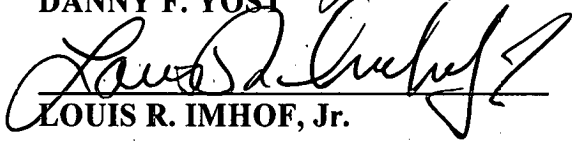
Motion by Kenneth E. Barnes, Sr., 2nd by James H. LaMaster to adjourn the meeting. 5-aye, 0-nay, motion to adjourn approved. Meeting adjourned at 8:00 P.M.



DANNY F. YOST



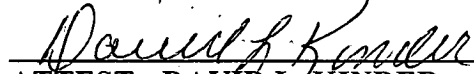
JAMES H. LaMASTER



LOUIS R. IMHOF, Jr.

EDWARD D. DENTON

KENNETH E. BARNES, Sr.



ATTEST: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL

January 17, 2001

SPECIAL TOWN COUNCIL MEETING:

A Special Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 17, 2001. Present at the meeting were Town Council President Danny F. Yost, James H. LaMaster, Louis R. Imhof, Jr., Town Attorney William P. McCall, III and Clerk/Treasurer David L. Kinder.

CALL TO ORDER:

President Yost called the Special Meeting to order at 6:00 P.M.

PRAYER:

Omitted.

PLEDGE OF ALLEGIANCE:

Omitted

Motion by Louis R. Imhof, Jr. to approve the minutes of the Town Council Meeting of January 8, 2001, 2nd by James H. LaMaster. 3-aye, 0-nay motion to approve the minutes Passes.

William P. McCall, III advises the Council that H. J. Umbaugh and Associates were hired by the Council to do a rate study to see if the Town's financial condition would justify an increase in the sewer charges for those persons outside the Town limits as well as those inside the Town a proportional increase based upon the expenses that should be borne by each party.

Based on that study Umbaugh and Associates came up with information, based on those figures, to justify an increase on the total monthly base rate that should be charged to those inside the Town limits and those outside the Town limits.

In order to do that the code IC 36-9-25-11 because of the increase within the Town you would have to have an approval of an ordinance and then a public hearing to obtain further input on that ordinance and then you would vote to keep the ordinance as first adopted tonight or change it or modify it in some way. Then it would become effective for our purposes on the next billing cycle.

This would be ordinance 2001-001, an **ORDINANCE AMENDING ORDINANCE NO. 488 CHANGING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF SELLERSBURG FROM OWNERS OF PROPERTY SERVED BY**

THE SEWER WORKS OF SAID TOWN AND OTHER MATTERS CONNECTED THEREWITH.

The rate increases are as outlined by Umbaugh and Associates by the material they provided. This is something Mr. Denton wanted to have happen to justify those guys who perhaps motivate them when annexation comes about to decide to come into the Town.

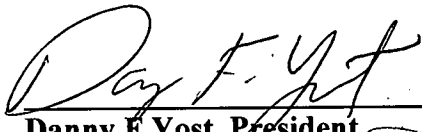
So you need is simply a first reading motion to approve Ordinance 2001-001 on it first reading and then we would have this available at the next meeting for the second reading and the approval.

Motion by Louis R. Imhof, Jr. to approve Ordinance 2001-001 on its first reading, 2nd by James H. LaMaster. 3-aye, 0-nay: Ordinance 2001-001 approved on its first reading.

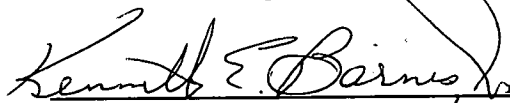
Now determine how you want to handle the public hearing. You must publish it 10 days prior to the public hearing and since we have executive session prior to the regular meeting do we want to have it before the executive session or when?

Executive session from 6:00 P.M. to 6:30 P.M., the public meeting from 6:30 P.M. to 7:00 P.M. and then the regular meeting.

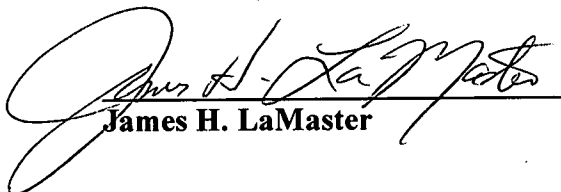
Motion by Louis R. Imhof, Jr. to adjourn the meeting, 2nd by James H. LaMaster. 5-aye, 0-nay: meeting adjourned 6:10 P.M.



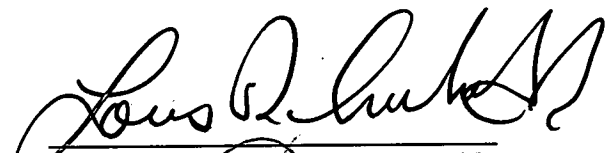
Danny F. Yost, President



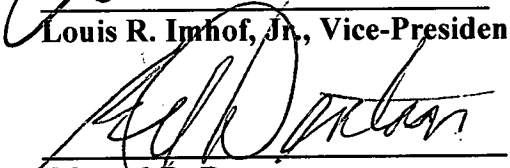
Kenneth E. Barnes, Sr.



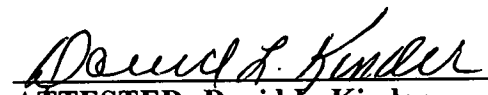
James H. LaMaster



Louis R. Imhof, Jr., Vice-President



Edward D. Denton



ATTESTED: David L. Kinder
Clerk/Treasurer

SELLERSBURG TOWN COUNCIL

February 12, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 12, 2001. Present for the meeting were Town Board President Danny F. Yost, Vice President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:00 P.M.

TOPIC OF DISCUSSION:

The sale of Town Property.

Litigation reference Nunn contract.

Resign the Wellhead Protection Contract with Wellhead Protection Agency, Inc.

Possible annexation of certain areas around the Town.

Department Heads to be present for all Town Council meetings.

Police Commissioners not being able to attend meetings. Possible resignation of Police Commissioner and a Parks Board member and then changing their positions.

Change payment of Police Clothing allowance to twice a year, money being given to each officer instead of Town paying bills at different vendors as they purchase clothing items.


ADJOURN:

Motion by James H. LaMaster to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned 6:33 P.M.


Sellersburg Town Council Executive Session

February 12, 2001

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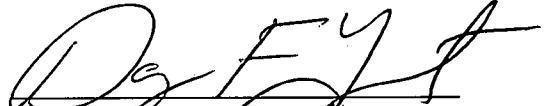
JAMES H. LAMASTER



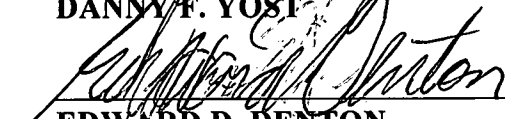
LOUIS R. IMHOF, Jr.



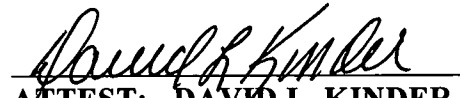
KENNETH E. BARNES, Sr.



DANNY F. YOST



EDWARD D. DENTON



ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

February 12, 2001

PUBLIC MEETING OF THE TOWN COUNCIL:

A Public Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 12, 2001. Present at the meeting were Town Council President Danny F. Yost, Kenneth E. Barnes, Sr., Edward D. Denton, Louis R. Imhof, Jr., James H. LaMaster, Town Attorney William P. McCall, III and Clerk/Treasurer David L. Kinder.

CALL TO ORDER:

President Yost called the Special Meeting to order at 6:35 P.M.

PRAYER:

Omitted.

PLEDGE OF ALLEGIANCE:

Omitted

A Public Meeting of the Sellersburg Town Council to discuss **ORDINANCE NO. 2001-001 AMENDING ORDINANCE NO. 488 CHANGING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF SELLERSBURG FROM OWNERS OF PROPERTY SERVED BY THE SEWER WORKS OF SAID TOWN AND OTHER MATTERS CONNECTED THEREWITH.**

Town Attorney William P. McCall announces that this is a Public Meeting, it was published in the Jeffersonville Evening News, by affidavit, pursuant to Indiana Code 5-31-1, February 2, 2001 as required by the statue setting forth the rates to be charged.

Tonight we are here for the public hearing in regards to a final proposal for the changing of the sewer rate. This is the sewer rate it is not a water rate change. The Town Council engaged the services of Umbaugh and Associates, whose representatives are here tonight. They prepared an accounting report of the financial condition of the sewer works and determined that the Town could justify an increase in the sewer rates for those individuals that are served by the Sellersburg sewer that are outside the municipal limits.

Rates and charges, as set forth in this ordinance shall become effective for all customers of the Town, connected or to be connected, on the first billing period after the final passage of this ordinance.

The meeting is now open to public comment or questions. My name is Lurn Vick and we heard that the renter's bills would be put on the property owner. Mr. McCall states this is not a matter for this ordinance but this will be brought up later.

Mr. Vicki inquires and to how he will know what size meter he has in his home.

Mr. Dan Hadden, CPA with the accounting firm of H. J. Umbaugh and Associates, advised that 99 % of homes be on the 5/8 to 3/4 inch meter. The current average bill is \$28.12 what this rate increase is proposing is that the inside Town customer, that rate will go up to \$29.40, based on 5,400 gallons. Outside of Town will go up to about \$37.00. The difference between the two is the surcharge that Mr. McCall is talking about.

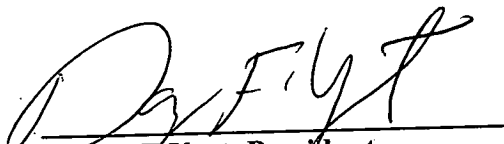
Mr. Greg Acres address the council asking why there couldn't have had a meeting prior to tonight because it sounds like this is a "done deal" and you are only getting feedback after you have made up your minds. Why couldn't a committee have been formed to look at some of these rates and looked at some of the spending of the sewer department.

Council member Barnes requests that Kevin Wright, EMC, makes himself available to any customers that wants to call the billing department to check and see what size meter they have in their home. Mr. Wright agrees.

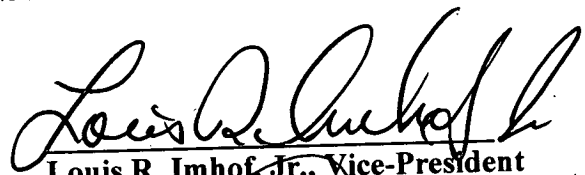
Mr. Tim Sells, I live in Hamburg, address the council stating that this is being done because you tried to annex us and failed and now you are wanting to take our money this way. Out our way we call this the Denton bill, Denton's sewer bill. We paid for two years before we ever got sewers, you got the sewers, and now you want to get more of our money to run whatever you are running here.

Motion by Kenneth E. Barnes, Sr. to approve Ordinance 2001-001 on the second reading, seconded by Edward D. Denton. 5-aye, 0-nay, motion passed.

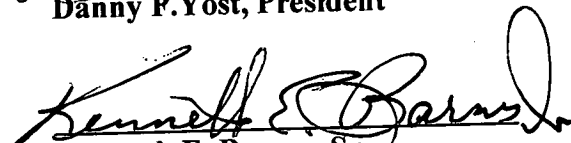
Motion by James H. LaMaster to close the Public Meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 6:57 P.M.




Danny F. Yost, President



Louis R. Imhof, Jr., Vice-President




Kenneth E. Barnes, Sr.



Edward D. Denton



James H. LaMaster



ATTESTED: David L. Kinder
Clerk/Treasurer

SELLERSBURG TOWN COUNCIL

February 12, 2001

REGULAR TOWN COUNCIL MEETING

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CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:04 P.M.

PRAYER:

Reverend John Abbott

PLEDGE OF ALLEGIANCE:

Recited by all present.

Motion was made by Kenneth E. Barnes, Sr. to approve the minutes from the special meeting of January 8, 2001, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Mr. Chad Nunn ask about the contract he has with the Town, reference his home not being served by the Town with water. Mr. McCall advises that the Town is currently checking on the cost of running water to Mr. Nunn's residence and he will discuss the contract settlement with him.

Mr. Virgil Bolly presents plans for rezoning property that belongs to Mike Davis for 10 condominiums, containing 4 units each. Also the Davis residence being rezoned for use by Day Star Ministries as a home for troubled young women. Mr. Bolly introduces Rose Condra with Day Star Ministries.

Ms. Condra has a video about Day Star Ministries that she wishes to show the Council and public. President Yost grants permission to present the video.

Mrs. Condra request that the zoning for this home be changed from R1 to R3, multiple family since several young women will be staying there.

These "condos" will be built on a 4.754-acre tract with a value in excess of 3 million dollars, which will add to the Town's tax base. This property joins M & R apartments and other property owned by Lucille Davis. The storm drainage will not go into the Towns storm drainage but will be routed into the ponds on the property, then under State Road 60 and directly into Silver Creek. The development will be built in accordance with all Town Codes and Ordinances and the State of Indiana Building Rules and Regulations. The development will be connected to the Towns 8-inch sewer line, which is very adequate for the development. The amount of sewage flow, based

Sellersburg Town Council Regular Meeting

February 12, 2001

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on the average of 300 gallons per day, per unit, will be around 12,000 gallons or less than 8/100th of 1% of the Towns rated capacity of 1.5 million gallons per day.

We feel that this development does comply with 3.44-5 of the Town's zoning ordinance and that it follows your comprehensive plan, it has current conditions and character of current usage and construction in the area. It's most desirable use for which the land in the area is adapted and the conservation of property value throughout the jurisdiction and responsible development and growth. I have legal descriptions of all three areas that could be rezoned.

Mrs. Trinette Imhof comments on promises made by Mr. Davis when he requested zoning changes for the apartment complex he built before. He did not build what he promised the citizens of Greenwood sub-division. The lake that was built is now leaking into her yard and her neighbors; the construction of the apartments is not what he said, he promised brick and were partly brick and vinyl siding.

Mr. Bolly and Mr. Davis states that Mr. Davis, because of disagreement with his partners in this venture, Mr. Davis sold his portion and was not in the development when the first blade of grass was moved. Thus he had no control over how the apartments were finally constructed.

Mr. Kevin Wright tells the Council that "he has a problem with what the development will be putting into the sewer system, the lift station down the road already has problems to the apartments going to it, and the plant (sewer) being at 92% (capacity) for last year we are over designed now. The extra 12 to 15,000 a day coming might make it even worse for 2001."

President Yost says that unless the Council says otherwise we are going to take this under advisement until next meeting in March and then we will vote on this.

Kenneth E. Barnes, Sr. makes motion to table the consideration for rezoning of this development until the Council meeting in March (12), 2nd by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Mr. Marion Barton requests an adjustment on the water/sewer bill on rental property. The Renter moved and left a large un-paid bill, the water was not shut off, and now Mr. Barton is stuck with the bill. Mr. Barton has already paid on the bill, he request an adjustment on the remainder of the bill. James H. Lamaster makes a motion to adjust the bill for the \$30.97 left on the bill, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Belinda Bartley has signed letters from her neighbors on Villa Drive reference Jesse Bellew wanting to fill in next to neighbors and she and the neighbors are afraid that they will be flooded if he does fill in this area. She just wants to be on record prior to Bellew making any changes to the property.

Sellersburg Town Council Meeting
February 12, 2001
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Doris Everette, 826 Forrest Drive North, address the sprinkler system at her residence, it is on a separate meter and when it was installed the Town advised that she would get a sewer adjustment every year for the water that was used for yard sprinkling. She has not received the adjustment for last year and when she inquired about it she was told that the Town was thinking about changing the way this was done and no adjustments would be made until after this. She states that the adjustment she is seeking is for last year and has nothing to do with this years billing.

Mr. Kevin Wright questions as to how the Town is going to handle these adjustments? Mr. McCall advises that they are going to talk about it.

Mr. Wright presents the revenue reports for January 9 through January 22, 2001. Total income for Water, Sewer and Civil \$137,000.85. Water, Sewer, Civil for January 23 through February 5, 2001, total is \$26,889.80 and the Water, Sewer, Civil revenue for February 6 through February 12, 2001 is \$54,818.31 total.

Mr. Wright presents the Council with Sanitation, Sewer and Water Adjustments for January. He also has three bids for replacement of the Flow Recorders at the Water Plant. R. W. Austin Co. proposal \$10,984.00; Gripp, Inc. proposal \$13,850.00 and B. L. Anderson. Mr. Barnes questions as to how the flow is being read now, without these meters? Mr. Wright advises that they are using what the pumps are designed to pump, usage.

Motion by Louis R. Imhof, Jr. to accept the bid of R. W. Austin, Company, 2nd by Kenneth E. Barnes, Sr. During discussion Clerk/Treasurer questions the proposal of R. W. Austin Company because at the bottom of the bid it reads "*Unless stated above, installation, start up service, wiring, freight and taxes are not included in price.*" The other proposals include these costs. I don't believe the proposals are the same bids. President Yost calls for the vote, 0-aye, 5-nay, motion not approved.

Suggestion from Kenneth E. Barnes, Sr. that the Council wait until next meeting to consider proposals for this work.

Chief Stricker requests that the Police Clothing allowance be paid to the police officers twice a year; the first week of June and the first week of December. This year the June payment shall be the balance left, from \$500.00, which is half the yearly clothing allowance and then in December the remaining \$500.00 be paid. This also includes the uniform allowance for the dispatchers, except that the dispatchers receive all their allowance the first week of June each year. All members of the Council agree.

Also there is an ordinance for court pay of \$150.00 per year for each officer. Clerk/Treasurer requests that the budget be checked prior to passing this ordinance to see what was budgeted for

Sellersburg Town Council Regular Meeting
February 12, 2001
Page 4 of 5

Court pay. Mr. Imhof suggests that this wait until next meeting when Clerk/Treasurer can check the budget figures.

Motion by James H. LaMaster to allow the Chief of Police and Assistant Chief of Police to live outside the Town Limits of Sellersburg, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Nathan Grimes, Building Inspector presents his monthly report. Also Mr. Warman asked about fence or storm sewer for his property. Mr. McCall advises that there is no money in the budget for this.

Mr. McCall says that Mr. Denton attended a meeting with the County Commissioners on February 7, 2001 and the commissioner's request that each City/Town draw an outline of the goals and objectives of expansion plans for sewer districts.

Mr. McCall has ordinance for Customer Application and Deposit Policy for the Utilities of Sellersburg. After discussion this ordinance will be tabled and some adjustments made then brought back to the next Council meeting in March (12).

Presently the Town has a \$30.00 security on water deposit for coverage of a delinquent bill, but this security has never been collected in the past years. There is also a \$50.00 deposit required for sewer deposit, called a meter deposit, and the ordinance does not state that this \$50.00 is to be used against delinquent bills, but currently this \$50.00 is being used for delinquent accounts. The Council needs to correct these two items.

This is an ordinance that was passed previously but never got signed; you just need to sign it.
(Ordinance 2000-027)

James H. LaMaster wants the ordinance about parking on West Utica, this is a house at 311 West Utica, I have checked with the Chief of Police, he placed a car there and said that no traffic problem occurs, so I request this sign be moved one block East on West Utica. This will be an amendment to the ordinance. Mr. McCall will present this amendment at the March meeting. This movement will be approximately 110 feet East of Ehringer.

Need to look into how much money is available for storm sewer and annexation.

Mr. Imhof states that the Town is trying to get bids on a new garbage packer and they have not all arrived; we are still waiting on two.

Also, speaking earlier in the meeting about the apartment complex behind my home, talking with my neighbors and some members of the old Town Council that when they agreed to put the

Sellersburg Town Council Meeting
February 12, 2001
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apartments in that they kinda of dropped the ball, so to speak, on making them do specific things, such as putting up privacy fences and stuff like that. I have spoken with two company about installing privacy fencing for the area and I have two bids, one for \$7,575.00 and another for \$7,160.00.

Mr. Louis R. Imhof, Jr. makes a motion that the Town accept the bid of \$7,160 .00, by Remodeling Services Plus. Motion dies for lack of second.

Clerk/Treasurer requesting motion to pay the bills for the month. James H. LaMaster makes motion to approve the paying of the bills submitted, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Mrs. Nina Diefenbach requests that her water meter be checked as her water bill has been too high. Mr. Edward D. Denton advises that he and a member of EMC will be at her residence this week to check this meter.

Don Graf requests that someone check the intersection of State Road 311 and Old State Road 60 reference center line as people are across the intersection and people are too far out into the road. Street Department will check this intersection.

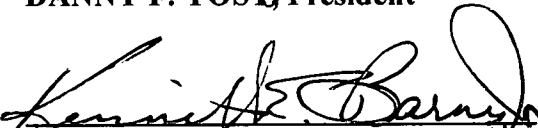
Motion by James H. LaMaster to adjourn the meeting, 2nd by Edward D. Denton. 5-aye, 0-nay, meeting adjourned 9:10 P.M.



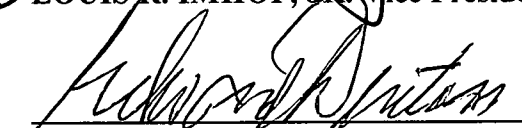
DANNY F. YOST, President



LOUIS R. IMHOF, JR. Vice President



KENNETH E. BARNES, SR.



EDWARD D. DENTON



JAMES H. LAMASTER



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL

March 1, 2001

SPECIAL MEETING OF THE TOWN COUNCIL:

A Special Meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 1, 2001. Present at the meeting were Town Council President Danny F. Yost, Louis R. Imhof, Jr., Vice President, Kenneth E. Barnes, Sr., Edward D. Denton, James H. LaMaster, Town Attorney William P. McCall, III and Clerk/Treasurer David L. Kinder.

CALL TO ORDER:

President Yost called the Special Meeting to order at 6:00 P.M.

PRAYER: Omitted.

PLEDGE OF ALLEGIANCE:

Omitted

This Special Meeting of the Sellersburg Town Council is to discuss the installation of flow meters for sewer lines in the Town.

