

SELLERSBURG TOWN COUNCIL

January 14, 2002

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 14, 2002, 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 6:05 P.M.

TOPIC OF DISCUSSION:

William P. McCall, Town Attorney, addresses council on Litigation reference hearing on Bradshaw. Set for February 27, 1:00 P.M. place to be announced later.

Attorney McCall discusses possibilities of Town Court.

Job offer for sanitation department position.

Appointment of Police Commissioner by Chief of Police.

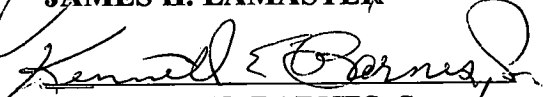
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay. Meeting adjourned at 7:00 P.M.




DANNY F. YOST, President



JAMES H. LAMASTER




KENNETH E. BARNES, Sr.



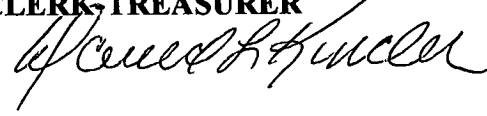
LOUIS R. IMHOF, JR. Vice-President



EDWARD D. DENTON



ATTEST: DAVID L. KINDER
CLERK-TREASURER



SELLERSBURG TOWN COUNCIL

January 14, 2002

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 14, 2002. 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 Ed Scherer-Barry, Jacobs Chapel United Methodist Church offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

James H. LaMaster made a motion to approve the minutes of the December 10, 2001 regular Town Council meeting, seconded by Kenneth E. Barnes, Sr. 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, presented Ordinance 2002-001, **ANNEXATION OF THAT PROPERTY LOCATED WITHIN SILVER CREEK TOWNSHIP VOLUNTARILY REQUESTED BY BOTH LUMLEY ENTERPRISES AND THE HOMETOWN BANK.** Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2002-001 on its first reading, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

Motion by James H. LaMaster to pass Ordinance 2002-001 on first reading seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

EMC, Greg Colburn, last meeting EMC was here talking about program management project. The Council asked us to investigate financial sources to fund. We met with Umbaugh and Associates and the Clerk-Treasurer and we just want to give you some information about the meeting.

Looking at Umbaugh reports there is about one million available to you for capital improvements. It looks like most of those funds are from sewer tap fees. We discussed the State Revolving Loan fund (SRF). It looks like the professional fees you will need are approximately \$600,000.00, (six hundred thousand dollars) to get you through the Preliminary Engineering Fees.

The Council needs to take a look at a Bond Anticipation Note, (BAN). This would get you through to where you have your closing on your SRF loan.

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We recommend that you have the Clerk-Treasurer get with Bond Council and Umbaugh to work to get a bond anticipation note, as this will take about a month or two. This will be "Perry", (William P. McCall, Town Attorney) Ice, Miller firm and Umbaugh and Associates to get the details for the "BAN" worked out.

HENRY PENDLETON: I am here to see what you decided about the delinquent sewer accounts. The liens have been filed with the Recorder's and Auditor's office in the Courthouse. Contact Mr. McCall about this at his office tomorrow and he will advise you of the appeal process.

NOMINATIONS FOR TOWN COUNCIL PRESIDENT AND VICE-PRESIDENT FOR THE YEAR 2002:

Kenneth E. Barnes, Sr. nominates James H. LaMaster for President of the Town Council for the year 2002. 3-aye, 2-nay (Imhof and Yost), LaMaster elected.

Danny F. Yost nominates Kenneth E. Barnes, Sr. for Vice-President of Town Council for the year 2002. 5-aye, 0-nay, Barnes elected.

(James H. LaMaster takes his place as President of the Council to conduct the rest of the meeting.)

Appointments to Liaison positions with Town Departments:

Kenneth E. Barnes, Sr. will be the liaison for the Street and Sanitation Departments. Edward D. Denton will be the liaison for the Recreation (Parks) Department. Danny F. Yost will be liaison for the Police Department. Louis R. Imhof, Jr. will be liaison for the Water Department. James H. LaMaster will be liaison for the Sewer Department.

TRI-SPRIG DEVELOPMENT: Rita Baldwin, Attorney for Tri-Sprig Development and Mike Knoebel with Tri-Sprig. We came before the Board before asking for sewer service to Tri-Sprig Development. Mr. McCall, Town Attorney, advises there has been a preliminary contract between the Town and Tri-Sprig. There have been discussions about making the sewer available and the cost to do that.

Motion by Danny F. Yost, seconded by Kenneth E. Barnes, Sr. that the Town Council approve sewer service to Tri-Sprig contingent upon approval of an agreement between the Town and Tri-Sprig reference the sewer extension agreement. 5-aye, 0-nay, motion approved.

RICHARD B. SMITH, complaining about water drainage on his property at 644 Florida Drive. He has discussed this with Health Department because it has become a breeding place for mosquitoes. President LaMaster advises Mr. Smith that the Council will take a look at the problem and get back with him.

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BILL SKEES: I am acting as Bond Counsel for Restoration Christian Ministries and with me is Reverend Robert Hauselman. We are here to discuss an Economic Development Revenue Bond for Restoration Christian Ministries and some pastoral care offices and gymnasium. These types of bonds, by statute, there can never be a debt or liability to the city.

The issue that complicates this matter is that the Town of Sellersburg does not have an Economic Development Commission. We are required to go before an Economic Development Commission appointed by the Town Council. I have sent Mr. McCall and Mr. Kinder the first documentation to create the Commission, which is an Ordinance and then three other resolutions appointing the members.

The Council will have to select two members, the County Commissioners appoint one member, we are meeting with the Commissioners and will give you the name of their selection. We will contact "Perry" (McCall) and get back with you.

JESSE BELLEW: Mr. McCall states this is about tax abatements afforded to various businesses in Sellersburg Industrial Park. I checked back and found the information that the Town Council did on September 27, 1999, vote to give tax abatements to the five areas requested. What they now need from the Council is a letter signed by the Town Council President telling the State Board of Tax Commissioners that they have properly submitted their statements of benefits, that it was approved properly so they can go back and receive that abatement.

Mr. McCall will prepare the letter for the council president to sign.

Motion by Edward D. Denton to have McCall prepare a letter, to be signed by the Council President, reference these tax abatements, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Appointments to Recreation (Parks) Board, Plan Commission, Board of Zoning Appeals! Mr. Imhof wants a letter posted at the Town Hall and the Police Station so citizens interested in these positions can submit their names for these positions. We will take this up at the next meeting.

GREG SHOOK, EMC: I do not have the revenue report ready tonight but as soon as it is finished I will furnish you a copy.

The only thing I have tonight is the increase in electric costs which our contract states will be reimbursed by the Town for the year 2001. The total amount was \$11,582.03 and that will be paid out of 60% sewer and 40% water. Sewer portion is \$6,949.22 and water would be \$4,632.81.

Motion by Danny F. Yost to pay this increase, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

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MARK WARREN: Had a call from the Library today about their parking lot breaking apart. They thought it was from our garbage truck using their lot. I checked the lot and it looks like they might have a water leak causing the problem.

President LaMaster directs that the water line be checked for leaks.

Danny F. Yost asks Mr. Warren if he has checked on the lights for the stop signs (on Ohio Avenue). Mr. Warren advises that he has not checked on the lights yet.

CHIEF MICHAEL L. STICKER: Last month you directed me to check into the purchase of the PNC bank for a police station. Want permission to pursue this matter! Mr. McCall suggests that the Council determine what kind of offer they want to make on the building, prepare necessary paperwork for the selling of the police station, getting financing for the purchase.

We will set time for a special executive meeting.

NATHAN GRIMES, Building Commissioner: I have submitted my monthly report. McCall states that he has the new contract for the building commissioner, the only changes being the addition of \$50.00 per meeting for each meeting of the Plan Commission and Zoning Appeals meeting that he attends.

Motion by Kenneth E. Barnes, Sr. to approve the new building commissioner contract, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

KENNETH E. BARNES, Sr.: Asks Mr. McCall if he has checked into grants for fire hydrants and purchasing a larger police department. S.K. Wilson has checked into Homeland Security Grants which she believed would cover these items. She has not found anything particular at this time but she will continue to check.

Mr. Barnes requests that Mr. McCall prepare an ordinance for a Town Court! Mr. McCall has the ordinance and this will be presented at the next Council meeting.

WILLIAM P. MC CALL, III, Town Attorney: HNTB Architects has agreed to put together a consulting service contract for a two mile study, they have submitted three copies to prepare the two mile study and when it will be completed. The cost is \$16, 200.00. There is a provision for additional services with additional fees.

Will give each council member a copy of the proposed contract to review and discuss at next meeting.

S. K. Wilson faxed to me an agreement for them to do our fiscal plan for potential annexation of areas' P and M. The contract calls for \$75.00 per hour for the principal planner, Sharon K.

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Wilson and \$50.00 for her technical supporter. How much time do I anticipate to go into this would be anywhere from 50 to 100 hours, about \$3500.00 to \$7500.00.

Suggest the council take a look at the contract for the next meeting.

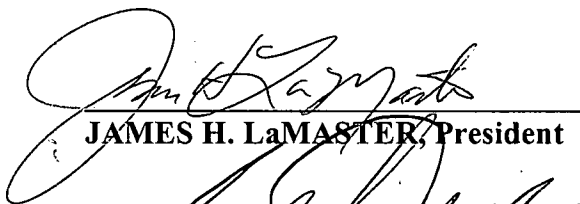
Also, I would like for the council to keep in mind that a decision for a water rate increase must be considered. This will be either through the Indiana Utility Regulatory Commission, (IURC) or if the council decides to get out of the IURC.

CLERK-TREASURER: Motion by Louis R. Imhof, Jr. to pay the bills submitted by the Clerk-Treasurer, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

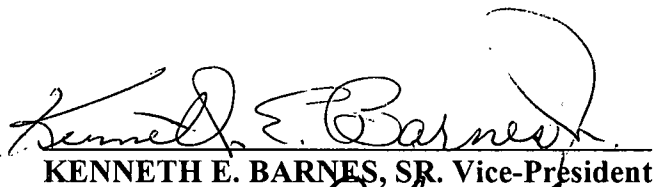
Also need for the President to sign a letter requesting that two outstanding payroll checks, that are over two years old, be voided and the money placed back in the general fund.

JOHN TOOMBS: Have a letter from Indiana Department of Transportation reference road work they will be doing at the Hamburg interchange and the Greenwood road area, that we could have utilities that need to be moved.

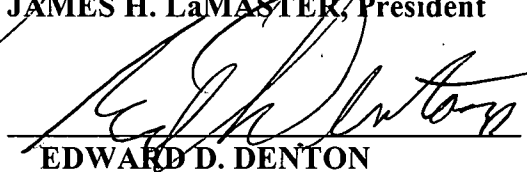
Motion by Danny F. Yost to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay meeting adjourned at 8:48 P.M.



JAMES H. LaMASTER, President



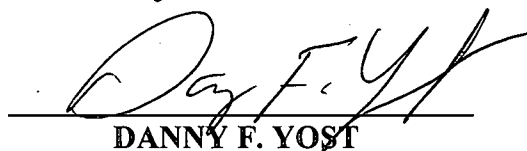
KENNETH E. BARNES, SR. Vice-President



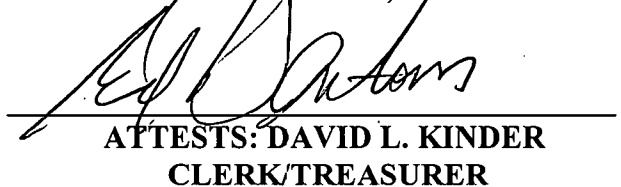
EDWARD D. DENTON



LOUIS R. IMHOF, JR



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL

January 17, 2002

SPECIAL EXECUTIVE SESSION:

A Special Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 17, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Danny F. Yost, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

CALLED TO ORDER:

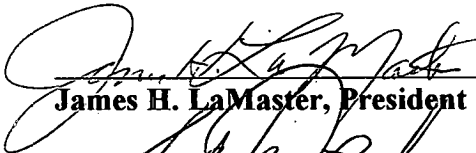
President James H. LaMaster called the meeting to order at 6:05 P.M. Council Member Louis R. Imhof, Jr. was absent.

TOPIC OF DISCUSSION:

Purchase proposal on the PNC bank.

Kenneth E. Barnes, Sr. proposes that the Town Council authorize Chief Michael L. Stricker to make a proposal to purchase the PNC bank building.

Motion by Danny F. Yost to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 4-aye, 0-nay, meeting adjourned at 6:51 P.M.


James H. LaMaster, President


Edward D. Denton


Danny F. Yost


Kenneth E. Barnes, Sr., Vice President


Louis R. Imhof, Jr.


ATTEST: David L. Kinder
Clerk-Treasurer



SELLERSBURG TOWN COUNCIL

January 17, 2002

EMERGENCY REGULAR TOWN COUNCIL MEETING

The emergency regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 17, 2002 Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Danny F. Yost, 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 6:51 P.M

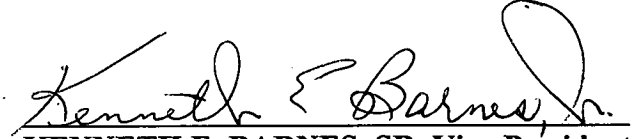
NEW BUSINESS:

Danny F. Yost made a motion to authorize Chief Michael L. Stricker to make a purchase proposal to the PNC Bank reflective on the amount discussed in the Executive Session. Motion seconded by Kenneth E. Barnes, Sr., 4-aye, 0-nay (Council Member Louis R. Imhof, Jr. was absent.)

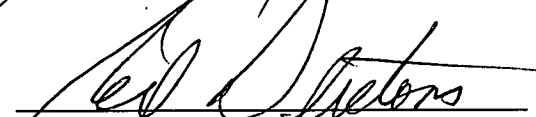
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Danny F. Yost, 4-aye, 0-nay, meeting adjourned at 6:53 P.M.




JAMES H. LaMASTER, President



KENNETH E. BARNES, SR. Vice-President



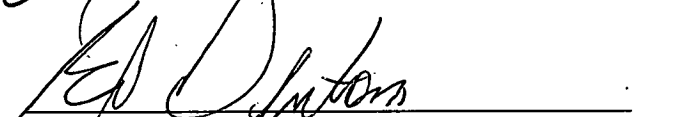
EDWARD D. DENTON

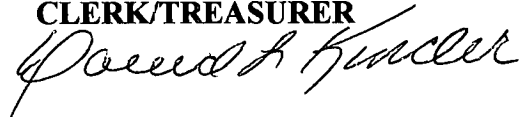


LOUIS R. IMHOF, JR.



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK/TREASURER


SELLERSBURG TOWN COUNCIL

February 11, 2002

EXECUTIVE SESSION:

The Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 11, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:00 P.M.

TOPIC OF DISCUSSION:

Purchase proposal on the PNC bank.

Establish time and date for workshop reference sanitation ordinance.

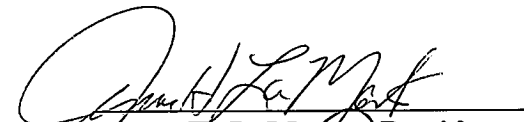
Litigation reference sewer repairs on US 31 and Ehringer.

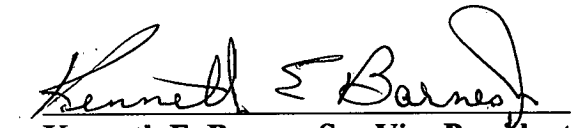
Establish Economic Development Commission and appointments.

Appointments to all Town boards.

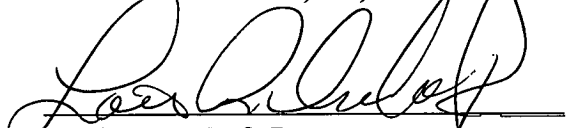
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay.

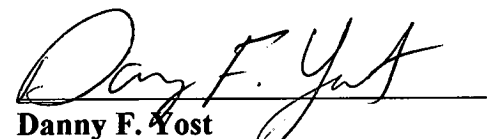
Meeting adjourned at 6:55 P.M.

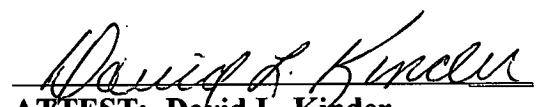

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

February 11, 2002

REGULAR TOWN COUNCIL MEETING

The regular meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 11, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:05 P.M.

PRAYER:

Reverend Larry Poe, Faith Community Church offered a prayer.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Danny F. Yost made a motion to approve the minutes of the January 14, 2001 regular Town Council meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

UNFINISHED BUSINESS: We have a contract between Tri-Sprig Builders and the Town reference sewer extension, is Mr. Sprigler here? Mr. McCall, Town Attorney, advises that he has talked with Tri-Sprig's attorney and Mr. Sprigler and nothing has been formalized at this time.

ESTABLISHMENT OF ECONOMIC DEVELOPMENT COMMISSION: Mr. Skees is here tonight reference Restoration Christian Ministries wanting the Town to establish an Economic Development Commission for the purpose in assisting Restoration Christian Church obtain a bond at a lower interest rate. McCall (Town Attorney) advises the Town needs a Resolution then make appointments to the Commission, two from the Town Council and one by the Clark County Council, with the approval of the Town Council.

Mr. Skees attended the Clark County Council meeting earlier tonight and states that the Clark County Council appoints David Duggins, Jr. as their nominee to the commission. Mr. Skees also has prepared an Ordinance establishing the Economic Development Commission. This will be **ORDINANCE 2002-003 AN ORDINANCE ESTABLISHING THE TOWN OF SELLERSBURG, INDIANA ECONOMIC DEVELOPMENT COMMISSION.** Motion by Louis R. Imhof, Jr. to consider Ordinance 2002-003 on its first reading, seconded by Edward D. Denton. 5-aye, 0-nay motion approved.

Motion by Edward D. Denton to pass Ordinance 2002-003 on its first reading, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

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President LaMaster nominates Earl Bonnville and Roy Everett to the Economic Development Commission, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

Motion by Kenneth E. Barnes, Sr. to approve **RESOLUTION R2002-001 for Earl Bonnville, Roy Everett and David Duggins, Jr. to serve as the Economic Development Commission for the Town of Sellersburg.**

Motion by Kenneth E. Barnes, Sr. to approve President LaMaster signing the letter for tax abatement for Cracker Barrel, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved. This also includes the Ramada Motel. President LaMaster directs Town Attorney to prepare a letter for the Ramada Motel tax abatement also.

Mr. McCall advises that there was discussion about the two-mile fringe area for the Town of Sellersburg. We need to have a study that there is a need for the fringe area and we have contacted HNTB, of Indianapolis, to do this study. Motion by Kenneth E. Barnes, Jr. to accept the proposal by HNTB, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

HUTCH's GREENHOUSE: This is an agreement between the Town of Sellersburg and Hutch's Greenhouse where the Town supplies a sewer tap-in for the greenhouse in lieu of returning sewer payments that the greenhouse has made over past years when they were not connected to the sewer. Motion by Louis R. Imhof, Jr. to approve the compromise petition, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

ERLENE DUGGINS: Protesting a lien against her property at 243 Shirley Street. She is requesting that the lien be withdrawn and the late charges dropped as she was told by the billing department, (Linda Schafer's daughter), that the late fees and the adjustment would be taken care of.

Mr. McCall advises that by statue, everything is proper, but if the Council wishes to make an adjustment, they can do so. He suggests the Council will do something, just figure out what manner it is going to give her the relief she is seeking. It may be we have to do two separate things.

JOE OLSON: I just wanted to advise you that the Health Insurance for employees comes up April 1. You still have one employee with an existing health condition in the group right now and I do not think we can attract other carriers in the contract. However, there are about four months left on this person's coverage. At the end of this four-month period, the Town will be able to go with another carrier. I am confident that the rates will be reduced.

DANNY LOTICH: Would like to submit an insurance proposal for Humana Pro Option 1, health insurance for the employees; also a dental plan. Gives Council copies of proposal.

ALLEN APPLGATE (Attorney): Representing 21st Century Developers and Robert Lynn Company, this is regarding a sewer reimbursement agreement for the Willows of Covered Bridge and Sterling Oaks and the cost of the sewer that was installed to serve those two subdivisions. The sewer lines have cost my clients approximately \$750,000.00.

We tendered a sewer reimbursement agreement to the Town in November of last year and it was unanimously rejected. Our clients felt a little like there had been a "bait and switch" of sorts.

March 8, 1999 was the first documentation that I got that said the developers could construct the sewer line and tap into your system. Yet, March 8, 2000, a full year later a similar letter from the Town Council saying "you all can tap into our sewers if you build sewer lines satisfactory to us." Our clients did that at a substantial cost. There was an agreement signed October 25, 2000 signed by our clients, tendered to them by the Town or a representative of the Town that said, "you need to sign this or you can't get started" so they signed it. That agreement spelled out the requirements or what needed to be constructed, improve this lift station; build a line here; this line needs to be such and such size, etc. and they signed and developed in accordance with that.

Mr. Applegate asks that the Council either pass or consider a resolution to approve this sewer reimbursement agreement or to not approve it so that I can do what I can do to approve it. President LaMaster advises that it will not be approved tonight, as the Council needs to discuss it with Mr. (John) Toombs and our attorney.

Mr. Applegate asks for a date when this can be considered. Mr. McCall tells the Council that there is no obligation to consider this again, even though it is presented, it has been presented in the past, it would be your choice to consider it again, the agreement was tendered to me and it is pretty much in the language it was before.

The next time we (council) meet again will be March 11 and we can consider it under old business.

ROBERT LYNN, (one of the developers) addresses the Council. We had a meeting of the minds and understanding, when we discussed it, that all the upgrading stuff we were going to do. It only makes common sense the when we develop if we develop where a sanitary sewer is adjacent to our properties, we extend sanitary sewers. But when we are talking about a situation where we go four miles from the point that we are going to enter the system, we upgrade that system the whole way, and put so much money into it and it takes on all the additional capacity of customers, we are still not asking from a free ride, we are not asking for 100% reimbursement, we are saying take all the number of units that the statue allows, that capacity takes care of and pro rate that by unit.

JOHN TOOMBS, (Engineer): Presents the two letters that the Town received from IDEM, just for your records. One of them is where they approved a plan for what we are suppose to be working on January, February and March and the other one is for the approval of the report for

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October, November and December. In addition, I think the Town needs to write a letter to the originator of this letter saying, "there is a new Town Council President and the letters should be sent to him."

KEVIN WRIGHT (EMC): There is an issue on Allentown road; there is a bridge across Elk Creek that the County is going to rebuild and realign the bridge. We have an old forced main that runs through that area that we do not use right now. By talking to the County, they advise the forced main must be moved. We have two options; one to hire someone to come in a move it out of the way of the new bridge or cap it off on both sides then at a future date that we need a forced main then put it back together.

Kenneth E. Barnes, Sr. advises to go ahead and cap it off. Mr. Wright advises that would be the cheapest and EMC will cap it off.

Mr. (Mike) Davis came to the Council, last year, about building some "condos" off State Road 60. At that time, he agreed to upgrade the lift station so that he could add onto it (sewer system).

In the minutes, Mr. Bolly said the estimated price is 6 to 7, 000 dollars. Presently Mr. Davis has spent \$5,900.00, talking to the electrician to finish the project EMC going to help the electrician set the pumps, get them wired, new breaker, new starters, it is going to cost \$2,000.00 more dollars. Mr. Davis says he will not spend any more money.

President LaMaster advises the Town Attorney, McCall, to contact Mr. Davis about this matter.

Camp Chelan lift station, about a week ago, a seal failure light came on, that indicates that there is a possibility that water is getting into the motor. We got estimates to rebuild the pump and the cost, we have two quotes, with Spencer being the low price of, if we supply the bearings the price is \$2,534.00, if he supplies the bearings it will be \$3,199.59.

Motion by Kenneth E. Barnes, Sr. to approve the price of \$2,531.59, if something is wrong with the motor, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

GREG SHOOK (EMC): introduces Stephanie Bower, our new billing officer manager. I also have the yearend numbers for 2001. There are caps set in our contract regarding the electric and process chemicals and M & R (maintenance and repair). In 1999 and 2000, we exceeded the caps so EMC was responsible for all the overages there was no refunds of any type. On the electricity the cap is \$131,925.00, the amount expended was \$153,179.00. Chemical cap was \$44,982.00 the amount expended \$39,994.00, the savings was \$4,987.44, the Town will be refunded 25% of that \$1,246.86, that check has been turned over to David (Clerk-Treasurer). On the M & R the cap \$77,004.00 and the amount expended was \$79,477.00.

MARK WARREN (Street and Sanitation): Need to install a Caution Deaf Child sign in Area. There are some drainage problems and it is a dumping problem in Hill-an-Dale area.

NATHAN GRIMES, (Building Inspector): I have submitted the Building Commissioners report.

DANNY F. YOST: I wish to recognize Don Lopp reference Kid-Tech. Mr. Lopp has a letter that the grant has been approved; I am here to request a letter from the Town to the Indiana Department of Commerce asking for authorization to incur cost. What this authorization to incur cost is, says, in standard language for the Indiana Department of Commerce, allows the Town, since you are the lead applicant, you would enter in contract with the architect planning, which the grant pays for and also the grant administration which Kid-Tech pays for. The grant is \$24,277.00. There is a line in there that says, "the Town assumes full responsibility if the grant agreement wasn't fully executed.

