

2001 RESOLUTIONS

NUMBER	DATE	DESCRIPTION
R-2001-001	03/12/01	Bolly's Resolution- Mike & Lucille Davis Properties <i>DENIED</i>
R-2001-002	04/09/01	Petition for of Economic Revitalization Area
R-2001-003		Curbside Recycling-Solid Waste Fee Schedule
R-2001-004	05/14/01	Designating Bond Counsel, Local Counsel for IDEM Compliance Schedule
R-2001-005	06/04/01	Designating Town Attorney & Billing Office to Deal with Bankruptcy-Water/Sewer/Garbage
R-2001-006	06/04/01	Maintenance of Town Gasoline Pump
R-2001-007	10/01/01	Promotion of Business Account for Silver Creek Township Park
R-2001-008	12/10/01	Authorizing Submittal of CFF Application to Department of Commerce-Reference Kidtech

A RESOLUTION AUTHORIZING ZONING CHANGE WITHIN THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg Plan Commission has received a Petition requesting a change of zoning for a certain parcel of real property commonly known as the Mike Davis and Lucille Davis property located within the Town of Sellersburg, Indiana, which is more accurately identified and described by Exhibit A, attached hereto, and incorporated by reference herein; and,

WHEREAS, the Town of Sellersburg Plan Commission has reviewed the Petition requesting a change of zoning; and,

WHEREAS, the Town of Sellersburg Plan Commission has denied recommending the zoning change; and,

WHEREAS, the Sellersburg Town Council has applied the standards and requirements as set out in Section 3.4.4(5) and has determined the requests for zoning change meets these standards and requirements; and,

WHEREAS, the Sellersburg Town Council has determined that the herein Resolution will provide for the effective administration of Town Government; and,

WHEREAS, this matter was considered at a public meeting at which the pubic were invited to attend and participate.

IT IS, THEREFORE, NOW ORDAINED BY THE SELLERSBURG TOWN COUNCIL AS FOLLOWS:

THAT A CERTAIN PARCEL OF REAL PROPERTY COMMONLY KNOWN AS THE MIKE DAVIS AND LUCILLE DAVIS PROPERTY AND WHICH IS MORE PARTICULARLY DESCRIBED AND IDENTIFIED BY EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN SHALL NOW BE REZONED AND THE CURRENT SINGLE FAMILY RESIDENCES (R-1 DISTRICT) OF THE DESCRIBED AREA SHALL BE CHANGED TO SINGLE, TWO AND MULTI-FAMILY RESIDENCES (R-3 DISTRICT)

DATED: March 12, 2001

NOT PASSED BY COUNCIL
2-AYE, 3-NAY

TOWN OF SELLERSBURG

NAY
DANNY F. YOST
Chairman Town Council

AYE
JAMES LAMASTER
Member Town Council

NAY
KENNETH BARNES, SR.
Member Town Council

NAY
LOUIS R. IMHOF
Member Town Council

AYE
EDWARD DENTON
Member Town Council

ATTEST David L. Kinder
DAVID L. KINDER
Clerk-Treasurer

REGULAR MEETING OF THE TOWN COUNCIL
SELLERSBURG, INDIANA

RESOLUTION 2001-002

RESOLUTION DEFINING AND DECLARING
ECONOMIC REVITALIZATION AREA

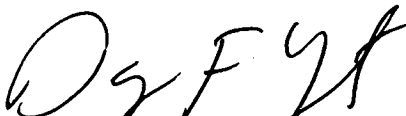
WHEREAS, the Town Council of Sellersburg has or has caused to be prepared a map and simplified description of an area proposed to be an Economic Revitalization Area, a copy of which is attached and marked Exhibit "B", and made a part of this resolution, and,

That the Council finds that the area legally described on Exhibit "A" has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired the area's values or prevent a normal development or use of the property;

