

**SELLERSBURG TOWN COUNCIL  
EXECUTIVE SESSION**

**January 3, 2006**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 3, 2006. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:31P.M.

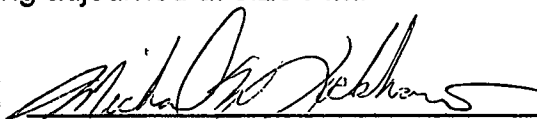
**TOPICS OF DISCUSSION:**


Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(5),(9),(10)

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

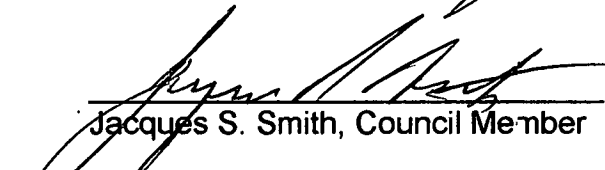
Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, meeting adjourned at 8:26 P.M.

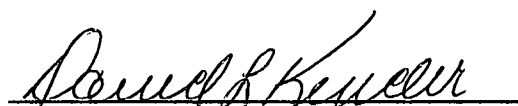
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

January 3, 2006

### TOWN COUNCIL SPECIAL MEETING:

The Sellersburg Town Council met in Special Session on January 3, 2006 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:37 P.M.

### PRAYER:

Reverend Gary Fenner, Calvary Christian Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter Presents a check to Charles "Butch" Miller of the American Red Cross for \$7,938.92 (Seven thousand nine hundred thirty-eight and 92/100 dollars) money collected for Katrina Relief Fund by the Town of Sellersburg.

He then reads a letter from Bishop Willie E. Hines, D.D. of East Jerusalem Full Gospel Church, Inc. of Laurel, Mississippi for the truck distribution for the Katrina relief efforts.

Paul J. Rhodes makes a motion to keep everyone in their present position on the Council for the year 2006 (Reiter, President and Lockhart, Vice-President), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to retain members and secretaries of all other boards and commissions for the town, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter states that he had received the resignation of Chief of Police (William P. Bradshaw) effective midnight December 31, 2005.

Michael N. Lockhart makes a motion to appoint Russell Whelan to the position of Chief of Police effective at midnight January 3, 2006, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter then asks Major Don Ross to remain the Assistant Chief. Major Ross agrees to accept the position.

Michael N. Lockhart makes a motion to pay the new employees (employees from EMC) for the January 1, 2006 Holiday, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**

**January 3, 2006**

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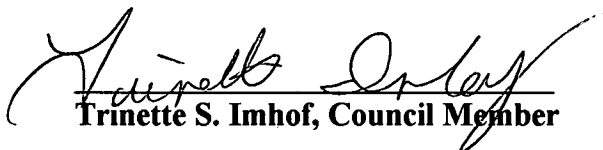
**Paul J. Rhodes** makes a motion to approve payment of \$300.00 (three hundred dollars) to the United States Postal Service for First-Class Presort and Standard Mail, seconded by Jacques S. Smith.

**William P. McCall, III, (Town Attorney)**: requests an Executive Session, at 6:00 P.M., Prior to the regular Council meeting on January 9, 2006,

Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Michael N. Lockhart: 5-aye, 0-nay, motion approved and meeting adjourned at 8:14 P.M.

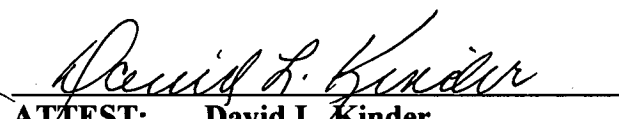
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

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

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
January 9, 2006**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 9, 2006. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Jacques S. Smith was not present.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 5:02 P.M.

**TOPICS OF DISCUSSION:**

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).


Pending or threatened litigation as authorized by I.C. 5-14-1.5-6.1(b)(2)(B).

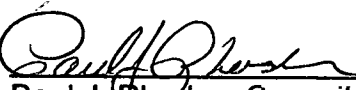
**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, meeting adjourned at 7:20 P.M.

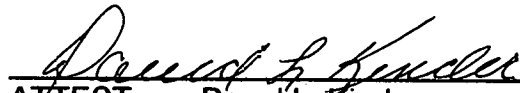
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

January 9, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on January 9, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Jacques S. Smith was not present.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:31 P.M.

### PRAYER:

Reverend Bob Hauselman, Restoraticn Christian Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the January 3, 2006 meeting.

Paul J. Rhodes makes a motion to approve the minutes of the January 3, 2006 meeting as written, seconded by Michael N. Lockhart. President asks for correction to the spelling of the Chief of Police's name, it should be Whelan. 4-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the minutes of the Executive Session of January 3, 2006.

Michael N. Lockhart makes a motion to approve the minutes of the Executive Session Meeting of January 3, 2006 as written, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

President Reiter asks if everyone has had a chance to review the invoices submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

President Reiter calls for Melissa Woods and opens the public hearing for the Downtown Revitalization Grant at 7:37 P.M.