Mr. John Toombs, Jacobi, Toombs and Lanz, Inc. Consulting Engineers, presents four (4) contract proposals. **ADS ENVIRONMENTAL** (Indianapolis, Indiana) \$50,050.00, **PITOMETER PIPELINE SERVICES, INC.** (Murfreesboro, Tennessee) \$43,235.00, **GRW ENGINEERS** (Louisville, Kentucky) \$32,190.00 and **GRIPP, INC.** (Westfield, Indiana) \$20,807.00.

Toombs recommends **GRW ENGINEERS** (Louisville, Kentucky) with a proposal of \$32,190.00. "They do good work, they are near by and we know them."

Motion by Louis R. Imhof, Jr. to accept the proposal of GRW Engineers, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

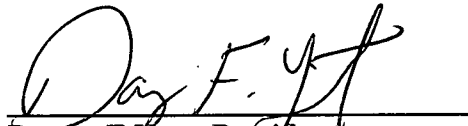
Virgil Bolly, Attorney for Lucille and Michael Davis Properties, wishes to give the Council information about what he has for the apartment complex. One of the agreements prior to building the apartment complex was the builders would build a four-foot berm and a six-foot privacy fence. Mike Davis built what they agreed to do but Mike sold before they ever started anything. Mr. Davis agrees to a performance bond to insure that he will build what he promises. He further agrees that if the Church does not use the home as they have agreed the property can then revert back to R1 zoning.

Sellersburg Town Council Special Meeting
March 1, 2001
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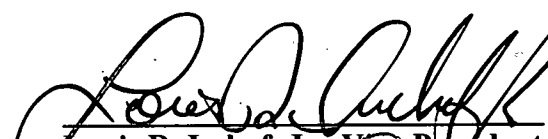
Mr. Kevin Wright, EMC, advises the lift station at the airport, Bean Road will need to be rebuilt to accommodate the extra sewer flow caused by the construction of these condominiums. This will cost approximately \$6000.00 for the pumps plus the cost of installation.

President Yost suggests Mr. Bolly contact Mr. Davis about the Fence, Performance Bond and the Lift Station and then return to the March 12, Town Council meeting.

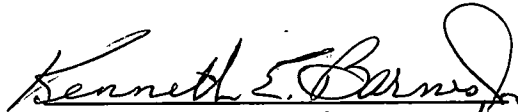
Motion by James H. LaMaster to adjourn the Special Meeting, seconded by Louis R. Imhof, Jr. seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 6:38 P.M.



Danny F. Yost, President



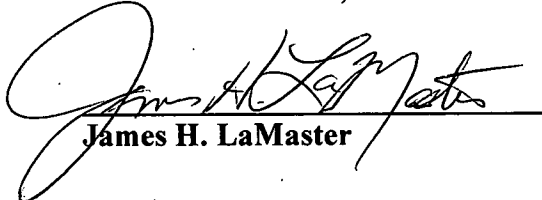
Louis R. Imhof, Jr., Vice-President



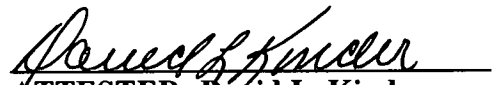
Kenneth E. Barnes, Sr.



Edward D. Denton



James H. LaMaster



ATTESTED: David L. Kinder
Clerk/Treasurer



SELLERSBURG TOWN COUNCIL

March 12, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 12, 2001. Present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 5:30 P.M.

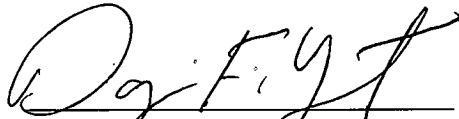
TOPIC OF DISCUSSION:

Personnel matters in the water/wastewater billing office.

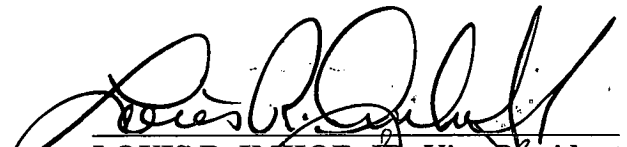
ADJOURN:

Motion by James H. LaMaster to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned 6:53 P.M.

There was no subject matter discussed in the executive session other than the subject matter specified in the public notice.



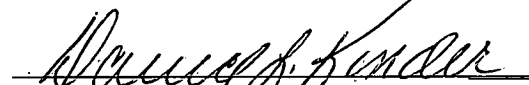
DANNY F. YOST, President



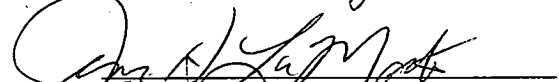
LOUIS R. IMHOF, JR. Vice-President




EDWARD D. DENTON



ATTEST: DAVID L. KINDER
CLERK-TREASURER



JAMES H. LAMASTER



KENNETH E. BARNES, Sr.

SELLERSBURG TOWN COUNCIL

March 12, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 12, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:04 P.M.

PRAYER:

Reverend Robert Hauselman

PLEDGE OF ALLEGIANCE:

Recited by all present.

Motion was made by Kenneth E. Barnes, Sr. to approve the minutes from the special meeting of March 1, 2001, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

STEVE BROWN ADDRESSES THE COUNCIL: Steve Brown, S. Brown Wood Products on Service Drive, our business is growing and we want to add onto our building and we would like to obtain a tax abatement on our addition. This is in an economical revitalization area. Manufacturing equipment for a 5-year abatement, and the building is 10-year tax abatement. Motion by Edward D. Denton to approve the tax abatement, 2nd by James H. Lamaster. 5-aye-0-nay, motion approved.

DONNAL LONG ADDRESSES THE COUNCIL: concerning the roadway at Forrest Drive North being extended into the sub-division behind Forrest Estates. He is requesting something in writing from the Council that the road will not be extended. Edward D. Denton makes motion that the road never is extended. Town Attorney McCall recommends that the Council not bind themselves to something like this because no one knows what the future could bring for this area. Motion dies for lack of second.

STEVE BRINEGAR SPEAKS TO COUNCIL: Mr. Brinegar is representing Donohue and Associates, with his partner Allen Berg, Senior Engineer with Donohue, reference future expansion of the Town's wastewater plant. Donohue specializes in design of wastewater treatment plants. Mr. Berg speaks to the Council about the water problem Sellersburg has had for the past ten years. The plant was built but still the flow problem still exists. Donohue can address problems like this and is willing to come back and be more specific in addressing these problems.

Sellersburg Town Council Meeting

March 12, 2001

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SCOTT LEWIS, ATTORNEY FOR MARION BARTON references vacating a street or an extenuation of ADKINS Avenue. As set forth in the petition the legal description and the survey of that portion of ADKINS Avenue is set forth. This portion of ADKINS Avenue has never been used.

We are stating that if this alleyway was vacated it would not hinder the growth or otherwise the development of this neighborhood nor interfere with sort of public access to this neighborhood or public access to any church or schools. Certified mail to the two property owners that abut this, Southern Indiana Railway and Deloris Anderson sent Per Indiana Law the petition and notices.

Mr. Jeff Barton states that previously he and Marion Barton had been given permission to open this road and rock it and when we went to do this Mr. Anderson ask if we would hold up on doing this to see about closing this. We then held up and started proceedings to close this and as far as I know there are no objections.

Joe Fackler, superintendent for Southern Indiana Railway, states that there is a twenty-six degree curve right behind our building and this dead end road comes up to the railroad tracks, we also own this triangle of ground behind our building. We oppose the closing of this because we need emergency access to this property, behind this building, if we were ever to have a major derailment. We want to keep this, like it is, in case we ever have to bring heavy equipment in without going across someone's personal property.

Joe Anderson also objects to the closing of this property, they don't need to rock it as the ground is higher than the ground around it and is firmly packed.

President Yost states that the Council will take this under advisement until the April 9th Town Council meeting. This issue is tabled until that time.

Mr. Barton asks about rocking the extension since the Town Council had approved that at a previous meeting. President Yost asks that he wait until after the next meeting.

VIRGIL BOLLY, ATTORNEY FOR LUCILLE AND MICHAEL DAVIS: This is in reference to the Davis property. I just want to go into detail about what the Davis' are willing to do. First is Mr. Davis agrees to pay the cost of upgrading the lift station which is estimated to be \$6000.00 to \$7000.00 dollars. He is also in agreement to execute an agreement that he will build the condos as presented and if he in some point in time wants to make some changes he will come back here to do that. Another thing is the home, the group home for girls. He is willing to add to the conditions and part of the agreement that if it ceases to be used as a girls home prior to January 1, 2005 he would give the Town the right to rezone the tract to R1 without objection. The other condition that we talked about is the fence that is next the apartment complex and I want to point out that the fence at the time was built in accordance with what was proposed. The biggest single difference is the fence did not cure the problem but it was built as proposed. Secondly, Mr. Davis was involved with other people, the plans were approved in November and

Sellersburg Town Council Meeting

March 12, 2001

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he sold his interest in January to this other group and had nothing to do with the building of anything. The biggest problem with the fence is realistically it was not adequate for what was intended but it was done in accordance with what he agreed to do.

We had talked about a bond and I think there was discussion that we might avoid that and Mr. Davis would be willing to pay \$2,500.00 to the Town or to the Greenwood Homeowners Association to use for fencing.

Mr. Davis also has an option to ask to be de-annexed and go to Clarksville, but he does not want to do that.

Mr. Bolly presents (for viewing by Council) two maps that show where Mr. Davis' development is proposed. The apartment complex is marked right here and adjoining the Greenwood Sub-division is where the fence was built. Then where there is discussion about building more fence would be right here wouldn't be over 150 feet that is along Mr. Davis' property. If we build the remainder of the fence we are talking about fence (pointing to map) over here over which he has nothing to do and it is about 750 feet roughly.

I have one other map that helps you; this (pointing to map) being the apartments on Mr. Davis' property. I show 110 basically 150 feet, but then you have, in front of the complex on over to (US) 31 about 750 feet. Perhaps Louie (Imhof) might have a little more detail in just what the amount of the footage. But every bit of this Mr. Davis has nothing to do with. Again he agreed to build a fence and that fence was built right here and was done as was required. It did not work out to do what they wanted it to do but it's what we agreed to do.

President Yost ask Mr. Bolly if he has anything in writing about Mr. Davis agreeing to build the fence? Bolly says the only thing he has is in his notes where Mr. Davis agreed to build the fence. Another thing Yost asks for Mr. Davis to give him a commitment letter, from John Minta, and I have not received that. Bolly says that he told Mike (Davis) that is the very last thing he and I want to do.

Council member Imhof asks; when Mr. Davis agrees to come back to the Town Council regarding major changes in the condo's, what does major changes mean? The part about his mom and dad's home changing from R1 to R3! Let's say the home is changed into a girls home and let's say five years from now that doesn't work out does the Town have the right to come back and rezone that as R1? Bolly answers that that is a feeling the Town always has the right but it does not give you that right. The reason I said that is because if that is going to work its going to work within that period of time. If you want to add seven years or something like that I don't have a problem. I (Imhof) would like to have the option for the Town, when and if that ever does not become a girls home, then the Town immediately has the right to turn that back to R1, I don't care if it is 30 years down the road it will be turned back.

Sellersburg Town Council Meeting

March 12, 2001

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Now we can get back to the fence and get back to the original property when he got into the apartments. What's to stop Mr. Davis from selling to someone else, 3 months after he gets this rezoned like he did before? Bolly, there is nothing to stop him but whomever buys it is going to be obligated to carry forward with what is promised.

Mr. Bolly submits a proposed **RESOLUTION 2001-001**, to rezone this property consider it pending Mr. McCall and I agreeing to this revised agreement to the satisfaction of the Council.

Motion to approve **Resolution 2001-001** by James H. LaMaster, seconded by Edward D. Denton. LaMaster and Denton aye: Barnes and Imhof nay, President Yost nay. Motion does not pass, 2-aye, 3-nay.

Mr. Bolly presents tax abatement for the Comfort Inn, in Hamburg; they opened September 2 this past year. The law states he may file 322ERA and CF1, within 30 days for the initial abatement, he searched everything and couldn't find it. He filed everything else with the Auditor's office and Treasurer's office. They would like your input to determine if she (Auditor) should approve it or not. She didn't say she was going to or not going to approve it. I have typed a sort of letter that could be signed by you approving the abatement. Motion to approve the President signing this letter by James H. Lamaster 2nd by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

JOE OLSON SPEAKS TO COUNCIL CONCERNING TOWN HEALTH INSURANCE:

gave the Council members a copy of the new Health Insurance rates. He points out that the increase is due to some preexisting conditions that exist within the group. Perhaps some of this might change on or about August 1 that could change these conditions. Then perhaps these rates will change and you will experience a substantial savings.

The other thing is there has been some discussion about an alternative waiting period for new employees. I am going to play the devils advocate; it is up to the Board to decide what to do. Now the waiting period is the 1st of the month 90 days after hire. The advantage is that after a new employee comes in you have a chance to take a good look at them and say, are they going to be here and do they have any health conditions.

Motion by Kenneth E. Barnes, Sr. 2nd by James H. LaMaster to approve renewal of the Health Insurance with Anthem Insurance April 1, 2001. 4-aye, Mr. Imhof votes nay, motion approved 4 to 1.

James H. LaMaster makes motion to cut the waiting period to 60 days, 2nd by Kenneth E. Barnes, Sr. 4-aye, Mr. Imhof votes nay; motion carries 4 to 1.

MRS. PAULINE PIXLEY ADDRESSES THE COUNCIL: presents the council members with copy of the water meter readings at her residence. She says that she has the Town readings and her own meter readings. Mrs. Pixley advises that the Town owes her for 5460 gallons of water

Sellersburg Town Council Meeting

March 12, 2001

Page 5 of 8 pages

plus she wants money for this. President Yost will have Kevin Wright contact Mrs. Pixley reference this matter.

FRED EVERETT SEWER ADJUSTMENT FOR LAWN SPRINKLERS: wants to know when the sewer adjustments from the lawn sprinkler systems for the year 2000 will be given? No decision was made, as Kevin Wright does not have the figures.

KEVIN WRIGHT, EMC: presents the water/sewer revenue reports for February 13 through February 26, Total \$95,003.02 and February 27 through March 12, Total \$92,671.52.

Mr. Wright presents proposals for Flo-meter recorders from R. W. Austin Company, Inc, for \$13,184.00: Gripp, Inc. for \$13,850.00 and B.L. Anderson Company, Inc. for \$16,194.00. These are new meters. Motion by Louis R. Imhof, Jr. seconded by Kenneth E. Barnes, Sr. to accept the proposal of R. W. Austin Company, Inc. for \$13,184.00 to replace flow-meters at the water plant. 5-aye, 0-nay, motion approved.

Also I gave each of you a letter for sodium bisulfite that IDEM required to remove chlorine from backwash water before it could be discharged at the water plant. Because of this EMC went over the chemical cap of \$51,825.01 for the year 2000 by \$3,242.45. I am requesting that Sellersburg reimburse EMC for the \$3,242.45 over the Chemical Cap. Motion by Louis R. Imhof, Jr. to reimburse EMC for this amount 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved.

MARK WARREN, SUPERINTENDENT STREET/SANITATION DEPARTMENTS: has cost of new garbage packers and wants to give them to Mr. Imhof so he can look them over and we can talk further about it.

CHIEF MICHAEL STRICKER ADDRESSES THE COUNCIL: last month I talked to the council about signing an ordinance about the officer's court pay. I have a copy of the ordinance for presentation to the Council. This is **ORDINANCE NUMBER 2001-005 AN ORDINANCE AMENDING THE AMOUNT OF OFFICER COURT PAY.** Motion to pass ordinance 2001-005 on the first reading by Kenneth E. Barnes, Sr. 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved. Motion to adopted ordinance 2001-005 on second reading by James H. LaMaster, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved

Also I advertised in the newspaper for sealed bids for used police cars. It was listed in the paper two times prior to the opening so I have five sealed bids for the Town Board to open.

NATHAN GRIMES, BUILDING INSPECTOR: I put my monthly report in each of your mailboxes, are there any questions about that? There is a Mrs. Belinda Bartley reference Jesse Ballew wanting to fill next to her property. I got a letter about a public hearing on April 13, at 3:00 P.M. at the Sellersburg Library. I'll make each of you a copy and place it in your mailbox.

Also, Mr. (David) Kummer is here! He came to the last planning and zoning meeting and he was

Sellersburg Town Council Meeting
March 12, 2001
Page 6 of 8 page

approved for rezoning at 616 East Utica Street. This is a request for rezoning from R1 to B2, for 616 East Utica Street wants to open a hobby store. This is just a final approval by the Council. Motion by Louis R. Imhof, Jr. to approve the rezoning 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved. Mr. McCall will prepare a Resolution; RESOLUTION 2001-002, for the Council to sign at it's next meeting.

COUNCIL MEMBER KENNETH E. BARNES, SR.: Where I work is Perfect Recycling and they are willing to give us two dumpsters for use by the Town, one for Newspapers and one for magazines, come and pick the dumpsters up and take it back and bring empties back, at no charge. What I am suggesting is to take the money and help elderly people in our community at Christmas time. The Clerk/Treasurer will check with State Board of Accounts to see if this is possible.

Another thing I want is to have signs made, using the school colors, (Orange and Blue), made and placed where people coming into Town can see them. These signs will read "Welcome to Sellersburg Town of Opportunity". Also, have additional two signs made up saying, "Home of the Silver Creek Dragons", again in Orange and Blue.

OPENING OF BIDS ON USED POLICE VEHICLES: Chief Michael Stricker advises that the bids have been opened with the following results; 1995 Crown Vic went to Mike Rosenbarger for \$3,456.00; the 1994 Crown Vic went to James Hudgins for \$1,500.00 and the White 1995 Ford Taurus went to Gary Fenner for \$1,250.00. I'll contact these people.

TOWN ATTORNEY WILLIAM P. MC CALL, III: Umbaugh and Associates are here and they have proposed an accounting service for the water and sewer utilities. They are asking that you execute a contract.

Mr. Dan Hedden, an associate with H. J. Umbaugh and Associates that we present tonight are an effort to provide information to the Council and members of the Town about operations of the utilities. These reports are designed to tell how much is being taken in and also what the net amount is. It is also a means for the Clerk/Treasurer and his staff to have a contact for routine questions and if there were any accounting questions we would be available to assist with that.

The contract calls for us to report to you at least twice a year. At that time we will report on the financial condition of the utilities and evaluate the cash investment balance of the utilities as compared to what the bond ordinance says you should have.

Motion by Kenneth E. Barnes, Sr. to accept the account servicing contracts, one for water utility and one for wastewater utility, 2nd by Louis R. Imhof, Jr. 5-aye 0-nay, motion approved.

The Clerk/Treasurer requested an ordinance for Customer-Application and Deposit Policy for the Town water and sewer service. This will be Ordinance 2001-003, (this is Ordinance 2001-004 not 2001-003).

Sellersburg Town Council Meeting

March 12, 2001

Page 7 of 8 pages

Motion by James H. LaMaster to pass on the first reading **ORDINANCE 2001-003 (corrected to 2001-004), ORDINANCE ESTABLISHING A CUSTOMER APPLICATION AND DEPOSIT POLICY FOR THE TOWN OF SELLERSBURG WATER AND SEWER SERVICE**, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved on first reading.

Donnal Long ask that this be explained and Mr. McCall explains the ordinance. Mainly will say how someone signs up for water/wastewater service, social security number, photo identification and property tax key number? Also sets deposit fee to \$30.00 for water, \$50.00 for sewer plus a meter deposit of \$50.00. So total cost is \$130.00.

Motion by Kenneth E. Barnes, Sr. to approve **ORDINANCE NUMBER 2001-003 (corrected to 2001-004)** on the second reading, 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved.

Mark (Robinson) is here and he ask me at some point to consider putting together an ordinance about animals found in distress and to give the animal control officer some authority to remove the animal from those individuals.

Motion by James H. LaMaster to pass **ORDINANCE NUMBER 2001-006, ORDINANCE CONCERNING THE IMPOUNDMENT OF ANIMALS FOUND IN DISTRESS AND AUTHORITY FOR ANIMAL CONTROL OFFICER OR LAW ENFORCEMENT OFFICIAL TO IMPOUND AND REMOVE ANIMAL FROM THE CUSTODY OF ANY INDIVIDUAL ALLEGED TO HAVE VIOLATED I.C. 35-46-3-6**, on the first reading, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to approve **ORDINANCE NUMBER 2001-006** on second reading, 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved.

Next ordinance is **ORDINANCE NUMBER 2001-003, ORDINANCE AMENDING SECTION 2-108 CONCERNING ADOPTING THE FEDERAL RATES FOR THE REIMBURSEMENT OF MILEAGE**. This just changes the Town ordinance to the federal rate instead of the state rate. Motion by Kenneth E. Barnes, Sr. to adopt ordinance 2001-003 on the first reading, 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to pass Ordinance 2001-003 on the second reading, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Ordinance 2001-007 (should be 2001-002) this is renewal of Cumulative Capital Development Fund, the legislation changed and does not require renewal every three years.

Motion by James H. LaMaster to approve **ORDINANCE 2001-007 (should be 2001-002, ORDINANCE AMENDING ORDINANCE 95-617, CUMULATIVE CAPITAL DEVELOPMENT FUND**, on the first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay,

**Sellersburg Town Council Meeting
March 12, 2001
Page 8 of 8 pages**

motion approved.

Motion by Kenneth E. Barnes, Sr. to pass Ordinance 2001-007 (should be 2001-002) on the second reading, 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved.

Need for you to sign Ordinance 2000-027. It was passed earlier, amending the section of the Town Code reference portable signs.


Clerk/Treasurer presents the bill for the Town to be paid. Motion by Kenneth E. Barnes, Sr. to pay the bills, 2nd by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

JOHN TOOMBS ADDRESSES COUNCIL: I have taken bids on placing a 2" water line along Ohio Avenue to the Chad Nunn residence. Council requests that Mr. Toombs checks with the bidders and determine how much more for larger water lines.