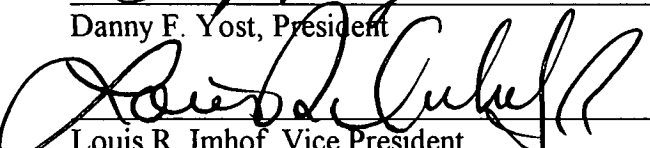
THEREFORE, be it resolved that the Town Council finds and declares the area described in Exhibit "B" to be an Economic Revitalization Area, and:

1. The time period during which the described area shall be so designated as an Economic Revitalization Area is ten (10) years;
2. That the amount of tax abatements allowed within and because of the Economic Revitalization Area shall be for those set forth in I.C. 6-1.1-12.1-3 and I.C. 6-1.1-12.1-4;
3. That a copy of this resolution shall be filed with the Clark County Assessor, City-County Building, Jeffersonville, IN.;
4. That a copy of this resolution and a copy of the Notice pursuant to I.C. 5-3-1 to the officers of the taxing unit under I.C. 6-1.1-17-5;
5. That applicant is authorized to publish notice of this resolution and notice pursuant to I.C. 5-3-1 and I.C. 6-1.1-12.1-2.5.

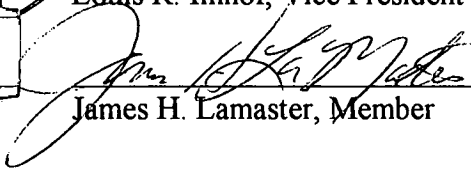
Dated this 9th day of April, 2001.



Danny F. Yost, President

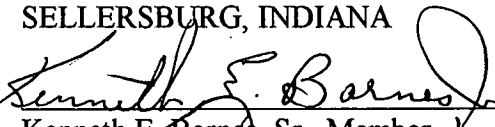


Louis R. Imhof, Vice President



James H. Lamaster, Member

TOWN COUNCIL OF
SELLERSBURG, INDIANA

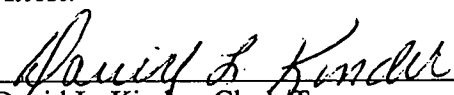


Kenneth E. Barnes, Sr., Member



Edward D. Denton, Member

Attest:



David L. Kinder, Clerk/Treasurer

Being a part of Survey #108 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, being depicted on a survey by Paul Primavera and Associates, Inc., Job No. 00-8242, more particularly described as follows: Commencing at the North corner of Survey #108, thence along the line dividing Survey #108 and Survey #109, South 62 deg. 17' 36" West 208.10 feet, thence leaving said dividing line South 27 deg. 57' 24" East 825.00 feet, thence South 62 deg. 17' 36" West 261.29 feet, thence South 27 deg. 12' 24" East 328.00 feet, thence South 62 deg. 17' 36" West 169.75 feet to a steel pin, thence South 27 deg. 12' 24" East 231.35 feet to a pin and cap found set by Paul Moffett, thence South 61 deg. 53' 03" West 261.11 feet to the point of beginning, thence South 26 deg. 35' 49" East 142.41 feet to a #5 reinforcing bar with a yellow plastic cap stamped "Primavera S0131", this type of monument hereinafter referred to as a capped reinforcing bar, thence South 61 deg. 52' 53" West 435.73 feet to a capped reinforcing bar, on the Northeast right of way of Old State Road 60, thence along said right of way line North 26 deg. 35' 49" West 200.00 feet to a capped reinforcing bar, thence leaving said right of way line North 61 deg. 52' 53" East 435.73 feet to a capped reinforcing bar, thence South 26 deg. 35' 49" East 57.59 feet, to the point of beginning, containing 2.000 acres, more or less.

Subject to a utility easement 10.00 feet in even width along the Southeast line of the above described tract.

Subject to all easements, restrictions, rights-of-way of record.