MELISSA WOODS, (River Hills Economic Development District): This is a Downtown Revitalization Grant that was funded on May of 2005 for \$49,750.00 (forty-nine thousand seven hundred fifty dollars) and Sellersburg has matched that with ten percent or Sellersburg Town

\$5,528.00 (five thousand five hundred twenty-eight dollars). The Estopinal Group presents the proposal.

**President Reiter** closes the public hearing at 8:01 P.M. and presents **RESOLUTION 2006-001, RESOLUTION OF THE TOWN OF SELLERSBURG AUTHORIZING THE APPROVAL OF THE SELLERSBURG DOWNTOWN REVITALIZATION PLANNING GRANT REPORT TO THE INDIANA OFFICE OF RURAL AFFAIRS AND ADDRESSING RELATED MATTERS.**

Michael N. Lockhart makes a motion to consider and approve the Resolution R2006-001 as written on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Ms. Woods states that there was a release of funds January 4, 2006 for the Sewer Improvement Project and the construction contract is being reviewed and will be given to Perry (Town Attorney William P. McCall, III).

**BOYCE ADAMS, (Sellersburg Volunteer Fire Department):** requesting the Council to consider that two entrances to sub-divisions be required for emergency equipment and evacuation.

**KENNETH J. ALEXANDER, (Municipal Works Director):** Presents an invoice from Tanner Services for \$2,720.00 (two thousand seven hundred twenty dollars) for framing, drywall hanging and labor on new utility building.

Paul J. Rhodes makes a motion to pay the invoice, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Alexander presents a bill from David Gater, Jr., invoice #GS01001, in the amount of \$1,045.68 (one thousand forty-five and 68/100 dollars), to be paid upon completion of the job on the utility building, inspection by the Municipal Works Director and proof of liability insurance.

Michael N. Lockhart makes a motion to approve payment of the invoice, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Alexander states a pneumatic jack was purchased from Louis R. Imhof, Jr. for \$250.00 (two hundred fifty dollars). I will present the invoice to the Clerk-Treasurer.

Michael N. Lockhart makes a motion to pay the invoice, when presented to the Clerk-Treasurer, seconded by Paul J. Rhodes. 3-aye, 0-nay, and 1-abstention, motion approved.

Alexander presents invoice for a mailbox drop for the new building (Utility Building), from Mailbox Works for \$135.00 (one hundred thirty-five dollars).

Michael N. Lockhart makes a motion to pay the invoice to Mailbox Works, seconded by Paul J.

**Sellersburg Town Council Regular Meeting**

**January 9, 2006**

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Rhodes. 4-aye, 0-nay, motion approved.

Alexander presents an invoice from Underground Pipe and Valve, Inc. for \$1,980.00 (one thousand nine hundred eighty dollars) for twelve meters.

Paul J. Rhodes makes a motion to pay the invoice (123446) from Underground Pipe and Valve, Inc., seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Alexander presents contract with Cinergy for nineteen streetlights in Lakeside Estates. We are taking option F.

Michael N. Lockhart makes a motion to approve the contract, seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved.

Alexander presents effective starting dates for all the employees that came from EMC, except for Kevin Wright; his was a letter of acceptance.

Trinetta S. Imhof makes a motion that all employees the were originally with the Town, but hired on with EMC, that are now back with the Town that we honor their original hire date that was with the Town before they hired on with EMC for longevity, vacation and all benefits, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion that, (Bradley W. Allen, Stephanie Bower, Glover Cline, Lana McCutcheon and Kevin Wright); we take their start date with the Town back to when they actually were working for the Town through EMC, and submission of proof of the start date, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Alexander presents water bills for Silver Creek Township Park that the Town has agreed to pay for 2005, (Resolution R2005-003).

Michael N. Lockhart makes a motion to pay the water bills for Silver Creek Township Park from Town Council Promotional Fund, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney): Presents ORDINANCE 2005-035, AN ORDINANCE AMENDING PROVISIONS OF ORDINANCE 2004-029 REGARDING HOURLY, SALARY, HOLIDAY AND LONGEVITY PAY FOR EMPLOYEES OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2005 which was passed December 19, 2005 but was not signed, just needs to be signed.**

He also presents **ORDINANCE 2005-001, AN ORDINANCE AMENDING ORDINANCE 2005-026 HOURLY, SALARY, HOLIDAY AND LONGEVITY PAY FOR EMPLOYEES OF THE TOWN OF SELLERSBURG INDIANA FOR CALENDAR YEAR 2006.**

**Sellersburg Town Council Regular Meeting**  
**January 9, 2006**  
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Next ordinance is **ORDINANCE 2006-002, AN ORDINANCE ESTABLISHING A PETTY CASH FUND FOR THE SELLERSBURG DEPARTMENT OF MUNICIPAL WORKS.**