Motion by Danny F. Yost in order to approve, depends upon insuring there is a satisfactory report reimbursing the Town for any cost of the project that is not fully executed, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Mr. Yost presents the contract for Perry's (William P. McCall, III) contract for 2002-2003; the compensation is changed from \$28,000.00 to \$35,000.00. Motion by Danny F. Yost to accept the new contract, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

WILLIAM P. McCALL, III, (Town Attorney): Has the ordinance for the Lumley annexation ever get to voter registration? I will call Mr. Wilder about this.

Have two of the sewer liens that fall under IC 36-9-23-32b, lien not enforceable unless the lien was recorded with the County Recorder before the convenience to subsequent order.

Motion by James H. LaMaster any liens not properly filed shall be dropped, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

DAVID L. KINDER, (Clerk-Treasurer): Need a motion to pay the current bills as submitted. Motion by Danny F. Yost to pay the bills, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Need to have contract with EMC reviewed, as contract states, contract to be reviewed three months before the signing of the contract. This will be tabled and looked at by our attorney.

Mr. McCall asks that from now on when it has to do with a contract that he be allowed to look at it prior to so that we can have some idea where we stand.

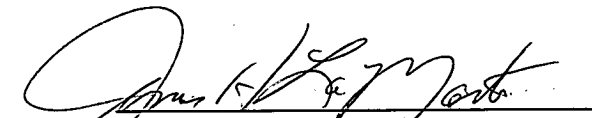
Also request that Mr. McCall take a look at the contract signed with EMC reference Program Management and see if it comes under IC 5-23.

Mr. LaMaster asks for this to be tabled until attorney reviews it.

Sellersburg Town Council Meeting
February 11, 2002
Page 6 of 6 pages

JAMES H. LaMASTER: As far as the Sellersburg State Bank property I need a motion to have Chief Stricker continue the negotiation with the Bank. Motion by Kenneth E. Barnes, Sr. to have Chief Stricker continue the negotiation, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.


Motion by Danny F. Yost to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved and meeting adjourned at 9:00 P.M.




JAMES H. LaMASTER, President



KENNETH E. BARNES, SR. Vice-President



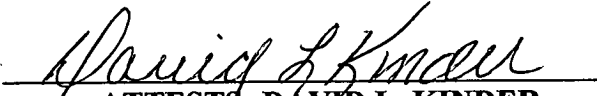
EDWARD D. DENTON



LOUIS R. IMHOF, JR



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

ATTACHMENTS: 2 Compromise agreement Hutch's Greenhouse
Sellersburg Two Mile Fringe Study

COMPROMISE AGREEMENT

WHEREAS, Ronald Hutchison ("Hutchison") has been paying a sewer bill to the Town for over three years and has never tapped into the sewer system;

WHEREAS, the Town of Sellersburg ("Town") has demanded that Hutchison pay a sewer tap and hook up to the town sewer system;

WHEREAS, Hutchison has demanded a refund of the monthly sewer payments to the Town;

WHEREAS, Hutchison and the Town have reached a Compromise Agreement; and,

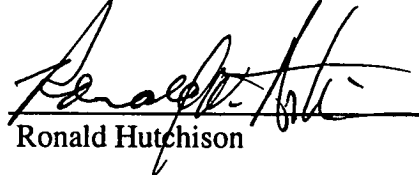
NOW, THEREFORE, THIS INDENTURE WITNESSETH that the parties have agreed as follows:

1. Hutchison shall hook up to the Town's sewer system within sixty (60) days.
2. The Town will waive the sewer tap-in fees.
3. Hutchison releases the Town of any claim for refund of the aforesaid monthly sewer fees.

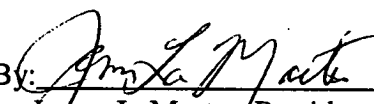
That all matters regarding the sewer tap-in fee and reimbursement of sewer fees paid are hereby resolved.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, this 11th day of February, 2002.

"HUTCHISON"

 (SEAL)
Ronald Hutchison

"TOWN OF SELLERSBURG"

By: 
James LaMaster, President
Town Council

ATTEST:


David Kinder, Clerk-Treasurer

AGREEMENT FOR CONSULTING SERVICES

THIS AGREEMENT is entered into between the Town of Sellersburg (Owner) and HNTB Corporation (Consultant), based upon Owner's intention to develop a Two Mile Fringe Study (the Project) and Owner's requirement for certain consulting services in connection with the Project (the Services) which Consultant is prepared to provide.

- 1. Consultant shall provide the Services described in Attachment A, "Scope of Services", according to Attachment B, "Schedule".
- 2. Owner shall pay Consultant in accordance with Attachment C, "Project Fee".
- 3. The same degree of care, skill, and diligence shall be exercised in the performance of the Services as is ordinarily possessed and exercised by a member of the same profession, currently practicing, under similar circumstances. No other warranty, express or implied, is included in this Agreement or in any drawing, specification, report, opinion, or other instrument of service, in any form or media, produced in connection with the Services.
- 4. Consultant shall not be liable to Owner for any consequential damages resulting in any way from the performance of the Services. To the fullest extent permitted by law, Consultant's liability under this Agreement shall not exceed Consultant's total compensation actually received under this Agreement.
- 5. Consultant and Owner waive all rights against each other for damages covered by property insurance during and after the completion of the Services.
- 6. Notwithstanding anything to the contrary in any Attachments hereto, Consultant has no responsibility for (a) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the Project; or (b) the failure of any contractor, subcontractor, vendor, or other Project participant, not under

contract to Consultant, to fulfill contractual responsibilities to Owner or to comply with federal, state, or local laws, regulations, and codes.

7. Consultant does not guarantee that proposals, bids, or actual Project costs will not vary from Consultant's cost estimates or that actual schedules will not vary from Consultant's projected schedules.

8. This Agreement may be terminated upon written notice at Owner's convenience or by either party in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement. Consultant shall terminate performance of Services on a schedule acceptable to Owner, and Owner shall pay Consultant for all Services performed and reasonable termination expenses. Paragraphs 4 and 5 shall survive any termination or completion of this Agreement.

9. All documents prepared by Consultant pursuant to this Agreement are instruments of service in respect to the Project. Any use except for the specific purpose intended by this Agreement will be at the user's sole risk and without liability or legal exposure to Consultant. Consultant shall retain its ownership in its data bases, computer software, and other proprietary property. Intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of Consultant.

10. The Services provided for in this Agreement are for the sole use and benefit of Owner and Consultant. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than Owner and Consultant.

IN WITNESS WHEREOF, Owner and Consultant have executed this Agreement, effective as of 2-11-02.

Town of Sellersburg
(Owner)

By [Signature]
Title PREST
Date 2-11-02

HNTB Corporation
(Consultant)

By [Signature]
Title Vice-President
Date 1/7/02

**ATTACHMENT A
SELLERSBURG TWO MILE FRINGE STUDY**

SCOPE OF WORK

SECTION A: STATEMENT OF UNDERSTANDING – HNTB Corporation understands the Town of Sellersburg, Indiana seeks a consultant team to undertake the research of and recommendations for the proposed adoption of the two mile fringe to the north of the Town. The adoption of the two mile fringe area by Sellersburg will subject all new developments to the zoning and development standards of the Town. The principal focus of this project will be to determine whether the proposed adoption of the two mile fringe meets the requirements of the State of Indiana's planning and zoning statute and how it would benefit both the Town of Sellersburg and the County.

Outcome of the consultant's work will be published and delivered in camera-ready hard copy format. An advisory committee (to be named by the Town) will guide the development of project work and the consultant team will hold periodic meetings at key milestone points with the Committee to review the consultant's work and progress. The consultant team's assumptions and proposed detailed work program are presented herein.

SECTION B: ROLES AND RESPONSIBILITIES OF THE CONSULTANT TEAM – HNTB Corporation will be the consultant responsible for the production of the project work. HNTB's work on this project will occur in the firm's Indianapolis office.

SECTION C: PROJECT SCHEDULE – The consultant team shall perform the service outlined herein according to a schedule not to exceed 100 calendar days assuming timely review and approval of the consultant's work by the Town of Sellersburg. The specific duration and sequence of tasks envisioned is outlined on a task-by-task basis in Section D. It is anticipated that the Consultant Team will receive a written Notice to Proceed on January 2, 2002.

SECTION D: PROJECT WORK SCOPE

1. **Project Management Plan** – The consultant team will perform the following services upon receipt of Notice to Proceed and will complete these tasks within 10 calendar days:
 - 1.1 **Prepare detailed schedule** – Prepare a detailed project management plan including a project schedule using Microsoft Project software that outlines all work tasks, duration, start and end dates, linkages, and responsibilities in GANTT chart format.
 - 1.2 **Prepare work descriptions** – Prepare a detailed listing and description of work (already completed and included herein as Section D).
 - 1.3 **Review of Work Plan** – This plan will be submitted to the Town for review and comment with any revisions necessary being made.
 - 1.4 **Transmit Final Work Plan** – Provide one (1) unbound camera ready copy to the Town for duplication and distribution to the Advisory Committee.

ATTACHMENT A

December 20, 2001

Sellersburg Two Mile Fringe Study

Page 2

2. **Project Kick-off Meeting** – The consultant team will perform the following services upon completion of Task 1: Project management Plan, and will complete these tasks within 20 calendar days.
 - 2.1 **Identify Advisory Committee** – The Town will identify and notify potential members of an Advisory Committee, including the following representatives: Plan Commission President, Town Council Representative and Town Attorney.
3. **Monthly Progress Reports, Invoices and Billings** – The consultant team will perform the following services beginning with 30 calendar days of receipt of Notice to Proceed and will continue these services periodically on an ongoing basis throughout the duration of the project.
 - 3.1 **Work Plan Maintenance** – Maintain the project management plan on a monthly basis.
 - 3.2 **Progress Reports** – Prepare brief monthly progress reports and invoices.
 - 3.3 **Client Review Communications** – Conduct in-person meetings or telephone calls with the Town's project manager on a monthly basis to discuss any deviations resulting from actions of the consultant or the Town in schedule, scope, personnel, or budget.
 - 3.4 **Town Council Meeting Attendance** – The consultant will attend the Town Council meeting when the plan is adopted.
4. **Planning Analyses** – The consultant team will perform the following services to commence upon the completion of Task 1 and will complete these tasks according to the schedule approved by the Town of Sellersburg and the Advisory Committee.
 - 4.1 **Delineation of Study Area** – The consultant team will provide the Town with mapped and narrative descriptions of the study area. The study area will be initially determined by the Town.
 - 4.2 **Analysis of General Municipal Service Areas** – Using the best available information provided by the Town and other free or low-cost sources, the consultant team will analyze the existing general municipal service areas.
 - 4.3 **Town of Sellersburg Existing Level of Service.** The purpose of this task is to identify the existing level of service in the Town of Sellersburg, thereby determining the level of public services required in the two mile fringe areas.

There are two methods that could be adopted. The first would require the identification of desirable levels of service found in the Town of Sellersburg and the second would require the establishment of service standards.

 - 4.3.1 **Town of Sellersburg Existing Level of Service Analysis** – The different levels of service found in the Town of Sellersburg will be analyzed and compared in order to identify desirable levels of service. These local standards would be determined based on dominant trends within the Town. The analysis will focus

on land use, estimated population, and levels of service of existing infrastructure and public facilities.

4.3.2 **Identification of levels of service standards.** The two mile fringe will be compared to local standards, as discussed in 4.3.1. It would also be possible to apply national standardized levels of service requirements.

4.3.3 **Determination of Required Public Services/Facilities** – Based upon the established level of service standards, required public facilities/services in the two mile fringe area will be evaluated.

4.4 **Analysis of Existing Conditions** – The consultant team will provide the Town with an understanding of the different characteristics of the two mile fringe area, particularly with regards to the quantity and type of public services and facilities that will need to be extended to the proposed two mile fringe area. Existing information sources provided by the Town and other reliable sources (such as the U.S. Census Bureau) will be used. Subject areas include land use, demography and economics.

4.5 **Technical Memorandum Preparation** – The consultant will prepare a Planning Analyses Technical Memorandum that summarizes the findings of the planning analyses found in Task 4.

5. **Design concepts** – In order to understand more clearly the costs and benefits of establishing a two mile fringe area, the consultant will consider two development scenarios that focus on different principles of how the area should develop. These scenarios will be identified after the conclusion of Task 4.

5.1 Two scenarios for developing the two mile fringe will be developed.

5.2 Demonstrate how service networks such as transportation, sewer and water, police and fire, etc. will be generally impacted by the two scenarios. These impacts will be compared to the national standards created by the Urban Land Institute (ULI).






6. **Two mile Fringe Study Plan Preparation** – The consultant will prepare a Two mile Fringe Study Plan that summarizes the findings of the planning analyses found in Task 4 and the alternative scenarios from Task 5. Next steps for implementation of the two mile fringe area will be identified.

Attachment B Sellersburg Two-Mile Fringe Study December __, 2001

ID	Task #	Task Name	Duration	December	January	February	March	April
1	Task 1	Project Management	8 days					
2	1.1	Project Management Plan	1 day					
3	1.2	Work Description	1 day					
4	1.3	City review Work Plan	3 days					
5	1.4	Transmit final Work Plan	1 day					
6	Task 2	Project Kick-off Meeting	6 days					
7	2.1	Identify Committee	1 day					
8	Task 4	Planning Analyses	26 days					
9	4.1	Delineation of Study Area	8 days					
10	4.2	Analysis of General Municipal Service Areas	6 days					
11	4.3	Town of Sellersburg Existing Level of Service	6 days					
12	4.3.1	Town of Sellersburg Existing LOS Analysis	6 days					
13	4.3.2	Identification of LOS Standards	4 days					
14	4.3.3	Determination of Required Public Services & Facilities	10 days					
15	4.4	Analysis of Existing Conditions	3 days					
16	4.5	Technical Memorandum Preparation	9 days					
17	Task 5	Design Concepts	7 days					
18	5.1	Develop Two Development Scenarios	3 days					
19	5.2	Impact of the Two Scenarios on Service Networks	5 days					
20	Task 6	Two Mile Fringe Study Plan Preparation	11 days					

Project Schedule
Date: Thu 12/20/01

Task  Milestone 
 Split  Summary 
 Progress  Rolled Up Task 

Rolled Up Split  External Tasks 
 Rolled Up Milestone  Project Summary 
 Rolled Up Progress 

SELLERSBURG TWO MILE FRINGE STUDY

FEE SCHEDULE

1. In return for the performance of the services rendered in Attachment A, HNTB's Project Scope, the owner shall pay HNTB a lump sum amount of Sixteen Thousand Two Hundred Dollars (\$16,200), payable according to the terms of this agreement.
2. Compensation for Additional Services, if any shall be paid by the Owner to HNTB as either a lump sum for subsequent Task Orders or on an hourly basis at a multiple of Two Point Four (2.4) times Direct Personnel Expense (DPE)* of the staff assigned to the Project.
3. Reimbursable expenses shall be invoiced on a multiple of One Point One (1.1) times the expenses incurred by HNTB. Reimbursable expenses are in addition to the compensation for HNTB's services and include expenses incurred by HNTB and HNTB's employees directly related to the Project.
4. Fees for the services rendered and reimbursable expenses shall be billed monthly based on HNTB's specific completion of predetermined project tasks as jointly determined by HNTB and the Owner. Payment for services rendered shall be payable within thirty (30) days following the receipt of invoice. Unpaid accounts shall accrue interest at the rate allowed by the State of Indiana for each month the amount remains unpaid.

* Direct Personnel Expense (DPE) is defined as the direct salaries of the Planner's personnel engaged on the Project and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, employee retirement plans and similar contributions.

SELLERSBURG TOWN COUNCIL
February 19, 2002

WORKSHOP MEETING:

A workshop meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 19, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:00 P.M.

TOPIC OF DISCUSSION:

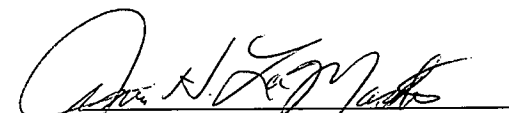
Prepare an Ordinance for the new trash containers and set price and what was to be picked up by sanitation department.

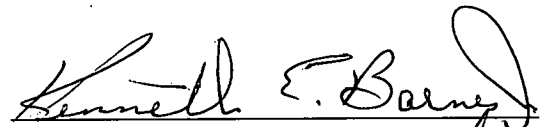
Need in the ordinance what the resident does if container is destroyed, stolen or taken by resident when they move.

Copy of Charlestown, Indiana city ordinance was passed out to each council member and Mark Warren, Sanitation Supervisor.

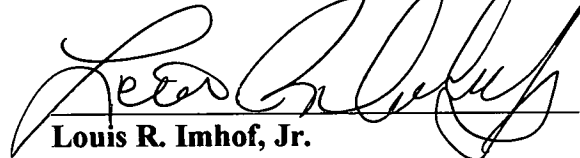
Each council member and Mr. Warren to submit ideas to "Perry" (William P. McCall, III, Town Attorney), so he can have draft ordinance prepared by March 11, 2002 regular Town Council meeting.

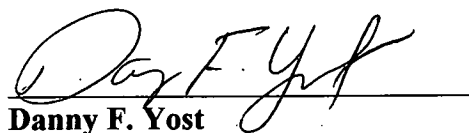
Motion by Danny F. Yost to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion is approved and meeting adjourned at 6:50 P.M.

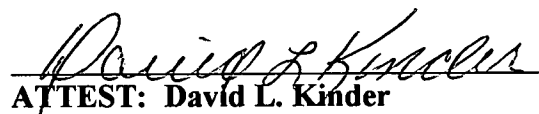

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

February 19, 2002

SPECIAL EXECUTIVE SESSION:


A special Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 19, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

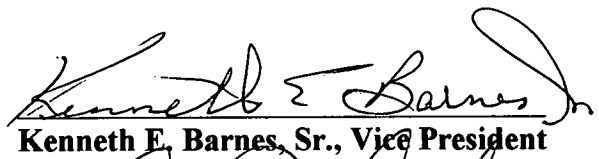
CALLED TO ORDER:

President James H. LaMaster called the meeting to order at 6:52 P.M.

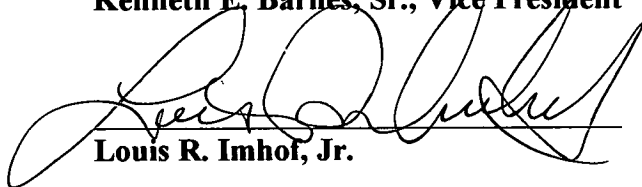
TOPIC OF DISCUSSION:

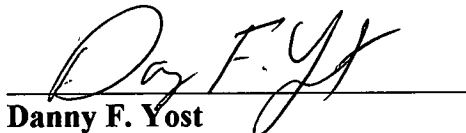
Purchase or lease of real property.

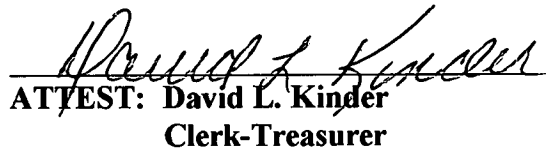

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

March 7, 2002

EMERGENCY EXECUTIVE SESSION:

An Emergency Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 7, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:15 P.M.

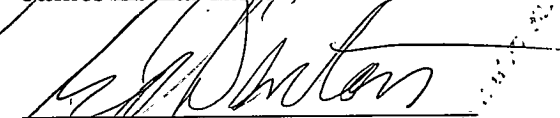
TOPIC OF DISCUSSION:


Settlement of litigation, Bradshaw vs Town of Sellersburg.

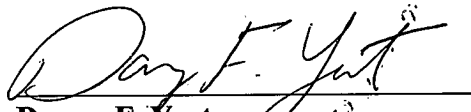
Louis R. Imhof, Jr. makes a motion to adjourn the Emergency Executive Session, seconded by Danny F. Yost. 5-aye, 0-nay, meeting adjourned at 6:35 P.M.

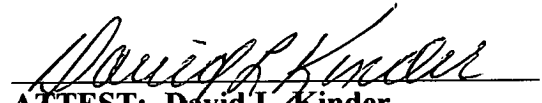

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

March 7, 2002

EMERGENCY TOWN COUNCIL MEETING

An Emergency meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 7, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:37 P.M.

EMERGENCY MEETING:

WILLIAM P. McCALL, III, (Town Attorney):

We will despence with the pledge of alligence and the prayer.

I ask that this open meeting of the Town Council be set to discuss settlement agreement that has submitted and tendered in the case of Pat Bradshaw vs the Town of Sellersburg, cause number 10D02-0004-CP-067. This matter was scheduled for mediation on February 22, 2002.

Prior to that mediation, we were able, along with the attorney for Mr. Bradshaw to enter into a Settlement Agreement. You have been made aware of the Agreement at this point and I am asking you to approve this Settlement Agreement at this time.

It has not has not been signed by Mr. Bradshaw or Mr. Kautzman, his attorney, therefore it will not be made a matter of record, public record, until they have signed the document and filed it with the court. A copy will be made available to the Court and the Town Hall; it will then be a matter of record at the Town Hall.

I am asking you today for a motion in order to approve the settlement.

President LaMaster requests a motion to agree with the settlement. Motion by Louis R. Imhof, Jr. to approve the settlement agreement, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

McCall now needs the Town Council President's name on the document and ask Chief (of Police) Stricker to sign it.

EMERGENCY TOWN COUNCIL MEETING

March 7, 2002

Page 2 of 2 pages

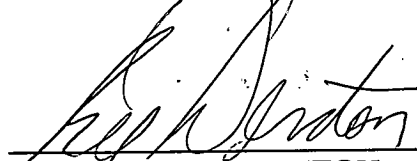
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved. Meeting adjourned at 6:40 P.M.



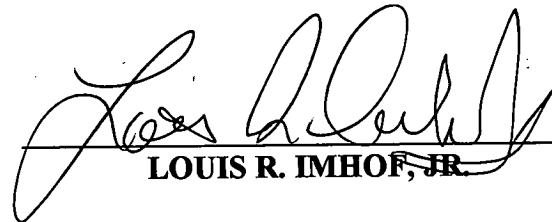
JAMES H. LaMASTER, President



KENNETH E. BARNES, SR. Vice-President



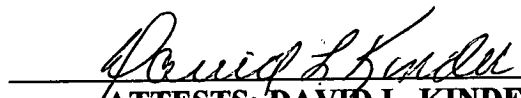
EDWARD D. DENTON




LOUIS R. IMHOF, JR.



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

ATTACHMENT:  signed copy of Settlement agreement

SETTLEMENT AGREEMENT

Pat Bradshaw, Officer of the Sellersburg Police Department, in person and by counsel, and the Sellersburg Police Department, with the approval of the Sellersburg Town Council, in person and by counsel, hereby agree to the following terms and conditions in full resolution of the disputed issues currently pending between the parties:

1. Pat Bradshaw shall have his pay adjusted effective February 27, 2002 to reflect the status of being paid as a Sergeant, even as he continues to serve as a Patrolman.
2. As soon as the first vacancy for a Sergeant opens up, Officer Bradshaw will be immediately and automatically placed in that Sergeant's position without any further testing or procedures required. At that point, he will not only continue to enjoy the pay of a Sergeant, but also the rank and authority of a Sergeant.
3. Thereafter, when a vacancy opens for a position as a Captain, Officer Bradshaw shall be entitled to apply for that position, if he so desires, and the Sellersburg Police Department as well as the Town Council commit to giving him equal and fair consideration for that potential promotion.
4. Officer Bradshaw shall continue to be entitled to his other accrued and continuing benefits of employment.
5. Officer Bradshaw shall receive agreed upon back-pay, to be paid forthwith, in the total amount of \$3,500.00.
6. Each party agrees that this Settlement Agreement constitutes a compromise of disputed issues between the parties with both parties expressly denying liability to the other. If media requests comment the Town shall be allowed to prepare and make a news release which will allow the Town to address settlement in a fashion the Town deems appropriate, but which

does not blame or fault Pat Bradshaw in any way.


7. This Agreement is entered into voluntarily by all parties, and shall be binding upon the successors and assigns of said parties, and the terms hereof are contractual and are not a mere recital.

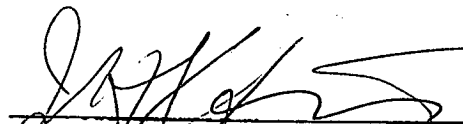
8. As a result of this Agreement, the lawsuit styled as W. Pat Bradshaw v. Sellersburg Town Council, et al. (Cause No. 10D02-0004-CP-067), shall be dismissed with prejudice pursuant to the stipulation of the parties.

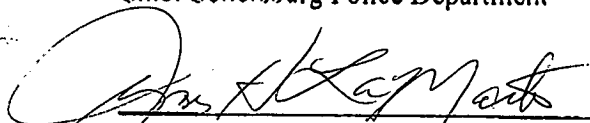
9. All parties shall bear their own costs and attorney's fees.

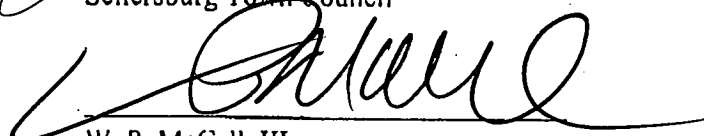
IN WITNESS WHEREOF, we have hereby set our hands this 7th day of March,
2002.