LEGEND

- = #5 REINFORCING BAR SET
- = STEEL PIN FOUND
- = CONCRETE RIGHT-OF-WAY MARKER
- = WOOD POST FOUND
- △ = CALCULATED CORNER, NOTHING FOUND OR SET
- ⊙ = PIN AND CAP FOUND AS SET BY PAUL HOFFETT
- ⊘ = PIPE FOUND

NORTH CORNER SURVEY #100



0 100 200

SCALE: 1" = 200'

PREVIOUS SURVEY
PAUL HOFFETT L.S. 11461
JOB NO. 97173



CERTIFICATE OF SURVEY

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED WHOLLY UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF WAS EXECUTED ACCORDING TO THE REQUIREMENTS OF IAC 865 1-12-1 THROUGH 1-12-25

(Signature)

PAUL PRIMAVERA, PLS 050131

10-16-0

DATE

PROPERTY IN THE NAME OF:

NOVA STAR

SOURCE DEED:

DEED DRAWER 29 INSTRUMENT #14067

DEED DRAWER 30 INSTRUMENT #508

Date: 10/13/00 Job No. 00-8242 Drawn By: PWF Field Work Completed: 10/03/00 Client: WAYNE NELIS & ASSOC. Township: SILVER CREEK County: CLARK Prop. Desc. PT OF SURVEY 108 ILLINOIS GRANT		LAND SURVEYORS PRIMAVERA AND ASSOCIATES INCORPORATED ENGINEERS	
		P.O. Box 123 Corydon, Indiana 47112 812-738-4124	

EXHIBIT

"B"

tabbies

OLD STATE ROAD #60

NORTHEAST ROW

2.000 ACRES
M/L

100' UTILITY EASEMENT

NOVA STAR
DEED DRAWER 29 INSTRUMENT #14067

NOVA STAR
DEED DRAWER 30 INSTRUMENT #508

N61°52'53"E 435.73'

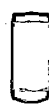
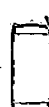
N61°52'53"E 435.73'

S61°52'53"W 435.73'

S61°52'53"W 435.73'

S62°17'36"W 208.10'
 S27°37'24"E 261.29'
 S27°37'24"E 261.29'
 S62°17'36"W 169.75'
 S27°12'24"E 261.29'
 S46°16'34"E 151.76'

S71°51'56"E 142.51'
 S43°40'60"W 795.60'



RESOLUTION NO. 2001-003

RESOLUTION OF SELLERSBURG TOWN COUNCIL ADOPTING
RESOLUTION 2001-R-001 OF THE CLARK COUNTY SOLID
WASTE MANAGEMENT DISTRICT

WHEREAS, the Town Council for the Town of Sellersburg previously entered into an inter local agreement with the Clark County Solid Waste Management District for the purpose of curbside recycling; and

WHEREAS, the Town Council for the Town of Sellersburg was advised by the Clark County Solid Waste Management District of the passage of Resolution No. 2001-R-001 concerning curbside recycling fees; and

WHEREAS, the Town Council for the Town of Sellersburg has agreed to adopt as policy for the Town Resolution No. 2001-R-001 of the Clark County Solid Waste Management District; and

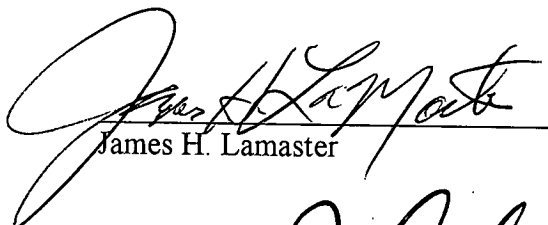
WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate; and

WHEREAS, the Town Council for the Town of Sellersburg believes that the herein resolution is necessary for the efficient and effective administration of Town government;

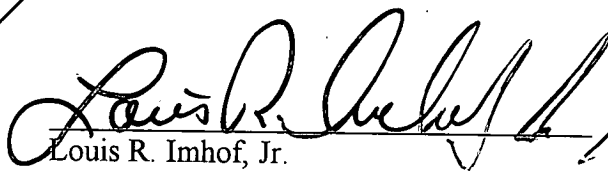
BE IT NOW THEREFORE RESOLVED by the Town Council for the Town of Sellersburg that all provisions of Resolution No. 2001-R-001 of the Clark County Waste Management District shall be and hereby are adopted and incorporated into the herein Resolution of the Sellersburg Town Council for purposes of solid waste management within the municipal