Michael N. Lockhart makes a motion to consider Ordinance 2006-002 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2006-002 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** presents **ORDINANCE 2006-003, AN ORDINANCE RESCINDING ORDINANCE 2000-004.**

Michael N. Lockhart makes a motion to consider Ordinance 2006-003 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2006-003 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**William P. McCall, III** presents **ORDINANCE 2006-004, AN ORDINANCE AMENDING ORDINANCE 2003-016 ESTABLISHING THE PREAPPROVED PAYMENTS OF CLAIMS ON BEHALF OF THE TOWN OF SELLERSBURG.**

Paul J. Rhodes makes a motion to consider Ordinance 2006-004 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2006-004 on the first reading, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

McCall presents **RESOLUTION R2006-002, EMPLOYEES BENEFIT PLAN BOOKLET DRAFT 1-09-2006.**

Michael N. Lockhart makes a motion to approve R2006-002 on first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter** wants to know if the Council wants to sell the Town's property on Villa Drive.

Michael N. Lockhart makes a motion to sell the property the Town owns on Villa Drive, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to get the property appraised or have it reappraised and let (Town Attorney McCall) Perry solicit for bids, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.



**Sellersburg Town Council Regular Meeting**  
**January 9, 2006**  
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**PAUL J. RHODES, (Council Member):** states that the medical insurance for town employees is due April 1, 2006 and proposals will be presented at a Special Meeting, February 20, 2006 at 7:00 P.M. Benefits will be the same as they are now. Patty (Clapp) will get the names (of the Insurance Companies) to Stephanie (Bower); she makes the phone calls and puts an advertisement in the paper.

**President Reiter** states that Glennis N. Wisdom will be a member of the Parks Board and James F. Hudgins will become a member of the Plan Commission.

President Reiter makes a motion that Paul J. Rhodes will be the Town's representative to River Hills Economic Development Board, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved and meeting adjourned at 9:13 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinetta S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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**Jacques S. Smith, Council Member**

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

## SELLERSBURG TOWN COUNCIL MEETING

February 13, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on February 13, 2006 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall III and Chief Deputy Clerk Treasurer Michelle D. Eve. Council Member Jacques S. Smith arrived at 7:14 P.M.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:04 P.M.

### PRAYER:

Offered by Reverend Larry Poe, Faith Community Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### UNFINISHED BUSINESS:

Signing of Ordinance 2005-025, Rezoning Property at 7800 Highway 311, Gillenwater property. Virgil Bolly, attorney for the Gillenwater's, was not present. Continued until March's meeting.

Appointment of Zoning Appeals Board member. President Reiter asks for recommendation to the Zoning Appeals Board. Vice President Lockhart makes a motion to appoint Floyd Michael Combs to the Zoning Appeals Board. Seconded by President Reiter. 4-aye, 0-nay, motion approved. Mr. Reiter states that he will notify Mr. Combs.

President Reiter asks that the Clerk Treasurer's Office send letters to the other applicants thanking them for their interest and advising them that their application will stay on file for future vacancies.

Motion by Council Member Rhodes to approve the minutes from the December 19, 2005 Council Meeting, seconded by Vice President Lockhart. 4-aye, 0-nay, motion approved.

Motion by Vice President Lockhart to approve minutes from the January 9, 2006 Executive Session, seconded by Council Member Imhof. 4-aye, 0-nay, motion approved.

Motion by Vice President Lockhart to approve minutes from the January 9, 2006 Regular Meeting, seconded by Council Member Imhof. 4-aye, 0-nay, motion approved.

Motion by Council Member Rhodes to approve the bills as submitted by the Clerk-Treasurer, seconded by Vice President Lockhart. 4-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**February 13, 2006**  
**Page 2 of 5 pages**

Motion by Vice President Lockhart to consider Ordinance 2006-001, an Ordinance amending Ordinance 2005-026 (Salary Ordinance), seconded by Council Member Rhodes. 4-aye, 0-nay, motion approved.

Motion by Vice President Lockhart to approve Ordinance 2006-001, an Ordinance amending Ordinance 2005-026 (Salary Ordinance) on its first reading, seconded by Council Member Rhodes. 4-aye, 0-nay, motion approved.

7:14 P.M. Council Member Jacques S. Smith arrived.

Motion by Vice President Lockhart to ratify Resolution R2005-001, Enlarging Participation in PERF for the Court Clerk, Kristin A. Weitzel, seconded by Council Member Jacques S. Smith. 5-aye, 0-nay, motion approved.

President Reiter states that he has an interlocal agreement from Les Merkley, Attorney for the City of Jeffersonville, in reference to the use of the Jeffersonville Animal Shelter. President Reiter is asking for a consensus for Perry (Town Attorney) to contact Mr. Merkley in reference to this agreement.

**MIKE DAVIS, SOUTHERN INDIANA ASSET BUILDING COALITION:**

Mr. Davis is asking the Town for a donation of \$4,000.00 (four thousand dollars) to promote the Earned Income Tax Credit.