W. Pat Bradshaw


Chief Michael Stricker
Chief Sellersburg Police Department


John F. Kautzman
Attorney for W. Pat Bradshaw


James H. LaMaster, President
Sellersburg Town Council


W. P. McCall, III
Attorney for Sellersburg Police Department/
Sellersburg Town Council

SELLERSBURG TOWN COUNCIL

March 11, 2002

EMERGENCY EXECUTIVE SESSION:

An Emergency Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 11, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:03 P.M.

TOPIC OF DISCUSSION:

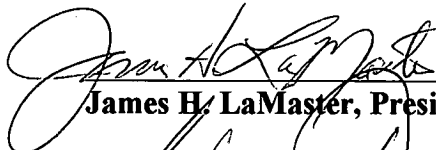
Litigation with Metro-Mit, LLC, fiber-optic cable in sewer pipe.

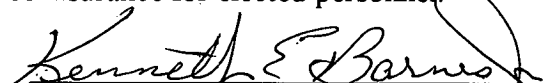
Litigation Porter vs. Town of Sellersburg, et al.


Possible litigation Town of Sellersburg vs. Mike Davis.

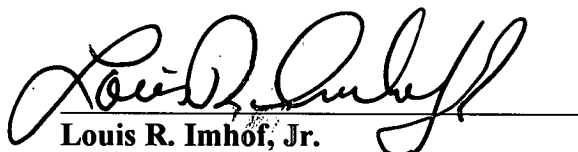
Motion by Kenneth E. Barnes Sr. to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved and meeting adjourned at 7:00 P.M. and to reconvene after Regular Town Council Meeting this date.

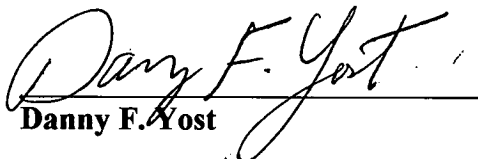
Executive Session reconvened at 9:15 P.M. reference insurance for elected personnel.

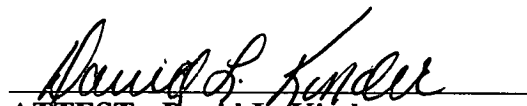

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

March 11, 2002

REGULAR TOWN COUNCIL MEETING

An Emergency meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 11, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:05 P.M.

PRAYER:

Offered by Reverend Gary Fenner

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR COUNCIL MEETING:

Motion by Danny F. Yost to approve the minutes of the February 11, 2002 Council Meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, minutes approved.

BARBARA BRATCHER HAAS (Clark County Auditor):

She sent a letter to the Council members regarding tax abatements in the Sellersburg area and just wants see if the Council members have any questions regarding the letter? There being no questions she thanks the Council. She states that the only problems with the tax abatements are when the initial filings are not done by the dead lines set by law.

DANIEL HEDDEN, (H. J. Umbaugh and Associates):

I have reports on the calendar year 2001 financial report for the Water and Sewer utilities. I have an additional hand out that will condense these reports.

Both utilities are meeting the cost to operate the utility, the cost to repay debt service and allowance for replacement and improvements for calendar year 2001.

SHARON K. WILSON, (S.K. WILSON and Associates)

I have prepared a proposal for potential land annexation. I have a contract that last month was disseminated among you and I am here tonight to see if you want to execute that contract.

Kenneth E. Barnes, Sr. makes a motion to approve the contract with SK Wilson and Associates

Sellersburg Town Council Meeting
March 11, 2002
Page 2 of 7 pages

seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

JOE OLSON:

Anthem Insurance has increased the Town Employees health insurance by 13%. I recommend that for four months you have to insure a pre-existing condition, I suggest you go ahead; ok these rates, absorb these rates, and continue with Anthem. I anticipate that by July 31 this year that the Town will be free to go somewhere else, with another company, and get a substantial savings in rates.

I am requesting an extension of my appointment as Insurance Agent of Record through March 31, 2003.

Motion by Kenneth E. Barnes, Sr. to extend Mr. Olson's status as Insurance Agent of Record.
No second to the motion.

Louis R. Imhof, Jr. states there is another man present that wants to make a presentation that he has some numbers that are different from what Mr. Olson is presenting and he thinks he can save the town roughly about 49 thousand a year. I want to hear from him before I make a choice.

Danny Lotich states that Humana is willing to look at this plan (Health Insurance) and the "gate-keeper" questions, which I had, ask Michelle (Eve) for before I even submitted it, it to the best of your knowledge type scenario. What the town is looking for next two weeks, while they are doing the underwriting, being out that premium, what happens is I presume and the person I spoke with is that there is a 95% chance they are going to take this, based on the information I have already given them.

This is a 90 - 10 plan, maximum out of pocket would be \$150.00, but your savings would be much more than that. Anything over twenty-five employees no questions ask. They just look at the "gate-keeper" questions. More than twenty-five employees there are no health questions on the applications.

President LaMaster requests a motion for Mr. Olson to be Agent of Record until 3-31-03.
Kenneth E. Barnes, Sr. makes the motion. There is no second to this motion.

ALAN M. APPLGATE, (Attorney at Law):

I am representing 21 Century Development and Robert Lynn Company. Last month requested the Town sign sewer repurchase agreement to allow recovery of a portion of the investment cost necessary to expand the sewer from Covered Bridge and Whispering (Sterling) Oaks to the Sellersburg sewer plant.

Sellersburg Town Council Meeting
March 11, 2002
Page 3 of 7 pages

I am here to reiterating the request and will go through the information if necessary. President LaMaster states that the Board has turned this down and now I believe our decision is the same. Therefore, we are refusing your request.

DON LOPP, (KidTech):

I am asking that you sign these letters; a Kidtech CDC Inc. Site Selection Planning Grant and a letter of Authorization to Incur Cost Agreement between Kidtech Child Development Center, Inc. and the Town of Sellersburg, stating that "Kidtech Child Development Center, Inc. will assume full financial responsibility of all costs associated with the project if the grant agreement is not fully executed".

Motion by Louis R. Imhof, Jr. to have President LaMaster sign the letters, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

ERLENE DUGGINS:

The Council has a request for a sewer adjustment and release of sewer lien. She has requested this at the last Council meeting and you took it under advisement to make a decision.

Motion by Louis R. Imhof, Jr. neither to approve the sewer adjustment nor to release the sewer lien, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

JEFF CORBET:

I am David Blankenbaker and this is Jeff Corbet. Jeff is attempting to purchase some property intersection of St. Joe Road and Allentown Road. There a couple of options as to how he will divide the property. We are looking at seven or eight different tracts. We are asking the town to use the municipal sewer and water systems. We are just outside the Town limits. There is an existing sewer line just across the street from the property and we think we can gravity into that and it does go down to a small lift station at the creek.

Motion by Kenneth E. Barnes, Sr. to approve the water and sewer connection contention upon them seeking a petition for annexation, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

RICK KNIGHT & WES PORTER, (Deer Lake Estates):

West Porter is owner of the property that Rick Knight is developing into Deer Lake Estates; this is behind Covered Bridge Golf Course. There are presently some legal matters going on with this property, but I have permission from my wife Phyllis, who owns the property with me, to go ahead with the project. We are requesting 22 sewer hook-ups for this area.

Town of Sellersburg Council Meeting
March 11, 2002
Page 4 of 7 pages

Mr. McCall, Town Attorney, states there is presently litigation with Mr. Porter and the Town of Sellersburg regarding this land and he suggest Mr. Porter contact his attorney and have him contact the Council representing the Town's interest in this matter. (Being handled by Town's Insurance carrier).

President LaMaster says this matter will be tabled until the next meeting and a decision will then be made if the attorneys agree about the settlement.

JOHN TOOMS, (Jacobi, Toombs and Lanz Engineering):

I want to address the Sun Flower Valley issue. Mr. Claude Everage is on the Board of Sun Flower Valley, they are attempting to get a grant for repairs to the Sun Flower Valley water system, and then they will repair it and turn the water lines over to the Town.

I want to introduce Dave Service and Richard Holstein IV, with PDR engineer; they are working with us on the IDEM Compliance plan.

The State Revolving Loan Fund (SRF) application; Mr. Kinder, (Clerk-Treasurer) furnished us with an application form which we completed and forwarded to the State. This will get you on the project priority list and these funds will be available in July 2003. I need for President LaMaster to sign this SRF application. Motion by Louis R. Imhof, Jr. to have LaMaster sign the SRF application seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

Mr. Toombs now presents an engineering contract with Jacobi, Toombs and Lanz Engineering. We have been working by the hour and now it is time to have a contract that covers all phases of this project, Compliance Plan, Funding Operations, Preliminary Engineering Report, to complete the plan in years two, three, four and five of the collection system and Engineering Services for completion two, three, four and five which is for the waste treatment plant.

President LaMaster advises that as far as the contract goes the Council needs to take some time to look at it before they sign anything.

BILL VOYLES:

Addresses the Council on the Rough Draft for the new sanitation ordinance! Mr. Voyles wants to ask a few questions about the Draft, Mr. Warren has left the meeting, and I want to ask about the new 92 gallon cans in section 5 it says they cannot weigh over 50 pounds. In addition, I want to know what people do with their old garbage cans? Mr. LaMaster states that the Town will pick these up or they can be retained for yard waste.

Mr. McCall states this is a rough draft and what the Council needs to do is hold a public meeting

Sellersburg Town Council Meeting
March 11, 21002
Page 5 of 7 pages

reference this and then you can come to the meeting and have input into what should be in the ordinance.

GREG SHOOK, EMC:

Presents the financial report on the water/sewer and sanitation for the month of February 2002. .
WATER REVENUE was \$64,620.18; Meter Deposit \$1,400.00 for a total of \$66,020.18.
SEWER REVENUE \$105,824.32, Sewer Deposits \$1,400.00; Sewer Tap-Ins \$6,660.00 for a Total Collection of \$113,884.32. **SANITATION FEES:** Total Collection \$6,943.61.

I have submitted a couple of claims to the Clerk-Treasurer for additional work that had to be done. We had estimates for a pump at Camp Chelan that needed to be repaired and when we pulled the pump we discovered the shaft was broken so it had to be replaced, I contacted three council members and advised them, they approved having the repairs made, and the total cost was \$7,490.00. I request the Council approve the payment to Spencer Machine and Tool for that job. The second thing is we pulled the second pump at Camp Chelan and it needs a new propeller that will be replaced by EMC.

We found that just north of the intersection of US 31 and West Utica Street that the fiber optic cable had broken the sewer and we had to have it dug up and repaired. We called Cab-X for this repair service and the cost was \$4,862.04.

Motion by Kenneth E. Barnes, Sr. to pay the vouchers that Mr. Shook has presented, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

MICHAEL L. STRICKER, (Chief of Police):

I have some figures for starting a Town Court that I want to present. (Memo attached).

I want to bring to the Boards attention that we have until the 31st (March) reference the bank building. I would like to get approval by the Board to get the \$20,000.00 deposit to PNC Bank people to get this going.

Motion by Louis R. Imhof, Jr. ok a \$20,000.00 fee, if we get pre approval for financing prior to March 31st, 2002, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

President LaMaster directs the Clerk-Treasurer to contact PNC Bank tomorrow reference the purchase of the Bank.

Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2002-006, **ORDINANCE**

Sellersburg Town Council Meeting

March 11, 2002

Page 6 of 7 pages

ESTABLISHING A TOWN COURT FOR THE TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA PURSUANT TO I.C.33-10.1-1-3 on first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Motion to approve Ordinance 2002-006 on first reading made by Kenneth E. Barnes, Sr. seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

MARK ROBINSON, (Animal Control Officer):

Have offer from Charlestown, Indiana to purchase our old animal control truck for \$3,000.00. I would like approval from the Council to sell the old truck upon arrival of the new truck.

Motion by Danny F. Yost to sell the old animal control truck to the City of Charlestown for \$3,000.00, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

NATHAN GRIMES, (Building Commissioner):

I have submitted my Building Commissioner's report for the month, are there any questions about it? I have also requested that the Town Attorney change some of the street and road ordinances. I hope this will be ready for a vote by the next (Council) meeting.

LOUIS R. IMHOF, JR:

At the last meeting, we discussed an opening on the Police Commission. There are three persons interested, Mr. Coats, Marianna Dellarosa and Tim Conlin.

Chief Michael L. Stricker request permission to discuss this matter with the Board before they vote on the nominees. Kenneth E. Barnes, Sr. makes a motion to let Chief Stricker address the Council, seconded by President LaMaster. 2-aye, (Barnes, LaMaster), 3-nay, (Imhof, Yost, Denton). Motion not approved.

Motion by Louis R. Imhof, Jr. for Keith Coats to be appointed to the Police Commission, seconded by Edward D. Denton. 3-aye, (Denton, Imhof, Yost), 2-nay (LaMaster, Barnes).

DAVID L. KINDER, Clerk-Treasurer:

The first of this year, when calculations for the retired police officers pensions were made for 2001 and the beginning of 2002, there was a miscalculation made and the officers were overpaid. They were notified of the error by the Clerk-Treasurer's Office and the overpayments are being

Sellersburg Town Council Meeting
March 11, 2002
Page 7 of 7 pages


withheld from their checks the remaining months of 2002. At the end of 2002 all over paid monies will have been recovered by the Town.

Need a motion to pay the bills that have been presented? Motion by Louis R. Imhof, Jr. seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

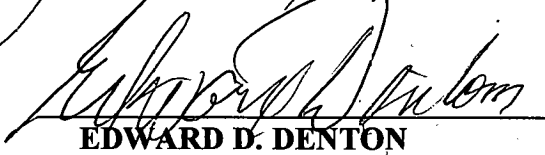
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved, meeting adjourned 9:05 P.M. An Executive Session will be held after this meeting adjourns.



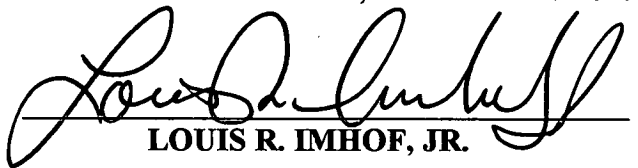
JAMES H. LaMASTER, President



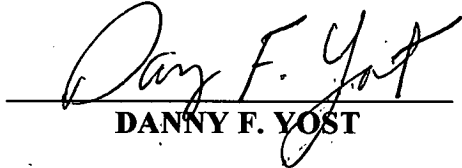
KENNETH E. BARNES, SR. Vice-President




EDWARD D. DENTON



LOUIS R. IMHOF, JR.



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

Attachments: Citation/Misdemeanor Breakdown for Town Court
Kidtech CDC Inc. Site Selection Planning Grant letter
Authorization to Incur Cost Agreement

CITATION / MISDEMEANOR BREAKDOWN

INFRACTIONS			MISDEMEANORS		
FEE	COST	DISPOSIT	FEE	COST	DISPOSIT
State	\$38.50	State	State	\$66.00	State
County	\$14.00	County	County	\$24.00	County
TOWN	\$17.50	Town	TOWN	\$30.00	Town
Hwy Work Zone	\$0.50	State	Auto. Records	\$2.00	State
Jury Fee	\$2.00	County	Doc. Storage	\$2.00	Town
Auto. Records	\$2.00	State	Jury Fee	\$2.00	County
Doc. Storage	\$2.00	Town	L.E.C.E.	\$3.00	Police
L.E.C.E.	\$3.00	Police	FINES	See Below	Town
FINES	See Below	Town			
Court Costs	\$79.50		Court Costs	\$129.00	

Parking Tickets:

Fire Lanes / No Parking Violations: \$25.00 (Town gets 100%)
~~Handicap Parking Violations: \$50.00 (State gets 100%)~~
 Moving Violations \$35.00 not to exceed \$500.00
 Non-Moving Violations \$25.00 not to exceed \$100.00
 Defensive Driving School Fee: \$75.00 (\$25.00 to town, instructor gets rest)

Amount to Town:

Citations: Average 100 / month @ \$19.50/ea = \$19,500.00 / month x 12 = \$23,400/year
 Plus fines.
 Misdemeanors: Average 300 / year @ \$32.00/ea = \$9,600 / year Plus fines.

The Police Department LECE fund receives \$3.00 for each Citation and Misdemeanor violation paid.

Total potential income approximately \$33,000 plus fines

Court Overhead:

Judges Salary	\$13,000
Judges Fica	\$1,900
Court Clerk	\$12,000
Court Supplies	\$300
Total Cost	\$27,200

Court Clerk: Could supplement the Police secretary's salary for \$2.50 / hr = **\$5,200 / yr**
 This would be included in the Police Dept Budget and would not affect the court budget.
 That would reduce court overhead by \$12,000 and **reduce the total court overhead to \$15,200.**

Town of Sellersburg

316 EAST UTICA STREET

P.O. BOX 85

SELLERSBURG, INDIANA 47172

(812) 246-3821

March 11, 2002

Mr. Chuck Martindale
Grants Management Office
Indiana Department of Commerce
One North Capitol, Suite 600
Indianapolis, IN 46204-2288

RE: Town of Sellersburg – Kidtech CDC Inc. Site Selection Planning Grant

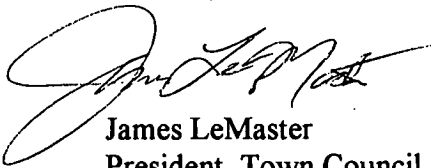
Dear Mr. Martindale,

The above referenced grant award announcement of \$24,227 was made for architectural and planning services to evaluate potential sites associated with Kidtech Child Development Center, Inc. plans for building a new facility. The Town of Sellersburg is requesting the Authorization to Incur Cost to start the planning process.

The Town of Sellersburg will assume full financial responsibility of all costs associated with the project if the grant agreement is not fully executed.

We request you accept this formal commitment of funds to the project and permit us to enter into contracts prior to the above referenced activities being completed.

Sincerely,

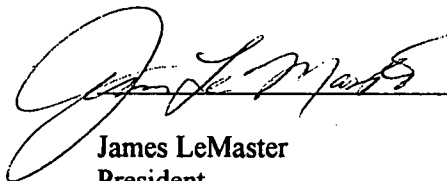


James LeMaster
President, Town Council of Sellersburg

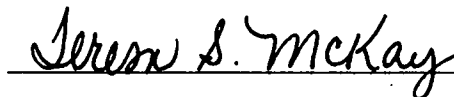
Authorization to Incur Cost Agreement
between Kidtech Child Development Center, Inc.
and the Town of Sellersburg

Kidtech Child Development Center, Inc., a non-profit Child Development organization, which applied for and received a Community Focus Fund Planning Grant from the Indiana Department of Commerce in the amount of \$24,227 for the architectural and planning services associated with a site feasibility study, hereby requests the Town Council of Sellersburg to submit to the Indiana Department of Commerce, a request for Authorization to Incur Cost.

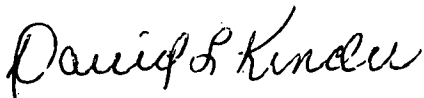
Kidtech Child Development Center, Inc. will assume full financial responsibility of all costs associated with the project if the grant agreement is not fully executed.



James LeMaster
President
Town Council of Sellersburg



Teresa McKay
Executive Director
Kidtech Child Development Center, Inc.

Attest: 

Date: March 11, 2002.

Attest:  board president

Date: 3-6-2002

SELLERSBURG TOWN COUNCIL

April 8, 2002

EMERGENCY EXECUTIVE SESSION:

An Emergency Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on April 8, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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:

Purchase of property, report from H. J. Umbaugh and Associates.

Sewer liens, Greg Shook, EMC.


Meeting adjourned, 7:03 P.M., until after regular Town Council Meeting.

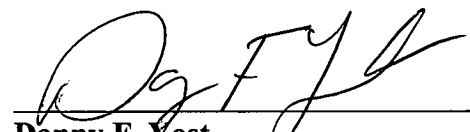
Executive Session reconvened at 9:05 P.M.

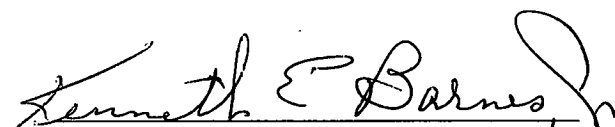
Litigation Porter v. Town of Sellersburg.

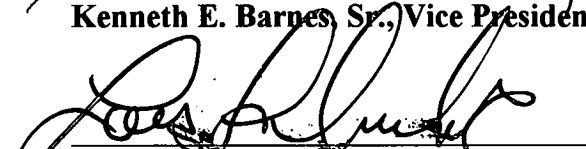
Motion by Kenneth E. Barnes Sr. to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved and meeting adjourned at 9:45 P.M.

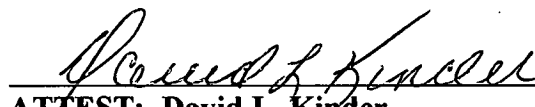

James H. LaMaster, President


Edward D. Denton


Danny F. Yost


Kenneth E. Barnes, Sr., Vice President


Louis R. Imhof, Jr.


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

April 8, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on April 8, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:05 P.M.

PRAYER:

Offered by Reverend Ed Scherer-Barry.

PLEDGE OF ALLEGIANCE:

Recited by all present.

Motion by Kenneth E. Barnes, Sr. to approve the minutes of the March 11, 2002 Council Meeting, seconded by Edward D. Denton. 5-aye, 0-nay, minutes approved.

GREG SHOOK, EMC:

Explaining about the lien filed on the rental property of David & Erlene Duggins at 243 Shirley Avenue. He recommends that the lien be released, because it was filed on an incorrect amount and that the Duggins pay \$197.68. Mrs. Duggins advises the Council that \$47.00 of the \$197.68 is late charges that she should not have to pay.

Motion by Kenneth E. Barnes, Sr. that the late charges are suspended, the lien be released, and that Mr. Duggins pay a total of \$150.68, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

RICK KNIGHT:

This is reference Deer Lakes Estates, *Porter v. Covered Bridge, et al.* Presents a letter from Stephen W. Voelker, Attorney-at-Law, stating the "Mr. Porter has a proposal that will not cost the Town of Sellersburg any money. He would dismiss the Town from the lawsuit if the following conditions were met. Porter gets 22 present tap-ins and up to 18 additional through the existing Covered Bridge sewer lines. He would pay the standard fee".

Town Attorney, McCall, advises the Council not to compromise and let the matter go to court. This is a matter of litigation and I would prefer to discuss this with the Council in an Executive Session.

Regular Town Council Meeting

April 8, 2002

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ATTORNEY McCALL:

The contract calls for negotiations three month prior to the anniversary date, should the Town and EMC fail to reach an agreement the minimum amount of adjustment will be 3% annually and the maximum 6%. They have proposed the minimum of 3% adjustment to the contract.

Motion by Louis R. Imhof, Jr. to accept the proposal of EMC to their contract, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

The negotiation date will be September, three (3) months prior to contract expiration.

MARSHA TAYLOR:

Requests that a stop sign be placed on Adkins Court near the exit from Silver Creek Park. Attorney McCall will write an ordinance for the stop sign, he will consult with Chief of Police Stricker and Mark Warren, Street Superintendent.

STUART SAVKA:

Representative for Triad Engineering just wanting to introduce himself and his company. He will write us a letter about his company and what services they can provide to the Town.

PHIL DEAN:

Lives on St. Paul Street but is complaining about the alleyway, by his property, causing water to run under his home. The alley is higher than the foundation of his home due to several past pavings of the alley. Mr. Warren, Street Superintendent, will look into this situation and recommend a solution.

TIM McLAUGHLIN:

There is a drainage problem on Popp Avenue, flooding of property due to the alleyway behind my house having a pipe under the alleyway that comes from the other street and drains into my property. This is at Dold and Popp Avenue. Mr. Warren, Street Superintendent, will look into this situation.

There is a storm sewer list, from various properties around Town, and as these can be funded they will be repaired.

DON LONG:

Has read the rough draft of the new garbage pick up deal and he would like to have explained to him how the truck works. He also wants to know who authorized the purchase of the new truck

Regular Town Council Meeting
April 8, 2002
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and the new 95 gallon garbage containers.

President LaMaster advises there will be a workshop meeting reference this new ordinance and the citizens of the Town are invited to attend and have input into how the ordinance will be worded.

DON LOPP:

Need for President LaMaster to sign Agreement for Professional Services for Community Focus Fund Planning Grant (PL-01-30) and Agreement Between Owner and Architect (The Extopinal Group). Motion by Kenneth E. Barnes, Sr. to have President LaMaster to sign the agreements, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

JOHN TOOMBS, (Jacobi Toombs and Lanz Engineers):

The I-65, US 31 and SR 60, Indiana Department of Transportation project will impact the Town's Water and Sewer systems. I have correspondence, e-mail, from Thomas Harris, INDOT, (Indiana Department of Transportation) to Tom Schellenberg of Jacobi, Toombs and Lance, Engineers (JTL) saying that utility relocations are reimbursable to the utility.

I have written a letter to Thomas E. Harris, INDOT, requesting that Jacobi, Toombs and Lance, Engineers, look into all of this. It includes a brief summary of what services being done cost. After this they will send you an agreement covering the cost of construction and engineering. I have given each of you a copy of these documents and I have prepared a letter for President LaMaster to sign stating the preliminary engineering for \$10,000.00, design engineering \$30,000.00 and construction engineering at our hourly rates and we estimate that would be about \$39,000.00 depending on how long it takes us.

I have also prepared a contract between JTL and the Town and I need to have this signed also.

Motion by Louis R. Imhof, Jr. to accept the JTL (Jacobi, Toombs and Lance, Engineers) contract and have President LaMaster sign the letter to Mr. Harris of INDOT, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Also have a letter for our IDEM (Indiana Department of Environmental Management) Compliance letter that needs President LaMaster's signature. Motion by Danny F. Yost to have President LaMaster sign the letter, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

KEVIN WRIGHT, (EMC):

The lift station behind the library, on US 31, has never been completed, the fence has not been.