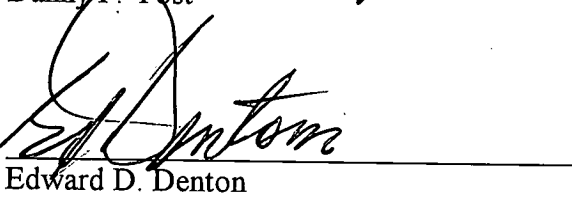
boundaries of the Town of Sellersburg, Indiana.

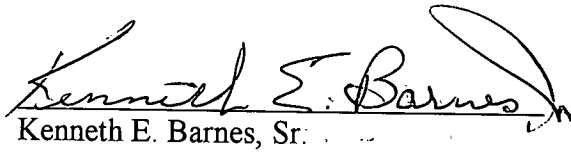
So resolved this 14th day of ~~March~~ May, 2001.

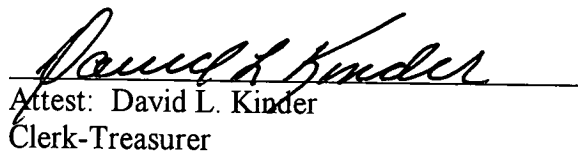

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NO. R 2001-004

RESOLUTION OF THE SELLERSBURG TOWN COUNCIL DESIGNATING BOND COUNSEL, LOCAL COUNSEL, BOND ACCOUNTANTS AND ENGINEERING CONSULTANTS AS REQUIRED BY NPDES NO. IN0020419, CASE NO. 200-9270 W IDEM COMPLIANCE SCHEDULE AND SRF FUNDING

WHEREAS, the Town Council for the Town of Sellersburg was required to prepare and submit a compliance schedule to the Indiana Department of Environmental Management; and

WHEREAS, as part of said compliance schedule the Town Council for the Town of Sellersburg was required to name bond counsel, local counsel, bond accountants, and engineering consultants; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that Patricia Zelmer, Ice, Miller, Attorneys at Law, One American Square, Indianapolis, IN 46282, telephone number 317-236-2339 shall serve as bond counsel; and

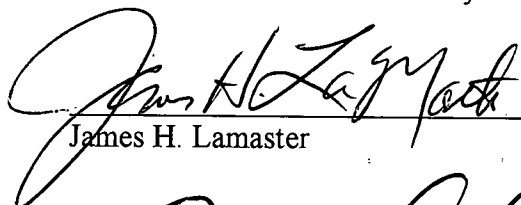
WHEREAS, the Town Council for the Town of Sellersburg has determined that William P. McCall, III, Mosley, Bertrand, Jacobs & McCall, 332 Spring Street, Jeffersonville, IN 47130, telephone number 812-282-9000 shall serve as local counsel; and

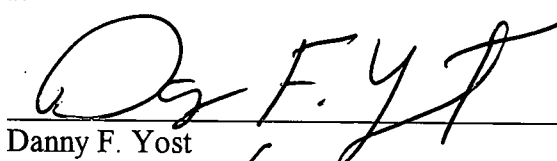
WHEREAS, the Town Council for the Town of Sellersburg has determined that David Fredericks, Umbaugh & Associates, 20 East 91st Street, Suite 100, P.O. Box 40458, Indianapolis, IN 46240-0458, telephone number 317-844-7288 shall serve as bond accountants; and