Motion by Council Member Smith to make a donation of \$2,500.00 (two thousand five hundred dollars) to Southern Indiana Asset Building Coalition pending submission of letter or invoice to the Clerk-Treasurer's Office and to be paid out of the Town Council Promotion Account, seconded by Council Member Rhodes. 5-aye, 0-nay, motion approved.

**WILLIAM L. SKEES, BOND COUNSEL FOR MONTESSORI SCHOOL PROJECT AND BARBARA FONDREN:**

Mr. Skees is asking the Council to approve Ordinance 2006-005, Economic Development Bond, Series 2006, Montessori Community Inc.

Motion by Council Member Smith to consider on its first reading Ordinance 2006-005, seconded by Council Member Imhof. 5-aye, 0-nay, motion approved.

Motion by Council Member Smith to approve on its first reading Ordinance 2006-005, seconded by Council Member Imhof. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**

**February 13, 2006**

**Page 3 of 5 pages**

**STEVE BROWN, S. BROWN WOOD PRODUCTS INC., 1400 SERVICE DRIVE:**

Mr. Brown is requesting that the Council sign CF-1 Forms (Tax Abatement Forms) for his business.

Motion by Vice President Lockhart to approve the tax abatement for S. Brown Wood Products, 1400 Service Drive, after Jay Tanner, Building Commissioner looks at the property this week. Seconded by Council Member Rhodes. 5-aye, 0-nay, motion approved.

**TAX ABATEMENT FOR DAVID H. JACKSON, JACKSON PHYSICAL THERAPY:**

Perry (McCall) will look into this and get back with Mr. Jackson.

**WILLIAM R. WHELAN, CHIEF OF POLICE**

Asking the Council to pass ordinance 2006-006, an Ordinance amending Ordinance 2005-002 from January 10, 2005 (Traffic Code Ordinance).

Motion by Vice President Lockhart to consider on its first reading, Ordinance 2006-006, an Ordinance amending Ordinance 2005-002, Traffic Code Ordinance, seconded by Council Member Imhof. 5-aye, 0-nay, motion approved.

Motion by Vice President Lockhart to approve on its first reading, Ordinance 2006-006, an Ordinance amending Ordinance 2005-002, Traffic Code Ordinance, seconded by Council Member Smith. 5-aye, 0-nay, motion approved.

**JONAS L. "JAY" TANNER, BUILDING COMMISSIONER:**

Presents tax abatements for Larry Gilbert, J. L. Gilbert Co. Inc., 254 N. Fern St. for Real Estate and Equipment. Mr. Tanner advises the Council that J. L. Gilbert is in compliance.

Motion by Council Member Rhodes to approve tax abatements for Larry Gilbert, J. L. Gilbert Co. Inc., 254 N. Fern St. for Real Estate and Equipment, seconded by Vice President Lockhart. 5-aye, 0-nay, motion approved.

Mr. Tanner requests the Perry (McCall) look at the nuisance ordinance and have it amended so it doesn't take forty-five days to get something done. Mr. Tanner and Council Member Rhodes will work on this.

Mr. Tanner advises the Council that the demolition for the Overton property is complete and the only thing left to do is the backfill.

**Sellersburg Town Council Regular Meeting**  
**February 13, 2006**  
**Page 4 of 5 pages**

**KENNETH J. ALEXANDER, PUBLIC WORKS DIRECTOR:**

Asks Council to look over the draft of the personnel policy and any changes to be made at the Meeting for Insurance on February 20, 2006 at 7:00 p.m. or immediately following the Plan Commission Meeting.

Presents an invoice for reimbursement to Ms. Aleine Dunleavy, 8311 Old State Road 60. The reimbursement is for repairs to a water line that she had repaired that was actually on the Town's side.

Motion by Vice President Lockhart to reimburse Ms. Dunleavy \$267.69 (two hundred sixty-seven and 69/100 dollars) for repairs to the water line, seconded by Council Member Smith. 5-aye, 0-nay, motion approved.

Presents invoice from M.T. Dearing for carpet in the new Utility Billing Office.

Motion by Vice President Lockhart to pay \$4,927.50 (four thousand nine hundred twenty-seven and 50/100 dollars) to M.T. Dearing for carpet in the new Utility Billing Office to be split equally between water and sewer, seconded by Council Member Smith. 5-aye, 0-nay, motion approved.

Presents invoice from David Gater for drywall finish work, in the new Utility Billing Office, to be paid out of water.

Motion by Council Member Smith to pay David Gater \$575.00 (five hundred seventy-five dollars) for drywall finish work out of water, seconded by Vice President Lockhart. 5-aye, 0-nay, motion approved.

Submits a proposal from Gutter Pro for installation of gutters in the amount of \$490.00 (four hundred ninety dollars).

Motion by Vice President Lockhart to pay Gutter Pro \$490.00 (four hundred ninety dollars) upon completion and submission of invoice, seconded by Council Member Smith. 5-aye, 0-nay, motion approved.