Regular Town Council Meeting
April 8, 2002
Page 4 of 5 pages

erected to protect the lift station. The problem is that the library says that part of this project is on their property. Attorney McCall advises that the library board has not made any decision about what they want done since the lift station is on their property.

There is a high service pump, at the water plant, that needs repaired. We are getting prices for rebuilding the pumps and will have that at the next meeting.

April 21 through April 26, the water department will be flushing fire hydrants and the new 95 gallon garbage containers.

There will be a workshop meeting reference this new ordinance and the citizens of the Town are invited to attend and have input into the how the ordinance will be worded.

MARK WARREN, (Street and Sanitation Superintendent):

There is an old alley in Cooperdale (sub-division) that is now a utility easement. I cannot find where this alley was vacated. I want to know if we want to open an alley here or vacate this alley. Attorney McCall will check into this.

MICHAEL L. STRICKER, (Chief of Police):

Sellersburg Stone has trucks travel Utica Street, through Town, to the elementary and junior high schools, delivering rock for the school building program. This is a local delivery and Town Ordinances permit trucks, over 6 ton, to make local deliveries. Mr. Kenny Rush, Stone Company manager has agreed that after the trucks have finished with the project Sellersburg Stone will rebuild the road base and repave the entire intersection at Utica and New Albany streets.

NATHAN GRIMES, (Building Commissioner):

Have a copy of the Building Commissioner's monthly report for the Council. Also have prices for Asbestos check, Phase 1 environmental site inspection and property survey for the purchase of the PNC Bank building. This is tabled until a later meeting.

LOUIS R. IMHOF, JR:

Have a neighbor who had his entire back yard flooded last week. He thought a water main had broken and the water company checked the area and there was no water main problem. It was determined that another neighbor, who has a lake behind the property, was draining his lake and the water was coming out faster than the drainage system could handle it. Imhof wants to know if the Town can do anything to relieve this situation. Perhaps if the landowner can put in a 6" pipe

Regular Sellersburg Town Council Meeting

April 8, 2002

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and run it from the lake to the drain that services the property, this would solve the problem.

Nathan Grimes, Building Commissioner, says he talked with the owner of the lake and he immediately put a bucket over the pipe and stopped the water flow. The property owner was cooperative.

Attorney McCall will write the lake owner a letter asking him to improve the draining of the lake by installing a 6" pipe directly to another drain.

WILLIAM P. McCALL, (Town Attorney):

Have Resolution R2002-002, **A RESOLUTION EXPRESSING THE TOWN OF SELLERSBURG'S INTEREST IN PURCHASEING PNC BANK PROPERTY.** Motion by Kenneth E. Barnes, Sr. to pass Resolution R2002-002, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

DAVID L. KINDER, (Clerk-Treasurer):

Need a motion to approve the payment of the bills presented. Motion by Louis R. Imhof, Jr. seconded by Kenneth E. Barnes, Sr. to pay the bills as presented. 5-aye, 0-nay, motion approved.


JAMES H. LaMASTER, (Council President):

Mary C. Wilson gave me a sewer/water bill for an adjustment and I will turn it over to Greg Shook, EMC, to handle.

Motion by Danny F. Yost to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved and meeting adjourned at 8:47 P.M.



JAMES H. LaMASTER, President

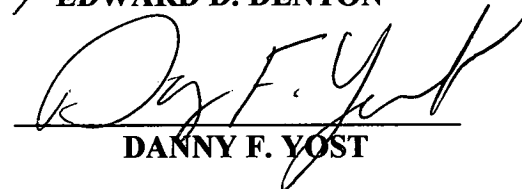


KENNETH E. BARNES, SR. Vice-President



EDWARD D. DENTON

LOUIS R. IMHOF, JR.



DANNY F. YOST



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

SELLERSBURG TOWN COUNCIL

SPECIAL MEETING

April 11, 2002

SPECIAL TOWN COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session April 11, 2002. Present were Council President James H. Lamaster, Vice-President Kenneth E. Barnes, Sr., Council member Edward D. Denton, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, 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 5:35 P.M.

AGENDA:

This meeting considered the financing for the purchase of the PNC Bank building located at 101 South New Albany Street, Sellersburg.

President LaMaster informs the council that there is a possibility that the Post Office building across the street from the Town Hall is going to be for sale.

There is some concern about the condition of the bank building and perhaps the Post Office would be a better purchase.

Presently the Council is three (3) to purchase the bank and two (2) opposed. Yost is concerned because of the tax increase and Denton says he does not want to increase the property taxes for anyone in Sellersburg.

After discussion President LaMaster said he would contact the trustee for the Post Office, determine if it is for sale, and approximately what the asking price would be.

Attorney McCall advises he talked with Ms. Shavat, with PNC, and she would not require a deposit but she wanted a letter that the Council would pay liquidated damages, which is damages already assessed, and that would be an obligation to PNC for \$10,000.00 and this money would not be refunded.

I will send her a letter, after this meeting, to let her know what is going on and give her a time frame. She believes that if everything goes according to scheduled, based on the time frame on that handout that was given at the last meeting, about mid July or late July would be the closing.

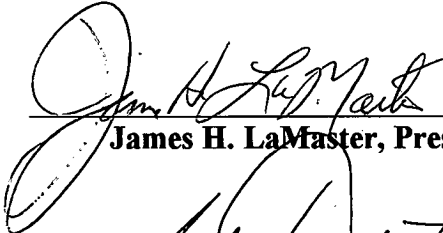
Special Town Council Meeting

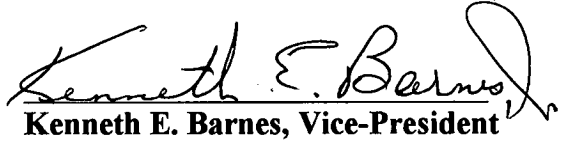
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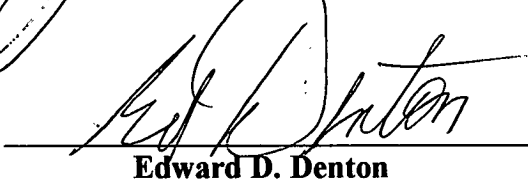
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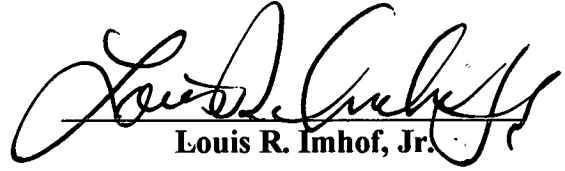
Motion by Danny F. Yost for the Council to acknowledge that Councilman Barnes is celebrating his first wedding anniversary tonight and the council congratulates him and his wife, seconded by Louis R. Imhof, Jr. 4-aye, 1 abstention.

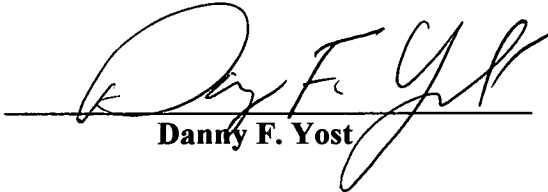
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved and meeting adjourned at 5:50 P.M.


James H. LaMaster, President


Kenneth E. Barnes, Vice-President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

**WORKSHOP MEETING
April 16, 2002**

Present for the meeting were Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr. Council Member Danny F. Yost, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

The Workshop Meeting was called to order by President LaMaster at 6:03 P.M.

President LaMaster announced that there was a sign up sheet being passed around for any member of the public in attendance that wished to speak at the meeting.

Town Attorney William P. McCall, III, asked if everyone had a copy of the draft ordinance (Ordinance amending rules, regulations and fees for the storage, collection, and removal of refuse collected by the Town of Sellersburg, Indiana sanitation department.) He explains that this is just a draft, nothing has been set and this is simply a place to start discussions.

ARNOLD VEST comments that he has never seen the trash collectors just dump trash in the trucks as shown in the recent newspaper photo. They just throw it in the truck and then throw it back into his yard.

When were these containers approved and by whom? Also, are the charges of the landfill being passed onto us? Are these containers free to us?

SANDY WEBER A handicap person cannot handle this size containers?

DOROTHY WILLOBY One day my trash can blew in front of garbage men and one bag blew out and I stood in the window and they wouldn't pick it up. I ask the guy about it and he said, no, we don't pick them up off the ground.

I can't handle these big cans like these and I don't think we should have to pay for these.

Need to know when dumpsters are being put out for extra pick up. Also we don't know when trash for the holidays will be picked up.

SUE DISHMAN I just moved here, have yard waste and cardboard that we had cut up and tied up and we had to call extra for them to come and pick it up.

**Sellersburg Town Council
Workshop Meeting
April 16, 2002
Page 2 of 4**

AMOS MULL I read in the paper that they were having this meeting but the paper never said when or what time. I want to know why you are going to change the garbage cans.

DORIS EVERETT Do people have the right to withdraw from this garbage pick up? Do you still have to pay the taxes?

Also the relationship between the garbage pick up people and the public is very poor. I have never heard one positive thing about the garbage pick up.

DAVID EHRINGER Why is garbage pick up so complicated? Why can't we just put our garbage out and have someone pick it up? Have we ever made a comparison between hiring a private contractor and what we are doing?

Why do we have to make such a big issue of this?

D. KEITH COATS On apartment complexes you bill on the water meters and check to make certain everyone is billed properly, some apartments only have one water meter for several residences.

LARRY MULAC What happens if the container is stolen, it doesn't seem fair for the patron to be charged if the container is stolen. Section 5F, to take a container that is not proper size! Why does it take three operators to do this job when private business is only using one?

JERRY STROM My main concern is service! Just give service. From what we hear here is service, the purchase of the cans and so forth is a done deal, just give service.

LESTER ORR I'm concerned with the service. I have cardboard and other things that don't get picked up, there really isn't any garbage service actually.

ANDREW LEE For everyone sitting here there are 10 – 15 people that did not come to this meeting. The first impression I received when I moved to Sellersburg was me putting my trash out and then coming out and finding my trash still sitting on the ground.

My solutions to your problems are: Have people we pay to pick up the garbage pick up the garbage. I don't care if it is on the ground pick it up and put it in the garbage.

**Sellersburg Town Council
Workshop Meeting
April 16, 2002
Page 3 of 4**

Make it voluntary, if I want private and the neighborhood wants private, we could opt out of the garbage pick up by the Town.

Put dumpsters out for public use.

My last point would be for Sellersburg to get out of the trash business all together. Get a local vendor to service the area. The cost then would just come to the customer and it wouldn't cost the Town.

DON COATS Promote the Sellersburg image. When people call talk to them. I think you need to be more responsive to the peoples needs and communicate with them.

DON LONG Why didn't we have this meeting before? We are paying taxes to have our garbage picked up and I guess you want to take the taxes and put it in the general fund and make it self supporting.

Jeffersonville doesn't charge for garbage pick up.

PAULENE PIXLEY The only thing I would suggest is, that if you are going to bring something into the Town, have a meeting before and take their suggestions.

Who is going to pay for these can when they are thrown down and the wheels break off?

Tell people to buy trash cans, put them out, and they will be picked up.

FRED EVERETT Can these cans be returned? This couldn't have been try these out and see if they will work? I know you guys haven't been here a long time but the garbage collectors that work for this town tell you guys what to do, they tell you what they are going to do, my brother was over the garbage when he was on the board and they told him what they were going to do. I suggest you bring OSHA here and we have another meeting.

RHONDA STEEL I live on Hwy 60, and I live 580 feet from the roadway. I open my van door and take my can to the road, how am I going to get that can to the road. Also, they throw my cans in the ditch, a can this size will be harder to get out of the ditch.

**Sellersburg Town Council
Workshop Meeting
April 16, 2002
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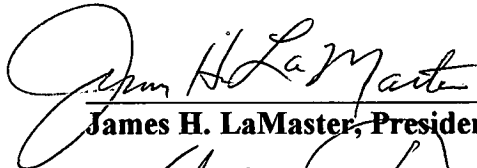
Last time I had a box fall out of the trash can and they just left it, I opened the van door and shouted for them to wait and I got out of the van, picked up the box, and threw it in the garbage truck myself.

RANDY FLICK We feel that this is being shoved down our throats, we should have had an opportunity to voice our opinion prior to the Town spending any money to purchase the truck and the garbage cans.

I also think what we see here is the Town not addressing this to the people from the start and that is poor government. People just want their trash picked up and the Town already has the provisions to do that but they just don't do it.

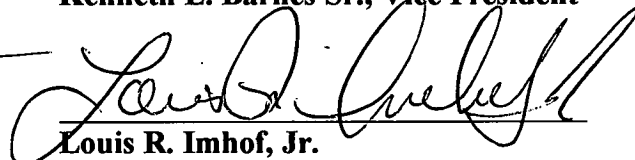
Question from the floor: May these cans be returned? May they be returned even at a loss?

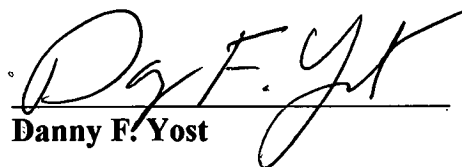
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, meeting adjourned at 7:00 P.M.

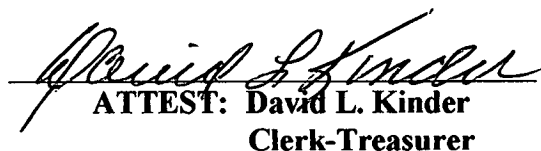

James H. LaMaster, President


Kenneth E. Barnes Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


**ATTEST: David L. Kinder
Clerk-Treasurer**

SELLERSBURG TOWN COUNCIL

May 13, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on May 13. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:00 P.M.

PRAYER:

Offered by Reverend Father Paul Richart.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Louis R. Imhof, Jr. to approve the minutes of the April 8, 2002 Council Meeting, seconded by Danny F. Yost. 5-aye, 0-nay, minutes approved.

First order of business is an appointment to the Board of Zoning Appeals and an appointment to the Plan Commission. Danny F. Yost nominates Douglas J. Reiter, seconded by Louis R. Imhof, Jr., 5-ayes, 0-nay. Louis R. Imhof, Jr. states that Mr. Reiter will serve on both boards.

Have an ordinance for garbage and trash control. William P. McCall, III has prepared an Ordinance only to distribute the trash containers. He has two separate ordinances, one that excludes multiple housing units and the other includes multiple housing units.

Louis R. Imhof, Jr. makes a motion to consider on its first reading, **ORDINANCE 2002-007, ORDINANCE AMENDING THE GARBAGE AND REFUSE COLLECTION WITHIN THE TOWN OF SELLERSBURG**, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to pass Ordinance 2002-007 on it first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

WILLIAM SKEES, Attorney at Law: Representing Restoration Christian Church and the Economic Development Bond to refinance the gymnasium and some other items. We were on the agenda for April and we asked to be removed because Restoration Christian decided they were going to increase the amount from one million to add another hundred and fifty thousand. We had to have another open meeting for people to object. We published a notice in the Evening News April 26, 2002 that this meeting would take place to consider the ordinance.

Sellersburg Town Council Meeting

May 13, 2002

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We need to open it up as a public hearing before you consider it to see if anyone in the audience has an objection to it.

President LaMaster asks, "is there anyone here to discuss the Economic Development Revenue Bonds series 2002, Restoration Christian Ministries, Inc. project."

There being no objections President LaMaster closes the Public Hearing. Motion by Danny F. Yost to close the public hearing, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to consider on the first reading **ORDINANCE 2002-008**, (should be Ordinance 2002-005), **AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA AUTHORIZING THE ISSUANCE OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2002 (RESTORATION CHRISTIAN MINISTRY, INC. PROJECT), IN THE PRINCIPAL AMOUNT OF \$1,150,000.00 TO FINANCE THE COSTS OF AN ECONOMIC DEVELOPMENT FACILITY FOR RESTORATION CHRISTIAN MINISTRY, INC.; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AND LOAN AGREEMENT WITH RESPECT TO THE PROJECT AMONG THE TOWN OF SELLERSBURG, INDIANA, AS ISSUER, STOCK YARDS BANK & TRUST COMPANY, AS PURCHASER, AND RESTORATION CHRISTIAN MINISTRY, INC., AS BORROWER, PROVIDING FOR LOAN REPAYMENTS SUFFICIENT TO PAY THE PRINCIPAL OF, AND INTEREST ON THE BONDS AS THE SAME BECOME DUE; AND TAKING OTHER RELATED ACTION** seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Motion to pass Ordinance 2002-008, (should be Ordinance 2002-005) on its first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

EDWARD SPRIGLER, (Tri-Sprig Development): Sewer hook up for Sun Set Hills behind Covered Bridge. Mike Knoble, representing Tri-Sprig Development. Eddie Sprigler and Jason Sprigler are both present, along with Bob Isgrigg, the surveyor.

This (handout packet) is a marketing plan for Sun Set Hills Development, two hundred ninety-three homes, we are trying to get the sewer service worked out and that is what the other packet is. On January 14, 2002, at the Council meeting we were approved to connect to the Town sewer system contingent upon an agreement. At that time, John Toombs and "Perry" McCall both had copies of it, and there were some questions, concerns, and things that John recommended that you enter in the agreement. We have eliminated all those things from the agreement now; I have provided you a copy of both, one of the things that stuck out easements, we have obtained all the easements to get to the Covered Bridge pump station on our own and this will be turned over to the Town. There is also a rate sheet showing how much revenue income this will generate from the sewer tap in fees plus the extra \$600.00.

Sellersburg Town Council Meeting
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Motion by Kenneth E. Barnes, Sr. to approve the agreement with Tri-Sprig Development to hook onto the Town Sewers and for President LaMaster to sign a letter for Tri-Sprig Development to give the County Plan Commission that the Town has approved the agreement, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

DON LOPP, (River Hills Economic Development and Kid Tech): Motion by Danny F. Yost to approve the State of Indiana State Community Development Block Grant Program, Grant Agreement PL-01-030 and have the Town to send a letter to Department of Natural Resources regarding the Town as Lead Applicant on the grant, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

JAMES CLEMMONS: Speak about noise ordinance. We live on Indiana Avenue, next to Junior High School, and the trucks keep using their engine brakes and the noise is horrible. The traffic on US 31 is bad when the interstate closes for an accident or something and perhaps the police could help direct traffic through Town faster.

The run off mud from the work on the Junior High School blocks the drains on US 31.

MATT SCROGHAM: I need to know about trash collection in the Hill and Dale sub-division. I have noticed that more junk is piling up. I think it is just because they have no way of getting rid of it.

In addition, the water run-off between the houses is causing erosion of yards. The accumulation of water pools in yards is causing a mosquito problem and these pools of water should be sprayed every two to four weeks if it does not rain.

The lighting in the sub-division needs to be corrected. It needs more lights.

LARRY GRAY: I am with public-finance.com, The Municipal Leasing and Bond Financing Experts. I just want to introduce myself and talk about a lease-purchase of the PNC bank building.

It works on the cash flow of the City, it is a year-to-year lease-purchase, and after the last payment, the Town will own the building. The Town would have to appropriate funds to pay the lease so it does not count as debt.

Kenneth E. Barnes, Sr. makes a motion for Larry Gray to contact Clerk-Treasurer Kinder reference financing for the purchase of PNC Bank building, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

JOHN TOOMBS, (Jacobi, Toombs and Lanz Engineers, Inc.) presents contract for the Town to sign with his firm reference work on the IDEM Compliance Order.

Sellersburg Town Council Meeting
May 13, 2002
Page 4 of 5 pages

In addition, I want to present a claim for \$1,315.28 which is all the work we have done up to this time and the rest of the billing will be with this contract. Motion by Kenneth E. Barnes, Sr. to pay this bill, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Clerk-Treasurer presents another bill, for Jacobi, Toombs and Lanz, Engineering, Inc., that was late coming into the Town Office, for \$8,314.00. Motion by Louis R. Imhof, Jr. to pay this bill, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Set a special meeting, Thursday, May 16, 2002 at 7:00 A.M. at the Town Hall to sign contract with Jacobi, Toombs and Lanz Engineering, Inc. and a contract with Environmental Management Corporation. This gives the Council two days to review the contracts.

PHIL THOMPSON, (EMC): Need to have three-(3) capital improvement approved for payment. Replace the Backwash transducer sensor and calibration of same, \$2,159.25. Replace 125 feet of eight-inch water main at Silver Creek High School, cost of \$5,691.07. Repair fire hydrant on Johnson Lane in Indian Oaks, cost \$1,011.17.

Motion by Kenneth E. Barnes, Sr. to pay these improvements, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

CHIEF MICHAEL L. STICKER: Need approval from the Council to sell two 1997 used police vehicles to the Sellersburg Volunteer Fire Department for \$5,000.00, Motion by Louis R. Imhof, Jr. to sell the vehicles for \$5,000.00, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

The Police Department is applying for a federal grant for \$125,000.00 for Cops in School Grant. This would pay for one police officer for three years but after the three years, the Town would have to pick up the salary for the officer.

Clerk/Treasurer advises the Council that the cost to the Town, during this three (3) year period, for salary and benefits would be \$16,311.00. Holiday Pay, Uniform Allowance, Off-duty Court pay and Longevity during the three (3) year period would be an additional \$8,505.60 added to the \$16,311.00. This does not include the cost of a police vehicle, all necessary equipment for the vehicle, gasoline, insurance nor any maintenance for the vehicle. The first year's uniforms and necessary equipment that goes with the uniform; gun, gun belt, holster, shot gun, badge, etc are not included expenses but would be extra costs to the Town.

Motion by Kenneth E. Barnes, Sr. seconded by Danny F. Yost for the Police Department to apply for the grant and the town will employ the officer after the three-year period. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, (Building Commissioner): Presents the Building Commissioner's Report for the month of April.

Sellersburg Town Council Meeting
May 13, 2002
Page 5 of 5 pages

Have the plans for the improvement of the intersection at East Utica Street and New Albany Street. Kenny Rush of Sellersburg Stone Company agreed to these repairs and the installation of a storm drain. Southern Indiana Excavating, David Broady, will do the work and be paid by Sellersburg Stone Company.

KENNETH E. BARNES, SR.: Has an ordinance been prepared for the stop sign on Adkins Court? Mr. McCall states yes and he will present it tonight.

Need to contact the Sellersburg Volunteer Fire Department reference the siren at the Fire Department for the warnings during storm weather.

DANNY F. YOST: Need to get redistricting done for the Town. John Toombs will get with Mr. Yost on this project.

WILLIAM P. McCALL, III, TOWN ATTORNEY:

Presents **ORDINANCE 2002-009, An ORDINANCE FOR STOP SIGN LOCATED AT THE CORNER OF ADKINS COURT WHERE IT INTERSECTS WITH ITSELF.**

Motion by Kenneth E. Barnes, Sr. to consider ordinance 2002-009 on its first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Motion by Danny F. Yost to pass Ordinance 2002-009 on its first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

CLERK-TREASURER KINDER: Presents bill for payment. Motion by Kenneth E. Barnes, Sr. to pay the bills, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

JAMES H. LAMASTER: Need for Town Attorney to amend the ordinance reference parking on West Utica Street. The sign needs to be moved one residence east of its present location.

Motion by Danny F. Yost to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved and meeting adjourned at 9:12 P.M.



JAMES H. LaMASTER, President



KENNETH E. BARNES, SR. Vice-President



EDWARD D. DENTON



LOUIS R. IMHOF, JR.



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK/TREASURER

SELLERSBURG TOWN COUNCIL

**SPECIAL MEETING
MAY 16, 2002**

WORKSHOP COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session May 16, 2002. Present were Council President James H. Lamaster, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, 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 7:05 A.M.

SPECIAL MEETING:

This meeting is reference contact with Mr. Toombs, EMC (Environmental Management Corporation and the Program Management.

JOHN TOOMBS, (Jacobi, Toombs and Lanz, Inc.)

John Toombs presents **MASTER AGREEMENT BETWEEN OWNER (Town of Sellersburg) AND ENGINEER FOR PROFESSIONAL SERVICES:**

This is a contract with Jacobi, Toombs and Lanz, Inc. reference the IDEM compliance plan.

Motion by Danny F. Yost to approve the contract, seconded by Louis R. Imhof, Jr. 3-aye, 0-nay, motion approved.

PHIL THOMPSON, EMC: has an amendment to the original contract for EMC to be the Program Manager.

Motion by Louis R. Imhof, Jr. to amend the original Program Manager Contract with EMC, seconded by Danny F. Yost, 3-aye, 0-nay, and motion approved.

Philip Thompson, presents Task Order #1, this order is specific as to what Task Jacobi, Toombs and Lanz, Inc. will be performing. It lists a specific amount per each item.

Motion by Danny F. Yost to approve the Task Order #1, seconded by Louis R. Imhof, Jr. 3-aye, 0-nay, motion approved.

In addition, the Council needs to approve the Clerk/Treasurer to move forward with the Bond Anticipation Order with H. J. Umbaugh and Associates. Motion by Danny F. Yost to approve this, seconded by Louis R. Imhof, Jr. 3-aye, 0-nay.

Sellersburg Town Council Special Meeting

May 16, 2002

Page 2 of 2 pages

LOUIS R. IMHOF, JR.: makes motion to appoint Charles Ridenour to the Zoning Appeals Board, seconded by Danny F. Yost. 3-aye, 0-nay, motion approved.