I have information about Sun Flower Valley Water Corporation, between myself, Sharon Wilson, Allen Applegate and Chris Nolan we have has come up with a way to solve the problem which would involve agreements between Sun Flower Valley Water Corporation and the Town of Sellersburg. I am giving you the information I have written on it, hope you will read it and suggesting a couple of you gentlemen be part of a committee to sit down and work all this out.

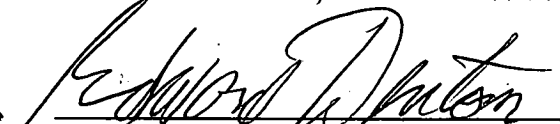
Also you have two sewer lines under I-65, one by Haas Cabinet, put in about 1964. The South line has a large crack in the crown of the pipe. We have an emergency; this line needs to be replaced in some way. I request that you declare this an emergency and authorize a couple of you to work with us to approve repairs when we get the permits and estimates for the type of repair that we will make. Motion by Kenneth E. Barnes, Sr. to approve some type of repair on an emergency type basis, 2nd by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to adjourn the meeting, 2nd by Edward D. Denton. 5-aye, 0-nay, meeting adjourned 9:10 P.M.

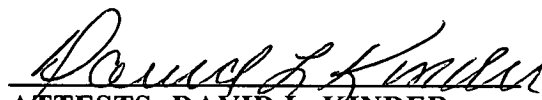

DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice President


KENNETH E. BARNES, SR.


EDWARD D. DENTON


JAMES H. LAMASTER


ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL

April 9, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on April 9, 2001. Present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:05 P.M.

TOPIC OF DISCUSSION:

Personnel matters in the Police Department.

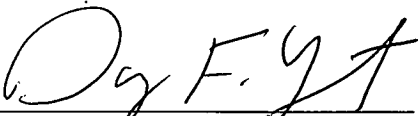
Litigation on Master Meter at Indian Oaks.

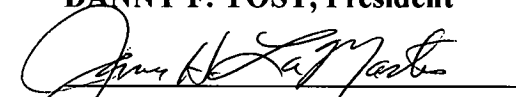
Litigation Chad Nunn water line.

ADJOURN:


Motion by James H. LaMaster to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned 6:55 P.M.

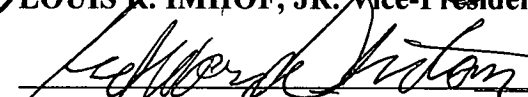
There was no subject matter discussed in the executive session other than the subject matter specified in the public notice.

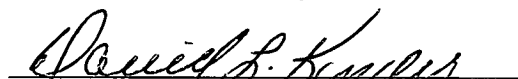

DANNY F. YOST, President


JAMES H. LAMASTER


KENNETH E. BARNES, Sr.


LOUIS R. IMHOF, JR. Vice-President


EDWARD D. DENTON


ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

April 9, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on April 9, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:04 P.M.

PRAYER:

President Danny F. Yost

PLEDGE OF ALLEGIANCE:

Recited by all present.

The Council reviewed minutes of last meeting. Clerk/Treasurer states the following changes were made to the minutes, after the Council had received their copies. Steve Brinegar, Donohue and Associates, introduced his assistant as Mr. Burg, the correct spelling of his name was Berg. Ordinance 2001-003 is amendment to mileage rate for Town, not Sewer/Water Customer Application Deposit. Sewer/Water Customer Application Deposit is ordinance 2001-004. Ordinance 2001-007 should be ordinance 2001-002, Ordinance amending Cumulative Capital Development Fund. Presently there is no 2001-007 ordinance.

Motion by James H. LaMaster to accept the minutes and the corrections. Seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

DANNY CRISTIANI: We have a new facility here on State Road 403, Earth First we process topsoil and have mulch and other landscaping materials. We have State approval to accept yard waste. We only take yard waste, no painted products, no pallets, and just yard waste. We would like to serve Sellersburg if you want to bring yard waste to our location. The minimum charge is ten dollars (\$10.00) for a pick up truckload and eighteen dollars (\$18.00) per ton.

Another thing I want to develop a Light Industrial and Commercial Park just off of State Road 403. This is located across from the golf course on 403, there is a vacant field, and at the end of that field I have an option of 320 feet from behind the row of houses there. Then across Greenleaf Drive there is 105 acres where I want to develop light industrial park.

The reason I am here tonight is I would like to be annexed to the Town. I will need water and sewer. I am looking at perhaps two to two and a half years before I get this done. I would like a letter from you that in two years I can get on your sewers. John Toombs speaks up and advises that sewers will be available.

Sellersburg Town Council Meeting

April 9, 2001

Page 2 of 6 pages

I will contact all the property owners and residence in that area and I am having a meeting at the REMC conference room on Thursday, May 3 at 7:00 P.M. and you are all invited to attend that meeting.

RONALD HUTCHISON: Water service at 8018 Highway 311. This water was extensively used in January and February the amount of the bill was four hundred sixty-five dollars and fifteen cents (\$465.15). In December of 2000 there was an extremely high bill on this same meter. During that month we discovered a leak between the meter and the building. So we went to the meter and shut the meter off. Since 1996 I, Hutch's Greenhouse, have paid over two thousand five hundred dollars (\$2,500.00) in sewers. What I am asking is for relief from the four hundred sixty-five dollars and fifteen cents (\$465.15), secondly I am asking for the "City" of Sellersburg to refund to me the money I have paid in sewer funds since 1996. It is about twenty five hundred and fifty dollars (\$2,550.00).

Mr. John Toombs advises that Mr. Hutchison should be on the sewer system. He has a business or building within the sewer line. If you are within 300 feet of the sewer, property line fronts on the sewer you have to connect. Technically speaking and legally you must make him connect to the sewer.

President Yost advises this will be taken under advisement.

DAVID NACHAND: I am an attorney for Doctor Dan and Joan Evinger. We are here this evening to ask the Council to issue the first stage resolution in the process for a tax abatement. If you pass this first stage resolution tonight it arranges for us to set up a public meeting to decide the issue.

We have filed a statement of benefits along with our original petition. Motion by Kenneth E. Barnes, Sr. to approve **RESOLUTION 2001-002**, establishing **ECONOMIC REVITALIZATION AREA**. Seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

MS. ERIC MCKAY: We own Kid-Tech Development Center and are in the process of turning that into a non profit organization. We are attempting to obtain a planning grant. Motion by James H. LaMaster to assist Kid Tech in their grant application, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

JONATHAN RAKICH: I am representing Covered Bridge Community, reference the credit to the sewer bills because of the sprinkler systems at Covered Bridge. That water used on the sprinkler system would be on a separate meter and a sewer adjustment would be based on the second meter.

William P. McCall, Town Attorney, states that there is a prepared ordinance, for tonight's meeting that will cover the sprinkler systems,

Sellersburg Town Council Meeting

April 9, 2001

Page 3 of 6 pages

Donna Ennis, EMC billing office, address the Council reference the adjustments to the sewer systems in Covered Bridge Community. I have averaged the past sewer bills and have given an adjustment on these figures.

SCOTT LEWIS: Attorney for Jeff Barton, reference the alley extension on Adkins Court. (This is old business from March 12th Council meeting). Last meeting the Railroad Company advised that their alley was needed to get emergency equipment back behind their building. I have photographs showing the fire hydrant and the utility pole would prevent them from bringing any heavy equipment in this alleyway.

ORDINANCE 2001-007, CLOSING OF ALLEYWAY AT ADKINS COURT. Motion by Kenneth E. Barnes, Sr. not to consider **ORDINANCE 2001-007** on the first reading. Motion dies for lack of second.

Is there a motion to approve ordinance 2001-007 on the first reading? No motion.

MASTER WATER METER FOR INDIAN OAKS TRAILER PARK: Town Attorney talked with IURC (Indiana Utility Regulatory Commission) and they advised that the Council could do it. They just don't want the owner of that to be able to set the rates.

President Yost will table this until the next meeting.

EMC: Kevin Wright introduces Donna Ennis to the Council, Donna will be in charge of the billing office. I also request that Donna be given permission to make adjustments to the water/sewer bills, along with myself. Motion by Kenneth E. Barnes, Sr. seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

He presents the Revenue Report for March: Water collection was \$65,344.30: Sewer \$126,870.00 and Civil \$6,776.46. Revenue Report for April 1 through April 9th: Water \$21,318.29. Sewer \$38,033.34. Civil \$2,616.70.

Also would like approval on a capital improvement to the Camp Chelan lift station? Two bids, Delta Electric \$3,125.00 and Belco Electric \$2,600.00. Motion by James H. LaMaster to approve Belco Electric for \$2,600.00, 2nd by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

If the Council wants power surges installed on this panel I will get estimates for the cost and then contact Council members.

STREET SUPERINTENDENT MARK WARREN: The annual Spring clean up scheduled the week of the 23rd of April through 27th. Hours are 8:00 AM through 8:00 P.M. Monday through Friday, on Saturday 8:00 A.M. until 2:00 P.M.

Sellersburg Town Council Meeting

April 9, 2001

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NATHAN GRIMES, TOWN BUILDING COMMISSIONER: I have my Building Commissioner's report for the Council. If there are no questions then I have nothing further.

WILLIAM P. MC CALL, III (TOWN ATTORNEY): **ORDINANCE 2001-008, ORDINANCE AMENDING ORDINANCE 200-013, CONCERNING PARKING ZONE ON WEST UTICA STREET.** Motion by James H. LaMaster to consider ordinance 2001-008 on the first reading. Seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to pass ordinance 2001-008 on the first reading. Seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-009, ORDINANCE AMENDING 2001 SALARY, HOLIDAY AND LONGEVITY PAY. Motion to approve ordinance 2001-009 on the first reading by James H. LaMaster, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to pass ordinance 2001-009 on the first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-010, ORDINANCE REZONING PROPERTY LOCATED WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF SELLERSBURG. Motion by James H. LaMaster to approve Ordinance 2001-010 on first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-011, ORDINANCE REGULATING TRANSIENT MERCHANTS WITHIN THE TOWN OF SELLERSBURG, INDIANA. Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2001-011 on the first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to pass ordinance 2001-011 on the first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 09-nay, motion approved.

ORDINANCE 2001-012, ORDINANCE AMENDING ORDINANCE 94-003 AND 509 AS IT CONCERNS BILLING FOR AUTOMATIC LAWN SPRINKLERS. Motion by Louis R. Imhof, Jr. to consider ordinance 2001-012 on the first reading, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to pass ordinance 2001-012 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-013, ORDINANCE REGARDING SUMP PUMP DRAINAGE ONTO PUBLIC STREET. Motion by James H. LaMaster to consider ordinance 2001-013 on the first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Sellersburg Town Council Meeting

April 9, 2001

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Motion by Kenneth E. Barnes, Sr. to pass ordinance 2001-013 on the first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-014, ORDINANCE RESCINDING SECTION 2-21, SECTION 2-22 AND SECTION 2-23, OF THE SELLERSBURG TOWN CODE. Motion by Kenneth E. Barnes, Sr. seconded by Louis R. Imhof, Jr. to consider Ordinance 2001-014 on the first reading. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to pass ordinance 2001-014 on the first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-015, ORDINANCE AMENDING ORDINANCE 278 REGARDING DOOR TO DOOR SOLICITATION AND ORDINANCE 327 REGARDING STREET VENDORS. Motion by Kenneth E. Barnes, Sr. to consider ordinance 2001-015 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to pass ordinance 2001-015 on the first reading, seconded by Kenneth E. Barnes, Jr. 5-aye, 0-nay, motion approved.

We have two bids for the old sewer plant. Both bids are for \$6,000.00. Motion by Louis R. Imhof, Jr. to reject both bids, seconded by Danny F. Yost. 1-aye, 4-nay motion does not pass.

Now under IC 36-1-11-5, sell the property to the adjacent property owner. Motion to approve and negotiate the sale to the adjoining property owner, seconded by Kenneth E. Barnes, Sr. 3-aye, 2 nay, motion approved.

JOHN TOOMBS: This is about upgrading the Bean Road lift station. I recommend you award the bid to replace the 4" pipe with 6" and 8" pipe to CAB-X Construction Company, Inc. for \$10, 222. Motion by James H. LaMaster to approve the contract with CAB-X Company, Inc. for \$10, 222.00, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

I have a copy of the Sellersburg IDEM agreed order for your records.

I have the bids for the Chad Nunn water line. There are two bidders. I recommend that you award this contract to CAB-X Construction Company, Inc. for \$12,072.50. The way to do this is for you to sign the original bid for \$10, 447.50 and I will write a change order for the additional \$1,625. Motion by Kenneth E. Barnes, Sr., seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Last meeting we talked about a collapsing 8" sewer line under the Interstate highway (I-65) and you declared that an emergency. Met with Kevin Wright, (EMC), and Danny F. Yost, (President Town Council) and we got a price from CAB-X Construction Company, Inc. for \$27,523.00 to

Town of Sellersburg Meeting
April 9, 2001
Page 6 of 6 pages

make this repair. Since this was an emergency we all signed it and gave a copy to the Construction Company.

I have a Draft of Agreement between Town of Sellersburg and the Sunflower Valley Water Company. I have not had a chance to read this yet, but I need to read it and have "Perry" (William P. McCall, III, Town Attorney) read it and see if it meets our requirements.

JAMES H. LAMASTER: I want to make a motion to promote Mark Levesque to Assistant Police Chief, this is the person Chief of Police Michael Stricker wants as his assistant. Seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

I also make a motion to make the pay for this promotion retroactive to Thursday, April 5, 2001. Seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

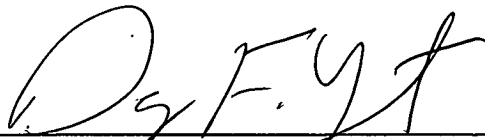
KENNETH E. BARNES, SR. The new signs, proposed for installment at the Town Limit, the proofs are good and I request Mark Warren (Street Superintendent) order the signs.


CLERK/TREASURER KINDER: Need motion to approve the payment of the bills. Motion by James H. LaMaster to pay the claims, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

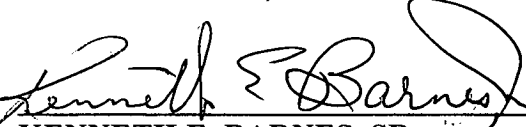
Motion by Kenneth E. Barnes, Sr. seconded by Louis R. Imhof, Jr. to approve the sewer adjustments for the residents of Covered Bridge on the Sprinklers for the year 2000. 5-aye, 0-nay, motion approved.


Motion by Kenneth Barnes, Sr. to refund the meter reading fees, seconded by Edward D. Denton. 0 5-aye, 0-nay motion approved.

Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by James H. LaMaster. 5-aye, 0-nay, meeting adjourned at 9:21 P.M.

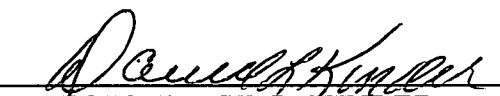

DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice President


KENNETH E. BARNES, SR.


EDWARD D. DENTON


JAMES H. LAMASTER


ATTESTS: DAVID L. KINDER

SELLERSBURG TOWN COUNCIL

May 14, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on May 14, 2001. Present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:04 P.M.

TOPIC OF DISCUSSION:

Personnel matters in the Police Department.

Litigation reference Furnish Towing Service.

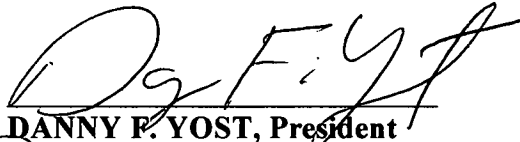
Meeting with Indian Oaks reference Master Meter and Police Department.

Sale of Old Sewer Plant to Margaret Dreyer.

ADJOURN:

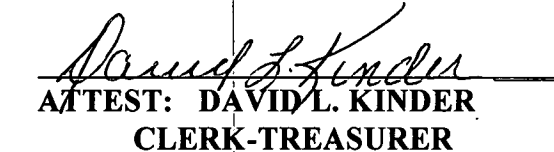
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by James H. LaMaster. 5-aye, 0-nay, meeting adjourned 6:56 P.M.

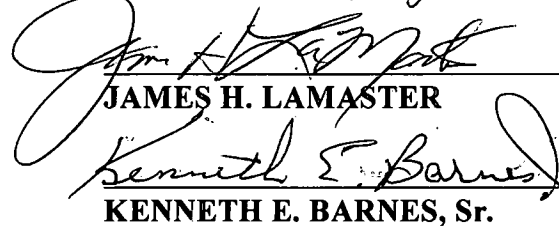
There was no subject matter discussed in the executive session other than the subject matter specified in the public notice.



DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice-President


EDWARD D. DENTON


ATTEST: DAVID L. KINDER
CLERK-TREASURER


JAMES H. LAMASTER


KENNETH E. BARNES, Sr.

SELLERSBURG TOWN COUNCIL

May 14, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on May 14, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council members Kenneth E. Barnes, Sr., Edward D. Denton, James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:03 P.M.

PRAYER:

Reverend Gary Fenner, Calvary Christian Church.

PLEDGE OF ALLEGIANCE:

Recited by all present.

The Council reviewed minutes of last meeting. Motion by Kenneth E. Barnes, Sr. to approve the minutes, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

DAVID NAHAND representing Dan and Doctor Joan Evinger who are requesting tax abatement for their new animal clinic on old State Road 60. The tax abatement will be for ten (10) years on the building. Motion by Kenneth E. Barnes, Sr. to approve the Tax Abatement, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

HUTCH' GREENHOUSE: President Yost request a motion to deny Ronald Hutchison request to reimburse him for his sewer bill since he has no sewer at Hutch's Greenhouse. Kenneth E. Barnes, Sr. makes a motion to deny his request, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

ROD PATE, SILVER CREEK KIWANIS CLUB: Mr. Pate request that the Town Council purchase twenty (20) flags per year for use by the Kiwanis is decorating the Town three times a year. Motion by Kenneth E. Barnes to purchase 20 flags per year for the Kiwanis club to purchase these flags, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

SHARON MARRA, SOLID WASTE MANAGEMENT DISTRICT: Has proposal to amend the Solid Waste fee for non-curbside customers. Sellersburg is a signer and partner on the interlocal agreement and your approval is needed to make the amendment. This will be resolution R2001-003. Motion to pass resolution R2001-003 by Louis R. Imhof, Jr. seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

WILLIAM VOYLES, TRASH AND GARBAGE PICK-UP: recommends the Town do a study to privatize the trash pick-up or improve the present system. Presently not all trash is

picked up.

DAVID BLANKENBAKER, NEW SUB-DIVISION: asking for permission to tap onto Sellersburg Sewer System. This new sub-division will be on Allentown Road near Elk Creek. The basic work on this project has not been done but wanted to be certain that sewers would be available. Motion by Kenneth E. Barnes, Sr., that the Town agree to furnish sewers but developer must agree not to remonstrate against annexation by the Town, upgrade or build a new lift station, seconded by Edward D. Denton. 5 aye, 0-nay, motion approved.

RICK WILSON, SEWER BILLS AT COVERED BRIDGE: these are past due bills from 1993 through 1996. Mr. Wilson said he was not aware of these bills that he had been told that he could not be charged a sewer fee while construction was being completed. Motion by Louis R. Imhof, Jr. to table this until next meeting, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

JIM BARNETT, SURCHARGE FOR OUT OF TOWN SEWER CUSTOMERS: he does not feel that the surcharge was fair, that it is too high and wants the Council to consider reducing the surcharge to ten (10) percent not the current charge.

CARL KAMER, Trustee for Silver Creek Township and Silver Creek Little League Park. Mr. Kamer advises that the Little League Park had only been charged \$8.65 for sewer fees in the past but since the new surcharge went into effect his water/sewer bill was \$95.00. He requests that the Council reduce this rate to \$8.65 for the park. EMC said the reason charge was so high is that the park has a two (2) inch meter and the fee for a two (2) meter is \$75.00. Motion by Edward D. Denton to reduce the rate for the Silver Creek Little League Park to \$8.65 per month, but only for the park, seconded by James H. LaMaster. 4-aye, 1-nay (Imhof), motion approved.

KEVIN WRIGHT REPRESENTING EMC: I have the revenue report for April. During April we brought in **Water was \$56,813.47: Sewer was \$100,927.20: Civil was \$6,895.11** for a **TOTAL of \$164,635.78.**

Also there is a utility trailer that does not meet DOT approval and we are requesting this trailer be replaced. I have prices: Vancor trailer \$3,750.00. Hunt trailer is \$3,678.00. Louis R. Imhof, Jr. makes a motion to accept the bid from Hunt Trailer for \$3,678.00, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

There are three pumps at the wastewater treatment plant, last year one of them was rebuilt, and we now have another to rebuild. Spencer Machine Shop quotes a price of \$2,195.16 and \$3,791.00 from EMR Motor Repair, Inc. (The bid from Spencer Machine Shop includes a coated impeller, which was \$957.00 of their bid.) Motion by Kenneth E. Barnes, Sr. to accept the bid from Spencer Machine Shop, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

DONNA ENNIS, BILLING OFFICE MANAGER: List of Sewer Liens to be filed:

Sellersburg Town Council Meeting
May 14, 2001
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<u>Account Number</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
13-5010-01	Willie Spencer, Jr.	223 St. Joe Road East	\$230.71
13-5020-01	Terrance Gray	219 St. Joe Road East	188.62
13-5060-05	Bryan Berry	121 St. Joe Road East	210.70
13-5080-02	Sherri Bishop	440 Old St. Joe Road East	958.03
18-0050-01	Michael McNew	7009 Wilson Lane	185.19
18-1179-05	Bruce Chambers	1906 Giola avenue	187.55
14-0790-01	Loren Armstrong	8301 Highway 60	288.61

Also these accounts need to be written off because of bankruptcy or non-named accounts:

<u>Account</u>	<u>Name & Reason</u>	<u>Service Address</u>	<u>Amount</u>
21-1840-01	Wendy Pait (Chapter 7)	2128 Jefferson Street	\$100.31
21-1805-01	Resident (No Name)	2123 Washington Street	63.99
21-1540-02	Resident (No Name)	2014 Jefferson Street	108.02
04-1350-03	Resident (No Name)	373 Popp Avenue	69.86
20-0670-05	Resident (No Name)	7229 Madison	157.63
03-1280-02	Michael Lane (Chapter 7)	159 S. New Albany	73.93
21-0020-03	Vicki Naby (Chapter 7)	2138 Johnson Street	93.03

Motion by Kenneth E. Barnes, Sr. to write off these accounts and amounts, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Town Attorney will write a resolution to approve write off of bankruptcy accounts.