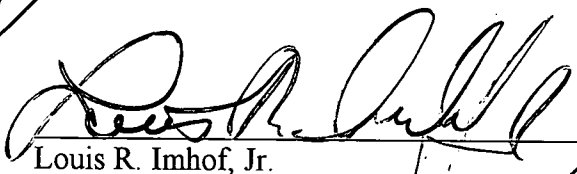
WHEREAS, the Town Council for the Town of Sellersburg has determined that John H. Toombs, Jr., P.E., L.S., Jacobi, Toombs and Lanz, Inc., 120 Bell Ave., Clarksville, IN 47129, telephone number 812-288-6646 and Richard Holstein, PDR Engineers, Meidinger Tower, Suite

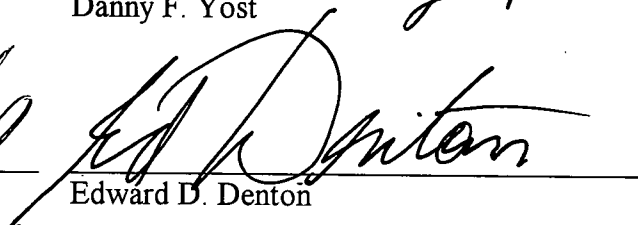
400, Louisville, KY 40202, telephone number 502-584-5555 shall serve as engineering consultants.

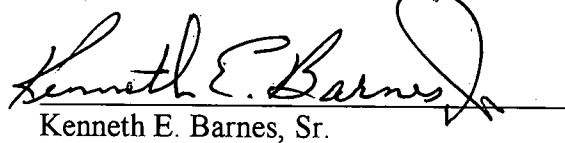
So resolved this 14th day of May, 2001.

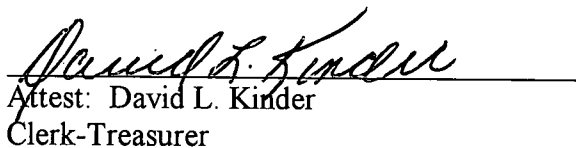

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NO. R 2001- 005

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

WHEREAS, the Town Council for the Town of Sellersburg has been advised by the Indiana State Board of Accounts it is necessary to designate an individual or individuals to deal with various bankruptcy actions filed by those individuals previously or currently served by Sellersburg water, sewer and garbage service; and


WHEREAS, if an individuals files a petition for bankruptcy, the Town of Sellersburg is required to file Notices of Claim to allow for potential collection of the delinquent account; and

WHEREAS, the Town Council for the Town of Sellersburg has determined the Town Attorney in conjunction with the Town of Sellersburg billing and collection office should be the designated parties to deal with all bankruptcy issues concerning Sellersburg sewer, water and garbage pickup; and

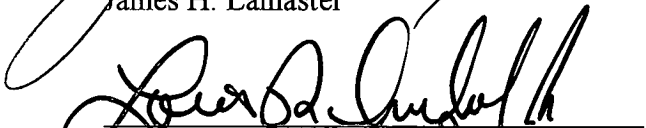
WHEREAS, the Town Council for the Town of Sellersburg has determined the herein resolution is necessary for the efficient and effective administration of the Town government; and


WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate.

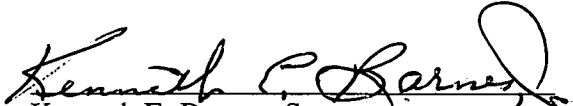
BE IT NOW SO RESOLVED this 4th day of June, 2001.

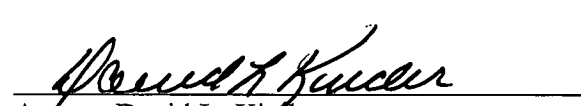

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kirfder
Clerk-Treasurer

RESOLUTION NO. R 2001- 006

RESOLUTION FOR MAINTENANCE OF THE TOWN OF SELLERSBURG GAS PUMP

WHEREAS, the Town of Sellersburg maintains a gas pump for the use of the Town of Sellersburg Police Department, Town of Sellersburg Street Department and Town of Sellersburg Animal Control Officer; and