DANNY F. YOST: Presents a bill from Colonel Walker Flag Company for 36 Flags for Kiwanis to decorate the Town. Total cost was \$493.00. Louis R. Imhof, Jr. makes motion to pay this bill, seconded by Danny F. Yost. 3-aye, 0-nay, motion approved.

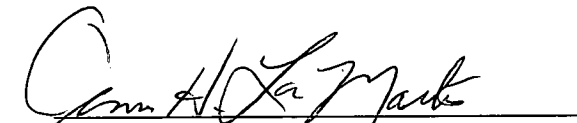
PHIL THOMPSON, EMC: presents the **Monthly Collections/Billings Report for April 2002.**

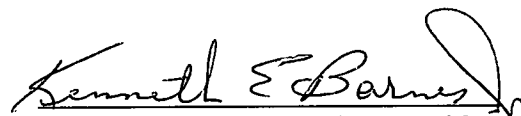
Water collected \$59,407.20: Water billed \$55,658.07: Meter Deposits \$2,345.00:
TOTAL WATER COLLECTIONS \$61,752.20.


Sewer Collected \$103,869.63: Sewer Billed \$107,862.47: Sewer Deposits \$2,345.00:
Sewer Tap-Ins \$18,370.00. TOTAL SEWER COLLECTED \$124,584.63.

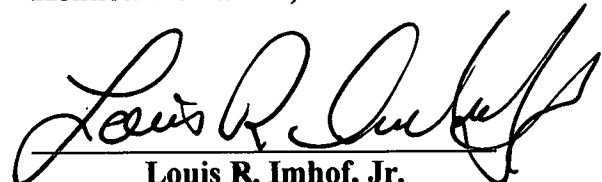
TOTAL SANITATION (Civil) COLLECTED \$6,771.00.

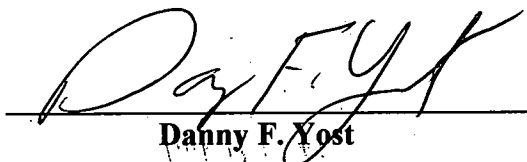
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Danny F. Yost. 3-aye, 0-nay, motion approved and meeting adjourned at 7:18 A.M.


James H. LaMaster, President


Kenneth E. Barnes, Vice-President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


**David L. Kinder
Clerk-Treasurer**

SELLERSBURG TOWN COUNCIL

June 10, 2002

EXECUTIVE SESSION:

An Emergency Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on June 10, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:03 P.M.


TOPIC OF DISCUSSION:


Clark Henson requests longevity pay for EMC employees.

Town Attorney to write letter to Library Board concerning litigation on Library property.

Town Attorney to check on redistricting for the Town.


Motion by Danny F. Yost to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved and meeting adjourned at 6:56 P.M.



James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

June 10, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on June 10, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:00 P.M.

PRAYER:

Offered by Reverend Larry Poe.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Kenneth E. Barnes, Sr. to approve the minutes of the May 13, 2002 Council Meeting, seconded by Danny F. Yost. 5-aye, 0-nay, minutes approved.

LARRY GRAY: (Public-Finance.com), reference the financing for the proposed purchase of the PNC bank building. There will be a lease-purchase approved for the city for \$500,000.00, I believe this is too much but at least approved for that much. My suggestion is to get a two or three man committee if you wish to proceed and negotiate the final price with PNC. Louis R. Imhof, Jr. requests that he be on the committee along with Chief Stricker. Motion by Kenneth E. Barnes, seconded by Danny F. Yost to hire Larry Gray to handle the financing to purchase the PNC bank building. 4 aye votes, 1 nay vote (Denton), motion approved.

SUE WAIZ: Reference sewer lien on her father's property. First, back in the winter he received a bill so I called the water company and was told the Town was going back ten years to collect sewer bills that had not been collected. My father paid \$363.16 for this bill, but \$94.83 was in fees. Had he been notified before the lien he could have saved the \$94.83. So two weeks after he paid this he was notified that on another piece of property that in September we would file a lien against your property for \$1,355.51. This was because of a leak and if the leak were fixed the bill would be adjusted.

I am asking for two things; one that the \$363.16 be reimbursed and secondly if such a bill like this, if it is one in 4000, that before it builds up over a thousand dollars that they (my father) be notified immediately. The water has since been turned on but when my father checked it he said that there is still another leak so this man was told to see the Township Trustee to help him

Sellersburg Town Council Meeting

June 10, 2002

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pay his water bill, but in the mean time, this is going to fall to my father.

President LaMaster advises the he is going to have Ms. Waiz talk to EMC and the Council will discuss this and what we can do, we are not going to make a decision right now. I will get with you.

JILL CONOVER: In January my property developed a leak, by the time I found out I had a bill for \$630.77. I have had two sewer bills adjusted, but by the time I contacted them (Sewer Department) on March 13, I called a commercial plumber who fixed it that day, but in the billing cycle it ended up effecting three different months. They adjusted two but I would like to have the third sewer bill adjusted and the second and third water bills adjusted too, since nobody told me there was a leak to fix. President LaMaster advises that the Town policy is to adjust the sewer and not to adjust the water because the water was used no matter what. Motion by Kenneth E. Barnes, Sr., seconded by Louis R. Imhof, Jr. to adjust the sewer bill for the month of May. 5-aye, 0-nay, motion approved.

RICK LOVAN, (Waste Management): Reference dumpster at the Silver Creek Little league Park. Motion by Danny F. Yost, seconded by Kenneth E. Barnes, Sr. to have the dumpster placed at the park for \$58.00 per month, paid from the Town Council budget. Dumpster to be in place April through September. 5-aye, 0-nay.

JOHN HARTSTERN, (Community Foundation of Southern Indiana): Mike Newman addresses the Council about Early-warning siren system for Sellersburg. The Town would require four (4) sirens at a cost of \$15,000.00 each. The Community Foundation offers a two for one match for the Town. Presently Essroc is purchasing one siren we need for the Town, businesses or persons in the Town to put up the money for another siren and then Community Foundation would purchase the other two on the two for one match.

President LaMaster states that the Council will take this under advisement to be considered later.

HUGH ERNSTBERGER, (Alternative Packaging): I am requesting a tax abatement for my business, Alternative Packaging. We are a three (3) year old business, two years ago had applied for a tax abatement, I did not follow up on this, and I need to know what process to follow to obtain this abatement. Town Attorney McCall will look into this and get back with Mr. Ernstberger.

JEFF BARTON: I purchased a lot, which an individual had, he had planned to build on this lot and ten years ago he purchased the sewer and water permits. He never did build and he sold me the lot and when I came to the Town Hall, with the cancelled checks he gave me for the sewer and water permits, when I requested the water meter to be set on the lot I was told the water hook-up was too far away.

Kevin Wright, EMC, says EMC is looking into the situation about the cost of hooking up the

Sellersburg Town Council Meeting

June 10, 2002

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water.

Motion by Edward D. Denton, seconded by Danny F. Yost to permit Mr. Barton to hook to the sewer and water at the old rates (the fees paid by the original owner). 5-aye, 0-nay, motion approved.

WILLIAM POWELL: I live at 8226 Highway 311 and have been zoned into the city of Sellersburg for four years. We were promised sanitary sewers and streetlights. I have been informed by the Clark County Health Department that my sewer system is not working right and that new lines must be put in.

Town Attorney advises that the Town has an obligation to provide capital services within three years of annexation or that individual see to be de-annexed. Non-capital services must be provided within a year.

President LaMaster advises that the Town owes him a sewer. McCall will advise the Health Department that Mr. Powell will be furnished Town sewers.

JAN KIGHT: Mr. Miller's business, located behind Betty Kelly's home, 502 Kay Avenue, several weeks ago they were installing an electric gate and this gate was for Mr. Miller to run trucks through Creston Sub-Division to his business. Mr. Miller has access to his business on South New Albany Street that he is currently using. We just want to be up dated if this should change.

In addition, the grass along the ditch that runs behind the Cracker Barrel needs to be cleaned of debris and it flows to the bridge during rains and blocks up the water on Popp Avenue. In addition, the grass along this ditch or creek needs to be mowed on regular bases.

RANDALL FLICK: This is about a noise barrier wall along Norman Drive and I-65. I am giving each of you a packet. I represent the residents of Forrest Estates. I am asking the Council to urge the Commissioner of Indiana Department of Transportation (INDOT) to support the building of this noise barrier.

Motion by Danny F. Yost to draft a letter to the Commissioner of Indiana Department of Transportation supporting the noise barrier, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

JOHN TOOMBS, Jacobi, Toombs and Lanz Engineering: For the compliance schedule for the months of April, May and June we need to do three things: Solicit proposals to do smoke testing; TV inspect sewers and do chimney seals, a device that is put inside a manhole to keep the water from leaking around the casting. We will have a public bid opening on June 25, 2002 at 1:30 P.M., right here in order to open the bid on chimney seals because we estimate that that will

Sellersburg Town Council Meeting
June 10, 2002
Page 4 of 6 pages

cost maybe \$124,000.00 and that is above the \$50,000.00 limit. On the other two items, we have solicited proposals from companies that do the smoke testing and TV inspections. We recommend GRW Engineering, Inc. for the smoke testing at a quote of \$33,978.00 and Severn Trent Pipeline Services for TV inspection at a quoted price of \$31,350.00.

Louis R. Imhof, Jr. makes a motion that GRW and Severn Trent Pipeline Services be awarded the contracts and authorize Mr. LaMaster to sign the agreement, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

On the bid opening on June 25, as long as I am here and Dave (Clerk-Treasurer David Kinder) is here it is a public thing, they can come in, we can have a bid opening and I will try to have you (LaMaster) here.

PHIL THOMPSON, EMC: There are two sewer mains on Shirley Avenue and Dold Avenue that need to have manholes installed so we can clean the mains. We have three quotes, one from TCR (Terra/Cotta Rehab Construction) for \$4,450.00, Southern Indiana Excavating, \$7,600.00 and Kamer Construction, \$4,300.00; we ask that Kamer Construction be awarded the contract.

Motion by Kenneth E. Barnes, Sr. to award the contract to Kamer Construction, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

At Camp Chelan there is a failure underneath our splitter box, (distribution box), that is allowing infiltration of ground water. We have two bids, Southern Indiana Excavating, \$7,800.00 and TCR (Terra/Cotta Rehab Construction) \$6,523.00. We recommend TCR be given the contract.

Motion by Louis R. Imhof, Jr. to award the contract to TCR, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

The water main going under the high school parking lot, we had a failure about a month ago, that line has been patched on several occasions, and we want to replace the line. We are asking permission to go out and get quotes to put in a new water line, underneath the parking lot.

Motion by Kenneth E. Barnes, Sr. to approve the low bid for replacing the water main, after obtaining an easement, under the high school parking lot, not to exceed \$30,000.00, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, Building Commissioner: I have submitted my building commissioners report, are there any questions?

I will seek bids on storm drain problems around the Town, then we can attach costs to items, and then we can prioritize this list.

Sellersburg Town Council Meeting

June 10, 2002

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WILLIAM P. McCALL, III, Town Attorney: I submit **ORDINANCE # 2002-008, AN ORDINANCE AMENDING ORDINANCE 2001-027 REGARDING UNIFORM /CLOTHING ALLOWANCES FOR THE TOWN OF SELLERSBURG POLICE OFFICERS, DISPATCHERS, CLERK-TREASURER AND CLERK-TREASURER EMPLOYEES.**

Motion by Louis R. Imhof, Jr. consider Ordinance 2002-008 on its first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Motion by Kenneth E. Barnes, Sr. to pass ordinance 2002-008 on its first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

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

The Town Hall does not have an American Flag on the outside of the building, does the Council want to acquire a flag?

Chief Stricker has an officer staying at a motel (Days Inn) and he requests the Council approve the Clerk-Treasurer to pay the bill when it comes in rather than wait for the next meeting.

Motion by Edward D. Denton to approve the paying of the bill, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

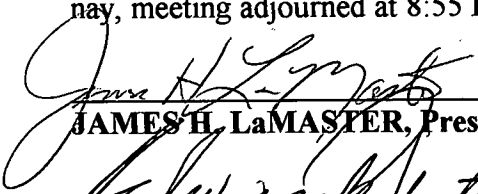
JAMES H. LaMASTER, Council President: I want to present Ordinance 2002-010, AN **ORDINANCE AMENDING ORDINANCE NUMBER 2001-008 CONCERNING A NO PARKING ZONE ON WEST UTICA STREET, SELLERSBURG, INDIANA.**

Motion by Kenneth E. Barnes, Sr. to consider Ordinance 2002-010 on its first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

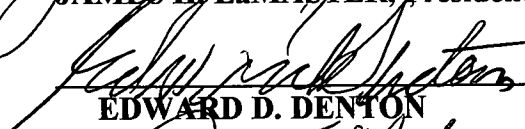
Motion by Danny F. Yost to pass Ordinance 2002-010 on its first reading, seconded by Louis R. Imhof. 5-aye, 0-nay, motion approved.

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June 10, 2002
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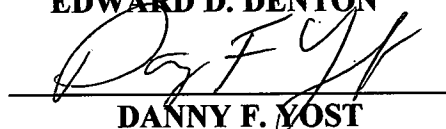
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, meeting adjourned at 8:55 P.M.



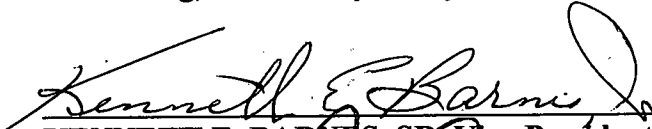
JAMES H. LaMASTER, President



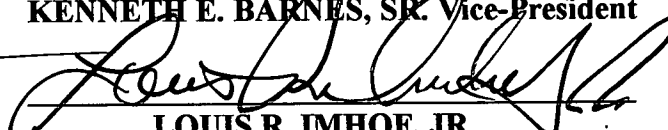
EDWARD D. DENTON



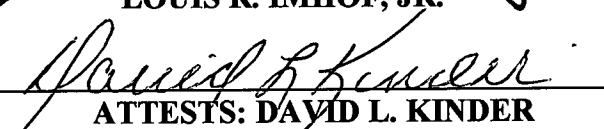
DANNY F. YOST



KENNETH E. BARNES, SR. Vice-President



LOUIS R. IMHOF, JR.



ATTESTS: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

SPECIAL MEETING

June 26, 2002

WORKSHOP COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session June 26, 2002. Present were Council President James H. Lamaster, Council member Edward D. Denton, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, and Clerk-Treasurer David L. Kinder.

CALL TO ORDER:

President James H. LaMaster called the meeting to order at 7:00 A.M.

SPECIAL MEETING:

This meeting is reference bids on Chimney Seal Project for the Town.

JOHN TOOMBS, (Jacobi, Toombs and Lanz, Inc.)

John Toombs advises this project is to stop the leaks in the manholes around Sellersburg. Twelve (12) sets of plans were sent out and we received three (3) bids. E-Z Construction bid \$175,405.00 was the high bid. The guys we liked the best, S & S was \$129,492.00 and the low bidder is National Power Rodding, Inc. of Chicago, (Illinois), \$106,020.00. Out estimate was about \$125,000.00.

We tried our best to disqualify the guys from Chicago. In their proposal, they are using a local contractor named Sedam, that I am familiar with.

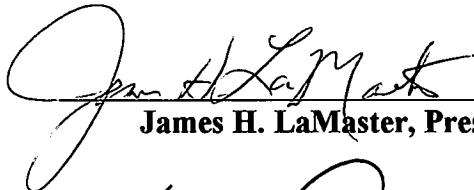
They had in their bids a list of six (6) references, we called and talked with two (2) of them and they spoke highly of this company, but they couldn't tell us for sure that they had a lot of experience doing what we are doing.

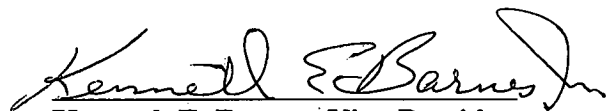
We talked with the President, Vice-President and the man that will run the job. This company is not certified by the company that manufactures these devices and on how to install them. They said they were certified but we checked with the company and they said they are not certified, as of yet, but they have applied to become certified. There is nothing in the specified that you must be pre-certified, just certified in order to do the work. So as much as we would like to have S & S we are recommending that you award this contract to National Power Rodding, Inc. for \$106,020.00.

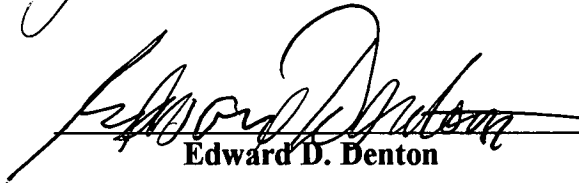
Louis R. Imhof, Jr. makes motion to accept National Power Rodding, Inc. bid of \$106,020.00, seconded by Danny F. Yost. 4-aye, 0-nay, motion approved.

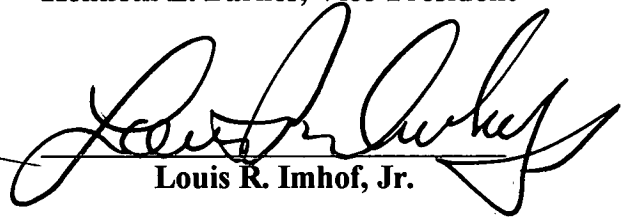
**Special Town Council Meeting
June 26, 2002
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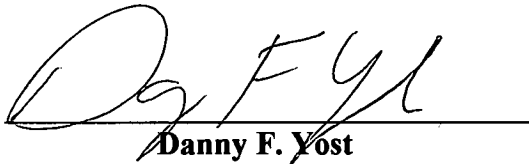
Louis R. Imhof, Jr. makes a motion to adjourn the meeting, seconded by Danny F. Yost.
4-aye, 0-nay, motion approved, meeting adjourned at 7:10 A.M.



James H. LaMaster, President


Kenneth E. Barnes, Vice-President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


**David L. Kinder
Clerk-Treasurer**

SELLERSBURG TOWN COUNCIL

July 8, 2002

EXECUTIVE SESSION:

An Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on July 8, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:03 P.M.

TOPIC OF DISCUSSION:

Town Attorney, William P. McCall, III discussed the purchase of the PNC Bank Building. He also discussed the issue with Clara Patenaude, Horizon Management Group, reference the tap fee for the new motel.

Attorney McCall also discussed Water and Sewer adjustments as written in Town Ordinances. The Town does not adjust water rates for leaks.

Attorney McCall advised that James Lang, Attorney for the West Clark School Corporation, advised that the Corporation wants \$66,000.00 for easement across Silver Creek High School parking lot for the new water line replacement. Town Council President LaMaster to meet with Attorney Lang and West Clark School officials to try to get this matter resolved.

Mark Warren, Street and Sanitation Department Superintendent, discussed the issue of purchasing smaller trashcans for the Town. Some of the older citizens cannot handle the larger cans.

President LaMaster and Council set Monday, July 15, 2002 for Special Meeting to discuss the new trash ordinance. Meeting to be held at Town Hall Meeting Room at 6:30 P.M.

Council Vice-President Barnes discusses weeds on Adkins Court that need to be cut either by the property owner or by the Town. This is an on going problem with this citizen that owns the property. In addition, he receives complaints about the weeds at the old Miller's Market on North New Albany Street.

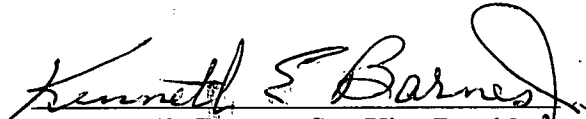
Sellersburg Town Council Executive Session

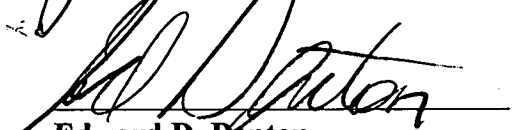
July 8, 2002


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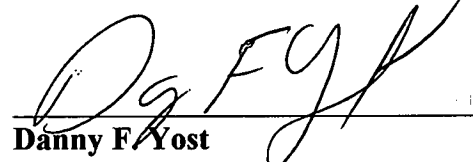
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, meeting adjourned at 6:55 P.M.

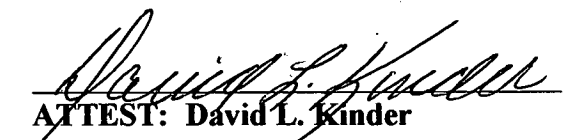

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

July 8, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on July 8, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:03 P.M.

PRAYER:

Offered by Reverend Robert Hauselman.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Kenneth E. Barnes, Sr. to approve the minutes of the June 10, 2002 Council Meeting, seconded by Danny F. Yost. 5-aye, 0-nay, minutes approved.

PRESIDENT LaMASTER: Appointment of third member of committee for financing the purchase of the PNC Bank building. The committee will be James H. LaMaster, Louis R. Imhof and Michael Stricker.

JOE OLSON: Presents Health Insurance proposal for Town Employees, he has taken the information from the employees on preliminary application, the medical history, and submitted it to the insurance carriers. The carriers are Anthem (Current), United Healthcare and Humana 90/70; Anthem (Current) is \$16, 211.04, United Healthcare is \$10,592.87 and Humana 90/70 is \$21,096.86. What it is I want you to understand about United Healthcare, we will have to submit applications again and they will come back and they will approve it based on the rates you currently have or they could, depending on the information, they could increase that rate.

Danny Yost makes motion to permit Olson to submit health applications to United Healthcare and let them come back with a firm offer for employee health insurance, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

Mr. Olson will have the rates for the August 12, 2002 meeting to present to the Council.

MICHAEL WHALEN, (Hinton and Corby Insurance): There was an engineering report in October of 1999 and had an update done May of this year. The engineering report states that the sewer department needs to take a more aggressive program inspecting and cleaning the sewer lines, using video equipment and root cutting/cleaning activity should be implemented.

Sellersburg Town Council Meeting

July 8, 2002

Page 2 of 5 pages

Legal Counsel should review the contract with EMC to insure the contract is understood and all agreements in that contract are met.

A communications with the customers should be re-emphasized as to the proper procedures to follow if a sewer backup occurs.

From August 15, 1999 until present time, the Town has had 31 total claims. Thirteen (13) of these claims are sewage back-up claims. The total of all claims to date is \$155,688 with sewage claims amounting to \$105,958.00.

Mr. Whalen advises that the Town can anticipate a 25% increase in Insurance rates for the next year. He will return at the August 12, 2002 meeting with a proposal. He will furnish Council members with copies prior to the meeting so they can review them.

In addition, Mr. Whalen advises that there are some fire hydrants around town that need repairs and this could present a problem if they are not repaired and a fire should occur and the Town did not have the hydrants repaired.

CLAIR L. PATENAUDE, (Horizone Management Group): I am requesting a clarification of the sewer tap fees. It was my understanding on the first four pages of the handout I gave you that I had a multipurpose agreement with the Town, and the agreement was I would take seven (7) acres of poor property and develop it and the agreement was that I pay sewer tap fees well in advance, which I did, and I was to get 20,000 gallons of sewer usage. The Ramada hotel uses less than 6000 gallons per day.

I am requesting that we be granted the right to tap into the sewer and there is some confusion about my having to pay tap fees again, it is my decision that I have paid them and I am requesting that the Council acknowledge that and advise the sewer department to let me tap in.

Town Attorney McCall cites paragraph 2, page 3 of the contract dated 28, July 1997 that the other hotel was not included, as the paragraph says, "in the event the Harrison Group subsequently acquires two additional properties for commercial development..." If you read that paragraph, the two parcels that you are asking for today to have included were not even acquired at the time this agreement was signed in 1997.

President LaMaster states he will entertain a motion to accept Clair's favorable reading of the contract, do I have that motion. There being no motion it dies for lack of a motion.

CLARK HENSON, (EMC employees): Requesting that the six (6) employees that were Town employees when EMC took over the water/sewer department seven (7) years ago. What we are asking for is at that time the Town did not offer longevity pay except to the police department. Since you all came on board you gave longevity to the sanitation workers and the street

Sellersburg Town Council Meeting

July 8, 2002

Page 3 of 5 pages

Department workers. We feel, or are asking, since we were Town Employees for so many years that we be considered for some longevity pay for the years we put in for the Town, even though we are under a private contract.

President LaMaster states he will take this under advisement and since it is a personnel matter, I think this can be talked about at the next Executive Session. August 12, 2002.

JILL (CONOVER) CRABTREE: I spoke at the last meeting about the leak I had in my yard and by the time, I found out the woman told that there was a possible leak. I had it fixed that day. When I came before the Board last time, I ask for a reimbursement on the time, from the point I should have been notified. Mr. Imhof and Mr. Barnes indicated that they wanted to do what was right.

What I am asking for is just two months water reimbursement from the time the meter was read and I should have been notified. I have three (3) months of water bills (prior to the water leak) and I took an average of those, and the average is \$11.62, and if you subtract from the March and April bills it only totals \$142.30 that I am asking for reimbursement.

Attorney McCall advises the local ordinance states that the Council can give sewer adjustments because that is within their jurisdiction; this particular board sets the sewer rates. They cannot change the water rates, and give adjustments for water rates, because they have no control because it is under the Indiana Utility Regulatory Commission's jurisdiction. It is absent in the ordinance because it cannot be done. McCall advises Mrs. Crabtree to contact the Indiana Utility Regulatory Commission about this matter.

NINA DIEFENBACH: States that the new trash container is too large for her to handle. She had Don (Long) to bring it back to the Town Hall. She wants a smaller container that she can place in the trunk of her car.