Deanna Jones-Smith, who was suppose to be at this meeting, she is not on the Town Sewer and for some reason she has been, charged sewer service. She was billed \$703.47, but she has only paid \$656.05. President Yost says that she was told, by him, to appear before the Council to get approval for this refund.

Town Attorney McCall will write an ordinance for those customers going on vacation. Water will be turned off for a \$5.00 fee but Civil charge of \$3.00 and the Sewer minimum should still be charged.

Sewer charges for new customers, not on our water system, such as Silver Creek Water Corporation, how do we charge them the \$50.00 deposit? Just put it on the first water bill they receive.

CHIEF MICHAEL L. STRICKER: reference the gas pump at the Town Hall. Service charges for work on the pump should be charged to all departments using the pump, street, animal control and police. The bills should be spit equally. Even that a maintenance agrees should be obtained from the company and each department pay equally for the maintenance.

Sellersburg Town Council Meeting

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Since the increase in the new census is up to 6071 for the Town population. This addition to the population and the annexation of the of Poindexter has increased the need for an additional police officer, Kenneth E. Barnes, Sr. makes a motion to hire an additional officer, making twelve total officers, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, BUILDING INSPECTOR: presents his monthly report to the council. Also will contact the Town Attorney reference amending some of the Town's Zoning ordinances.

CLERK/TREASURER presents this months bills for the Town Council's approval to pay. Motion by James H. LaMaster to pay the bills as presented, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Also have a bill from CAB-X for water line installation on Ohio Avenue. President Yost will bring this up later.

COUNCIL MEMBER LAMASTER: On the Storm Sewer repairs that we received from John Toombs some time ago. I would like to give Mr. Toombs the ok to start on some of these projects. The Mary Ann Stifey project, 632 Nevada, ditch behind her home, wants Town to install pipe and cover the ditch. I (LaMaster) make a motion to start with Mrs. Stifey's project at a cost of \$7,300.00 (rough estimate), seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

COUNCIL MEMBER IMHOF, Jr.: makes motion that a citizen wanting on the agenda for a Town Council must request being on the agenda at least one week prior to the meeting date, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

I want to ask Kevin (Wright) are we still replacing water meters on routine bases? Yes, we just purchased 50 additional meters for replacements and new installations.

Our insurance company suggests that that we do additional sewer clean outs as for roots etc. Kevin (Wright) advises that he have a list of certain sewers in Town that need cleaning on a regular bases.

TOWN ATTORNEY MCCALL: need to schedule a special meeting to discuss annexation so that people can be present to hear what you are talking about. I will contact each of you to set up a time.

Margaret Dreyer, the high bidder for the old sewer plant and I forwarded correspondence to her on April 24, indicating she had received the bid and that we need to set a time and date to finalize the sale. I haven't received any response from her and the deadline to close it was June 1, 2001.

I asking if that does fall through, I get permission from the Town to give the bid to the second bidder, which would have been Tri-Machinery.

Sellersburg Town Council Meeting

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Chad Nunn wants his \$1,000.00 for the payment for him not having water to his residence. He knows the Town wants to pro-rate it but he wants the full \$1,000.00. Presently the water line to his residence is completed. The Council suggests that we wait and see if he complains again.

I received a call from John Kraft reference in January, 2001, Tri-Sprig Development came to the Town and ask about a development they called Sunset Fields, on Bennettsville Road, they wanted the Town to provide sewers. They sent a letter saying they have not heard anything and they contacted John asking if the Town wanted to do this. He thought the Town had said no and he just wants to verify that the Town is rejecting this. Motion by James H. LaMaster, seconded by Louis R. Imhof, Jr. for Town Attorney to draft a letter advising Tri-Sprig Development that the answer is no. 5-aye, 0-nay, motion approved.

I am asking that you pass a water agreement and the other is an agreement that should Sunflower Valley not get a grant to improve their water lines the Town is not obligated in any way.

Motion by James H. LaMaster to approve the agreement with Sunflower Valley and the Water Agreement with Sunflower Valley to move the project forward, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Have ordinance 2001-016, which is an ordinance to amend ordinance 2001-004, which changes the residential – Rental fee from \$30.00 to \$50.00. Motion by James H. LaMaster to consider ordinance 2001-016 on the first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to pass ordinance 2001-016 on its first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Have Resolution R2001-004, **RESOLUTION OF THE SELLERSBURG TOWN COUNCIL DESIGNATING BOND COUNSEL, LOCAL COUNSEL, BOND ACCOUNTANTS AND ENGINEERING CONSULTANTS AS REQUIRED BY NPDES NUMBER IN0020419, CASE NUMBER 200-9270 W IDEM COMPLIANCE SCHEDULE AND SRF FUNDING.**

Motion by James H. LaMaster to approve resolution R2001-004, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

I (McCall) have an ordinance to amend the tap in fees schedule for the Town of Sellersburg. This will be **ORDINANCE 2001-017, SYSTEM which will read: EXCEPT AS OUTLINED IN SUBSECTION 1 BELOW, A TAP CHARGE OF ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00 SHALL BE LEVIED AGAINST EACH RESIDENTIAL (SINGLE family) LOT, PARCEL OF REAL ESTATE, OR BUILDING WITHIN THE TOWN'S CORPORATE BOUNDARIES THAT HEREAFTER CONNECTS WITH THE TOWN'S SEWER SYSTEM. A TAP CHARGE OF TWO THOUSAND TWO-HUNDRED DOLLARS (\$2,200.00) SHALL BE LEVIED AGAINST EACH RESIDENTIAL (SINGLE**

FAMILY) LOT, PARCEL OF REAL ESTATE, OR BUILDING OUTSIDE THE TOWN'S CORPORATE BOUNDARIES THAT HEREAFTER CONNECTS WITH THE TOWN'S SEWER SYSTEM.

- (1) A LOT, WHICH WAS PREVIOUSLY CONNECTED TO THE SEWER SYSTEM, SHALL NOT BE REQUIRED TO PAY A TAP CHARGE TO RECONNECT IF THE RECONNECTION IS COMPLETED WITH SIX (6) MONTHS OF DISCONNECTION. AFTER SIX (6) MONTHS, A TAP CHARGE OF EIGHT HUNDRED DOLLARS (\$800.00) SHALL BE LEVIED FOR RECONNECTION.**
- (B) THE OWNER OF ANY RESIDENTIAL LOT, PARCEL OF REAL-ESTATE, OR BUILDING, OTHER THAN THOSE PARCELS WITHIN THE BOUNDARIES OF A SUBDIVISION WHICH: 1) HAS BEEN APPROVED BY EITHER THE SELLERSBURG BUILDING COMMISSIONER A PLAN COMMISSION, AND 2) MEETS ALL THE TOWN COUNCIL FOR THE PRIVILEGE OF PAYING THE TOTAL TAP FEE IN TEN EQUAL ANNUAL PAYMENTS PLUS INTEREST. IN THE EVENT THAT SUCH DEFERRED PAYMENT PLAN I ACCEPTED BY THE TOWN COUNCIL, THE FIRST ANNUAL PAYMENT SHALL ACCOMPANY THE APPLICATION ALONG WITH THE APPROPRIATE INSPECTION FEE. THE REMAINING PRINCIPLE SHALL ACCRUE INTEREST, AT THE STATUTORY JUDGEMENT RATE, ON THE OUTSTANDING BALANCE UNTIL PAYMENT IN FULL OF TEN ANNUAL INSTALLMENTS. SUBDIVISION TAP-INS SHALL NOT BE ELIGIBLE FOR THIS DEFERRED PAYMENT PLAN.**
- (C) TAP FEES FOR DUPLEX AND MULTI-FAMILY UNITS WITHIN THE TOWN' CORPORATE BOUNDARIES SHALL E TWO THOUSAND TWO-HUNDRED DOLLARS (\$2,200.00). TAP FEES FOR DUPLEX MULTI-FAMILY UNITS OUTSIDE THE TOWN'S CORPORATE BOUNDARIES SHALL BE THREE THOUSAND THREE HUNDRED FIFTY DOLLARS (\$3,350.00). MULTI-FAMILY UNITS LARGER THAN A DUPLEX SHALL INCUR AN ADDITIONAL TAP FEE OF ONE HUNDRED FIFTY DOLLARS (\$50.00) PER UNIT UP TO TEN (10) UNITS, EACH ADDITIONAL UNIT SHALL BE SEVENTY DOLLARS (\$70.00).**
- (D) TAP FEES FOR COMMERCIAL USE WITHIN THE TOWN'S CORPORATE BOUNDARIES SHALL BE ONE THOUSAND EIGHT-HUNDRED DOLLARS (\$1,800.00) FOR EACH UNIT OF THREE HUNDRED (300) GALLONS OF DAILY FLOW. TAP FEES FOR**

COMMERCIAL USE OUTSIDE THE TOWN'S CORPORATE BOUNDARIES SHALL BE TWO THOUSAND SIX-HUNDRED DOLLARS

- (E) (\$2,600.00) FOR EACH UNIT OF THREE HUNDRED (300) GALLONS OF DAILY FLOW. ONE YEAR AFTER THE INITIAL COMMERCIAL SEWER CONNECTION, THE TOWN SEWER DEPARTMENT SHALL CALCULATE THE ACTUAL AVERAGE FAMILY FLOW FROM THE COMMERCIAL USER AND SHALL ADJUST THE TAP FEE ACCORDINGLY. ANY ADDITIONAL TAP FEE, OR ANY REFUND, SHALL BE DUE AND PAYABLE WITH THIRTY (30) DAYS AFTER SAID CALCULATION IS COMPLETED.
- (F) THE TOWN COUNCIL SHALL DETERMINE THE TAP FEES FOR INDUSTRIAL USES ON A CASE-BY-CASE BASIS AFTER CONSIDERING THE LOCATION OF THE FACILITY, THE QUANTITY OF FLOW AND ITS QUALITY. THE BOARD SHALL MAKE WRITTEN FINDINGS OUTLINING THE FACTORS CONSIDERED IN EACH INDUSTRIAL TAP FEE DECISION.
- (G) TAP FEES MAY NOT BE PAID MORE THAN SIX (6) MONTHS IN ADVANCE OF CONNECTION TO THE SEWER SYSTEM.
- (H) INSPECTION FEES SHALL BE PAD IN ADDITION TO TAP FEES.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL.

APPROVED ON FIRST READING THIS 14th DAY OF MAY, 2001

Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2001-017 on its first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

This Ordinance will be read again at a Public Meeting and have any public input and then it can be passed or changed at that time.

Next regular meeting will be changed until June 4, 2001, at 7:30 P.M. and the Public Meeting will be scheduled on June 4, 2001 at 7:00 P.M. until 7:30 P.M.

JOHN TOOMBS, JACOBI, TOOMBS AND LANZ: The Bean Road project has been completed. The I-65 sewer project is done. The Flo-Meters that have been installed will remain in place until the end of the month because of the shortage of rain. This will not be an additional cost.

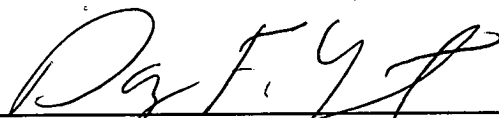
Sellersburg Town Council Meeting
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President Yost asks Toombs about the CAB-X project, the Chad Nunn project on Ohio Avenue, the additional charge \$7088.00. There was no Council approval for this additional charge.

The original hook up could not be found and they had to dig around and find the connection and it took this to make the hook up.

Motion by Kenneth E. Barnes, Sr. to pay the additional charge, seconded by Edward D. Denton. 3-yea, 2-nay, motion approved.

Motion by James H. LaMaster to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 9:25 P.M.




DANNY F. YOST, President



LOUIS R. IMHOF, JR. Vice President



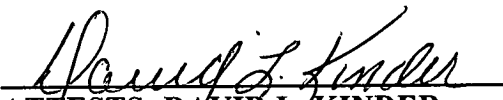
KENNETH E. BARNES, SR.



EDWARD D. DENTON



JAMES H. LAMASTER



ATTESTS: DAVID L. KINDER
CLERK/TREASURER



SELLERSBURG TOWN COUNCIL SPECIAL PUBLIC MEETING

May 29, 2001

The Sellersburg Town Council met in a Special Public Meeting at the Sellersburg Town Hall. Town Council members present were, President, Danny F. Yost, Vice-President, Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

CALLED TO ORDER:

Meeting was called to order by President Danny F. Yost at 6:03 P.M. President Yost dispensed with the prayer and pledge of allegiance.

William P. McCall, III, Town Attorney, advised that this meeting was called to outline to the Sellersburg public and surrounding individual residents, areas that may be appropriate for annexation. This is an informational meeting to get impute about why or why not annexation should occur in their area. John (Toombs) is here to apply the statue regarding contiguous boundaries to determine and show which areas would be appropriate.

If you decide to go ahead then there will have to be fiscal plans, then there will have to be a public hearing. This hearing will require us to give notice to the people in that area that are purposed to be annexed.

Tonight we are only going to focus on the areas that you want to annex.

JOHN TOOMBS, shows boundaries of property that is Clarksville and Sellersburg. Maps will be made available for the Council members later.

Section K, which would be the Diamond Heights, it is 41.3 percent contiguous to Sellersburg and presently does not receive water or sewer from the Town.

Section M, which would be bordered by I-65, State Road 311 and State Road 60. It is 70 percent contiguous to Sellersburg. This is already served by Sellersburg sewers and water.

Section P, which would be southwest of Sellersburg Bordered on the West by I-65, on the East by Highway 31 and on the North the present Town boundaries. The area is 70 percent contiguous to Sellersburg and has Sellersburg water and sewers.

Section J, Sun Flower Valley/Dreyers, it presently has Sellersburg sewer and water and is 50 percent contiguous with the Town.

Section N, Sellersburg Stone which is 50 percent contiguous with the Town.

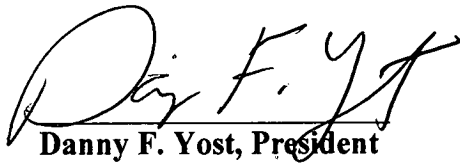
**Sellersburg Town Council Special Public Meeting
May 29, 2001
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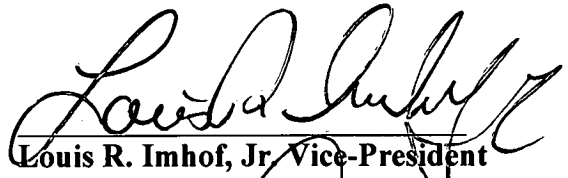
Section O, Silver Creek Township Park, Greenleaf Road and some future development by Danny Christiani.

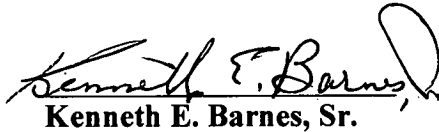
This is something for the Council Members to decide what sections if any that you want to annex.

William P. McCall recommends that the Council members contact the residents in the proposed annexation areas and advise them that you are considering annexing them and invite them to an open meeting to discuss what you are planning and why.

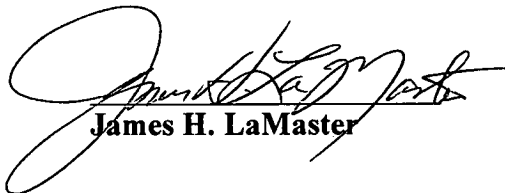
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay. Meeting adjourned at 6:35 P.M.


Danny F. Yost, President


Louis R. Imhof, Jr. Vice-President


Kenneth E. Barnes, Sr.


Edward D. Denton


James H. LaMaster


Attest: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

June 4, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on June 4, 2001, present for the meeting were Town Board President Danny F. Yost, Vice- President Louis R. Imhof, Jr., Council Member Edward D. Denton, Council Member James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:03 P.M.

TOPIC OF DISCUSSION:

Town Attorney McCall cautions Council Member about what they publicly say about annexation as it could lead to legal matters.

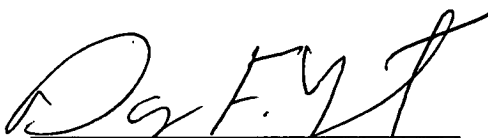
Louis R. Imhof, Jr. wanted to discuss increase in sanitation fees and purchase of new garbage packer.

Mr. Imhof, Jr. also brought to attention of council that Parks Department had spent their entire Mowing/Landscaping budget on the Wilkerson Park project.

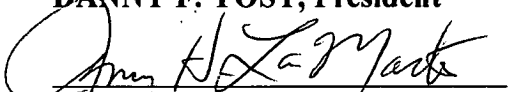
Next Executive Session will be at 5:30 P.M. at Town Hall to discuss possible litigation with IDEM.

ADJOURN:

Motion by Louis R. Imhof, Jr., seconded by James H. LaMaster to adjourn the meeting. 5-aye, 0-nay, meeting adjourned at 6:35 P.M.




DANNY F. YOST, President



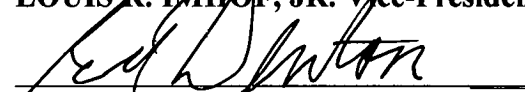
JAMES H. LAMASTER



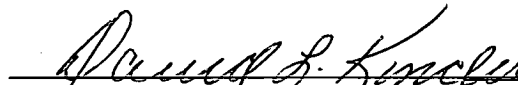
KENNETH E. BARNES, Sr.



LOUIS R. IMHOF, JR. Vice-President



EDWARD D. DENTON



ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL SPECIAL PUBLIC MEETING

June 4, 2001

The Sellersburg Town Council met in a Special Public Meeting at the Sellersburg Town Hall. Town Council members present were, President, Danny F. Yost, Vice-President, Louis R. Imhof, Jr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

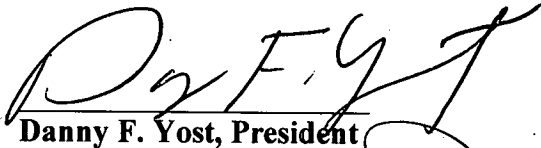
CALLED TO ORDER:

Meeting was called to order by President Danny F. Yost at 6:38 P.M. President Yost.

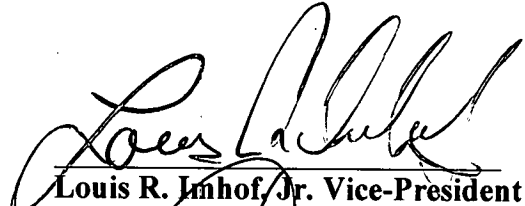
William P. McCall, III, Town Attorney, advised that this meeting was called approve Ordinance 2001-017, ORDINANCE AMENDING SEWER TAP FEES, that was approved on its first reading at the council meeting of May 14, 2001.

Motion by Louis R. Imhof, Jr. to approve Ordinance 2001-017, seconded by James H. LaMaster. 4-aye, 0-nay, motion approved.

Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by James H. LaMaster. 4-aye, 0-nay, meeting adjourned at 6:40 P.M.



Danny F. Yost, President



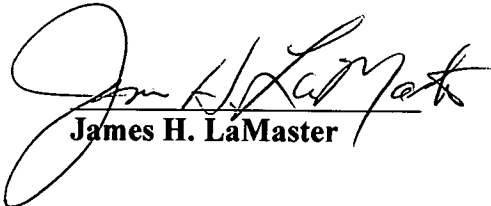
Louis R. Imhof, Jr. Vice-President



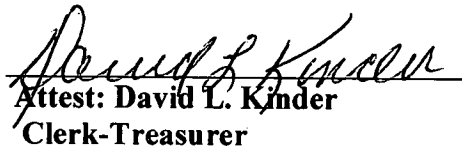
Kenneth E. Barnes, Sr.



Edward D. Denton



James H. LaMaster



Attest: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

June 4, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on June 4, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:00 P.M.

PRAYER:

President Danny F. Yost offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

The Council reviewed minutes of last meeting. Motion by James H. LaMaster to approve the minutes of the Special Meeting of May 29, 2001, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

RICK WILSON: Comes before the Council reference past due sewer bills from Covered Bridge during the years 1993, 1994 and 1996. Total amount of bills is \$2,106.92. Motion by Louis R. Imhof, Jr. seconded by James H. LaMaster to deny Mr. Wilson's request to have these charges written off. 5-aye, 0-nay, motion to deny approved.

KEN HOWE with the American Red Cross asking for donation to the Red Cross emergency disaster relief fund: No action taken.

JOHN DEVORE request a sewer tap for his mother-in-law who lives out near Andrew Estates on County Line Road. This is a single-family residence. Motion by Kenneth E. Barnes, Sr., to approve the sewer tap provided that Mr. Devore obtain the right of way from the property owners' whose land he must cross, seconded by Danny F. Yost. 5-aye, 0-nay. motion approved.

DEANNA JONES-SMITH requesting a refund of her past sewer billings and sanitation fees. By error she has been on the sewers and sanitation fees of Sellersburg and she lives at 2921 Charlestown Pike in Jeffersonville. Motion by Louis R. Imhof, Jr. to repay Ms. Jones-Smith \$743.35, the amount she has been charged for sewer and sanitation, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

KEVIN WRIGHT (Facility manager EMC) have the revenue reports for May: Water collections \$64,535.70; Sewer collections \$115,963.18; and Civil \$6,420.59 for a Total of \$186,919.47.