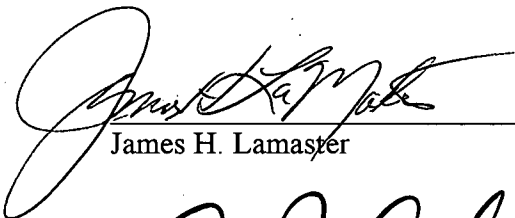
WHEREAS, the Town Council for the Town of Sellersburg has determined that the maintenance for said gas pump should be divided equally between the three (3) divisions of Sellersburg Town Government; and

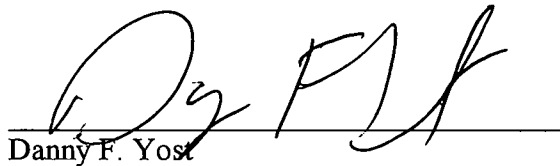
WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate.

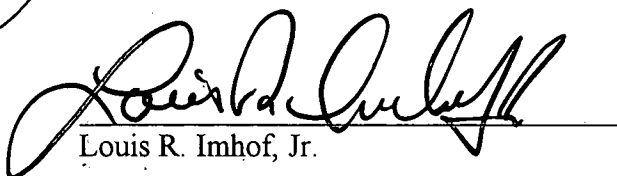
WHEREAS, the herein resolution is necessary for the efficient and effective administration of Town Government;


BE IT THEREFORE resolved that the maintenance expense for the Town of Sellersburg gas pump shall be divided equally between the budgets of the Town of Sellersburg Police Department, Town of Sellersburg Street Department, and the Town of Sellersburg Animal Control Officer.

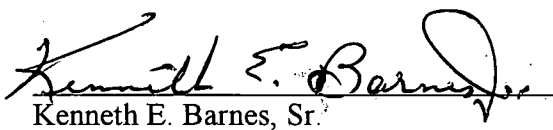
So resolved this 4th day of JUNE, 2001.


James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NO. 2001- 007

WHEREAS, the Town Council for the Town of Sellersburg had established a Promotion of Business Account as a line item in the budget; and

WHEREAS, the Town Council for the Town of Sellersburg has determined the funds appropriated for said Promotion of Business Account shall be used for the purpose of providing assistance to the Silver Creek Township Park, a recreational facility which is predominately used by residents of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg hereby resolves to give to the Silver Creek Township Park the amount of \$ 647. 16 out of the Promotion of Business Account in 2001;

WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate;

WHEREAS, the herein ordinance is necessary for the efficient and effective administration of Town government;

BE IT NOW THEREFORE RESOLVED that the Town Council for the Town of Sellersburg hereby resolves to give to the Silver Creek Township Park the amount of \$ 647. 16 from the Promotion of Business Accounts for the year 2001, to off set the expense of operating said park, which is used predominately by residents from the Town of Sellersburg.

So resolved this 8th day of October, 2001.

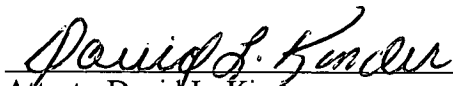

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NUMBER R-2001-008

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

WHEREAS, the Town Council of Sellersburg, Indiana, recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits: and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Department of Commerce to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and

WHEREAS, the Town Council of the Town of Sellersburg, Indiana, has conducted or will conduct public hearings prior to the submission of an application to the Indiana Department of Commerce, said public hearings to assess the housing, public facilities and economic needs of its low and moderate income residents;

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

1. The president of the Sellersburg Town Council is authorized to prepare and submit an application for grant funding to address necessary improvements to the water system, and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Department of Commerce and the United States Department of Housing and Urban Development.
2. The Town Council of the Town of Sellersburg, Indiana, hereby commits the requisite local funds in the amount of 10 percent of the total project cost in the form of cash on hand through the Kidtech Child Development Center or the non-grant funded portion of the project, as matching funds for said program, such commitment to be contingent upon receipt of CFF funding from the Indiana Department of Commerce.

Adopted by the Town Council of the Town of Sellersburg, Indiana, this 10th
Day of December, 2001, at 7:55 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