DAN KUMMER: I want to know what can and cannot be place in the new trash container. Last week the trash was not picked up so I called and they ask what was in the container. I said there were some 2X4's and some plywood and I was told that no construction waste in the container. I want to know what can be and what cannot be placed in the trash container.

President LaMaster says he will check on this and will get back with you.

JOHN TOOMBS, (Jacobi, Toombs and Lanz Engineering, Inc): I have a copy of the agreement with the Indiana State Highway Department reference relocating the Water and Wastewater lines on State Road 60, Bean Road and Indian Oaks. This is the utility agreement and I am asking the Council to authorize Mr. LaMaster and Mr. Kinder to execute the original documents tomorrow when I get the original copies, these I have now are fax copies of the originals. In the back is a Subordination Agreement and I think that means in parts of these areas the sewer or water lines is actually in an easement and you are giving the State Highway

Sellersburg Town Council Meeting
July 8, 2002
Page 4 of 5 pages

Department permission to build a road across that easement. I am asking you to also approve the execution of the Subordination Agreement. This does not cost the Town anything.

Louis R. Imhof, Jr. makes a motion to authorize President LaMaster and Clerk-Treasurer to sign the document, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, (Building Commissioner): Presents the monthly Building Commissioner report. In addition, we requested price quotes on repairs for storm water project but had now responses.

I was ask to do a Utica Street sidewalk project from Indiana Avenue to Penn Street, repair the parts of the sidewalks that are busted up and we can up with an estimate of \$60,000.00 as our engineering estimate to do the whole thing. This can be done in phases.

WILLIAM P. MCCALL, III, (Town Attorney): (Chief of Police) Mike has the original copy of the contract with PNC Bank that needs to be signed tonight. It starts with the original bid we began with of \$400,000.00 and now the offer is \$392,500.00. in addition, in order to go to the next step which is to deal with the lease purchase part of it we need to get the contract executed and back to PNC Bank officials. This requires the signature of the Town Council President.

Motion by Kenneth E. Barnes, Sr. to authorize LaMaster sign the contract, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

DAVID L. KINDER, (Clerk-Treasurer): Need motion to pay the bills! Motion by Louis R. Imhof, Jr. makes a motion to pay the bills, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

President LaMaster announces that there will be special meeting of the Town Council, Monday, July 15, 2002 at 6:30 P.M., here at the Town Hall reference trash containers.

Don Long inquires if this is the meeting to answer the questions that were asked three months ago about the trash ordinance.

LaMaster advises that the cans have been passed out, with no charge to the public; we are picking up trash as we always have been and now I do not see any increase in size what so ever.

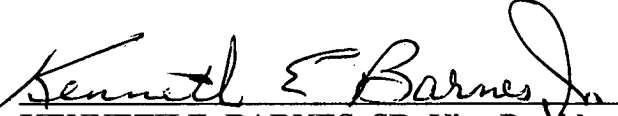
Attorney McCall advises that the questions were condensed into three questions: Cost, size of container and what could be put in them. The rest f the complaints dealt with the service, you said that the service was not good, that the people look in your trash and do not pick up things. Then there was the ordinance itself.

Sellersburg Town Council Meeting
July 8, 2002
Page 5 of 5 pages

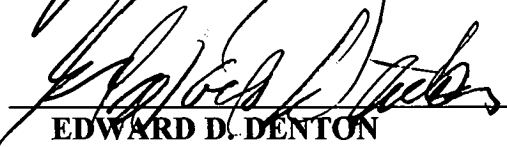
Motion by Kenneth E. Barnes, seconded by Danny F. Yost to adjourn the meeting. 5-aye, 0-nay, motion approved, meeting adjourned at 8:22 P.M.



JAMES H. LaMASTER, President



KENNETH E. BARNES, SR. Vice-President



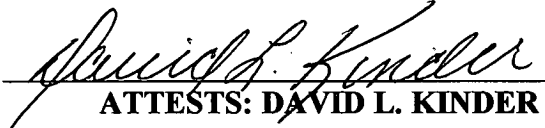
EDWARD D. DENTON



LOUIS R. IMHOF, JR.



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK-TREASURER

SELLERSBURG TOWN COUNCIL

SPECIAL MEETING

July 15, 2002

WORKSHOP COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session July 15, 2002. Present were Council President James H. Lamaster, Council Vice-President Kenneth E. Barnes, Council member Edward D. Denton, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, 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 6:30 P.M.

PRAYER: Offered by President James H. LaMaster.

PLEDGE OF ALLEGIANCE: Recited by all present.

WILLIAM K. VOYLES: Ask if copies of the proposed sanitation ordinance are available for the public to examine. President LaMaster advises that this was a draft of the proposed ordinance and was given out at an Executive Session of the Council and copies will not be available at this time.

LaMaster advises that what will be picked up will be discussed in a workshop. That is why I want anyone having concerns I would like for him or her to state them now and we will go from there.

ANNA MAY RIGGLE: I want to know if this draft is about the same as the last draft that I read. President LaMaster advises that this draft is basically the same thing.

SHIRLEY SHREWSBERRY: Wants to know if the elderly are issued smaller cans will they have to turn in the large cans? President LaMaster advises yes they will be turned in and there will be a swap.

ARNOLD VEST: If person cannot handle the larger can is it possible to have two smaller cans so that the person gets the same amount of trash service?

GERALD STROM: States that at the last meeting, the lack of service was discussed and I want to say that since that meeting the service has improved.

Special Town Council Meeting

July 15, 2002

Page 2 of 2

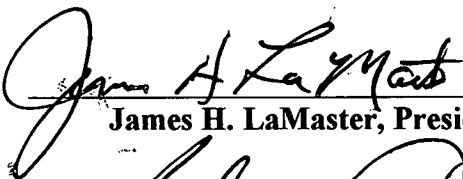
DONALD LONG: Many of these problems could have been solved if you had determined how much the truck cost the cost of the cans, insurance and then had an outside source examine it and determined the need for the new cans. He did a survey of 357 households and you would have found out if you needed the cans.

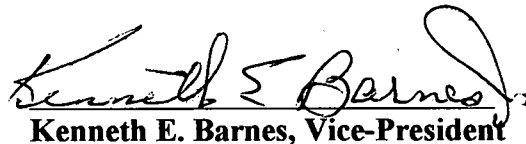
ARNOLD VEST: Who is responsible if vandalism occurs to the container? Mr. Denton states it is just the same as if your mailbox was destroyed, the owner replaces it.

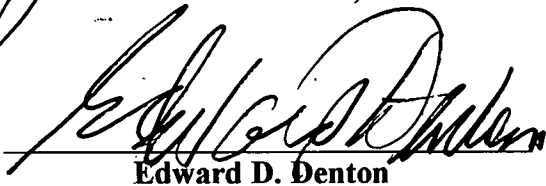
KENNETH E. BARNES, Sr.: If a resident is unable to physically handle the trash container the resident can call Town Hall and request that the sanitation worker get the can, take it to the curb, dump it and return it the resident.

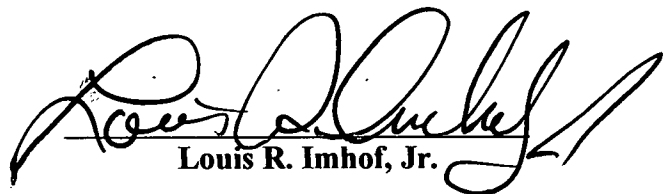
Motion by Louis R. Imhof, Jr. to authorize Mark Warren to purchase the smaller, 64-gallon and 40-gallon, trash containers for distribution. 5-aye, 0-nay, motion approved.

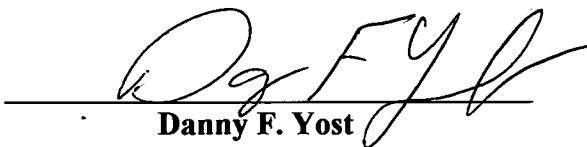
Kenneth E. Barnes, Sr. makes a motion to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved, meeting adjourned at 7:25 P.M.

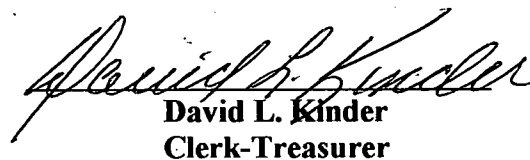

James H. LaMaster, President


Kenneth E. Barnes, Vice-President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

August 12, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on August 12, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:00 P.M.

PRAYER:

Offered by President James H. LaMaster.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Louis R. Imhof, Jr. to approve the minutes of the July 8, 2002 Council Meeting, seconded by Danny F. Yost. 5-aye, 0-nay, minutes approved.

PHIL THOMPSON (EMC): I brought in bid from TCR (Terra-Cotta Rehab & Contracting) and I wanted to know if you have any other bids for the water line at the high school parking lot, these were sealed bids.

President LaMaster opens the bids; first bid is from TCR of \$29,970.00; next bid is Kamer Construction Company of \$35,000.00 and the final bid is Southern Indiana Excavating Corporation of \$29,970.00

There is a voluntary alternate deduct with TCR bid "Should trench line need not require the 3" of asphalt surface and crushed stone backfill brought up flush with existing asphalt elevation" of \$3,000.00

Kenneth E. Barnes, Sr. makes a motion to approve the low bid after Mr. Thompson checks the bids, seconded by Louis R. Imhof, Jr., 5-aye, 0-nay, and the motion is approved.

MIKE WHALEN (Hinton-Corby Insurance): I just received the insurance quotes from the Companies or I would have gotten them to you sooner. I submitted these quotes to three different insurance companies and one of them refused to bid because of previous claims.

The difference between the Bliss-McKnight and Alliance Group is that Bliss-McKnight looks at the sewage back ups claims as an act of God if tree roots are found in the sewer lines but Alliance Group considers the back up a negligent act if tree roots are found in the sewer lines. In addition,

Sellersburg Town Council Meeting
August 12, 2002
Page 2 of 2 pages

Bliss-McKnight considers twenty-six (26) vehicles under the control of EMC, because of the their contract with the Town, not insurable under the Town Insurance contract while Alliance Group includes them in the insurance contract. The premium for Alliance Group is \$70,640.00 and the Bliss-McKnight is \$68,654.00.

Danny F. Yost makes a motion to accept the Alliance Group, seconded by Edward D. Denton, 5-aye, 0-nay, and motion is approved.

JOE LEDGEWEDGE, complaining about drainage in his yard. He will contact the developer and if he cannot get any satisfaction, he will return to next months meeting.

DENNIS SLAUGHTER: Complaining about weeds and water from Lakeside development. Nathan Grimes, Building Commissioner, will contact Mongold Construction about this, as they own those apartments.

DON LOPP, (KidTech Grant): Requesting a Resolution, **RESOLUTION AUTHORIZING THE APPROVAL OF THE KIDTECH DEVELOPMENT CENTER, INC. SITE ANALYSIS PLANNING GRANT REPORT TO THE INDIANA DEPARTMENT OF COMMERCE AND ADRESSING RELATED MATTERS.**

William P. McCall, III, presents the Resolution, Resolution number R2002-003.

Danny F. Yost makes a motion to approve Resolution R2002-003, seconded by Edward D. Denton, 5-aye, 0-nay, and motion approved.

DAN HEDDEN(H. J. Umbaugh and Associates): Presents the Water and Sewer Utility accounts through June 2002. These financial statements give you the ability to analyze the trends in the utilities see where the money is coming from and where it is going. We also analyze the cash balances of the utilities for where they stand in relation to the outstanding bond ordinances. This also gives you a "snap shot" view of your rate design. This gives you time to do planning and prevent you from having to do large rate increases.

PHIL THOMPSON, (ENVIRONMENTAL MANAGEMENT CORPORATION): High Service Pump at the water plant has failed and it needs to be repaired, solicited quotes from Spencer Machine not to exceed \$6,500.00 and a quote from Baskin and Logan not to exceed \$5,400.00. I recommend we authorize Baskin and Logan to make the repairs. Motion by Louis R. Imhof, Jr. seconded by Danny F. Yost, 5-aye, 0-nay and motion approved.

Next I have repairs necessary to a "muffin monster" it is a process piece of equipment, it shreds material that comes into the system to keep from clogging equipment further down the line. It has been out of service for two weeks now. It could cost from \$2000.00 to \$5,000.00 for repairs. I need to get quotes to get this repaired. Danny F. Yost makes motion to have quotes received for repairs, seconded by Kenneth E. Barnes, Sr., 5-aye, 0-nay and motion approved.

Sellersburg Town Council Meeting

August 12, 2002

Page 3 of 3 pages

In addition the Town needs to replace several fire hydrants and I would like to purchase seven hydrants at a cost of \$7,700.00. Kenneth E. Barnes, Sr. makes a motion to purchase the fire hydrants, seconded by Danny F. Yost, 5-aye, 0-nay and motion approved.

On Pennsylvania and Georgian need a manhole to clean lines both directions and a manhole at 626 Lane Avenue. The manhole there, at least one-third or one-half of it is under their reinforced concrete driveway. We need to obtain access to this manhole. Kenneth E. Barnes, Sr. makes motion to allow Mr. Thompson to obtain quotes to get these manholes repaired, seconded by Louis R. Imhof, Jr., 5-aye, 0-nay and motion approved.

NATHAN GRIMES, (Building Commissioner): Presents Building Commissioner's Report for July.

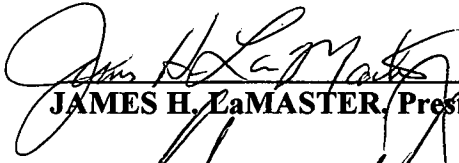


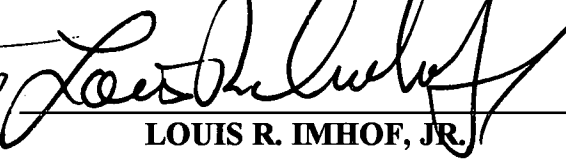

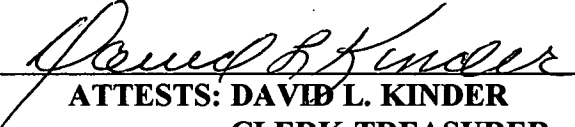
Mr. Grimes introduces Jerry Taylor as the assistant Building Commissioner.

Bids for new sidewalks, Helbig to Penn will be opened Monday, 8-26-2002, at Noon.

I went with Mr. Barnes and Mark Warren reference drainage projects and we hope to get the bids out in a couple of weeks.

CLERK-TREASURER: Need motion to approving paying the bills as submitted. Danny F. Yost makes motion to pay the bills, seconded by Kenneth E. Barnes, Sr., 5-aye, 0-nay, and motion approved.

Kenneth E. Barnes, Sr. makes a motion to adjourn the meeting, seconded by Danny F. Yost, 5-aye, 0-nay, motion approved meeting adjourned at 8:20 P.M.

 _____ JAMES H. LaMASTER, President	 _____ KENNETH E. BARNES, SR. Vice-President
 _____ EDWARD D. DENTON	 _____ LOUIS R. IMHOF, JR.
 _____ DANNY F. YOST	 _____ ATTESTS: DAVID L. KINDER CLERK-TREASURER

**SELLERSBURG TOWN COUNCIL
SPECIAL MEETING
August 19, 2002**

BUDGET WORKSHOP COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session July 15, 2002. Present were Council President James H. LaMaster, Council member Edward D. Denton, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder. Council Vice-President Kenneth E. Barnes, Sr. was absent.

CALL TO ORDER:

President James H. LaMaster called the meeting to order at 6:30 P.M.

Mark Robinson questions FICA not in his budget. It is in the Council budget so only one check is written instead of one for each account.

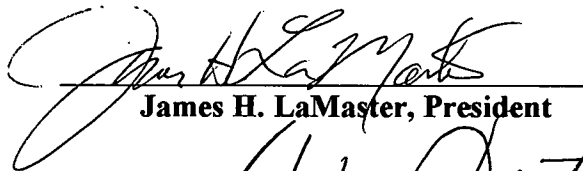
Parks department questions money for pool repairs. It is in the cumulative capital improvement accounts.

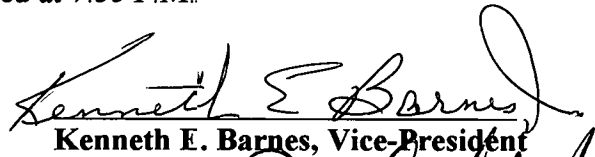
Police department says it could use \$800.00 to \$1,000.00 for extra tires for the police vehicles.

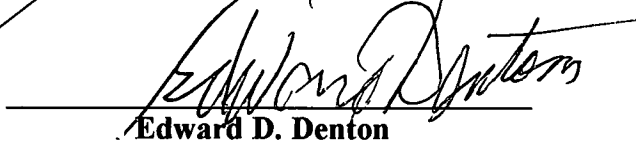
Street and Sanitation department questions the \$50,000.00 for Land Fill expense.

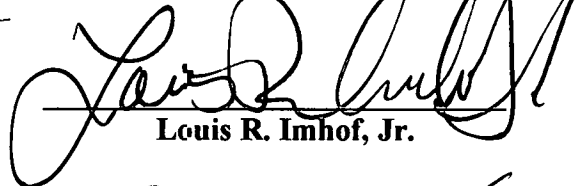
There being no changes to the proposed budget for 2003, Danny F. Yost makes a motion to accept the proposed 2003 budget for first publication in the news, seconded by Edward D. Denton, 4-aye, 0-nay, and motion approved.

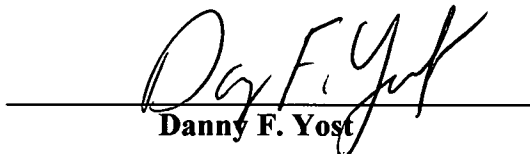
Danny F. Yost makes a motion to adjourn the meeting, seconded by Louis R. Imhof, Jr. 4-aye, 0-nay, motion approved, meeting adjourned at 7:35 P.M.

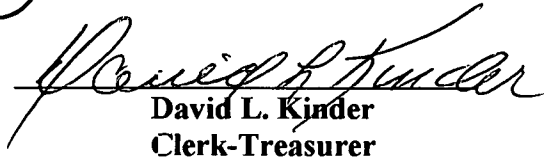

James H. LaMaster, President


Kenneth E. Barnes, Vice-President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

September 9, 2002

EXECUTIVE SESSION:

An Executive Session meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on September 9, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:08 P.M.

TOPIC OF DISCUSSION:

Town Attorney, William P. McCall, III discussed the purchase of the PNC Bank Building. The closing on the property cannot be completed tomorrow, September 10, 2002, because of some technical matters.

Attorney McCall also advised that he had information for each Council member concerning Town Court, which he will place in council member mailboxes.

People are working on the fringe area for the Town; cost will probably be less than anticipated.

Virgil Bolly has completed the title search on the PNC building.

Dave Frederick, H. J. Umbaugh and Associates called reference the Bond Anticipation note, no further action at this time.

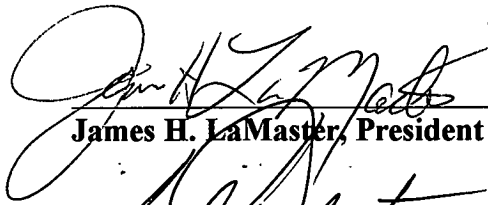
New copy of the trash ordinance was given to Anna Mae Riggle, she has approved it and copies will be given to each Council member.

Clerk-Treasurer Kinder reminds Council that pre adoption of the budget for 2003 and salary ordinance will be discussed at regular Town Council Meeting.


John Toombs advises that some of the property near the PNC Bank building property, while his company was doing the survey located a piece of property behind the Harshey home and the bank property that does not have an owner. Town needs to take steps necessary to obtain title to this property.

Motion by Danny F. Yost to adjourn the meeting, seconded by Louis J. Imhof, Jr. 5-aye, 0-nay, motion approved and meeting adjourned at 6:55 P.M.

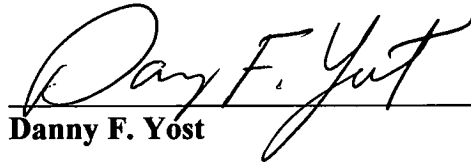
**Executive Session Sellersburg Town Council
September 9, 2002
Page 2 of 2 pages**



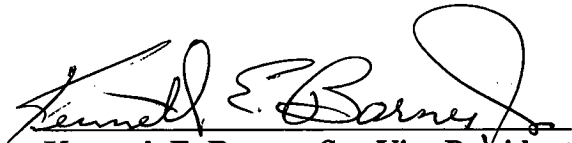
James H. LaMaster, President



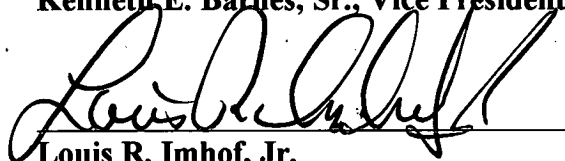
Edward D. Denton



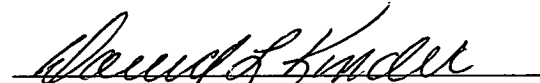
Danny F. Yost



Kenneth E. Barnes, Sr., Vice President



Louis R. Imhof, Jr.



**ATTEST: David L. Kinder
Clerk-Treasurer**

SELLERSBURG TOWN COUNCIL

September 9, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on September 9, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:02 P.M.

PRAYER:

Offered by Reverend Father Paul Richart, St. Paul Catholic Church.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Danny F. Yost to approve the minutes of the August 12, 2002 Council Meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, minutes approved.

JOE OLSON, (Insurance Agent of Record): Wants to discuss retirees insurance with Council.

He has checked out with some of the customers he works with and he recommends that for the Town to cover 50% of retired employees' health insurance would be a good, fair, figure.

The present Health Insurance for the employees is Anthem. I have comparisons between the current Anthem plan and the United Health Care Plan. The Town employees have signed a request that the Town continue with the Anthem Plan.

Motion by Kenneth E. Barnes, Sr. to stay with Anthem Insurance Plan, with the employee understanding that their share of the premium contributions could go up April 1, 2003, seconded by Edward D. Denton. 3-aye, 2-nay (Yost and Imhof). Motion approved.

RAMON PARISH: This is a drainage problem in Forrest Estates. Mr. John "Jack" Vissing is looking at this problem for me. This is drainage from Silver Glades, a County sub-division; you did not approve it you did not talk about it. It has storm sewers, storm sewers drain into a dry weather creek, it picks up water only when it is wet, most of the time it is dry. This ditch crosses three pieces of property and crosses over to Forrest Drive South.

Mr. Blankenbaker, who happens to be here on another matter, is aware of this and is working with the developers. We are asking the Town engineer to also work with us on this matter. Nathan Grimes has talked with David Blankenbaker about this. Grimes will meet with Mr. Vissing, Mr. Blankenbaker and the developers about this matter.

Sellersburg Town Council Meeting
September 9, 2002
Page 2 of 4

JOE LEDWEDGE: This is about water in our yard that is not draining. Mr. Sprigler, the developer, has agreed to install a drainage pipe and we will see if this solves the problem. The real problem is mosquitoes. The Health Department has sprayed once and will be back to spray again.

William P. McCall, III, (Town Attorney) advises the Ledwedges' to contact an attorney about this problem and let him work with the developer.

In addition, we have a "Peeping Tom" in Lakeside Estates. We have called the police about this matter and will discuss it with them further.

DON LOPP, (Kid Tech): Need for the Town to sign for the drawing down of funds for the grant. Motion by Danny F. Yost to approve the dispersing the grant funds, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved for President LaMaster to sign the disbursement form.

JEFF CORBETT: David Blankenbaker has given each of you proposed layout of a sub-division that Jeff is considering developing on Bud Prather Road just off highway 31 across the railroad tracks on the left side of the road. There's about 15 acres and we have shown 46 lots, this is preliminary and we would like to ask permission to hook onto the Town sewer system before we go any further with the project.

This matter is taken under advisement pending some legal work that the Town Attorney will prepare for the next Council meeting, October 14.

JOHN TOOMBS, (Jacobi, Toombs and Lanz): Phase II storm water run-off is coming and I am suggesting you become part of the group of Clarksville, Jeffersonville, Sellersburg and Clark County. Your portion of the fee is \$6,600.00, or 8% of the entire cost, based on population.

Louis R. Imhof, Jr. makes a motion to accept the Phase II Storm Water Run-off contract, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

You need to appoint a committee of 10 persons to serve on the Phase II board. These appoints to the committee should be made as quickly as possible.

PHIL THOMPSON, (Environmental Management Corporation): All current projects, the water line under the High School parking lot, failed one test last week; they are retesting and everything should be fine because they think they found what caused the failure.

Due to all the growth in the community, we have had a lot of new taps for water service and we only have three water meters. I need permission to purchase an additional 50 meters, which would be \$1,627.00.

Sellersburg Town Council Meeting
September 9, 2002
Page 3 of 4

Motion by Danny F. Yost to purchase the 50 water meters for \$1,627.00, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion is approved.

MARK WARREN, (Street and Sanitation Departments): The apartment complex in Gillenwater sub-division has been purchased and the new owner, they want our sanitation service; they have been handled by a private contractor; they are in the Town of Sellersburg.

Mike Stamper, owner of this apartment complex, requests that the sewer and the sanitation bills be sent to him instead of the individual apartment occupants. Mr. Stamper will contact the billing office and get everything set up.

Request the new trash ordinance for apartments be completed as quickly as possible so that he can get the containers passed out to the complexes.