Motion by Vice President Lockhart to up the insurance on the new billing office building to \$250,000.00 (two hundred fifty thousand dollars) and contents to \$70,000.00 (seventy thousand dollars), seconded by Council Member Smith. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL III, TOWN ATTORNEY:**

Advises the Council that the Friendly Village of Indian Oaks would like to meet with Mr. McCall and a member of the Council in reference to the Master Meter at Indian Oaks. President Reiter, Council Member Rhodes, Public Works Director Alexander and Town

**Sellersburg Town Council Regular Meeting**  
**February 13, 2006**  
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Attorney McCall will meet with the Friendly Village of Indian Oaks on February 24<sup>th</sup> or 28<sup>th</sup> in the afternoon. Mr. McCall will set up the date and time.

**TRINETTE S. IMHOF, COUNCIL MEMBER:**

Advising the Council that the new president for the Parks Board is Janet Rudd and the Vice-President is Terry Langford.

**DOUGLAS J. REITER, COUNCIL PRESIDENT:**

On Thursday, February 16, 2006 at 5:30 at the Silver Creek Middle School Auditorium there will be a meeting on the I-65 Sound Walls if you would like to go see what they are going to put up.

President Reiter would also like to acknowledge that Greg Pratt and Adam Crick both made Eagle Scout with Troop 7 on Sunday.

There will be an Executive Session next Monday, immediately following the Regular Meeting with the topic of discussion being Annexation.

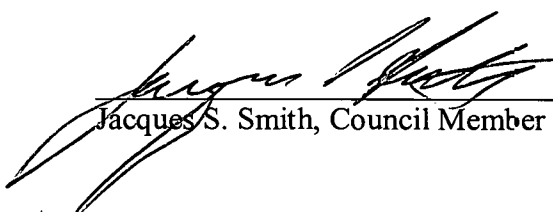
Motion by Council Member Rhodes to adjourn the meeting, seconded by Council Member Imhof. 5-aye, 0-nay, motion approved. Meeting adjourned at 8:48 p.m.

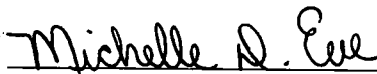
  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: Michelle D. Eve  
Chief Deputy Clerk Treasurer

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL**

**March 6, 2006**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 6, 2006. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice-President Michael N. Lockhart, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Trinette S. Imhof was not present.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:00 P.M.

**TOPICS OF DISCUSSION:**

Pending or threatened litigation as authorized by I.C. 5-14-1.5-6.1(b)(2)(B).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

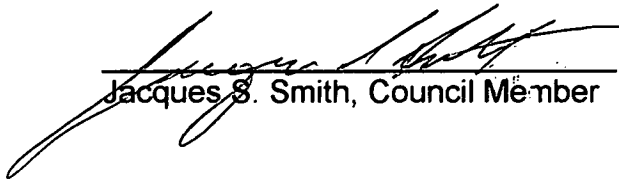
Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 4-aye, 0-nay, meeting adjourned at 6:19 P.M.

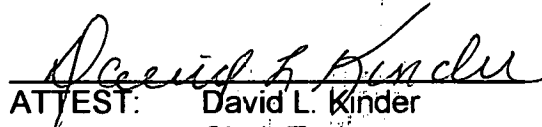
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

ATTEST:   
David L. Kinder  
Clerk-Treasurer.

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**March 6, 2006**

**TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on March 6, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, , Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Trinette S. Imhof was not present.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:50 P.M.

**PRAYER:**

Offered by Michael N. Lockhart.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**NATHAN GRIMES, (Renaissance Design Build):** I am here representing Samuel Lomax reference a zoning change on a parcel of land on Penn Street from B-1 (Local Business) to I-1 (Light Industry).

Michael N. Lockhart makes a motion to approve **Ordinance 2006-008, AN ORDINANCE AUTHORIZING ZONING CHANGE WITHIN THE TOWN OF SELLERSBURG, INDIANA**, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has read the minutes from the Executive Session of March 6, 2006.

Paul J. Rhodes makes a motion to approve the minutes of the Executive Session of March 6 as written, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has read the minutes of the February 13, 2006 Council meeting.

Jacques S. Smith makes a motion to approve the minutes of the February 13 Town Council meeting as written, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**Resolution R-2006-003, RESOLUTION PERMITTING THE TRANSFER OF CERTAIN PROPERTY FROM FLOYD COUNTY, INDIANA TO THE INCORPORATED TOWN OF SELLERSBURG, INDIANA.**



**Sellersburg Town Council Special Meeting**  
**March 6, 2006**  
**Page 2 of 3 pages**

Jacques S. Smith makes a motion to approve on the first reading Resolution R2006-003, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter presents ORDINANCE 2006-007, AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE TOWN OF SELLESBURG, INDIANA AND DECLARING AN EMERGENCY.**

Paul J. Rhodes makes a motion to consider Ordinance 2006-007 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2006-007 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

President Reiter presents a letter from H. J. Umbaugh and Associates reference Sewage Works Refunding Revenue Bonds of 2003, a contract to “ monitor any material events which may occur conducting a brief survey for the six months periods ending June 30 and December 31 each year”, for a service fee of \$300.00 (three hundred dollars).