Sellersburg Town Council Meeting

June 4, 2001

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The sewer plant was operating at 96% for the year at the end of April. The flow in May was 92% so this will bring the average down.

The High School lift station is working but some finishing work, landscaping etc. is yet to be finished. There are two manholes that need to be raised, patched and sealed. Danny Cristiani has proposed a bid of \$1,101.63 to fix the manholes. Motion by Louis R. Imhof, Jr. to approve the Cristiani bid, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Also the Town needs to purchase 50 additional water meters to keep up with the water meter replacement program. This will be an expense of \$1,800.00, same as last 50 meters that were purchased. Motion by James H. LaMaster to purchase the meters, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

There are several fire hydrants that need repaired or replaced throughout Town, we want to replace the hydrant at the bowling alley and the one on State Road 403 and Maple Street, the cost is \$2,800.00. Motion by Kenneth E. Barnes, Sr. to repair the fire hydrants at bowling alley and on State Road 403 and try to find a grant to help pay the cost of repairing the others throughout the Town. Seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

The automatic sampler at the sewer plant broke and it was sent to the original manufacturer for repair, they sent us a loaner while repairs are being made. To repair the old one was \$1,850.00 and a new one would cost \$2,150.00. To purchase a new one and have Delta Electric install it and wire it a total cost of \$2,800.00 to \$3,000.00.

On Helbig and Paradise there is a manhole that needs repairs, the brick walls are falling in. The cost to repair this is approximately \$1,225.00.

On Linnwood and Alden Road there is a section of sewer pipe, approximately 150 feet of 6-inch line needs to be replaced. I am waiting for a bid from Danny Cristiani.

NATHAN GRIMES; (Building Commissioner) submits his monthly report to the Council.

JOHN TOOMBS, (Jacobi, Toombs and Lanz, Inc.) request that the Town Meeting Hall be made available to the Sunflower Valley Water District for a meeting on Monday, June 18, at 7:15 P.M. Danny Yost and Louis Imhof, Jr. will be present at this meeting to represent the Council.

JAMES H. LAMASTER wants to know the status on the ditch repair at the Mary Ann Stifey residence, 632 Nevada Street. John Toombs states he is working on the drawings for the repairs and has not let it out for bids yet.

LOUIS R. IMHOF, Jr. ask John Toombs, on the Ohio Street project, locating the water main,

Sellersburg Town Council Meeting

June 4, 2001

Page 3 of 4 pages

can you make changes in the blue print or record of drawing to make sure we don't have the same problem (locating the main) in the future? Toombs can make our water map show what we found and what we did. I usually do that a couple times a year I fix up the sewer and water map if we found anything or done anything.

I have a bill from Joseph Vallieres (Electronix Software) for designing a web page for the Town. This is for designing the web page and showing the girls how to make small changes the first update which will be a month or so down the road.

Motion by Kenneth E. Barnes, Sr. to pay up to \$800.00 for the web page, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

WILLIAM P. McCALL, III I have a resolution **DESIGNATING THE SELLERSBURG TOWN ATTORNEY AND TOWN OF SELLERSBURG BILLING AND COLLECTION OFFICE AS DESIGNATED PARTIES FOR PURPOSES OF DEALING WITH BANKRUPTCY OF TOWN OF SELLERSBURG SEWER, WATER AND GARBAGE PICKUP FEES.** This will be **RESOLUTION NUMBER R2001-005.** Motion to approve Resolution R2001-005 by James H. LaMaster, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Next resolution is maintenance of the Town gas pump that the cost of maintenance will be split three ways. **RESOLUTION NUMBER R2001-006, RESOLUTION FOR MAINTENANCE OF THE TOWN OF SELLERSBURG GAS PUMP.** Motion to approve Resolution R2001-006 by Kenneth E. Barnes, Sr., seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

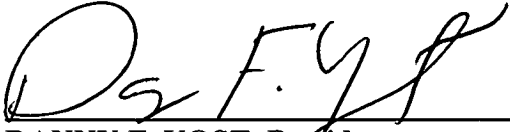
DAVID KINDER, (Clerk-Treasurer) request a motion to pay the bills as approved by the council. Motion by Louis R. Imhof, Jr. to pay the bills, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.


Also, on the Automatic Sampler, (presented by Mr. Wright) is he asking for us to pay that or just approval or what? Mr. Wright says this is just for information for next meeting. I was just asking for approval or to turn in the bill at the next meeting.

PRESIDENT DANNY F. YOST I have a letter from Shirley A. Nolot, Chairperson for the Clark County Bi-Centennial Committee, asking if we wanted to show case the history of our Town, the Clark County Bi-Centennial will make space available if anyone is interested in attending that.

Sellersburg Town Council Meeting
June 4, 2001
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Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved. Meeting adjourned at 7:50 P.M.

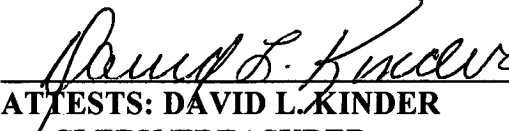

DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice President


KENNETH E. BARNES, SR.


EDWARD D. DENTON


JAMES H. LAMASTER


ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL

July 9, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on July 9, 2001, present for the meeting were Town Board President Danny F. Yost, Vice- President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

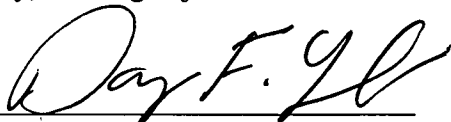
President Danny F. Yost called the meeting to order at 5:48 P.M.

TOPIC OF DISCUSSION:

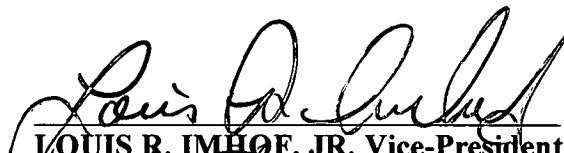
1. Personal matters with Street/Sanitation, Animal Control, Parks Board and Police Department.
2. Garbage Packer and Trash cans.
3. Yard Waste and Sanitation fees.
4. Additional personnel for Street/Sanitation Department.
5. Enlargement of Sewer plant.
6. Obtaining grant for Fire Hydrant repair.
7. Seek grant or funds for new police department.

ADJOURN:

Motion by Kenneth E. Barnes, Sr., seconded by Danny F. Yost to adjourn the meeting. 5-aye, 0-nay, meeting adjourned at 6:35 P.M.



DANNY F. YOST, President



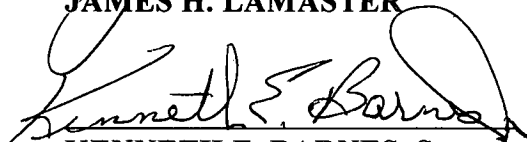
LOUIS R. IMHOF, JR. Vice-President



JAMES H. LAMASTER



EDWARD D. DENTON



KENNETH E. BARNES, Sr.



ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

July 9, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on July 9, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:03 P.M.

PRAYER:

Reverend Father Paul Richart offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

The Council reviewed minutes of last meeting. Motion by Kenneth E. Barnes, Sr. to approve the minutes, seconded by James H. LaMaster, 5-aye, 0-nay, motion approved.

OLD BUSINESS:

Is there anyone here from the American Red Cross? (No reply)

Mr. McCall will check to see if Hutch's Greenhouse, on SR 311, is connected to the Town Sewer System.

Plans to repair the Storm drain behind Stivey residence, 632 Nevada Drive. Three bids received, low bid is Cab-X Construction for \$7,670.00. Motion by James H. LaMaster to approve the Cab-X bid, seconded by Kenneth E. Barnes, Sr., 5-aye, 0-nay, motion approved.

MARK FURNISH: Jeffrey Branstetter, Attorney for Mr. Furnish, addresses the Council reference the Furnish Towing Service being removed from the rotation list at the police department. On January 16 of this year, Furnish Towing was summoned to assist a Sellersburg Police officer whose cruiser was off the roadway. Furnish presented a reduced statement of \$30.00 to the Town for his services. Chief Stricker paid the statement but then removed Furnish from the tow list. He has then communicated both publicly and privately in published accounts that he felt it was well within his authority to utilize the other towing service that opted to provide services for free on behalf of the city.

Mr. McCall has received the letter from Mr. Furnish and is in the process of responding to Mr. Branstetter's letter and at this point, because of possible litigation I recommend that the Council not comment.

Sellersburg Town Council Meeting

July 9, 2001

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ROGER HARSHEY speaks to the council about high water on his property, on Hanger Avenue. Needs to be a catch basin at the corner of his property and the Towns property as all the water comes from behind his house and pools at the edge of the Town property and his property. The other catch basins are too high to catch this water. President Yost tells John Toombs to look into this matter.

SUE MOSLEY advises that several years ago the Town put a culvert on her property but never completed the project, running it completely across the property. Also, Mrs. Mosley sold and easement, next to the railroad behind her property, to install a sewer line. Now the water back there is standing in her yard and she is not being able to use the rear portion of her yard because of this standing water. She lives at 332 North New Albany Street. She would like for the Town to check this and do something about it.

JIM BARNETT wants to know if there is any review on the surcharge on the sewers for out of town residence. Also what is taking place with annexation of the Hamburg area by the Town.

KIM PURLEE, reference the sewer backup into her home September 25, 2000. They are having problems settling with the insurance. There are extra expenses, such as no place to live, extra work placed upon she and her husband to clean up the mess, property value loss. She is requesting the Town to pay the \$16,000.00 difference between what the insurance paid and what she and her husband have lost.

Mr. McCall advises for them to file a Tort Claim against the Town. The insurance company will have to defend the Town and they may settle out of court or let the matter go to court.

CLINT BLEDSOE needs for the Town to check the right of way between Foothill and Popp Avenue. It is full of bushes, weeds and causes the water to back up during rains.

Mr. Yost advises that this area is on the Towns list to improve storm sewer areas.

NATHAN GRIMES presents plans for Equestrian Lakes Estates, on State Road 60, the Mike Davis property, the plans have been approved by the Town Plan Commission. Motion by Edward D. Denton to approve the sub-division, seconded by James H. LaMaster. 5-aye, 0-nay motion approved.

Also Mr. Davis wants permission to reduce the water meter at his father's old house from a 2-inch meter to a 5/8th or 3/4 inch. Motion by Louis R. Imhof, Jr. to approve the meter change, seconded by James H. LaMaster. 5-aye, 0-nay motion approved.

Mr. Grimes presents the Building Commissioner report for the month. The only problem he had was with Superior Print, he ordered a stop work order but they continued building.

Sellersburg Town Council Meeting

July 9, 2001

Page 3 of 5 pages

Care Pet Animal Hospital and their plumbers, Performance Plumbing, want permission to close the road for two days while they cut the road to hook onto the sewer. The Council denies the permission and Mr. Grimes is to advise them to drill under the road, no road cut will be permitted.

CARL KAMER complaining about his water bill at the Silver Creek Little League Park, He is being charged for a two inch meter and before he was only being charged for a regular 5/8th meter even though he has a two inch. He wants the 5/8th-meter bill for the park.

Council will look into the matter and then advise.

KEVIN WRIGHT, representing EMC presents the revenue report for the water/sewer/sanitation collections for the month of June. Water Collection was \$65,886.70; Sewer Collection \$137,556.49; and Civil (sanitation) \$6,806.28 for a total of \$210,249.47.

The American Red Cross came to the last meeting asking for a donation to their relief fund; EMC would like to donate \$500.00 to the Red Cross for the Town behalf.

Also the average flow for the month of June is 88 per cent which brings the yearly flow to under 90 per cent for this year.

There have been several complaints about the odor coming from the new lift station behind the Sellersburg Library. This is a problem that has just started since the new lift station has been completed and put into service.

Mr. Wright is checking with some chemical companies for solutions to this problem.

Also, one of the pumps at the lift station at Covered Bridge has to be rebuilt, we have taken it to EMR, Electric Motor Repair, and have them check it. The cost to rebuild it will be \$2,515.00. We have installed the spare pump we had so the lift station is working with two pumps. Motion by Louis R. Imhof, 2nd by James H. LaMaster to pay this \$2,515.00 for the repairs. 5-aye, 0-nay, motion approved.

All parts are in for the repairs to the fire hydrants and we should be doing that work this week.

Well fields by the river are in-danger of loosing the embankments by river erosion. We are checking with the Army Corp of Engineers and see if they can help us with this problem.

Also the Wellhead Protection report is finished and I have the report. The question was asked why the Town does not have a copy of this report? Mr. Wright will furnish the Town Hall with a copy of the report.

MARK WARREN (Street/Sanitation Superintendent) The dumpsters for Town clean up will be the last of July or the first of August. It will be published in the paper.

JAMES H. LAMASTER wants the dumpster at the Silver Creek Township Park changed. The present company is not dumping it in a timely manner. Council approves changing to another company.

Have complaint from a citizen about the constant power outage in Forrest Estates every time we have a storm. He wants the council to check with *Cinergy* and see what the problem is and how it can be rectified? Council gives Mr. LaMaster permission to look into this matter.

LOUIS R. IMHOF, JR. reports that road-cut fees for the Town have not been collected for the past year. He would like for the Council to appoint Nathan Grimes, the Building Inspector, as the person in charge of road-cut permits. Motion by James H. LaMaster to appoint the Building Inspector the person in charge of issuing road-cut permits seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay.

DONNA ENNIS (Billing Department Manager) presents accounts to be written of for no payment of water bills:

Tinus, David A.	20-1690-02	7218 Heritage Drive	\$ 223.87	Chapter 7
Lee, Timothy	18-0140-02	1910 Giola	335.95	Chapter 7
Funk, Harry	18-1100-01	2211 Poindexter	2,431.78	Deceased
Resident	99-2215-01	1918 Jackson Drive	39.36	No Name
Resident	99-2250-02	1912 Jackson Drive	39.36	No Name
Resident	99-2325-01	2020 Washington	40.19	No Name
Louisville Barrel	11-0842-01	6213 Gheens Mill Road	2,250.06	Chapter 7
TOTAL			\$5,360.57	

Also have list of Liens for non-payment of sewer bills:

Silver Creek Lanes	05-1350-02	949 S. Indiana Ave	\$ 588.39
Silver Creek Lanes	05-1350-03	949 S. Indiana Ave	1,305.01
TOTAL			\$1,893.40

WILLIAM P. MCCALL, (Town Attorney)

Present **ORDINANCE 2001-018** **ORDINANCE AMENDING ORDINANCE 495 TERMINATING THE STATE OF INDIANA AS THE DEFERRED COMPENSATION PLAN AND REPLACING SAID PLAN WITH AMERICAN UNITED LIFE DEFERRED COMPENSATION PLAN.** Motion to consider Ordinance 2001-018 on its first reading by James H. LaMaster seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved on first reading.

Motion by Louis R. Imhof, Jr. to approve ordinance 2001-018 on it first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-019, ORDINANCE AMENDING ORDINANCE 2001-017 AND ESTABLISHING THE BILLING DATE FOR SEWER SERVICE BILLING ON NEW CONSTRUCTION. Kenneth E. Barnes, Sr. makes motion to consider ordinance 2001-019 on it's first reading seconded by Louis R. Imhof, Jr. 5-aye 0-nay motion approved.

James H. LaMaster makes a motion to approve ordinance 2001-019 on it first reading seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-020 an ORDINANCE ESTABLISHING POLICY FOR VACATION CUT OFFS, SEASONAL, RESIDENTS OR PART TIME RESIDENTS WHO ARE ON TOWN OF SELLERSBURG WATER, SEWER AND SANITATION. Kenneth E. Barnes makes a motion to consider ordinance 2001-020 on its first reading seconded by Louis R. Imhof, Jr. 5-aye 0-nay motion approved.

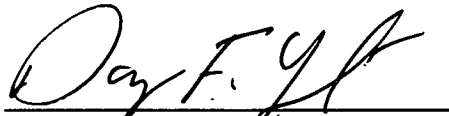
Motion by Louis R. Imhof, Jr. to approve ordinance 2001-020 on its first reading seconded by Kenneth E. Barnes, Sr. 5-aye 0-nay motion approved.

Have a contract that was signed with Creative Service Solutions for advertising on the Garbage Packer. When the original contract was signed it was suppose to be for two years and somehow the dates were wrong on the contract it was signed for only a year and a half. This new contract is for two years, July 10, 2000 until July 31, 2002. Motion by Kenneth E. Barnes, Sr. to approve the new contract seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Also the sewer bills being protested by Rick Wilson, at Covered Bridge, for sewer bills for 1994, 1995 and 1996, there was never an ordinance established that contractors were exempt from sewer bills until the homes were sold. Therefore Mr. Wilson owes the \$2,106.92.

CLERK-TREASURER KINDER presents the bills for payment. Motion by Kenneth E. Barnes, Sr. to pay the bills, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.


Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 9:08 P.M.


DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice President


KENNETH E. BARNES, SR.


EDWARD D. DENTON


JAMES H. LAMASTER


ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL WORKSHOP MEETING

July 17, 2001

The Sellersburg Town Council met in a Special Workshop Meeting at the Sellersburg Town Hall. Town Council members present were, President, Danny F. Yost, Vice-President, Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

CALLED TO ORDER:

Meeting was called to order by President Danny F. Yost at 7:00 P.M.

The prayer and pledge of allegiance were suspended.

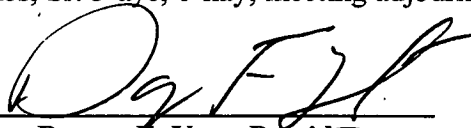
Kevin Wright of Environmental Management Corporation introduces Jack Danks, of EMC, Greg Cobourn, Tim Crawford, Mark Griese and Steve Gress.

Greg Cobourn introduces EMC's program management approach to capital projects. (A handout is given to each Council member.) We have a Team, which is composed of a Manager, which is EMC, with a central source accountability to the Town, and we would have an engineer working with a construction manager and us. This is Single Source Accountability.

Mr. Al Berg, with Donohue and Associates was present. He just wanted to listen to what was going on.

John Toombs, Jacobi, Toombs and Lanz, Inc. was present. Listened to presentation.

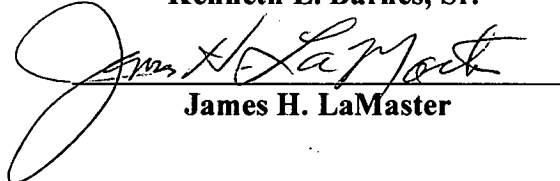
Louis R. Imhof, Jr. made a motion to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 7:48 P.M.




Danny F. Yost, President



Kenneth E. Barnes, Sr.



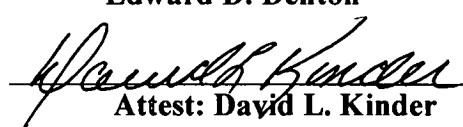
James H. LaMaster



Louis R. Imhof, Jr. Vice-President



Edward D. Denton



Attest: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

August 13, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on August 13, 2001, present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:03 P.M.

TOPIC OF DISCUSSION:

John Toombs reference program management for new sewer plant and IDEM requirements.

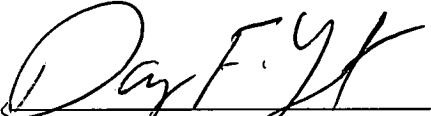
Doug Reiter review of July 3rd Plan Commission meeting.

Kenneth E. Barnes, Sr. discussed grants for new police station. Grants for fire hydrants and annexation.

William P. McCall, III discusses litigation for the Town.


ADJOURN:

Motion by Kenneth E. Barnes, Sr., seconded by Louis R. Imhof, Jr. to adjourn the meeting. 5-aye, 0-nay, meeting adjourned at 7:05 P.M.

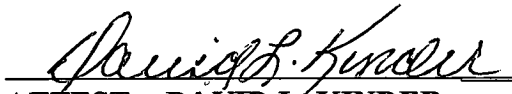

DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice-President


JAMES H. LAMASTER


EDWARD D. DENTON


KENNETH E. BARNES, Sr.


ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

August 13, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on August 13, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:10 P.M.

PRAYER:

Reverend Gary Fenner offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

The Council reviewed minutes of last meeting. Motion by Kenneth E. Barnes, Sr. to approve the minutes of past meeting, seconded by James H. LaMaster, 5-aye, 0-nay, motion approved.

OLD BUSINESS:

Councilmember James H. LaMaster makes motion to donate \$5,000.00 to the Sellersburg Celebrates Committee, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Water meter at Silver Creek Little League Park. Attorney McCall says he talked with the Indiana Regulatory Commission and they said you could not adjust it because of the water and because it was a recurring expense. I then called the State Board of Accounts and the advised establishing a promotional business account. It would have a limited amount of money in the account, perhaps \$1,500.00. It is for promoting business around the Town.

CLAIR PATENAUDE, HARRISON GROUP states that the old Town Council had agreed to pay partial cost of off site utilities for the motel (Ramada). The documentation states the Town Council agreed to pay the first \$15,000.00 plus the cost of engineering to accomplish that.

Motion by James H. LaMaster to pay the Harrison Group \$15,000.00, seconded by Kenneth E. Barnes. 5-aye, 0-nay, motion approved.

Attorney McCall will research which fund this will be paid from and advise the Council.

MIKE WHELEN, HINTON CORBY INSURANCE: presents the insurance renewal for the Town. There were some claims last year that have caused an increase in premiums. We are looking at insured property at \$8,483,783.00 that is an increase over last years 8.2 million.

Sellersburg Town Council Meeting
August 13, 2001
Page 2 of 4 pages

Motion by James H. LaMaster to approve the purchase of insurance from Hinton-Corby Insurance Company, seconded by Kenneth E. Barnes. 5-aye, 0-nay, motion approved.

DON BACK, MUNICIPAL EQUIPMENT COMPANY: address council about bids for garbage packer and containers for the Town. Mr. Back will present his bid on these items.