Also, he wants to start a new paving program for the Town. Some of the streets need to be milled and paved. I would like to take some bids for this work.

ROBINSON, (Animal Control): requesting that his time as a contract worker for the Town count toward his longevity pay, this would be 2 years and 4 months. Motion by Danny F. Yost to approve this longevity addition for Mr. Robinson, seconded by Edward D. Denton. 5-aye, 0-nay and the motion is approved.

NATHAN GRIMES, (Building Commissioner): I have submitted my Building Commissioners report for the month of August.

The final inspection of Hearth Stone Lodge, triangle drive, and there are a couple of items that they have not done and they are appealing to the State Building Commissioner.

Have the bids for the sidewalks, Helbig south to Penn Street; Terra Cotta Rehab & Contracting for \$43,856.00 and the other was Pace Contracting for \$69,000.00.

Motion by Kenneth E. Barnes, Sr. to approve the Terra Cotta Rehab & Construction for \$43,856.00, once they have met the performance bonds and whatever else is necessary, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay and the motion is approved.

In addition, we need to adopt the State Building Code for unsafe buildings. I have given Mr. McCall information on this matter so that he can prepare an ordinance.

DANNY F. YOST: Last meeting we discussed a web sight for the Town and I make a motion that we pay for this out of the Promotions account, since we are promoting the Town of Sellersburg, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay and motion is approved. This will be with the REMC for \$420.00 per year.

DAVID KINDER, (Clerk-Treasurer): the budget was brought before the Council for publication, it has been published twice, and now this is the public meeting pre adoption hearing. Motion by Louis R. Imhof, Jr. to accept the budget, seconded by Danny F. Yost. 5-aye, 0-nay and the motion is approved.

The Council needs to schedule a special meeting for September 19, 2002 at 6:00 P.M to adopt the budget for 2003. President LaMaster agrees and the meeting is set for September 19.

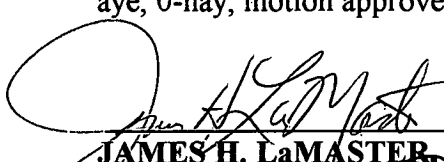
The Salary Ordinance, 2002-011, has been passed out to each Council Member to review. Motion by Kenneth E. Barnes, Sr. to consider **ORDINANCE 2002-011, SALARY, and HOLIDAY AND LONGIVIETY PAY FOR 2003**, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion is approved.

Motion by Danny F. Yost to pass **ORDINANCE 2002-011, SALARY, HOLIDAY AND LONGIVIETY PAY FOR 2003**, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, and motion is approved.

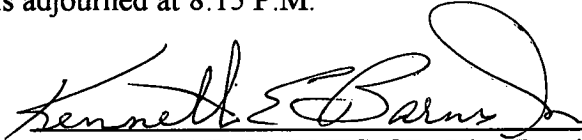
Motion by Kenneth E. Barnes, Sr. to approve payment of the bills, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion is approved.

JAMES H. LaMASTER: Persons wanting to be on the agenda, for a Town Council meeting, must contact the Clerk-Treasurer's office prior to noon on the Wednesday prior to the Monday meeting.

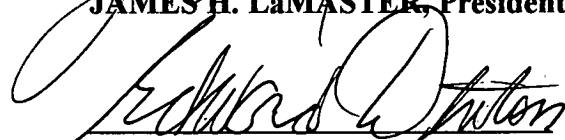
Kenneth E. Barnes, Sr. makes a motion to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved and meeting is adjourned at 8:15 P.M.



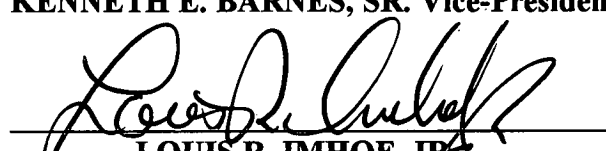
JAMES H. LaMASTER, President



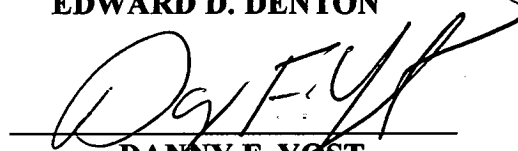
KENNETH E. BARNES, SR. Vice-President




EDWARD D. DENTON



LOUIS R. IMHOF, JR.



DANNY F. YOST



ATTESTS: DAVID L. KINDER
CLERK-TREASURER

**SELLERSBURG TOWN COUNCIL
EMERGENCY MEETING
September 13, 2002**

EMERGENCY TOWN COUNCIL MEETING:

The Sellersburg Town Council meets in Emergency Session September 13, 2002. Present were Council President James H. Lamaster, Council member Edward D. Denton, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, and Clerk-Treasurer David L. Kinder. Council Vice-President Kenneth E. Barnes, Sr. was absent.

CALL TO ORDER:

President James H. LaMaster called the meeting to order at 7:02 A.M.

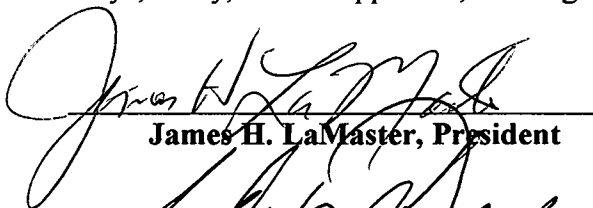
The purpose of the meeting is to vote to terminate the contract of National Power Rodding Crop. Awarded June 26, 2002 for the 2002 sanitary sewer manhole chimney rehabilitation project for non-performance and non-responsiveness, as outlined in the letter from the Engineer to Mr. Joe Barton dated September 6, 2002, and vote to award the contract to the second lowest bidder, S & S and Associates, Inc. in the amount of \$129,492.00

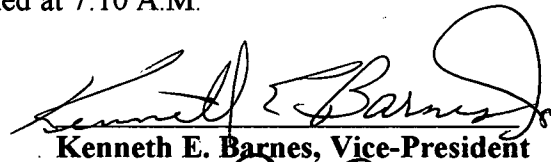
This action is being taken because the Town is under an Agreed Order Compliance Plan with the Indiana Department of Environmental Management to accomplish this above outlined project by a certain time and deadline, and which lack of performance may cause the Town to have to pay a fine to the Indiana Department of Environmental Management.

Motion by Edward D. Denton to terminate the contract with National Power Rodding Corporation, seconded by Louis R. Imhof, Jr. 4-aye, 0-nay, motion is approved.

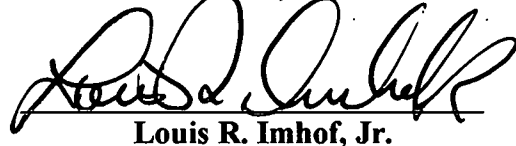
Motion by Louis R. Imhof, Jr. to award the contract to S & S and Associates in the amount of \$129,492.00, seconded by Danny F. Yost. 4-aye, 0-nay, motion is approved.

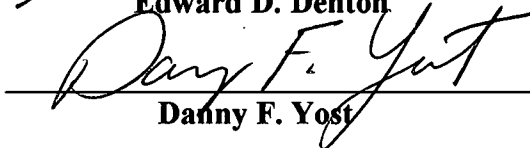
Danny F. Yost makes a motion to adjourn the meeting, seconded by Louis R. Imhof, Jr. 4-aye, 0-nay, motion approved, meeting adjourned at 7:10 A.M.

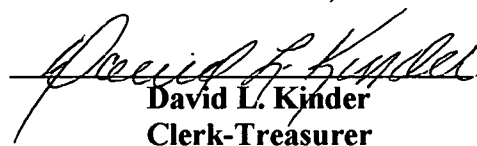

James H. LaMaster, President


Kenneth E. Barnes, Vice-President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


David L. Kinder
Clerk-Treasurer

SPECIAL SELLERSBURG TOWN COUNCIL MEETING
Adoption of the Town Budget for 2003 and Salary Ordinance for 2003

September 19, 2002

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

CALLED TO ORDER:

President James H. LaMaster called meeting to order at 6:00 P.M.

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

Louis R. Imhof, Jr. makes a motion to consider **Ordinance 2002-012** on its first reading, seconded by Danny F. Yost. 5-aye, 0-nay, and motion approved.

Kenneth E. Barnes, Sr. makes a motion to pass **Ordinance 2002-012** on the second reading. Seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, and motion approved.

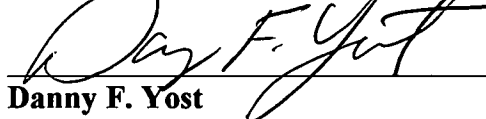
The additions to the Salary Ordinance, **Ordinance 2002-011**, of two Plan Commission members and additional longevity for Town Employees, adopted at the Regular Town Council Meeting of September 9, 2002, needs to be signed.

Town Attorney McCall presents Ordinance 2002-013, Ordinance Establishing Unsafe Building Code for the Town of Sellersburg, Indiana and Draft of garbage ordinance for their review.

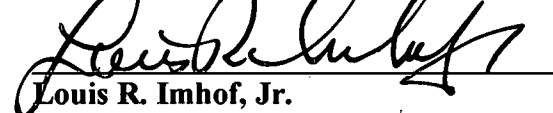
Motion by Danny F. Yost to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay meeting adjourned at 6:18 P.M.


James H. LaMaster, President


Edward D. Denton


Danny F. Yost


Kenneth E. Barnes, Sr. Vice President


Louis R. Imhof, Jr.


Attest: David L. Kinder
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL
SPECIAL MEETING
September 30, 2002**

SPECIAL TOWN COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session September 30, 2002. Present were Council President James H. Lamaster, Vice President Kenneth E. Barnes, Sr. Council member Edward D. Denton, Council member Louis R. Imhof, Jr., Council member Danny F. Yost, 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 7:00 P.M.

The purpose of this meeting is to discuss the contract with National Power Rodding Corporation, Purchase of the PNC Bank Building and adjacent properties and approve Resolution R-2002-004, revised Tax Levy Appeal.

WILLIAM P. McCALL, (Town Attorney): National Power Rodding Corporation have agreed to withdraw from the bidding process in return the Town has agreed to accept their withdrawal of the bid and allow the Town to rebid the project or bid it to the next responsible bidder. This is based upon information received from the Town Engineer John Toombs that the project was not preceding, as he deemed appropriate and necessary under the specifications of the contract the engineer has the ability to make those determination and advise the Town Council of what action they should take if any in regards to the contract. Mr. Toombs has put National Power Rodding Corporation on notice of deficiencies in the contract and they agreed to withdraw to allow us, rather than wait thirty days to expire, let the security find a new contractor or sub-contractor to do the work to allow us to bid it our self.

Therefore, what we are asking tonight is to take a vote pursuant to motion to accept National Power Rodding Corporation to withdraw their bid to allow Mr. Toombs to coordinate the second bid and approve, you have technically already approved S & S and Associates and again to approve that bid for tonight. So it is a two-fold process, one accept the withdrawal bid by National Power Rodding Corporation and to award the new bid to S & S and Associates. That is who the second bid was to. That should finalize that matter once and for all.

Danny F. Yost makes a motion that we accept the withdrawal of National Power Rodding Corporation contract and hire the second bidder, S & S and Associates, the next responsible bidder. Motion is seconded by Edward D. Denton, 5-aye and 0-nay, motion is approved.

PRESIDENT JAMES H. LaMASTER: Open the public hearing on the lease/purchase agreement for the PNC Bank Building and see if there is any public comment. Mr. Larry D. Gray, (President Public-finance.com), is here to talk about that if there is.

Jeff Cross from the 5th Third (Bank) and need to know what is the residual pay-off of the lease and why did you not want to seek bond pay off.

Mr. Gray advises that at the end of 10 years the lease/purchase will be paid out. He advises further that basically payments will be made twice a year, January and July. Basically, all things are as they were, it is \$450,000.00 and when we close, we will have the exact payments in an amount not to exceed \$56,000.00 per year.

Mr. McCall states there is suppose to be Resolution to approve, after the public hearing, close the public hearing and take a vote, so if there are no further comments my suggestion is to close the public hearing and then vote to approve the lease/purchase agreement.

President LaMaster, hearing no other comments do I have a motion to close the public hearing? Kenneth E. Barnes, Sr. makes a motion to close the public hearing, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion is approved.

Motion by Louis R. Imhof, Jr. to approve the Resolution to approve the lease/purchase agreement with PNC Bank N.A., (National Association).

Kenneth E. Barnes, Sr. asks if there is a resolution number on that. Mr. McCall states we do not, that no one sent me a resolution to put together. I was told there were a couple of options but I do know that you need to do this tonight. My suggestion is that you approve the lease/purchase agreement after the public hearing so that we can go forward with the closing at the next. Kenneth E. Barnes, Sr. makes a motion to approve the resolution, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion is approved.

Clerk-Treasurer asks if they (PNC) will send us a resolution, McCall advises that your guess is as good as mine, I assume, Mr. Gray speaks and says that at the closing it will be there for LaMaster and Mr. Kinder to sign, it will say what was said here. The closing should be in thirty days.

Clerk-Treasurer advises that the Resolution will be number R 2002-005.

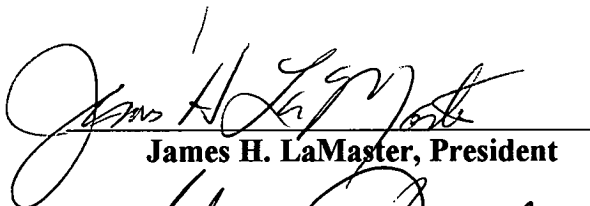
DAVD L. KINDER, (Clerk-Treasurer): I have Resolution R-2002-004,
RESOLUTION APPROVING AN INCREASE TAX LEVY FOR THE TOWN OF

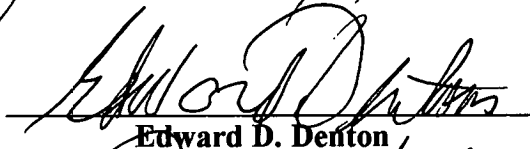
SELLERSBURG 2003 BUDGET. President LaMaster reads Resolution R2002-004 to the Council. This will increase the levy of \$27,728.00 for the three-year growth factor for the Town of Sellersburg. The previous advertised levy was \$1,107,186.00 and the new proposed tax levy will be \$1,134,914.00.

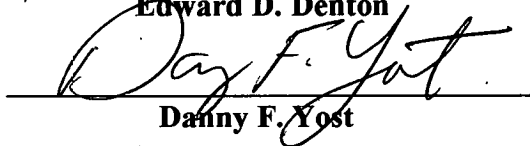
Kenneth E. Barnes, Sr. makes a motion to approve Resolution 2002-004, seconded by Danny F. Yost. 5-aye, 0-nay, motion is approved.

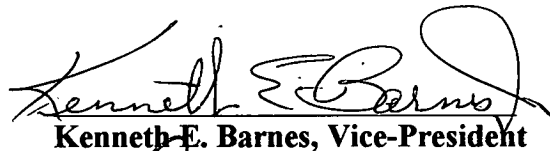
NATHAN GRIMES, (Building Commissioner): This is in regards to the sidewalk project I have Terra-Cotta Rehab & Contracting notice to precede and they submitted a bid bond with a certified check and they want the check back, they have sent all the other bonds and certificate of insurance. Council approves the returning of the check.

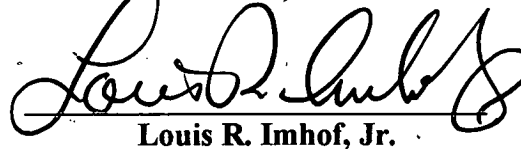
Kenneth E. Barnes, Sr. makes a motion to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion is approved and meeting adjourned at 7:15 P.M.


James H. LaMaster, President


Edward D. Denton


Danny F. Yost


Kenneth E. Barnes, Vice-President


Louis R. Imhof, Jr.


David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

October 14, 2002

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on October 14, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 6:00 P.M.

TOPIC OF DISCUSSION:


Personnel Matter discussed.


Town Attorney, William P. McCall, III discussed the Lease/Purchase Agreement for the PNC Bank Building.

John Mayer letter reference Indian Oaks Trailer park.

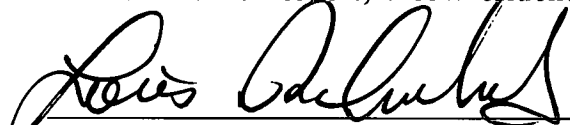
Bond Anticipation Note for expansion of sewer plant.

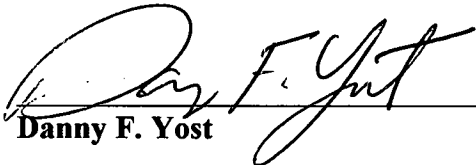
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved and meeting adjourned at 6:58 P.M.


James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

October 14, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on October 14, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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:

Offered by Reverend Bob Hauselman, Restoration Christian Church

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Kenneth E. Barnes, Sr. to approve the minutes of the September 9, 2002 Council Meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, minutes approved.

JEFF CORBETT: Requesting permission to tap into Town sewer system. Attorney McCall advises that Corbett called him about the tap-in fee for those lots since they were outside the corporate limits and if there was an additional expense associated with the tap over and above what is in the ordinance.

Mr. Corbett agrees to pay the extra fee of \$600.00 per lot above the \$2,200.00 regular tap-in fee and not to remonstrate against annexation if the Town seeks to annex that area.

Motion by Danny F. Yost to agree to provide sewers to Mr. Corbett for the development at Bud Prather Road for the 45 lots there, the tap-in fee would be \$600.00 over and above the regular tap-in fee and not to remonstrate against annexation seconded by Edward D. Denton. 5-aye, 0-nay the motion is approved.

DON LOPP, (Kidtech planning Grant): We have received from the department of Commerce their approval and I am here tonight to get the second claim for the Grant signed so we can process that, and the amount is \$9,690.00.

Motion by Louis R. Imhof, Jr. to disperse the funds of \$9690.00 for the Kidtech Grant, seconded by Danny F. Yost. 5-aye, 0-nay motion is approved.

DANNY CHRISTIANI, (Earth First): I just want to offer the Town to take yard waste from October 15 to November 15, 2002 at no charge for persons with a Sellersburg address.

Sellersburg Town Council Meeting
October 14, 2002
Page 2 of 6 pages

Also, we will do the same for two weeks after Christmas for Christmas trees. When the people bring their yard waste they will have to go across the scales and be weighed, but this is because the State requires us to do this, it will not cost the Sellersburg resident anything.

JEAN PIPER: this is about a sewer bill for her mother-in-law (Nancy Swisher), the bill is for over \$2,000.00, and now there is a lien on the property.

President LaMaster advises that there are several of these liens and the Town is not releasing the property liens.

RAMON PARRISH: I have been to the County Planning Board and they are willing to help us with the problem of the drainage. I have a list of people that live in Forrest Estates that want the Town to help with this drainage problem.

President LaMaster states that the sewer permit for the second phase of Silver Glades Estates and unless they are willing to work on this problem they may not get their sewer permit ok'ed by this Council.

ED CROUCHER, (Metro Plumbing): I am the owner of Metro Plumbing and am building a building in the Air-Port Development Area and I would like to know how to make this a Revitalization Area for the Town so that I can get a tax abatement.

Attorney McCall believes this is already a Revitalization Area in the Town, I believe this was done when the Bingham property was annexed. I will check into this and then get with you on how to apply for tax abatement.

KEITH WEIN, (Chiropractor): Just want to introduce and pass out this information about what makes people healthy and what makes them ill. Have a health program for workers or for groups

PETE WOLTER, (Worksite Solutions): We do an employee education about benefits they receive and then we try to fill any gaps insurance needs. We need to have an agreement with you for us to sit down, one on one with the employees, and go over all their benefits.

KEVIN WRIGHT, EMC: We have bids from four companies on two manholes one on Pennsylvania and one on Lane Avenue and CabX is low bidder at \$3,585.00. Motion by Louis R. Imhof, Jr. to approve this bid seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

I received a call last week to Lynnwood drive reference a sinkhole in someone's backyard. After checking, I believe the sewer main at 508 Lynnwood is broken. I would like permission to seek Bids on getting that line fixed.

Have information on truck that could be used to clean out sewer mains, the truck we are looking

Sellersburg Town Council Meeting
October 14, 2002
Page 3 of 6 pages

at is a demo unit, one year old with 100% guarantee on the truck, the list price is \$188,000.00 and a new truck is around \$240,000 to \$250,000. I would like permission to seek bids. Motion is made to spec out the truck by Danny F. Yost seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

NATHAN GRIMES, (Building Commissioner): Have the Building Commissioner's Report for September.

I gave each of you a copy the bids for Storm Drain projects, we had three bids on October 7, 2002 the low bid was Danny Christiani Excavating was low bidder at \$50,383.00, this covers 5 different projects.

Kenneth E. Barnes, Sr. makes a motion to approve the repairs pending approval of the performance Bond, right of entries, easements and financing of the projects, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion is approved.

WILLIAM P. McCALL, III, (Town Attorney): the lease agreement for the Town of Sellersburg and the PNC Bank, the lease purchase agreement, on September 30, we held a special meeting that the public notice was put out, the public hearing was held, and the Town Council agreed to the Lease/Purchase of the PNC Bank building. Today we need to execute these Leases, they have been passed, and they need to be signed by the Town Council President and signed by the Clerk/Treasurer and notarized: there should be six copies here.

The improvements and additions to the Wastewater, in order to do that, the Town must finance that. The Town is proposing to finance it through Sewer Works Revenue Bonds and possibly Bond Anticipation Notes. To begin the process as to whether or not these Bonds are appropriate the Town must pass the ordinance to begin that process. I have the ordinance tonight, Ordinance 2002-014; it is a 45-page ordinance that required a description of the project, which I have added as well as recent reference to our current sewer rate schedule. This has to be done on a first reading being that the Board must unanimously agree to consider on its first reading once that is done then you can pass it on its first reading.

Kenneth E. Barnes, Sr. makes motion to consider **ORDINANCE 2002-014, AN ORDINANCE CONCERNING THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO THE SEWAGE WORKS OF THE TOWN OF SELLERSBURG, THE ISSUANCE OF REVENUE BONDS TO PROVIDE THE COST THEREOF, THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SAID WORKS, THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SAID REVENUE BONDS, OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN ANTICIPATION OF BONDS, AND REPEALING ORDINANCES INCONSISTENT HEREWITH,** on its first reading seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Sellersburg Town Council Meeting
October 14, 2002
Page 4 of 6 pages

Louis R. Imhof, Jr. makes motion to pass ORDINANCE 2002-014 on the first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

McCall then reminds the Council that the Unsafe Building Code that he gave them to review at the last meeting needs to be approved. This gives the building Commissioner more authority to regulate these new and old structures.

Kenneth E. Barnes, Sr. makes motion to consider ORDINANCE 2002-013, ORDINANCE ESTABLISHING UNSAFE BUILDING CODE FOR THE TOWN OF SELLERSBURG, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Danny F. Yost makes motion to pass ORDINANCE 2002-013 on its first reading, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved.

LOUIS R. IMHOF, JR.: Last month the Council agreed to pay REMC for internet service but since then I have found another provider that would do it for approximately \$124.40. When I get the invoice I will give it to Dave (Clerk-Treasurer) for payment.

Motion by Danny F. Yost to pay the new internet provider \$124.40, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved.

DAVID L. KINDER, (Clerk-Treasurer): On the internet payment, State Board says that project must be completed before payment, and the Council just passed approval to pay in advance.

I am presenting a bill from Terra-Cotta Rehab and Contracting, reference the water line at the High School parking lot, there is a change order for \$10,004.00 above the contract price and the total bill is \$39, 974.00, need approval to pay the bill. Motion by Louis R. Imhof, Jr. to pay the bill, seconded by Edward D. Denton. 5-aye, 0-nay, motion approved to pay the bill.

Motion by Danny F. Yost to pay the regular bills as submitted by the Clerk-Treasurer, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion is approved.

Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay meeting is adjourned at 8:25 P.M.

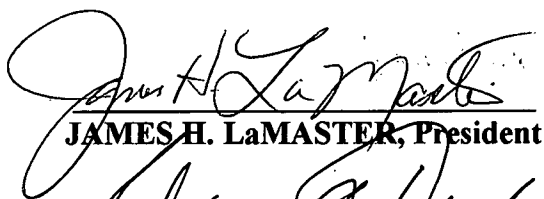
Attachment: copy of Forrest Estates petition signatures.

FORREST ESTATES - WATER PROBLEM

The undersigned request that the City of Sellersburg require that the Silver Blades Development restrict the water run-off so as not to overflow the existing stream to any sizable degree more than prior to the development:

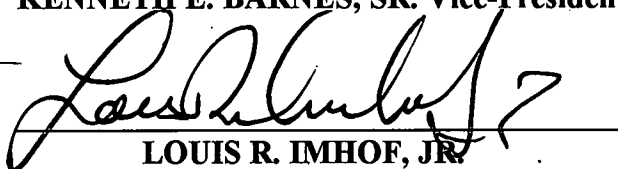
(At an earlier zoning board meeting the developer assured the residents that the water problem would be no worse than before the development.)