Michael N. Lockhart makes a motion to have President Reiter to sign the contract, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

**President Reiter has a letter for Cingular Antenna Modification on the Water Tank. Town Attorney will look into this matter and have information at the next Council meeting.**

**President Reiter presents a map of future annexation. After discussion the Council requests the Town Attorney to determine if voluntary annexation how does that effect Charlestown, do we have to have Charlestown’s permission to annex; determine if we must go to Jeffersonville, if we are within their three mile radius; are there any special requirements for annexing the park. Then develop a proper fiscal plan for the area.**

**President Reiter presents the new Policy and Procedures Manual for the Town of Sellersburg for the Council to discuss and make any corrections before it is adopted.**

**Michael N. Lockhart makes a motion to make the Town Hall, the Billing Office building and the Police Department building non-smoking buildings, seconded by Jacques S. Smith. 3-aye, 1-abstains, motion approved.**

Michael N. Lockhart makes a motion to consider **ORDINANCE 2006-009, AN ORDINANCE ADOPTING THE POLICY AND PROCEDURE MANUAL FOR THE TOWN OF SELLESBURG** on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2006-009 on the first reading,

**Sellersburg Town Council Special Meeting**

**March 6, 2006**

**Page 3 of 3 pages**

seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved and meeting adjourned at 10:16 P.M.

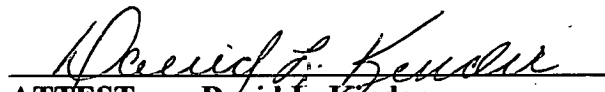
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

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

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL**

**March 13, 2006**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on March 13, 2006. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 3:00 P.M.

**TOPICS OF DISCUSSION:**

Personnel Matters IC 5-14-1.5-6.1(b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

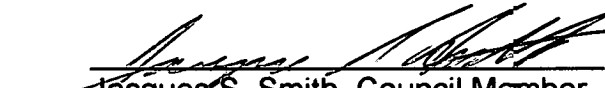
Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, meeting adjourned at 7:00 P.M.

  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

ATTEST: \_\_\_\_\_  
David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

March 13, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on March 13, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:09 P.M.

### PRAYER:

Reverend Father Paul Richert, St. Paul's Catholic Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the March 6, 2006.

Paul J. Rhodes makes a motion to approve the minutes of the March 6, 2006 meeting as written, seconded by Jacques S. Smith. 4-aye and 1 abstention.

President Reiter asks if everyone has had a chance to review the invoices as submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter calls for Melissa Woods and opens the public hearing for the Downtown Revitalization Grant at 7:37 P.M.

MELISSA WOODS, (River Hills Economic Development District): We have received final approval on the Downtown Master plan so the final payment can be made to the Estopinal Group, Invoice 107590 for \$19,900.00 (nineteen thousand nine hundred dollars), and that will all come from Grant money.

Michael N. Lockhart makes a motion to pay the Estopinal Group \$19,900.00 (nineteen thousand nine hundred dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

I have the first pay application from Team Contracting for \$318,607.00 (three hundred eighteen thousand six hundred seven dollars). A portion of that, \$84,972.49, is grant funds and a local match of \$233,634.51 (two hundred thirty-three thousand six hundred thirty-four and 51/100 dollars).

**Sellersburg Town Council Meeting**

**March 13, 2006**

**Page 2 of 4 pages**

Paul J. Rhodes makes a motion to pay Team Contracting \$318,607.00 (three hundred eighteen thousand six hundred seven dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Ms. Woods recommends the Council to authorize President Reiter to sign closeout forms outside a meeting, contingent upon Town Attorney review.

Jacques S. Smith makes a motion to approve President Reiter to sign the closeout documents outside a meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve continuing to seek a grant for a water line, two generators and radio read meters, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Ms. Woods will meet with Mr. Alexander and Council member's reference this type of grant.

**RICHARD ZOELLER, (Neace Lukens Insurance):** Presents Health and Life Insurance plan for Town employees.

Mr. Zoeller recommends that the Town cancel the Life Insurance with AUL (American United Life) and combine that policy with the Life Insurance the Town carries with United Healthcare. The cost of the plan is \$321.88 per month.

Jacques S. Smith makes a motion to terminate the Life Insurance with AUL (American United Life) and continue with \$30,000.00 (thirty thousand dollar) Life Insurance with United Healthcare, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve United Healthcare Plan (US-F/RX K4), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Town Attorney McCall will check into the Health Care reimbursement account.