DAN HEDDEN, H. J. UMBROUGH AND ASSOCIATES, presents financial report on the Sewer and Water Utilities for the year 2000 and first 6 months of 2001. Mr. Hedden reads the report and gives report to each Council Member and report for files in Clerk-Treasurers office.

Both utilities are properly funded. The Sewer utility is fine on paper but the Water utility isn't as good. Based on the last twelve months, collections and disbursements, it appears the Water utility will generate revenues of \$29,000.00 in excess of expenses. This is the amount that can be used for capital improvements. The general rule of thumb is about \$109,000.00 is what the utility should be setting aside. So roughly it is about \$80,000.00 difference. So this could mean a rate increase. We will look at this in the next six months and if that number starts to get negative then that is probably the time to look at a rate increase.

JOHN TOOMBS, advises that he has looked at the Roger Harshey property, and he and Steve Welch, his neighbor, both live in low areas. All the land behind them is high and the water flows down onto their property. I'm not sure how to solve this, but one thing is to have Mark (Warren) check the catch basin in front of Mr. Welch's home and remove part of the debris blocking the drain..

On the Sunflower Valley project they need 3 more income surveys. When (Chris) Nolan returns from Maine in October he should have these results.

Check with the Corp. of Engineers and they will not do anything to prevent river erosion at the well field on the river.

KEVIN WRIGHT, EMC, has an invoice from a Delta Electric Company for repairs to the Raw Sampler Motor for \$3,554.50. Motion by Edward D. Denton, seconded by Louis R. Imhof, Jr. to pay this bill. 5-aye, 0-nay, motion approved.

Have an invoice from Straeffler Pumps & Supply for repairs to 2 grinder pumps in the amount of \$2,158.00. Motion by James H. LaMaster, seconded by Edward D. Denton to approve payment of this invoice. 5-aye, 0-nay, motion approved.

There is a need to replace 100 feet of sewer pipe in Creston sub-division. Have three bids with CAB-X to install this pipe and a man hole for \$7,594.00. Motion by Kenneth E. Barnes, Sr. seconded by Louis R. Imhof, Jr. to approve the CAB-X bid. 5-0, 0-nay, motion approved.

Sellersburg Town Council Meeting
August 13, 2001
Page 3 of 4 pages

I want to make one more request, that on Parallel that a man hole be installed connecting with the new man hole that CAB-X is going to install. I have a bid from CAB-X to install this man hole at a cost of \$2,841.00. Motion by Kenneth E. Barnes, Jr., seconded by Louis R. Imhof, Jr. to install this second man hole. 5-aye, 0-nay, motion approved.

DONNA ENNIS, BILLING DEPARTMENT MANAGER: I want to present the Water, Sewer and Civil collections for July 2001. Water is \$70,002.98; Sewer is \$118,897.70; and civil is \$6,632.22.

Also there were two persons that filed for bankruptcy:

D'Alessio, Nicholas	20-0990-03	2105 Johnson Street	\$189.83	Chapter 7 #01-92018
Smith, Chris	09-0130-04	402 Allison Lane	23.09	Chapter 7 #01-91406

KENNETH E. BARNES, Sr.: There is a trailer on Adkins Court that needs to be moved for the person fined until it is moved. It is on a lot that is not large enough and no permit should have been issued.

LOUIS R. IMHOF, JR.: The Plan Commission is short one member and I would like to nominate Nancy Casteel to the Plan Commission. Motion by Louis R. Imhof, Jr. to appoint Nancy, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Also there is an opening on the Park Board. James H. LaMaster nominates Glennis Wisdom to the Parks Board, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

WILLIAM P. MCCALL, III, (Town Attorney): Need to have this Quitclaim Deed signed for the sale of the old wastewater treatment plant to Margaret Dreyer.

Have a Resolution adopting the resolution that had been adopted by the Clark County Solid Waste Management back in May, it has been approved, just needs to be signed. I had to get the exact language out of their Resolution. **RESOLUTION 2001-003, RESOLUTION OF SELLERSBURG TOWN COUNCIL ADOPTING RESOLUTION 2001-R-001 OF THE CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT.**

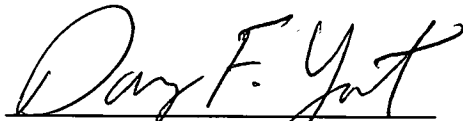
Months ago I told you that we had entered into an agreement with Crown Communications for the purchase of the easement at Holman Lane tank for \$95,000.00. We are still putting the paper work together. This should be ready at the next meeting. They will play within 30 days of the signing of the final agreement.

DAVID L. KINDER, CLERK-TREASURER: Need a motion to pay the bills as submitted. Motion to pay the bills by Kenneth E. Barnes, Sr., seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.


Sellersburg Town Council Meeting
August 13, 2001
Page 4 of 4 pages

Need to hold a budget workshop meeting for Wednesday, August 22, 2001 at 5:30 P.M.

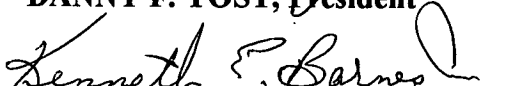
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 8:48 P.M.



DANNY F. YOST, President



LOUIS R. IMHOF, JR. Vice President



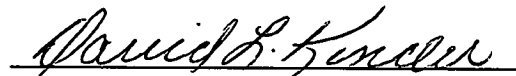
KENNETH E. BARNES, SR.



EDWARD D. DENTON



JAMES H. LAMASTER



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL WORKSHOP MEETING

August 22, 2001

The Sellersburg Town Council met in a Special Budget Workshop Meeting at the Sellersburg Town Hall. Town Council members present were President, Danny F. Yost, Vice-President, Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Clerk-Treasurer David L. Kinder and Deputy Clerk-Treasurer Michelle D. Eve.

CALLED TO ORDER:

Meeting was called to order by President Danny F. Yost at 5:42 P.M.

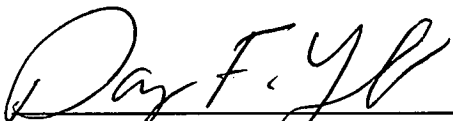
The prayer and pledge of allegiance were suspended.

Clerk-Treasurer David L. Kinder went over each section of the budget, MPP, Town Council, Clerk-Treasurers Office, Police Department, Street and Sanitation, Capital Cumulative Development, Capital Cumulative Improvement, LRS, LECE Fund, and MVH Fund.

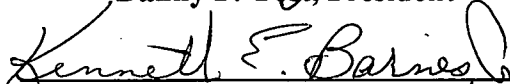
Council member Imhof questioned some of the increases in funds in the Clerk-Treasurers Office, the Town Council Fund and the salary increase for Town Council members. It was decided that the Council members should receive an increase of \$1,133.77.

President Yost questioned the amount in "Insurance other than Group". The amount budgeted was \$30,000.00, he thought that was not enough. Clerk-Treasurer Kinder advised that he would check these figures again to make certain the fund was not under funded.

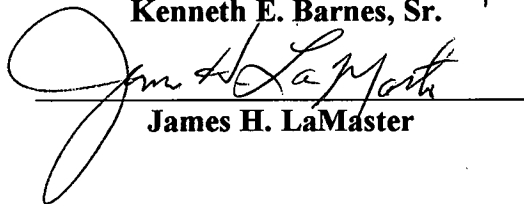
Kenneth E. Barnes, Sr. made a motion to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, and meeting adjourned at 6:50 P.M.



Danny F. Yost, President



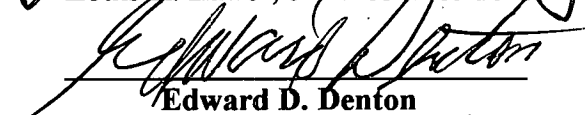
Kenneth E. Barnes, Sr.



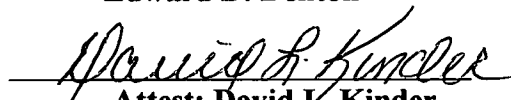
James H. LaMaster



Louis R. Imhof, Jr. Vice-President



Edward D. Denton



Attest: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

September 10, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on September 10, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:00 P.M.

PRAYER:

President Danny F. Yost offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

James H. LaMaster makes a motion to approve the minutes of the August 13, 2001 Town Council Meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay. Motion approved.

OLD BUSINESS: A payment of \$15,000.00 to the Harrison Group for sewer up grade needs to be made and it should come from Sewer Capital Improvement Fund. This is from the November 1999 Town Council Meeting and an agreement signed by Alton D. Eddings, Gary Fenner, James H. LaMaster and attested by Linda Schafer, Clerk-Treasurer. Motion by James H. LaMaster, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay. Motion approved.

The engineering fee is not in the previous minutes. The Harrison Group will need to discuss this with the Town Council and Attorney McCall.

DONALD M. LOPP, REPRESENTING KID TECH: Kid Tech needs a planning grant and it needs the Town to be a sponsor for the planning grant. Mr. Lopp has a handout for the Council members listing what is necessary to obtain the grant. President Yost states that the Council members will examine the handout and will decide at the next Council meeting (October 8, 2001).

DOUG BATES is speaking for his father Joe Bates. The Bates are requesting to hook onto the sewer system, Mr. Bates has four apartments at the corner of Perry Crossing and US 31. It is currently on a septic system.

We are willing to do whatever is necessary to hook onto the sewer system.

Motion by James H. LaMaster, seconded by Kenneth E. Barnes, Sr. to approve the Bates project pending approval by EMC, Town Engineer and Town Council. 5-aye, 0-nay. Motion approved pending the approvals.

Sellersburg Town Council Meeting
September 10, 2001
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MIKE KNOEBEL, Developer and RITA J. BALDWIN, Attorney at Law, representing Tri-Sprig Development. Requesting sanitary sewer service for Sunset Hills Sub-Division from the Town of Sellersburg. Sunsets Hills will be developed over a period of 8 years, broken into 4 phases of approximately 72 homes in each phase.

We are talking about taking it from a lift station on our property to the lift station at the maintenance barn at Covered Bridge.

Members of the Town Council will meet with Tri-Sprig Development and their attorney and determine what Tri-Sprig will offer the Town to help with the enlargement of the current Sewer plant.

NATHAN GRIMES for approval of Equestrian Estates plat with easements. Motion by James H. LaMaster to approve the plat plan, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay. Motion approved.

KEVIN WRIGHT, EMC, presents the revenue report for August 2001. Water revenue \$62,918.03, Meter Deposit \$2,550.00, Sewer Revenue \$97,633.84; Civil \$6,681.28.

Mr. Wright will meet with John Toombs, Engineer, reference what must be done to the well fields near the Ohio River as the river bank is eroding and needs to be repaired.

Mr. Wright also needs to order some flow meter for the water department about 60 meters at a cost of approximately \$2,000.00. Also a laboratory meter at the wastewater plant needs to be replaced: the meter is \$3,500.00 plus \$500.00 for the probes.

Motion by James H. LaMaster to purchase the above, seconded by Kenneth E. Barnes. 5-aye, 0-nay. Motion approved.

MARK WARREN, STREET AND SANITATION SUPERVISOR: We had eleven bids for the new garbage packer. I feel that Municipal Equipments offer of \$99,540.00 is the recommended bid. Motion by Louis R. Imhof, Jr. to accept the Municipal Equipment bid, seconded by James H. LaMaster. 5-aye, 0-nay. Motion approved.

On the trash containers we had three bidders. I recommend Municipal Equipment bid of \$136,500 for double walled lid containers at \$39.00 each. Motion by Louis R. Imhof, Jr. to accept the Municipal Equipment bid of \$136,500 for 3500 containers, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay. Motion approved.

NATHAN GRIMES, Building Commissioner: Need to check the zoning code reference asphalt parking lots. There is a problem enforcing it as I cannot determine what lots are finished after the zoning codes were passed in 1993.

Sellersburg Town Council Meeting
September 10, 2001
Page 3 of 4 pages

WILLIAM P. MCCALL, III, Town Attorney, We sent the people on Adkins Court a letter reference the trailer and that it must be moved by September 15, 2001 or fines will be levied.

The promotion for businesses resolution is not needed as there is already a promotions account in the Town Budget, it just needs to be increased if the Council sees fit.

The Bradshaw vs. Town case is still pending and whatever action needs to be discussed in an open meeting.

DAVID L. KINDER; Clerk-Treasurer, presents the budget for the Public Hearing. No comments on the budget. The budget approval meeting will be held on Thursday, September 20, 2001 at 5:30 P.M.

I have two bills from the Indiana State Board of Accounts for audits. The transaction date of 01-13-2001 to 02-14-2001 for the Water Utility, Annual 1999 audit is \$2,300.00. This bill was larger than the 02-18-00 bill of \$1,167.00 because of records not supporting adjustments to revenues and accounts receivable not available. Also, records supporting customer deposits were incomplete. The difference of \$1,133.00 should be charged to EMC as they were managers of the Water Utility.

Also the Wastewater Utility, for the transaction dates of 01-13-2001 to 02-14-2001 for the Annual Audit of 1999 was \$2,196.00 as compared to the 02-18-2000 billing of \$1,119.00. This was also because of errors by EMC in the management of the Wastewater utility. The difference of \$1,077.00 should be charged to EMC.

Motion by Kenneth E. Barnes, Sr. to charge EMC \$2,210.00 for these extra audit charges, seconded by James H. LaMaster. 5-aye, 0-nay. Motion approved.

The special audit of 07-19-2001 to 08-16-2001 was an audit because of shortages and errors in the Wastewater/Water Billing Department and was billed to the Town of Sellersburg for \$3,837.00. This bill should be the responsibility of EMC and not the Town of Sellersburg.

Motion by Kenneth E. Barnes, Sr. to charge EMC \$3,837.00 for this special audit, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

The Clerk-Treasurer will prepare the facts for the Town Attorney McCall to write EMC advising them of these charges.


Motion by Louis R. Imhof, Jr., seconded by Kenneth E. Barnes, Sr. to pay the bills as submitted by the Clerk-Treasurer. 5-aye, 0-nay. Motion approved.

In the matter of Bradshaw vs. Town of Sellersburg Kenneth E. Barnes, Sr. makes motion that the


**Sellersburg Town Council Meeting
September 10, 2001
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Town Attorney pursues this matter to trial in court, seconded by James H. LaMaster. Barnes, LaMaster, Denton vote aye, Imhof and Yost vote negative. Vote 3 ayes, 2 nays. Motion approved.

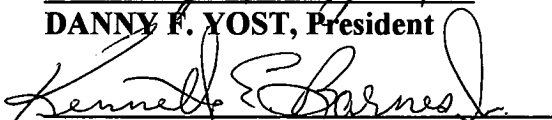
There being no further business Kenneth E. Barnes, Sr. makes a motion to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay. Motion approved meeting adjourned at 8:12 P.M.




DANNY F. YOST, President




LOUIS R. IMHOF, JR. Vice President



KENNETH E. BARNES, SR.



EDWARD D. DENTON



JAMES H. LAMASTER



**ATTESTS: DAVID L. KINDER
CLERK/TREASURER**

Attachments: 1 Packer & Container Bids

Town of Sellersburg

316 EAST UTICA STREET
P.O. BOX 85
SELLERSBURG, INDIANA 47172
(812) 246-3821 FAX (812) 246-7040

2001 SANITATION DEPARTMENT PACKER AND CONTAINER BIDS

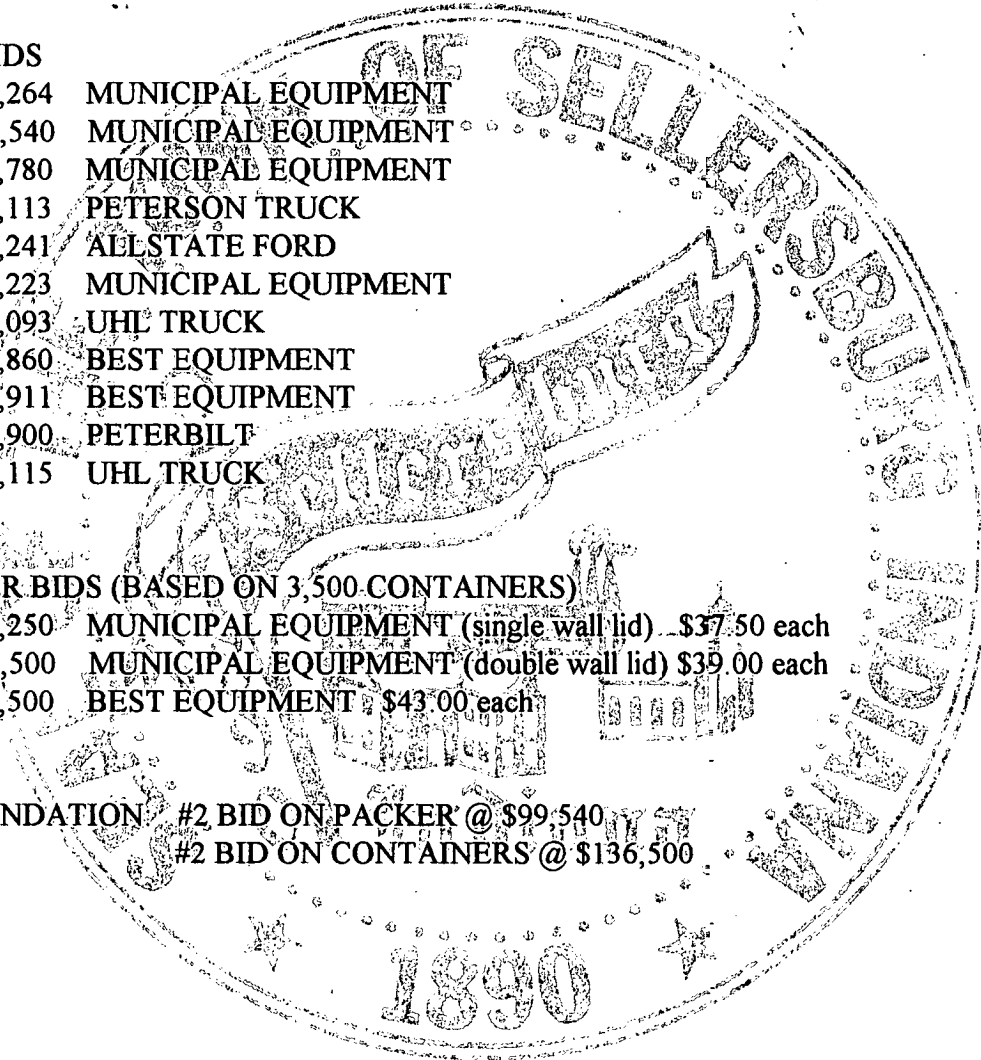
PACKER BIDS

- \$98,264 MUNICIPAL EQUIPMENT
- ✓ \$99,540 MUNICIPAL EQUIPMENT
- \$100,780 MUNICIPAL EQUIPMENT
- \$101,113 PETERSON TRUCK
- \$101,241 ALLSTATE FORD
- \$102,223 MUNICIPAL EQUIPMENT
- \$107,093 UHL TRUCK
- \$112,860 BEST EQUIPMENT
- \$112,911 BEST EQUIPMENT
- \$114,900 PETERBILT
- \$119,115 UHL TRUCK

CONTAINER BIDS (BASED ON 3,500 CONTAINERS)

- \$131,250 MUNICIPAL EQUIPMENT (single wall lid) \$37.50 each
- ✓ \$136,500 MUNICIPAL EQUIPMENT (double wall lid) \$39.00 each
- \$150,500 BEST EQUIPMENT \$43.00 each

RECOMMENDATION #2 BID ON PACKER @ \$99,540
#2 BID ON CONTAINERS @ \$136,500



SELLERSBURG TOWN COUNCIL

September 10, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on September 10, 2001, present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 5:35 P.M.

TOPIC OF DISCUSSION:

William P. McCall, Town Attorney, addresses council on litigation for the police department and Chad Nunn case.

Discusses annexation of Sellersburg Stone Company.

Discusses annexation of areas K and P, -as in last annexation plan.

Discusses possible water rate increase and remaining in IURC (Indiana Utility Regulatory Commission

Discusses sewer lift station behind library.

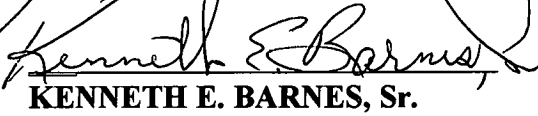
Discusses bid for garbage packer and trash cans.

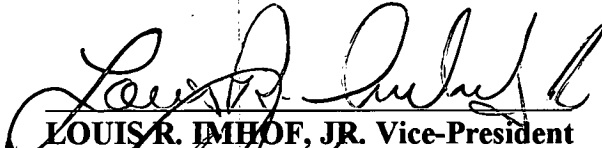
ADJOURN:

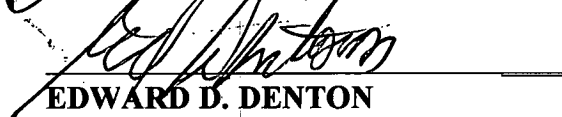
Motion by Louis R. Imhof, Jr., seconded by Kenneth E. Barnes, Sr. to adjourn the meeting. 5-aye, 0-nay, meeting adjourned at 6:50 P.M.

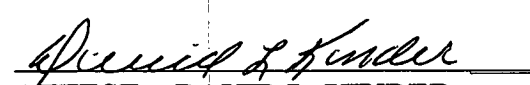

DANNY F. YOST, President


JAMES H. LAMASTER


KENNETH E. BARNES, Sr.


LOUIS R. IMHOF, JR. Vice-President


EDWARD D. DENTON


ATTEST: DAVID L. KINDER
CLERK-TREASURER

SPECIAL SELLERSBURG TOWN COUNCIL MEETING

Adoption of the Town Budget for 2002

September 20, 2001

The Sellersburg Town Council met in a Special Meeting at the Sellersburg Town Hall. Town Council members present were President, Danny F. Yost, Vice-President, Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, and Clerk-Treasurer David L. Kinder.

CALLED TO ORDER:

Meeting was called to order by President Danny F. Yost at 7:00 P.M.