732 Chris Kelly 732 Forrest Dr S
136 Geo. A. Coleman 600 W. Hwy P & Datcher
740 PAUL DWYER / BY RP 602 W. J. Ehring
744 Ramon Parrieh
448 Kissa Tiefenbach
752 William B. Ann 614
618 ~~██████~~ J. Kim Kim
760 Jacqueline Slickert
764
768 Randall Cooper
638 Donald Long
805 William Ungless
713 Gerard Strom
628 Carolyn Makowsky

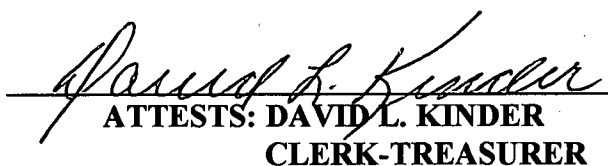

JAMES H. LaMASTER, President


KENNETH E. BARNES, SR. Vice-President


EDWARD D. DENTON


LOUIS R. IMHOF, JR.


DANNY F. YOST


ATTESTS: DAVID L. KINDER
CLERK-TREASURER

**SELLERSBURG TOWN COUNCIL
SPECIAL MEETING
November 8, 2002**

SPECIAL TOWN COUNCIL MEETING:

The Sellersburg Town Council meets in Special Session November 8, 2002. Present were Council President James H. LaMaster, Vice President Kenneth E. Barnes, Sr., 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 7:18 A.M.

The purpose of this meeting is to pass an Ordinance establishing revised voter districts in the Town.

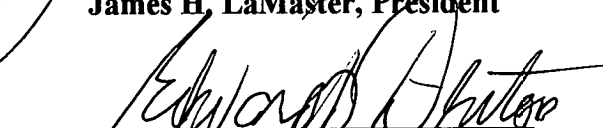
WILLIAM P. McCALL, (Town Attorney): Presents **ORDINANCE NO. 2002-016, ORDINANCE ESTABLISHING REVISED VOTER DISTRICTS IN THE TOWN OF SELLERSBURG, INDIANA.**

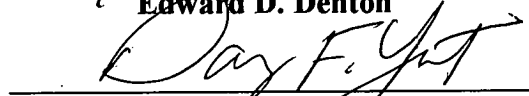
Kenneth E. Barnes, Sr. makes a motion to consider Ordinance 2002-016 on the first reading, seconded by Louis R. Imhof, Jr. 3-aye, 0-nay, motion approved.

Louis R. Imhof, Jr. makes a motion to pass Ordinance 2002-016 on the first reading, seconded by Kenneth E. Barnes, Sr. 3-aye, 0-nay, motion approved.

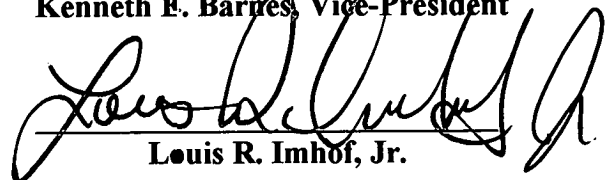
There being no further business Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 3-aye, 0-nay meeting is adjourned at 07:22 A.M.

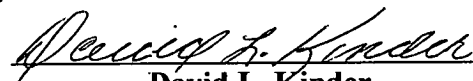

James H. LaMaster, President


Edward D. Denton


Danny F. Yost


Kenneth E. Barnes, Vice-President


Louis R. Imhof, Jr.


David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

November 11, 2002

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on November 11, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

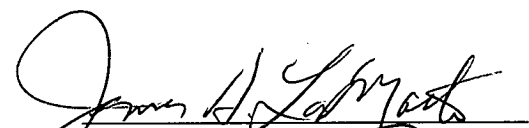
CALLED TO ORDER:

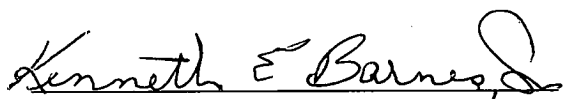
President James H. LaMaster called the meeting to order at 6:00 P.M.


TOPIC OF DISCUSSION:


Dan Hedden, H. J. Umbaugh and Associates, reference possible refinancing of Bonds.

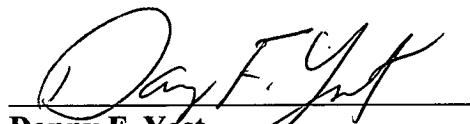
Motion by Kenneth E. Barnes, Sr. to adjourn the meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved and meeting adjourned at 6:32 P.M.

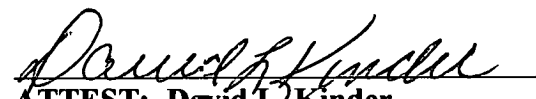

James H. LaMaster, President


Kenneth E. Barnes, Sr., Vice President


Edward D. Denton


Louis R. Imhof, Jr.


Danny F. Yost


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

November 11, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on November 11, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:00 P.M.

PRAYER:

Offered by President James H. LaMaster.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Danny F. Yost to approve the minutes of the October 14, 2002 Council Meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, minutes approved.

GLEN WISDOM, (President Town Parks Board): Announces that the Parks Board will be decorating Wilkerson Park for Christmas. Kiwanis, Moose Lodge and American Legion will assist in this. On November 29, there will be a light-up Sellersburg at 7:00 P.M., with Santa Claus and treats for the kids.

PRESIDENT LaMASTER: Advises that the Council needs to appoint two (2) members to the Sellersburg Housing Authority. Louis R. Imhof, Jr. makes a motion to reappoint Bobby G. Adkins and Thomas Garr to the Housing Authority, seconded by Edward D. Denton. 5-aye, 0-nay motion is approved.

DON LOPP, (Kid Tech): Have two items to be signed to start the close out project of the planning grant. Shows the funds have been dispersed. President LaMaster signs the papers.

CHARLES R. MURPHY, (Attorney): Mr. Murphy presents a copy of a petition to vacate an alley. He is representing Mr. & Mrs. Hutchinson in their petition for vacation; they are the owners of lots 19, 20, 21, 22 of block F in the Fairfield addition.

President LaMaster asks the public if anyone has any objection, there being none he will entertain a motion to accept closure of this roadway.

Kenneth E. Barnes, Sr. makes a motion to accept closure of this roadway, seconded by Danny F. Yost. 5-aye, 0-nay motion is approved. Mr. Murphy will present an ordinance to the Council at

Sellersburg Town Council Meeting
November 11, 2002
Page 2 of 3 pages

the December 9, 2002 meeting.

KEITH KRAMER, (Waterworks Supply): This is a performance Bond from September 3, 1991. We did this reference two pressurized water taps for the Town of Sellersburg under Mac Construction at I-265. The second tap, the coupon was not recovered, the portion of the line that was removed, and Sellersburg requested a \$25,000.00 performance bond in case anything happened to that water line during a ten (10) year period. It has now been ten years and we need a letter relinquishing the bond.

Kenneth E. Barnes, Sr. makes a motion to relinquish this bond, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion is approved.

Mr. Kramer will send the Town a letter from the insurance company showing the bond has been released.

NATHAN GRIMES, (Building Commissioner): The sidewalk project on East Utica Street, five items need finished. He has withheld ten per cent (10%) of the contract price.

There is a change order for \$1,645.55 deduct because of work changed and not completed.

Kenneth E. Barnes, Sr. makes a motion to accept the deduct of \$1,645.55, seconded by Edward D. Denton. 5-aye, 0-nay motion is approved.

Last month the Council approved an Unsafe Building Ordinance and I have sent letters to three (3) properties to correct problems. This is for your information.

The street project at Utica and New Albany Street will be repaired, I have contacted Kenny Rush, Sellersburg Stone Company, and David Broady, Southern Indiana Excavating and they are going to take care of this before the paving season ends.

KENNETH E. BARNES, SR. (Town Council Member): Questions Phil Thompson, EMC, if all the fire hydrants in Town are operable. Mr. Thompson believes there six (6) that are going to be replaced and he will verify that and get back with the council.

LOUIS R. IMHOF, JR. (Town Council Member): Request a notice be placed on the Town Bulletin board reference anyone interested in any of the Town Boards to contact members of the Council.

Town resident had a sewer back up over the weekend and he would like to have that citizen speak to the Council.

William Keeney, 500 Catalpa, had a sewer back up and wants to know how to keep this from happening again in the future. Mr. Phil Thompson, EMC, advises that there were tree roots in the

sewer, they have been removed, and this area will be marked as getting more attention in the future as a probable sewer problem area.

WILLIAM P. McCALL, (Town Attorney): Presents **ORDINANCE 2002-015, AN ORDINANCE FORR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG.**

Kenneth E. Barnes, Sr. makes a motion to consider Ordinance 2002-015 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

Louis R. Imhof, Jr. makes a motion to pass ordinance 2002-015 on the first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

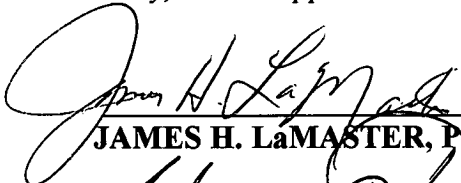
Attorney McCall present **ORDINANCE 2002-017, AN ORDINANCE AMDNDING ORDINANCE NO. 457 CONCERNING STREET CUTS AND EXCAVATIONS WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF SELLERSBURG.**

Louis R. Imhof, Jr. makes a motion to consider Ordinance 2002-017 on the first reading, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

Kenneth E. Barnes, Sr. makes motion to pass Ordinance 2002-017 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion approved.

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

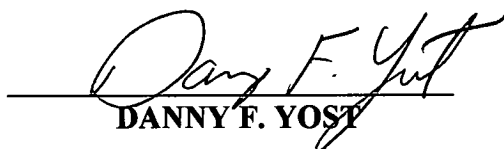
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay, motion approved and meeting adjourned at 7:42 P.M.

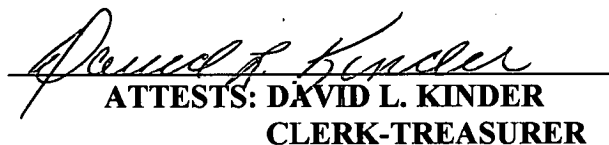

JAMES H. LaMASTER, President


KENNETH E. BARNES, SR. Vice-President


EDWARD D. DENTON


LOUIS R. IMHOF, JR.


DANNY F. YOST


ATTESTS: DAVID L. KINDER
CLERK-TREASURER



water works supplies inc.

CORPORATE OFFICE:
1505 RESEARCH DRIVE
P O BOX 1177
JEFFERSONVILLE IN 47131-1177
PHONE 812/282-7703
www.waterworkssupplies.com

BRANCH SALES OFFICES

July 15, 2002

1505 RESEARCH DRIVE
P O BOX 1177
JEFFERSONVILLE IN 47131-1177
812/282-7703
FAX 812/283-5977

Town Council
Town of Sellersburg
City Hall
Sellersburg, IN 47173

10105 HEDDEN ROAD
P O BOX 4818
EVANSVILLE IN 47724-0818
812/868-1181
FAX 812/868-1186

Subject: Maintenance Bond

4634 ILLINOIS AVENUE
P O BOX 33155
LOUISVILLE KY 40232-3155
502/459-8974
FAX 502/459-4255

Dear Sirs:

Water Works Supplies, Inc. has, at the Town Council's request, kept in force a maintenance bond in the amount of \$25,000 since April 1992. This bond was to cover expenses associated with any problem that should arise due to a lost coupon from a wet tap performed by our company on October 3, 1991. (see attached copy of letter dated April 30, 1992).

This bond was to remain in force for a period of ten years and as of April 2002 the ten-year time period has elapsed with no problems ever having developed as a result of the lost coupon. Water Works Supplies, Inc. at the request of our insurance company, is requesting a release from any further obligation or liability associated with this lost coupon. MAC Construction, your contractor on this project, has already agreed to this release. Please sign the following statement and return to the above address. Thank you for your understanding and cooperation in this matter.

Sincerely,

James B. Taylor
President

Attach: Letter dated April 30, 1992





water works supplies inc.



CORPORATE OFFICE:
1505 RESEARCH DRIVE
P O BOX 1177
JEFFERSONVILLE IN 47131-1177
PHONE 812/282-7703
www.waterworkssupplies.com

BRANCH SALES OFFICES

1505 RESEARCH DRIVE
P O BOX 1177
JEFFERSONVILLE IN 47131-1177
812/282-7703
FAX 812/283-5977

10105 HEDDEN ROAD
P O BOX 4818
EVANSVILLE IN 47724-0818
812/868-1181
FAX 812/868-1186

John A. Layman

Town of Sellersburg

11/11/02

Date

4634 ILLINOIS AVENUE
P O BOX 33155
LOUISVILLE KY 40232-3155
502/459-9974
FAX 502/459-4255

611 S KEENELAND DRIVE
P O BOX 615
RICHMOND KY 40476-0615
859/624-2800
FAX 859/623-4658

625 JOHN CC MAYO AVENUE
P O BOX 8
AUXIER, KY 41602-0008
606/886-9974
FAX 606/886-9333

2310 OLD STATE ROUTE 32
P O BOX 442
BATAVIA OH 45103-0442
513/732-9500
FAX 513/732-6281



Gr 2



water works supplies inc.

CORPORATE OFFICE:
1505 RESEARCH DRIVE
P O BOX 1177
JEFFERSONVILLE IN 47131-1177
PHONE 812/282-7703
www.waterworkssupplies.com

December 2, 2002

BRANCH SALES OFFICES

1505 RESEARCH DRIVE
P O BOX 1177
JEFFERSONVILLE IN 47131-1177
812/282-7703
FAX 812/283-5977

10105 HEDDEN ROAD
P O BOX 4818
EVANSVILLE IN 47724-0818
812/868-1181
FAX 812/868-1188

4634 ILLINOIS AVENUE
P O BOX 33155
LOUISVILLE KY 40232-3155
502/459-9974
FAX 502/459-4255

611 S KEENELAND DRIVE
P O BOX 615
RICHMOND KY 40476-0615
859/624-2800
FAX 859/623-4658

625 JOHN CC MAYO AVENUE
P O BOX 8
AUXIER, KY 41602-0008
606/886-9974
FAX 606/886-9333



Town Council
Town of Sellersburg
Attn: James H. LaMaster
City Hall
Sellersburg IN 47173

Subject: \$25,000 Maintenance Bond
Bond No. 3041 7436

Dear Sirs:

Please find enclosed a letter from Fidelity and Deposit Companies acknowledging receipt of your release signed November 11, 2002, from the subject Maintenance Bond initialed in April 1992. For your files, I have also enclosed a copy of the signed release. This acknowledgment will close this file.

If you should need any further information on this matter, please do not hesitate to contact me at 282-7703 ext 221.

Sincerely:

James B. Taylor
President

attch: Fidelity and Deposit Companies letter dated November 26, 2002
Release signed November 11, 2002

cc: Terry McCauley, Branch Sales Manager, Louisville Branch
Keith Kramer, Assistant Office Manager, Jeffersonville Branch

JBT/njc

The Fidelity and Deposit Companies

Louisville Surety
4965 U. S. Highway 42
Building B, Suite 2100
Louisville, Ky 40222
(502) 429-9775



November 26, 2002.

Town Council
Town of Sellersburg
City Hall
Sellersburg, IN 47173

RE: Water Works Supplies Inc.
\$25,000 Maintenance Bond
Bond No. 3041 7436

Dear Sirs:

Please accept this correspondence as acknowledgement that the captioned bond has been released, per Council president James H. LaMaster's November 11, 2002 directive which was approved by William McCall, Town Attorney.

The Fidelity and Deposit Company of Maryland is closing its file as the original obligation has been rendered null and void.

Sincerely,

Mark R. McDaniel
Senior Account Executive

SELLERSBURG TOWN COUNCIL

December 9, 2002, 2002

EXECUTIVE SESSION:

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on December 9, 2002. Present for the meeting were Town Council President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

CALLED TO ORDER:

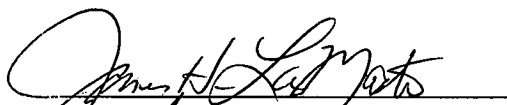
President James H. LaMaster called the meeting to order at 6:03 P.M.


TOPIC OF DISCUSSION:


Michael L. Stricker, Chief of Police, requesting that he have final approval of who is hired as police officers for the Town.

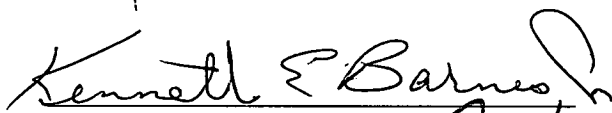
Town Attorney, William P. McCall, III, explains the hiring procedures for the police department, quotes IC 36-8-3.5-12 and IC 36-8-3.2-6

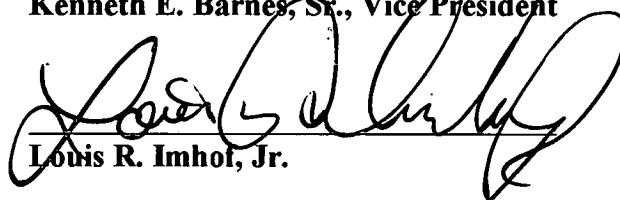
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved and meeting adjourned at 6:56 P.M.


James H. LaMaster, President


Edward D. Denton


Danny F. Yost


Kenneth E. Barnes, Sr., Vice President


Louis R. Imhof, Jr.


ATTEST: David L. Kinder
Clerk-Treasurer

SELLERSBURG TOWN COUNCIL

December 9, 2002

REGULAR TOWN COUNCIL MEETING

The regular Town Council meeting of the Sellersburg Town Council was held at the Sellersburg Town Hall on December 9, 2002. Present for this meeting were Town Board President James H. LaMaster, Vice-President Kenneth E. Barnes, Sr., Council Member Edward D. Denton, Council Member Louis R. Imhof, Jr., Council Member Danny F. Yost, 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 7:05 P.M.

PRAYER:

Offered by Reverend Gary Fenner, Calvary Christian Church.

PLEDGE OF ALLEGIANCE:

Recited by all present.

REGULAR MEETING:

Motion by Danny F. Yost to approve the minutes of the November 11, 2002 Council Meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, minutes approved.

JOHN TOOMBS, (Jacobi, Toombs and Lanz Engineering, Inc.): Opening bids for the Relocation of Water and Sewer lines (Job # 0214) for 76 Truck Stop, Interstate 65 and State Road 60. First bid is Team Contracting of Sellersburg; bid is \$579,511.00 (five hundred seventy-nine thousand five hundred eleven dollars). Next bid is Mac Construction of New Albany; bid is \$647,000.00 (six hundred forty seven thousand dollars). Last bid is Dave O'Mara Contracting, North Vernon, Indiana, bid is \$974,676.00 (nine hundred seventy four thousand six hundred seventy-six dollars).

Toombs recommends that the Council tentatively award the contract to Team Contracting, subject to our review of the documents and the States approval.

Louis R. Imhof, Jr. makes a motion to accept the bid of Team Contracting pending review of the contract and documents, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

DON LOPP, (Kid Tech representative): I have the final paper work for the Kid Tech grant, I just need step three, four signed and sent to the Department of Commerce, and the grant is closed out.

Motion by Danny F. Yost to approve the finalization of the Kid Tech project, seconded by Edward D. Denton. 5-aye, 0-nay motion is approved. President LaMaster signs the documents.

DON LONG: Complaining about the water department; he was called from his home last

Sellersburg Town Council Meeting
December 9, 2002
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Monday to show the representative from the water department which meter was to turn on of for his new tenant.

PHIL THOMPSON, (EMC): Have two bids for a new Combination Sewer Cleaner Truck. First bid is Deeds Equipment Company; the bid is \$184,450.00 (one hundred eighty-four thousand four hundred fifty dollars). The next bid is Best Equipment Company, Inc; the bid is \$176,335.00 (one hundred seventh-six thousand three hundred thirty-five dollars).

EMC wants permission to give \$2,000.00 (two thousand dollars) toward the purchase of a generator for the new building (bank building) which will be shared with the police department. Motion by Louis R. Imhof, Jr. to approve the \$2,000.00 for the generator, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved.

EMC request that the water/sewer department be added to the new telephone system in the new building (bank building) that the police department is having installed. Motion by Louis R. Imhof, Jr. to permit EMC is added to the new telephone system, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

EMC needs to remove a wall, install a handicap ramp, install a new door for entrance, build a counter, like in the present office, and the estimated cost will be between \$3,200.00 and \$3,449.00.

Motion by Kenneth E. Barnes, Sr. to allow \$3,449.00 for these repairs, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

Presently the police department is having lights installed and EMC is requesting \$2,200.00 for lighting in the utility offices.

Motion by Kenneth E. Barnes, Sr. to allow \$1,800.00 for EMC to install lighting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

Presently the Chlorine scales is failing at the water plant. This failed in September, the State Inspector has not fined us yet for this but it cost us a \$25,000.00 fine. The current estimates to repair/replace the system is \$3,500.00 to \$4,000.00, we are shopping around to replace it. Motion by Kenneth E. Barnes, Sr. to have EMC go out with specifications to obtain bids on repair/replacement of the system, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

In addition, there needs to be some type of security system around the water plant. Install fencing and some type of electronic monitoring system. Motion by Louis R. Imhof, Jr. to permit EMC to seek pricing for a security system, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

The Holman Lane water tank needs to be painted both inside and outside. I secured four quotes for inspections to tell us what needs to be done. C. T. Services bids \$2,465.00. Leary

Sellersburg Town Council Meeting
December 9, 2002
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Construction Company, Inc bid of \$2,495.00 (two thousand four hundred ninety-five dollars). Liquid Engineering Corporation, bid of \$2,595.00 (two thousand five hundred ninety-five dollars). Pittsburg Tank and Tower Company, Inc bid of \$3,300.00 (three thousand three hundred dollars). President LaMaster recommends that this be taken under advisement until a later time.

EMC request that the double delinquent fee be waived during the month of December. The reconnect fee of \$10.00 (ten dollars) and the delinquent water bill must be paid. Motion by Kenneth E. Barnes, Sr. to waive the doubling of the delinquent fee during the month of December, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

There was a billing for Lakeside Developers in August 2001 for \$450.99 (four hundred fifty dollars and ninety-nine cents) and the sewer was not used; only water, no one lived in the residence. Motion by Louis R. Imhof, Jr. to waive the sewer and sanitation portion of this bill, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

CHARLES R. MURPHY, (Attorney for Hutchinson):

This is for ORDINANCE 2002-018, ORDINANCE VACATING A ROADWAY IN THE TOWN OF SELLERSBURG.

Motion by Danny F. Yost to consider Ordinance 2002-018 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 2002-018 on the first reading, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay motion approved.

NATHAN GRIMES, (Building Inspector): I have submitted the Building Commissioner's Report for November. I also have my new contract for 2003 the fees are the same; this would be from January 1, 2003 to December 31, 2003.

Motion by Kenneth E. Barnes, Sr. to approve the Building Commissioner Contract, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

I have quotes from Dave Broady (Southern Indiana Excavating) to repair the intersection of East Utica Street and New Albany Street, Sellersburg Stone is furnishing the materials and Broady is going to dig out the intersection to find the reason it is failing.

President LaMaster recommends that this be tabled until spring and that bids from other companies be accepted for the repairs.

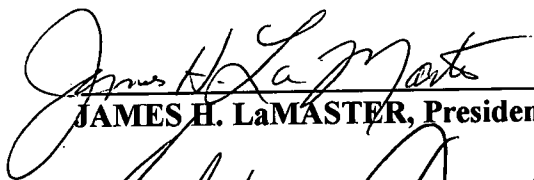
KENNETH E. BARNES, SR.: I want to check with Mr. Thompson and be certain all fire hydrants are in proper repair. Thompson states only one hydrant needs repairs and EMC is

waiting for three-inch adapter that has been ordered to complete the repair.

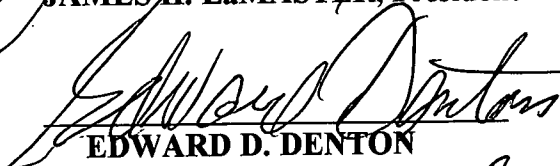
DAVID L. KINDER, (Clerk-Treasurer): Need a motion to pay the bills; motion by Louis R. Imhof, Jr. to pay the bills, seconded by Danny F. Yost. 5-aye, 0-nay motion approved.

I also have copies, for each Council Member, of the Police Commissioners, Plan Commission and Board of Zoning Appeals with appointment dates, term expirations, so the Council will be aware of what boards will need new members for the coming year. In addition, the Council needs to have the Town Attorney examine the appointments to the Plan Commission and see that those appointments comply with State Statues. This will also apply to the Parks Board.

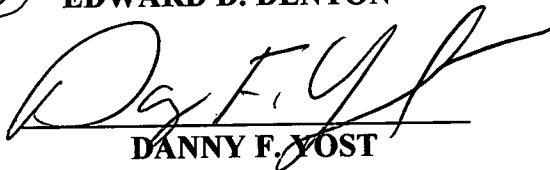
Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Kenneth E. Barnes, Sr. 5-aye, 0-nay motion approved and meeting adjourned at 8:15 P.M.

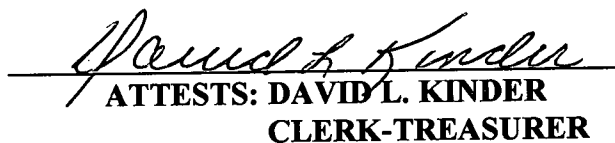

JAMES H. LaMASTER, President


KENNETH E. BARNES, SR. Vice-President


EDWARD D. DENTON


LOUIS R. IMHOF, JR.


DANNY F. YOST


ATTESTS: DAVID L. KINDER
CLERK-TREASURER

Attachments: Ordinance 2002-018