**BOYCE ADAMS, (Sellersburg Volunteer Fire Department):** Requesting the Council review the requirements for sub-division developments for a second egress and ingress into the division in the codes.

**JIM HOLAND, (Representative for K.D. Stearley Publications, Inc.):** The Town maps have not been updated for four years and we are offering to update them for you at no cost to the Town.

Michael N. Lockhart makes a motion to permit K.D. Stearley Publications to update the maps and have Town Attorney McCall draft a letter, signed by President Reiter, for them to present to the merchants, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Meeting**  
**March 13, 2006**  
**Page 3 of 4 pages**

**President Reiter** sets a Special Town Council Meeting on March 27, 2006 at 7:00 P.M. This meeting will be to pay bills and determine if a second meeting each month will be necessary.

**WILLIAM P. McCALL, III, (Town Attorney):** Notice was issued today in the Evening News for the sale of the Villa Drive property. It will be published two times, ten days apart, the last publication being at least 10 days prior to the date the sale began, which is March 31 from the notice and we will continue to receive bids until May 8, 2006.

Maps and description of the property are available in the Clerk-Treasurer's office and are available to interested parties.

The Williams issue (the Williams property on North New Albany Street) they would like to know if they are in compliance and if they are required to pay fines.

Trinette S. Imhof makes a motion to send them a letter that they are in compliance and no fines, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Have a petition from Robert Smith to vacate an alley. The Plan Commission approved it. Mr. Smith has furnished a diagram and description of the property.

Michael N. Lockhart makes a motion to consider **ORDINANCE 2006-010, PETITION TO VACATE AN ALLEY** (Robert Smith property) on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2006-010 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**DAVID L. KINDER, (Clerk-Treasurer):** requests a letter from Municipal Works Director Alexander for a letter showing which employees are salaried and will not receive overtime pay and have those workers approve the letter.

So directed by the Council President.

**PRESIDENT REITER** has a request from the National Red Hat Society asking for a Proclamation declaring April 25, 2006 as National Red Hat Society Day for the Town of Sellersburg.

Paul J. Rhodes makes a motion to proclaim April 25, 2006 as National Red Hat Society Day for the Town of Sellersburg, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

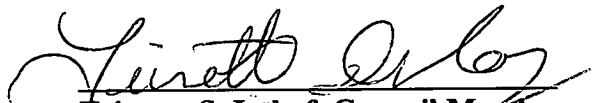
President Reiter directs the Town Attorney to write up the proclamation for the Council to sign at the next meeting.

**Sellersburg Town Council Meeting**  
**March 13, 2006**  
**Page 4 of 4 pages**

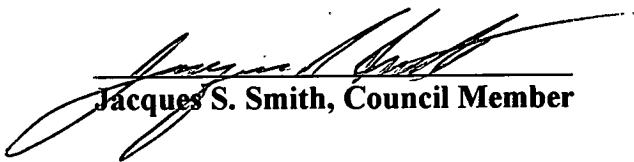
Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 8:52 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

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

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**March 27, 2006**

**TOWN COUNCIL SPECIAL MEETING:**

The Sellersburg Town Council met on March 27, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith and Clerk-Treasurer David L. Kinder.

Town Attorney William P. McCall, II was not present.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

**PRAYER:**

Michael N. Lockhart

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**President Reiter** asks if everyone had reviewed the minutes of the March 13, 2006 Executive Session.

Michael N. Lockhart makes a motion to approve the minutes of the March 13, 2006 Executive Session written, seconded by Jacques S. Smith. Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the minutes of the Regular Town Council Meeting of March 13, 2006.

Jacques S. Smith makes a motion to approve the minutes of the Regular Town Council Meeting of March 13, 2006, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has had a chance to review the invoices submitted by the Clerk-Treasurer.

Jacques S. Smith makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter presents an invoice from the J.B. Ogle Animal Shelter for yearly contribution towards Animal Shelter for the year 2006 of \$5,000.00 (five thousand dollars).

Paul J. Rhodes makes a motion to approve payment of the invoice from J.B. Ogle Animal Shelter pending review of the invoice and contract by the Town Attorney, seconded by Jacques S. Smith.



**Sellersburg Town Council Special Meeting**  
**March 27, 2006**  
**Page 2 of 2 pages**

5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 7:42 P.M.

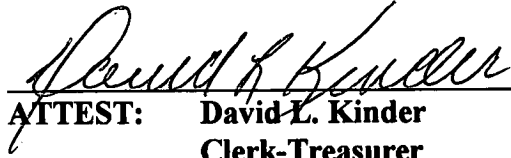
  
**Douglas J. Reiter, Council President**

  
**Michael N. Lockhart, Council Vice President**

  
**Trinette S. Imhof, Council Member**

  
**Paul J. Rhodes, Council Member**

  
**Jacques S. Smith, Council Member**

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

## SELLERSBURG TOWN COUNCIL MEETING

April 10, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on April 10, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:03 P.M.