The prayer and pledge of allegiance were suspended.

Clerk-Treasurer David L. Kinder ask for a motion to consider the Sellersburg Town Budget for the year 2002 on its first reading.

Before voting on the budget the Town Council agrees on a \$1,500.00, across the board, pay increase for all employees.

Louis R. Imhof, Jr. makes a motion to consider **Ordinance 2001-021** on its first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

James H. LaMaster makes a motion to pass **Ordinance 2001-021** on the second reading. Seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

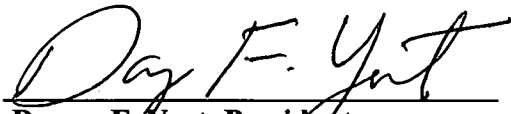
Motion by Kenneth E. Barnes, Sr. to consider **Ordinance 2001-022** on its first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to approve **Ordinance 2001-022** on the second reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.


Kenneth E. Barnes, Sr. makes motion to approve the minutes of the September 10, 2001 regular Town Council meeting, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay meeting adjourned at 7:31 P.M.

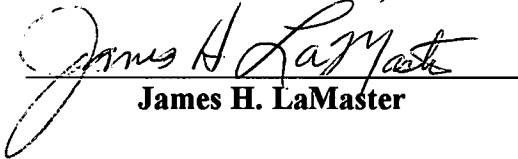
**Special Sellersburg Town Council Meeting
September 20, 2001
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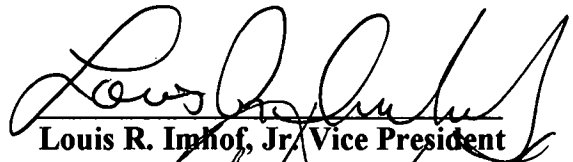
Danny F. Yost, President



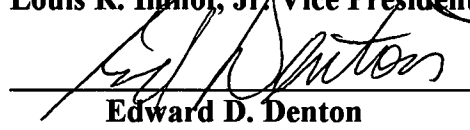
Kenneth E. Barnes, Sr.



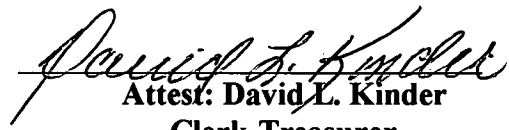
James H. LaMaster



Louis R. Imhof, Jr. Vice President



Edward D. Denton



Attest: David L. Kinder

Clerk-Treasurer



SELLERSBURG TOWN COUNCIL

October 8, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on October 8, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:00 P.M.

PRAYER:

Reverend Robert Hauselman, Restoration Christian Church, offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

Kenneth E. Barnes, Sr. makes a motion to approve the minutes of the September 20, 2001 Town Council Meeting Special Meeting (Adoption of the Town Budget for 2002) seconded by James H. LaMaster. 5-aye, 0-nay. Motion approved.

DONALD LOPP, Community Development Specialist, representing KID TECH: I'm with River Hills Economic Development District, we help communities apply for grants and last meeting we ask the Town to consider sponsoring a grant for Kid Tech, a non profit child care organization, to obtain a grant through the Department of Commerce. The Town is the applicant for the grant but Kid Tech would put up the money. Motion by Louis R. Imhof, Jr. to approve the sponsorship of the grant, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

JOE BATES wanting to hook onto the sewer on US 31 and Perry Crossing Road. I talked to Kevin (Wright, with EMC) about a week ago and he suggested that I contact other people up there and come to this meeting if they are interested.

Ramona Luther, James Key and Roger Dunlevy all stated that they have not had a problem with their system and they do not want to hook on to the sewer.

Robert Hauselman, Pastor of Restoration Christian Church, would be interested in hooking onto the sewer. Also, Janice Smith has had some sewer problems and depending on the cost of hooking onto the sewer might be interested.

Kevin Wright, EMC, and John Toombs, Town Engineer, to look at the project, determine what is needed and bring plans back to the Council.

TERRY SMITH, Superintendent West Clark County Schools: There is an 8 inch water line

Sellersburg Town Council Meeting
October 8, 2001
Page 2 of 6 pages

that is under the (Silver Creek) high school parking lot and there is a fire hydrant in the parking lot and then extends into Speed and then sends water to Henryville and Memphis.

We are going to add onto the Stout Elementary school and we do not want to build over this water line.

Council member Barnes asks John Toombs, Engineer, to check into this matter. Mr. Toombs advises this is the Towns water line and an easement that has been there for a long time.

Mr. Smith asks if the Town would amortize the cost of the water line replacement to the school, the anticipated cost of replacement is \$62,885.00, since the Town has no money to replace the water line. Mr. McCall, Town Attorney, advises that the Town would not be able to do this since the Town belongs to the Indiana Utility Regulatory Commission (IURC) and they set the rates and will not permit the Town to amortize this cost.

Town Council will check into and get back with Mr. Smith.

CARL KAMER wanting to check and see where he stands with his water bill at the Silver Creek Township Park. Mr. McCall, Town Attorney, will address this matter later in the meeting. This will be a one time payment of \$647.16.

PAT LARR, CLARK COUNTY SOIL AND WATER CONSERVATION DISTRICT: I am the district conservationist for the USDA; I work with the local soil and water conservation district. We are working with the Solid Waste District to get a grant from IDEM to establish a permanent site in Clark County for disposal of household hazardous waste and motor oil, oil filters and antifreeze. This would be a place where residents could take pesticides, oil based paints, herbicides, mercury and a lot of the nasty things that they don't know what to do with and they might pour down the drain and get into your sewer system.

The total cost is \$75,000.00 to the district, soil and water district and the solid waste district are going to put up the cash match so what we are looking to local communities is the annual disposal cost.

Sellersburg's portion would be \$360.00, estimated, per year. I have furnished you a sample letter that you can use if you want to draft something that we can send with the grant.

Motion by Louis R. Imhof, Jr. makes motion to approve the \$360.00 yearly payment to Solid Waste, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

GREG COLBURN, EMC, reference Program Management approach to address your capital improvement needs. We walked through the program and submitted a contract for you to review and consider.

Sellersburg Town Council Meeting
October 8, 2001
Page 3 of 6 pages

Our Program Management Approach you have before you is to initiate and start the process of the engineering and capital improvements to go forth on it. Today we request your approval to go forward with our contract to initiate that activity.

Motion by Louis R. Imhof, Jr. to accept the contract. No second to the motion. President Yost advises that the motion dies for lack of second.

Gregory Shook, EMC, presents the revenue reports for September. **Water revenue** was \$68,596.29; meter deposits \$1,850.00, for total water revenue of \$70,446.29. **Sewer revenue** \$96,905.71, **Sewer Deposits** \$1,750.00, **Sewer Tap-ins** \$8,040.00 for a total sewer revenue of \$106,695.71. Civil revenue of \$6,660.14. **TOTAL COLLECTION for the month \$183,802.14.**

Request the Town to pay an invoice in the amount of \$5,352.00 to Bastin Logan Water Services for emergency repair to high service pump at the water treatment plant. The treatment plant has two high service pumps one had a problem maintaining pressure. Motion by James H. LaMaster to pay this invoice, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

Another thing I would like to bring up is road cut permits. We received a bill from the Town for road cut permits. We are being billed \$20.00 for road cuts and this is just a paper shuffle between the EMC office and the Clerk-Treasurers office. We request that EMC makes application for the permits, so there is a record of the road cuts, but no charge for the permit since it is just a paper shuffle.

Mr. McCall, Town Attorney, advises that he is currently working on this ordinance and will incorporate this in the ordinance.

NATHAN GRIMES, Building Commissioner, presents a copy of his building commissioner reports to each council member.

WILLIAM P. MCCALL, III, Town Attorney, presents **RESOLUTION R2001-007**, this is a resolution to pay money out of the Promotion Business Account to reimburse Silver Creek Township Park for water they have used in the amount of \$647.16 based on the fact that the park is used by the residents of Sellersburg to off set some of the expense.

Motion by Kenneth E. Barnes, Sr. to approve Resolution R2001-007, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

McCall presents **ORDINANCE 2001-023, AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, REVISING, AMENDING, RESTATING, CODIFYING AND COMPLING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN**

Sellersburg Town Council Meeting
October 8, 2001
Page 4 of 6 pages

EMERGENCY.

Motion by Kenneth E. Barnes Sr. to consider Ordinance 2001-023 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to pass ordinance 2001-023 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

ATTORNEY GREG FIFER is here to talk to the Town about the sewage works reimbursement agreement with Sterling Oaks and Willows of Covered Bridge prior to them submitting this agreement for discussion with the Town Council about development by Robert Lynn Company, 21st Century Developers off of Allentown Road area and there is an agreement and there is some question as to whether the Town ever agreed to do this number one and secondly the bid, what it means to the Town.

Mr. Fifer advises that Mr. Paul Primavera designed the improvements, and through negotiation with the Town reviewed by Mr. John Toombs it was agreed that those improvements would be somewhat oversized to be able to handle additional users as that whole line area would develop. The numbers that Mr. Primavera is providing to me, roughly, the total capacity, under normal operating conditions, not peak conditions, would be 1250 users or so, based on his calculations Mr. Lynn and Mr. Furnish would be using 53 % of that once they were fully built out leaving 47% or 583 additional connections that could result.

The statute that this agreement is drafted under specifically allows municipalities to say, if you will oversize these and there is extra capacity then we can enter into an agreement from 15 years to allow the developer to recover a pro rata share of the cost. They can't get any of that 53% back that they are going to use but the remaining 47%, if somebody comes along and wants to connect then they are able to get back pro rata share as other users connect. In rough dollars today, Mr. Cristiani built it, the estimate going into this was a \$580,000.00 project. My understanding is that it may be 10 or 15% more expenses because of some of the things you ran into but under the weight of this agreement we will have to show you an itemized cost accounting and you will have to approve it to say, yeah that is a fair number for this to have been built and then we will take 47% of that as a reimbursable cost.

The practical result to other users if you took those 583 connections at the \$580,000.00 number, which could go higher, you would be looking at a cost of \$465.00 per connection plus the statute allows interest at 8% to accrue on that until those connections are made.

When I talked with "Perry" (McCall) Friday he had told me one of the concerns that some members of the Town Council or Mr. Kinder had was mechanically how do you get this money collected? So what I have done is revise it, "Perry" has not seen this revised draft yet, but I brought copies for everybody where instead of the Town having to be responsible for the

Sellersburg Town Council Meeting
October 8, 2001
Page 5 of 6 pages

collection the funds, once there is a realization that someone is going to connect to this line then they would be sent over to a contact person with us and we would try to work it out and if there is a dispute it would come back to you at a Town Council meeting and you would resolve it but we would send you a letter stating so much has been paid for this many connections and you would go ahead and let them connect. It would be a fair way to get excess cost recovered over a period of time.

Mr. Yost, Council President, advises this will be tabled until the November 12th meeting.

CLERK-TREASURER presents the bills for payment. Motion by James H. LaMaster to pay the bills, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

There is a dumpster at the Silver Creek Township Park that we provide during the summer; do we need to keep the dumpster there during the winter months? Motion by Louis R. Imhof, Jr. to remove the dumpster for the winter, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved. The dumpster will be there from April through the month of September on yearly basis.

JOHN TOOMBS: Clark Henson and I checked with the Army Corp of Engineers and they have a program. Clark and I met with Mike Lehman, and I will give you a copy of this, they will spend the first \$40,000.00 and we will agree to do it or not to do it, and I added a note on the last paragraph, "please let us know prior to commencing any work on this proposal project if you think the initial planning, design and analysis will exceed \$40,000.00. I request that Mr. Yost and Mr. McCall, the Town Attorney, sign this one copy if you so desire.

Motion by James H. LaMaster to sign the letter to the Army Corp of Engineers regarding the Federal Grant, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

IDEM has approved our quarterly plan, so I am giving you a copy of what Susan Baker has faxed to me.

Now this is the report that we have done on the last three months work and so this is your copy to review and comment, I would like to have this back later in the week with whatever comments you have. I have also sent a copy to Kevin (Wright) one to Rick Holstein, of PDR Consultants and one to Steve Grest (EMC) so that later in the week then I will perfect the thing and then I will sign it and send it up.

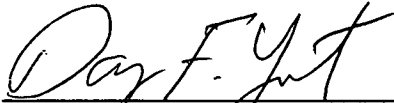
Last but not least you gave me a copy of a document that you got that has to do with phase III Storm Water, which essentially means you can no longer let anything and everything run down the creek, it is a law that you will have to adhere to, so IACT has a proposal that they have sent to everyone in their organization saying for \$6,000.00 you can by their CD and learn how to do this and what I am proposing here, you will find behind part of page three an explanation of what Phase II means and it is pretty simplified, but you are required to do this by March 10, 2003.


**Sellersburg Town Council Meeting
October 8, 2001
Page 6 of 6 pages**

What I am proposing here is, we as an engineering firm have put together a program to do this and what we are trying to do is get everyone in the county to agree to do it as a joint thing so that it reduces everybody cost and everybody is on the same page. So I would like you to consider this and essentially on the first page shows you that \$6,000.00 that Cities and Towns is going to charge you and what we are proposing is to charge you \$4,725.00 to be a participant. I would like for you choose a tentative approval of that number and then we will continue to develop to one more community and see if we can get everyone to agree and that is a list of the communities on the very last page, Clark County, Jeffersonville, Clarksville have agreed to pay their share and as you can see it is based on population, still have to talk with Charlestown.

Motion by James H. LaMaster to sign this tentative agreement, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

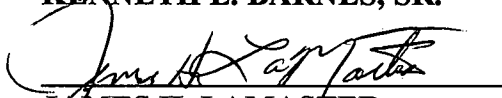
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, meeting adjourned at 8:05 P.M.


DANNY F. YOST, President


LOUIS R. IMHOF, JR. Vice President


KENNETH E. BARNES, SR.


EDWARD D. DENTON


JAMES H. LAMASTER


ATTESTS: DAVID L. KINDER
CLERK/TREASURER

Attachments: Letter Kate Sipes, Department of Commerce
Letter Susan Harmless, Department of Commerce, Community Development

Town of Sellersburg

316 EAST UTICA STREET

P.O. BOX 85

SELLERSBURG, INDIANA 47172

(812) 246-3821

October 8, 2001

Attn. Ms. Kate Sipes
Indiana Dept. of Commerce
Community Development Division
One North Capitol Avenue Suite 700
Indianapolis, Indiana 46204-2476

Re: Notice of Intent to Submit Planning Application

Dear Ms. Sipes:

The Town of Sellersburg seeks to submit a planning grant application during the October funding cycle. This letter provides at least 30 days advance notice prior to the monthly planning grant deadline, which is the last business day of each month. The Town of Sellersburg wishes to obtain a planning grant from the Indiana Department of Commerce for the purpose of a site selection study for a Child Development Center.

The estimated cost of the project is up to \$50,000, which will be verified through the actual procurement of professional services. The Study will include the professional services of an architect or professional planner to evaluate, analyze and make recommendations to meet the short and long-term needs of the community's child development needs. Said Architects and planners should be appropriately registered and licensed through the State of Indiana.

The Scope of Services include:

- Evaluate current and future situation
- Discuss specific problems and needs
- Evaluate alternative solutions (short and long term)
- Prepare cost estimates
- Examine funding options
- Develop project schedule for funding, design and construction activities
- Provide conclusions and recommendations

As chief elected official of the Town of Sellersburg, I am signing this letter in anticipation of receiving your assistance in developing our planning grant application. Please contact River Hills EDD & RPC at 812.288.4624 regarding this project.

Sincerely,
Town of Sellersburg


Mr. Danny Yost, Town Council President

CC: Theresa Brading, Indiana Department of Commerce

Town of Sellersburg

316 EAST UTICA STREET

P.O. BOX 85

SELLERSBURG, INDIANA 47172

(812) 246-3821


October 8, 2001

Ms. Susan Harmless
Community Development Division
Indiana Department of Commerce
One North Capitol, Suite 600
Indianapolis, Indiana 46204-2288

Dear Ms. Harmless,

This is to provide notification that I hereby authorize River Hills Economic Development District and Regional Planning Commission to prepare and submit the minutes of the required hearings related to the Community Focus Fund (CFF) Planning grant application for the Town of Sellersburg.

Sincerely,



Danny Yost
President, Town Council Sellersburg

SELLERSBURG TOWN COUNCIL

November 12, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on November 12, 2001, present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:03 P.M.

TOPIC OF DISCUSSION:

William P. McCall, Town Attorney, addresses council on litigation for the police department and William P. Bradshaw case.

Insurance for Town Council members.

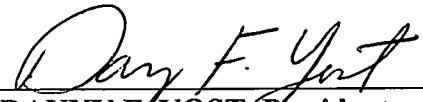
If payment received from Crown Communications reference purchase of land on Holman Lane.

Comprehensive Plan for fringe area around Town. (Two mile limit).

Chief of Police Stricker discusses PNC bank moving and purchase of the building.

ADJOURN:

Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Edward D. Denton. 5-aye, 0-nay, meeting adjourned at 6:57 P.M.


DANNY F. YOST, President


JAMES H. LAMASTER


KENNETH E. BARNES, Sr.


LOUIS R. IMHOF, JR. Vice President


EDWARD D. DENTON


ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

November 12, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on November 12, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:03 P.M.

PRAYER:

Reverend Tim Waddell offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

Louis R. Imhof, Jr. makes motion to approve the minutes of the October 8, 2001 regular Town Council meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

JOE BATES: Ask about his wanting to hook onto the Town sewer on Perry Crossing Road. President Yost advises for him to contact an engineer and have the engineer meet with John Toombs and Kevin Wright

TERRY SMITH: Not present. This is about moving a water line, at Town expense, for the West Clark School Corporation because of their future building project. Motion by Louis R. Imhof, Jr. to deny this request due to funding, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

LARRY THREKEL: Not present. Kevin Wright, EMC, says he talked with Mr. Threkel about getting quotes for the necessary repairs but has not heard from Threkel since that time.

AL GOODMAN: Reference future expansion of treatment plant. He introduces himself and his firm, A. W. Goodman and Associates from New Albany. We would like to be considered to provide an option for presenting a proposal, at no cost to the Town, to look at what needs to be done in the future. We think there are some options that the Town should consider.

DON LONG: Presents petition to not have a road linking, (Forrest Estates), Forrest Drive North to Brandon Circle in Lakeside Estates. David Blankenbaker, John Toombs explained that Silver Glades estates will not connect with Forrest Estates. The Brandon Circle will not connect as the curbing has been installed and the remainder planted in grass.

SONNY SPRIGLER: David Blankenbaker, Engineer for Sprigler, provided a sub (division) plan

Sellersburg Town Council Meeting

November 12, 2001

Page 2 of 4

to Mr. (John) Toombs, Town Engineer, and Mr. Wright (EMC) for their review, we are asking for approval to connect the public sewer and water for this development (Silver Glades Estates). We have received preliminary approval from the County for the development and we are asking for final approval from them Wednesday night for section 1.

We have agreed not to remonstrate against annexation. We will sign that or put it in the minutes, whatever your attorney requests.

John Toombs advises he has discussed this with Kevin (Wright, EMC) and Nathan (Grimes, Building Inspector) and we have some additional suggestions we think you should require them to agree to. Here, Butler Drive and up along the Interstate (65) fence on the West edge of Forrest Estates there is a fifty foot right of way which would be an extension of Norman Drive and it would be good that they agree, before you agree, to open up Silver Grades Trail so that it would connect to the extension of Norman Drive and someday to Butler (Drive).

Our concerns are, we certainly tried to make allowance for future connection to Butler Drive, but we don't feel Butler Drive is adequate to handle any traffic. Toombs, we are not suggesting that you build Butler Drive but even though there is a stub there needs to be a commitment that something will be done to provide a right of way over to Butler Drive. Also we need a commitment for Norman Drive. We need a commitment now to do these two things sometime in the future and then the plan commission can see that they are done when they need to be. Blankenbaker, "John, are you asking that this be constructed or platted?" Toombs, I believe when this subdivision is built that actually be constructed when this back part is developed, at the expense of the developer.

Before you send in your plans for the water Kevin (Wright) and I (Toombs) want to see the plan for the water because of 4 inch water mains there and they are not big enough so we are going to have to have changes in those. The sewer permit would come through our office.

Sonny Sprigler advises that he can have Paul (Primavera) draw up plans to vacate the street at Brandon Circle and Forrest Drive North.

Louis Imhof also suggests that the roads in Silver Glades be 32 feet wide, Town requirements, as opposed to the 31 foot wide roads as required by the County. Imhof also a motion to agree to the sewers and bring them into the Town after we sit down with Bobby (Lynn) and get all agreements settled. Motion seconded by James H. LaMaster. 4-aye votes, 1-nay (Denton), motion passes.

JOHN TOOMBS: People in the Willows and Covered Bridge on the three easements we have two signed and we still need the one at the High School Lift Station behind the library signed.

EMC (GREGORY SHOOK): Presents the Monthly Collections/Billings Report for October.
TOTAL WATER \$75,680.00: METER DEPOSITS: \$1,819.00: SEWER COLLECTIONS:
Sellersburg Town Council Meeting



Sellersburg Town Council Meeting

November 12, 2001

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\$103,764.80: SEWER DEPOSITS: \$1,950.00: SEWER TAP-INS: \$8,880.00: SANITATION (Civil): \$6,851.20.

CHIEF MICHAEL STRICKER: Have a late bill for repairs to a police vehicle that will be submitted prior to next meeting. I also need to get with you Perry (William P. McCall, III, Town Attorney) reference making an ordinance for transfer of funds before the December meeting.

The big thing is the PNC Bank building is moving in January 2002. I would like to pursue the purchase of this building for use as a new police headquarters.

Kenny E. Barnes, Sr. suggest that Chief Stricker get with PNC and have them meet with the Council when they are ready to sell, have a price and see what can be worked out.

MARK ROBINSON: Have the price quotes for a new animal control vehicle. O'Neil's price of \$19,200.00 for a gasoline motor and additional \$4,200.00 for diesel; with a new animal box the total cost will be between \$30,000.00 and \$34,000.00.

NATHAN GRIMES (Building Commissioner): Submits monthly report.

KENNETH E. BARNES, SR.: Have a drainage problem at 719 Alabama and wants Kevin Wright to check the drainage ditch and an open manhole at this address.

WILLIAM P. MCCALL, III, (Town Attorney): Philip Roth will be here at next months meeting to discuss the comprehensive plan for a two mile fringe area around Sellersburg.

Have Ordinance for transfer of funds for the Parks Board. This will be **ORDINANCE 2001-024, AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE PARKS BOARD.**

Motion by James H. LaMaster to consider Ordinance 2001-024 on its first reading, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster, seconded by Kenneth E. Barnes, Sr. to pass Ordinance 2001-024 on its first reading. 5-aye, 0-nay motion approved.

McCall introduces Gregory Fifer, representing Bob Lynn and Furnish reference sewer extension from Sterling Oaks to the Willows of Covered Bridge and back to the High School lift station. They are asking for some type of reimbursement for their cost in constructing the sewer line. (This was discussed at the October 8, 2001 meeting.) Motion by Louis R. Imhof, Jr. to deny their request to recover cost for construction of the sewer line, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

The Council needs to appoint someone from the Council to coordinate meetings with Town

Sellersburg Town Council Meeting
November 12, 2001
Page 4 of 4 pages

Citizens reference water rate increase and staying in or getting out of the Indiana Utility Regulatory Commission (I.U.R.C.).

DAVID L. KINDER, (Clerk-Treasurer): Need a motion to approve the bills as submitted. Motion by Kenneth E. Barnes, Sr. to pay the bills, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Need motion to approve payment of the bill for the repair of the police vehicle as requested by Chief Stricker at this meeting. Motion by Kenneth E. Barnes, Sr. to pay this bill, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

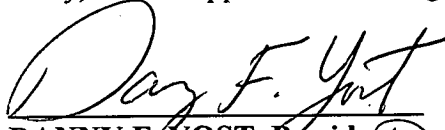
Mr. Yost has a bill from last month from Jacobi, Toombs and Lanz Engineers, Inc that needs to be submitted for payment. Mr. Yost submits the bill. Motion by James H. LaMaster to pay this bill, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Have a contract from CSX Transportation requesting payment of right of way fees. This is a contract to pay \$228.00, a life time payment, instead of the \$12.00 payment each year for this right of way. Mr. McCall has looked over the contract and approves it.

Also minutes of the Parks Board and Police Commissioner Meeting are not on file at the Town Hall. The Clerk's office needs to have copies of these records at the Town Hall so they are available for the general public upon request. Mr. Yost says these will be made available to the Clerks office.

Motion by Louis R. Imhof, Jr. to pay the \$228.00 life time fee, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved. Meeting adjourned at 8:28 P.M.


DANNY F. YOST, President

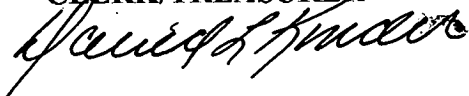

LOUIS R. IMHOF, JR. Vice President


KENNETH E. BARNES, SR.

EDWARD D. DENTON


JAMES H. LAMASTER

ATTESTS: DAVID L. KINDER
CLERK/TREASURER



ATTACHMENTS: Ordinance 2001-024
Petition signatures

PETITION

October 31, 2001

The following residents of Forrest Estates are AGAINST any road connecting
North Forrest Drive with Brandon Circle.

NAME	STREET ADDRESS	PHONE	DATE
1. Mark R Pope	707 Forrest Dr. So.	246-4673	10-29-01
2. Lois J. Strom	713 Forrest Dr. S.	246-4602	10-29-01
3. William L. Montgomery	735 Forrest Dr. So.	246-9874	10-29-01
4. Arney Jappard	749 Forrest Dr. S.	246-9639	10-29-01
5. Harold R. Old	611 Whitner Ct	246-5268	10-29-01
6. Bonnie Adkins	617 Whitner Ct	246-5182	10/29/01
7. [Signature]	622 Whitner Ct	246-5450	10/29/01
8. Duane H. Boehm	612 WHITNER Ct.	246-5392	10/29/01
9. Paul Kudr	761 Forrest Dr. S.	246-0002	
10. Margaret Wilkinson	765 Forrest Dr. So.	246-3453	
11. Kevin Baslam	703 Forrest Dr. S.	246-1857	
12. George Fullerton	757 Forrest Dr. S.	246-6040	
13. Cary Dixon	719 Forrest	246-9636	10-31-01
14. Eric L. Loda	447 635 Forrest Dr.	246-0153	
15. Mary Suzanne Harper	616 Whitner	246-0972	
16. Donald Long	639 FOREST DR.	246-9726	10-31-01
17. Carol Altman	704 Forrest Dr.	246-4586	
18. Kelli Biller	626N Forrest DR.	246-6548	10-31-01

PETITION

October 31, 2001

The following residents of Forrest Estates are AGAINST any road connecting North Forrest Drive with Brandon Circle.

NAME	STREET ADDRESS	PHONE	DATE
1. MARY P. NATCHER	600 FORREST DR, NORTH	(812) 246-4650	10-29-01
2. Barbara Sturgeon	610 Forrest North	812-246-4930	10/29/01
3. Marilyn Amos	614 Forrest Dr.	246-3931	10/29/01
4. Carolyn McKinley	622 Forest Dr N	246-3847	10/29/01
5. Randall M. Hill	634 FORREST DR. N.	246-3112	10/29/01
6. Heather Haynes	629 FORREST DR. N.	246-4140	10/29/01
7. Judy Vankirk	607 Forrest Dr N Sellersburg	246-5271 47173	10/29/01
8. William Dyer	805 Forrest Dr. N. Sellersburg Ind	246-4912	10/29/01
9. June Gould	621 Forrest	246-4029	10/30/01
10. Quil Ehry	602 Forrest Dr.	246-3575	10/30/01
11. Joyce Gatz	613 Forrest Dr.	246-6497	10/31/01
12. Donald G. Smith	625 Forrest N.	246-4629	11/4/01
13. Robert J. Lemark	630 FORREST DR.	246-2427	11/4/01
14.			
15.			
16.			
17.			
18.			

PETITION

October 31, 2001

The following residents of Forrest Estates are **AGAINST** any road connecting
North Forrest Drive with Brandon Circle.

NAME	STREET ADDRESS	PHONE	DATE
1. George Marshall	813 Forrest Dr N	246-2653	10-29-01
2. Claudia & Tom Chastco	809 Forrest Dr. N.	246-5707	10-29-01
3. Doris L. Everett	825 N. Forrest Dr		10-29-2001
4. Carlomae Ethos	818 Forrest Dr N.		10-29-01
5. Lester Orr	810 Forrest Dr N.		10-29-01
6. Regene Skiffet	760 Forrest Dr S.		10-29-01
7. Lamar Parrish	744 Forrest		10-29-01
8. Paul Dwyer	740 Forrest Dr.		10-29-01
9. Geo. A. Calverton	736 Forrest Dr So		10/29/01
10. Mary Alice Robinson	728 Forrest Dr. S.		10-29-01
11. Jerry Dwyer	720 Forrest Dr. S		10-29-01
12. Anne Heil	716 S Forrest Dr		10-29-01
13. Bob Lupton	712 S Forrest Dr		10-29-01
14. Kellie Tucker	817 FORREST DR, N		10-29-01
15. Connie Kidd	814 Forrest Dr.		10-29-01
16. Ellen Jurnan	768 Forrest Dr.		10-29-01
17. Carolyn Neuen	752 Forrest Dr.		10-29-01
18. Carolyn Nicks	821 N. Forrest		10-30-01
19. Gladys Sanchez	732 Forrest Dr. South		10-31-01

GEORGE MARSHALL
246-2653

PETITION

October 31, 2001

The following residents of Forrest Estates are AGAINST any road connecting
North Forrest Drive with Brandon Circle.

NAME	STREET ADDRESS	PHONE	DATE
1. <i>Patty Bowes</i>	<i>825 N. Forrest</i>		<i>10/30/01</i>
2. <i>Theresa V. Curtis</i>	<i>756 S. Forrest</i>		<i>10-30-01</i>
3. <i>Gayle D. Clemons</i>	<i>764 N. Forrest</i>		<i>10-31-01</i>
4. <i>Kim Diefendorf</i>	<i>748 Forrest</i>		<i>10-31-01</i>
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SELLERSBURG TOWN COUNCIL
December 10, 2001

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on December 10, 2001, present for the meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. Lamaster, Town Attorney William P. McCall III and Clerk/Treasurer David L. Kinder.

CALLED TO ORDER:

President Danny F. Yost called the meeting to order at 6:03 P.M.

TOPIC OF DISCUSSION:

William P. McCall, Town Attorney, addresses council on Ordinance that will be brought before the public meeting this date.

Attorney McCall discusses Ordinance reference Insurance for Town Council members and appointed members.

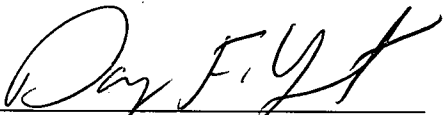
Attorney McCall talks about litigation concerning Chad Nunn case.

Chief of Police Stricker discusses PNC bank moving and purchase of the building.

Louis R. Imhof, Jr. discusses possible longevity pay for EMC employees that were formerly with the Town.

ADJOURN:

Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, meeting adjourned at 7:00 P.M.




DANNY F. YOST, President



JAMES H. LAMASTER



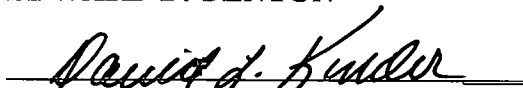
KENNETH E. BARNES, Sr.



LOUIS R. IMHOF, JR. Vice-President



EDWARD D. DENTON



ATTEST: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

December 10, 2001

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on December 10, 2001. Present for this meeting were Town Board President Danny F. Yost, Vice-President Louis R. Imhof, Jr., Council Member Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member James H. LaMaster, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President Danny F. Yost called the meeting to order at 7:05 P.M.

PRAYER:

Reverend Michael Kugler offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

Kenneth E. Barnes, Sr. made a motion to approve the minutes of the November 12, 2001 regular Town Council meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

LARRY WILDER, Attorney at Law, representing Tom Lumley, who is principal in Lumley Enterprises as well as for Home Town National Bank. I have passed out the Fiscal Plan to support our petition for annexation, voluntary annexation, for two particular parcels of property. These are located at the intersection on (State Road) 311 and (State Road) 60. There are not any costs to the Town for this annexation as this property is already served by your water, served by your sewers and the police drive by it on their way to provide protection to parts of the Town. The roads are serviced by the State and Mr. Lumley has no roads that will ever be dedicated to the Town.

This is essentially for a public hearing and after this evening, within a minimum of fourteen days, you can as a board vote on an ordinance to grant this annexation.

President Yost asks the audience if anyone is opposed to this annexation. None is voiced.

Mr. Wilder will come back to your next meeting with the ordinance for the Council to vote upon.

HENRY PENDLETON reference outstanding sewer bills on the Giola Avenue apartments. What I would like to do is make \$200.00 monthly payments for 36 months and have all the bills from the year 1996 back taken off this bill, there is not any record of who these prior tenants would have been. Total owed is \$8,404.00.

Greg Shook, with EMC, in the past, according to records in the Courthouse, Sellersburg has never filed sewer liens against property to collect back sewer bills. We have been working on

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December 10, 2001

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trying to collect past sewer bills and right now, this Friday, December 14 is the deadline to file the liens against the properties this year. We are planning on filing against 77 properties in the amount of \$59,000.00 in back sewer bills. That does not include his (Mr. Pendleton's) past due bills.

Mr. McCall, Town Attorney, advises to go ahead and file the liens against Mr. Pendleton's properties and if something is worked out you can always release the property.

Mr. Pendleton to return to the January 14, 2002 meeting for further discussion.

GREGORY COBURN, Environmental Management Company. Presents proposed changes to EMC agreement reference Program Management Services. This change says EMC will work with Town Council, Town Attorney, and Clerk-Treasurer to identify satisfactory sources on interim funding to pay Preliminary Engineering Report and additional costs for Program Management and engineering costs.

James H. LaMaster requests that the Council appoint him as the liaison between the Town Council and EMC when this project is undertaken.

Motion by James H. LaMaster to sign the contract for EMC to be the Program Management for the Town and that this proposed change to the EMC agreement also be accepted with the contract, seconded by Louis R. Imhof, Jr. 3-aye (Yost, Imhof, LaMaster), 2-nay (Denton, Barnes), motion approved.

DON LOPP, River Hills Economic Development. I'm here about Kid Tech grant that I spoke to you about, tonight we are asking the Town to pass a resolution to submit the grant application to the Department of Commerce. Motion by James H. LaMaster to pass Resolution **R2001-008, RESOLUTION OF THE TOWN COUNCIL OF SELLERSBURG, INDIANA AUTHORIZING THE SUBMITTAL OF THE CFF APPLICATION TO THE INDIANA DEPARTMENT OF COMMERCE AND ADDRESSING RELATED MATTERS**, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

GREG SHOOK, EMC: Presents the revenue reports for November. **WATER COLLECTION:** \$65,048.37, **METER DEPOSITS** \$1,900.00 for a total of \$66,948.37. **SEWER COLLECTION:** \$97,389.41, sewer deposits \$1,900.00 for a total of \$99,289.41. **CIVIL COLLECTION:** \$6,692.06. **Total Collections for November \$172,929.84.**

Also have a request for \$2,000.00 from water utility to purchase water meters, this is for the rotation program. Purchase of a jackhammer; this is shared by the water, sewer and street department, am requesting that the Town reimburse EMC one third the cost for the street department use of the jackhammer. The last thing is, we had a lighting strike that destroyed the aerator on the holding pond. I am requesting reimbursement for those expenses and that the Town then presents this to their insurance carrier.

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This reimbursement is \$2, 820.09. Motion by Louis R. Imhof, Jr. to pay these expenses, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

BOB LYNN: reference Silver Glades Estates. This will be developed in two sections. Will develop the first section; provide access over to the existing Butler Drive. Then whatever time the Town wants us to voluntarily submit it for annexation to do so. Then we will do the next section, excluding this northern section and leave it until the very last section and then, if I have not been able to tie down the Dietz property, or some other third party developer has not tied it down, to allow us to make a connecting strip over to (US) 31, then we will provide a lot to provide access to this point (Norman Drive).

Motion by Kenneth E. Barnes, Sr. to approve Mr. Lynn's plan and provide him with water and sewer; seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

CHIEF MICHAEL STRICKER: The PNC Bank building is up for sale. I have talked with a lady with the bank and the rough estimate is a cost of \$650,000.00

Motion by Kenneth E. Barnes, Sr. to have Chief Stricker get all information and all aspects of building price and submit to Town Council, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, Building Inspector submits monthly report.

WILLIAM P. MCCALL, Town Attorney: I have an addendum to the EMC contract reference Sales Tax payments and changing of the wording in the liability insurance coverage. Motion to approve the addendum by Louis R. Imhof, Jr., seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-024 that was passed at last Town Council Meeting had a typographical error in the ordinance number and it just needs to be resigned.

ORDINANCE 2001-025, Ordinance amending ordinance 2001-004 and ordinance 2001-016, water and sewer deposits.

Motion by James H. LaMaster to consider ordinance 2001-025 on its first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes to pass ordinance 2001-025 on first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-026, ordinance amending ordinance 2000-023, pay for secretary of Plan Commission. Dies for lack of motion.

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**ORDINANCE 2001-027, ORDINANCE AMENDING ORDINANCE 2000-024
REGARDING UNIFORM/CLOTHING ALLOWANCES FOR THE TOWN OF
SELLERSBURG POLICE OFFICERS, DISPATCHERS, CLERK/TREASURER
EMPLOYEES.**

Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2001-027 on first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Motion by Louis R. Imhof, Jr. to approved Ordinance 2001-027 on first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

**ORDINANCE 2001-028, ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS
REGARDING THE GENERAL FUND.**

Motion by James H. LaMaster to consider Ordinance 2001-028 on first reading, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to approve ordinance 2001-028 on first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

**ORDINANCE 2001-029, ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS
REGARDING THE TOWN OF SELLERSBURG POLICE DEPARTMENT.**

Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2001-029 on first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by Louis R. Imhof, Jr. to approve ordinance 2001-029 on first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

**ORDINANCE 2001-030, ORDINANCE ESTABLISHING PURCHASING POLICIES
FOR THE TOWN OF SELLERSBURG, INDIANA.**

Motion by James H. LaMaster to consider ordinance 2001-030 on first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to approve ordinance 2001-030 on first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

**ORDINANCE 2001-031, ORDINANCE ESTABLISHING PURCHASING RULES FOR
THE TOWN OF SELLERSBURG, INDIANA, IN REGARD TO COUNTRY OF ORIGIN
FOR THE MANUFACTURER OF SUPPLIES TO BE PURCHASED.**

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Motion by James H. LaMaster to consider ordinance 2001-031 on first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Louis R. Imhof, Jr. to approve ordinance 2001-031 on first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-032, ORDINANCE DEFINING SMALL BUSINESS SET-ASIDE PURCHASES AND INDIANA BUSINESS PREFERENCE IN REGARD TO PURCHASING RULES AND POLICIES OF THE TOWN OF SELLERSBURG, INDIANA.

Motion by James H. LaMaster to consider ordinance 2001-032 on first reading, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to approve ordinance 2001-032 on first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-033, ORDINANCE ESTABLISHING PURCHASING AGENCY AND PURCHASING AGENT FOR THE TOWN OF SELLERSBURG, INDIANA, AND OTHER MATTERS RELATING THERETO.

Motion by Louis R. Imhof, Jr. to consider ordinance 2001-033 on first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to approve ordinance 2001-033 on first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

ORDINANCE 2001-034, ORDINANCE ESTABLISHING PURCHASING RULES AND POLICIES IN THE TOWN OF SELLERSBURG, INDIANA.

Motion by James H. LaMaster to consider ordinance 2001-034 on first reading, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to approve ordinance 2001-034 on first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay.

ORDINANCE 2001-035, ORDINANCE ESTABLISHING INSURANCE BENEFITS FOR ELECTED OR APPOINTED OFFICERS OF THE TOWN OF SELLERSBURG, INDIANA.

Motion by Louis R. Imhof, Jr. to consider Ordinance 2001-035 on first reading. **NO SECOND**, motion dies for lack of second.

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DAVID L. KINDER, Clerk/Treasurer: Have a judgment against the Town from Clark Superior Court #3, Small Claims Division, Chad Nunn, Plaintiff, Cause Number 10D03-0106-SC-1384, for \$1000.00 plus interest of \$6.79 plus Court cost \$39.00 for a total of \$1,045.79. Need a motion to pay this or if the Town intends to appeal this.

Motion by Louis R. Imhof, Jr. to pay the judgment, seconded by James H. LaMaster. 5-aye, 0-nay, motion passes.

Have a change in the Town Personnel Policy, reference Personal Time, this has been sent to all department heads and none of them have an objection. Just needs Council to adopt the change. Louis R. Imhof, Jr. makes motion to adopt the personnel change, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

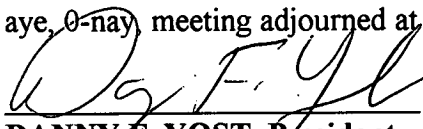
Need a motion to pay for the filing of the sewer liens with the County Auditors office. Need permission to pay the filing fees after the liens are filed. Motion by Kenneth E. Barnes, Sr. to pay the filing fees, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Motion by Louis R. Imhof, Jr. to pay the bills as filed by the Clerk/Treasurer, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

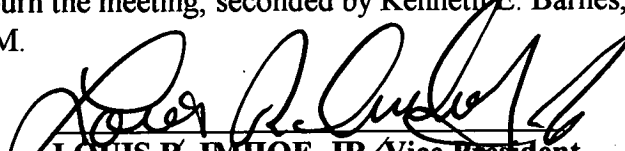
Motion by Kenneth E. Barnes, Sr. to renew the Building Commissioner's Contract for the year 2002 with the addendum of paying him \$50.00 per meeting for the Zoning Appeals Board meetings he attends and also \$50.00 per meeting for each Plan Commission meeting he attends, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

JOHN TOOMBS, Jacobi, Toombs and Lanz Engineers, Inc., needs approval from the Council to issue sewer permits to Bob Lynn for Silver Glades Estates. This was approved at the last Council meeting. Also have the quarterly compliance plan schedule as required by IDEM.

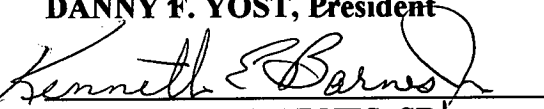
Louis R. Imhof, Jr. makes motion to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, meeting adjourned at 9:15 P.M.



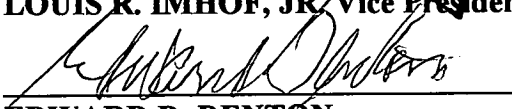
DANNY F. YOST, President



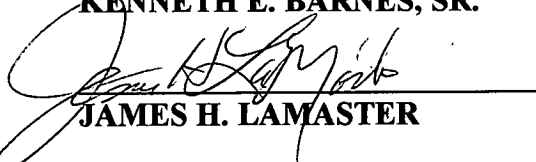
LOUIS R. IMHOF, JR, Vice President



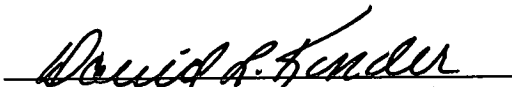
KENNETH E. BARNES, SR.



EDWARD D. DENTON



JAMES H. LAMASTER



**ATTESTS: DAVID L. KINDER
CLERK/TREASURER**