### PRAYER:

Council Vice-President Michael N. Lockhart offered the prayer.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter presents an invoice from Eagle Sign & Design, Inc. for Decorative Street Signs for Dryer Estates for \$824.00 (eight hundred twenty-four dollars) and a letter from Earl Bonnaville, President Dryer Estates Homeowners Association to be responsible for any extra cost because of damage to the new street and stop signs.

Paul J. Rhodes makes a motion to pay the invoice, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

President Reiter presents **ORDINANCE NO. 2006-011, AN ORDINANCE AMENDING ORDINANCE 2006-002, AN ORDINANCE ESTABLISHING A PETTY CASH FUND FOR THE SELLERSBURG DEPARTMENT OF MUNICIPAL WORKS.**

Jacques S. Smith makes a motion to consider Ordinance No. 2006-011 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance No. 2006-011 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the minutes, as written by the Clerk-Treasurer, of the Special Meeting of March 27, 2006.

Michael N. Lockhart makes a motion to approve the minutes, as written, of Special Meeting of March 27, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

**Sellersburg Town Council Regular Meeting**  
**April 10, 2006**  
**Page 2 of 3 pages**

Jacques S. Smith makes a motion to pay the invoices as submitted by the Clerk-Treasurer, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** presents invoice from River Hills Economic Development for Team Contracting for \$258, 481.80.

Paul J. Rhodes makes a motion to approve the invoice for Team Contracting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** states that Restoration Christian School had a clean up project on Penn Street and Vectren came out and cleaned up Sellers Creek. We bought them pizza from Mazerella Pizza for \$115.00 (one hundred fifteen dollars); does anyone want to make a motion to approve payment of this invoice?

Paul J. Rhodes makes a motion to approve payment of this invoice, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** makes a motion to pay an invoice from the Indiana Chamber of Commerce for 2006 annual dues of \$450.00 (four hundred fifty dollars).

Jacques S. Smith makes a motion to approve paying the dues, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

**NATHAN GRIMES, (Renaissance Design Build)**: Nicer Reflections is building a building on their property, they will put some parking along the side of their property, and they are requesting to access this parking through the existing parking lot of the town. They want an ingress/egress easement to use the town driveway.

President Reiter tables this until the April 24 meeting.

**JONAS "Jay" TANNER, (Building Commissioner)**: He has inspected the old sausage plant and the building should be condemned, as it is unsafe.

Town Attorney McCall says he received a letter from the owner of the plant and they want to sell the property and not have it condemned. He will contact them and ask if they will donate the property to the Town.

**KEVIN WRIGHT, (Assistant Municipal Works Director)**: presents the IDEM quarterly report for President Reiter to sign.

**TRINETTE S. IMHOF, (Council Member)**: informs the council that Abby Lowe is the new pool manager and Ashley Summitt will be the assistant manager.

**Sellersburg Town Council Regular Meeting**

**April 10, 2006**

**Page 3 of 3 pages**

**JACQUES S. SMITH, (Council Member):** e-mails have been sent to council member's reference cell phone contract and this will be discussed at the next meeting.

**President Reiter** directs Town Attorney McCall to prepare an ordinance giving three weeks annual vacation to Jonas Tanner, William Whelan, Stephanie Bower and Kenneth Alexander.

Jacques S. Smith makes a motion to adjourn, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved and meeting adjourned at 8:27 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

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

**ATTACHMENT;** Letter from President Dryer Estates (over)

March 30, 2006

Town of Sellersburg  
Sellersburg, In 47172

Re: New street signs in Dreyer Estates

Town Board,

Please be advised that the Dreyer Estates Homeowners Association will be responsible for the extra cost associated with damage to the new street and stop signs.



Earl Bonville  
President Dreyer Estates Homeowners Association

## SELLERSBURG TOWN COUNCIL MEETING

April 24, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on April 24, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall III and Chief Deputy Clerk Treasurer Michelle D. Eve.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 p.m.

### PRAYER:

Council Member Paul J. Rhodes.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the April 10, 2006 meeting.

Jacques S. Smith makes a motion to approve the minutes of the April 10, 2006 meeting as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve the bills as presented by the Clerk Treasurer, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

William P. McCall III: Presents **Ordinance 2006-012**, Three weeks vacation for salaried management to include Chief of Police Russ Whelan, Billing Manager Stephanie Bower and Public Works Director Ken Alexander.

Paul J. Rhodes makes a motion to consider **Ordinance 2006-012**, 4-aye, 1-nay. Imhof-nay, Rhodes-yea, Reiter-yea, Lockhart-yea, Smith-yea.

Michael N. Lockhart makes a motion to consider **Ordinance 2006-013**, Ordinance to purchase coffee, water and food items, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

Michael N. Lockhart makes a motion to approve **Ordinance 2006-013**, Ordinance to purchase coffee, water and food items, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

**Council Regular Meeting**

**April 24, 2006**

**Page 2 of 3**

Paul J. Rhodes makes a motion to amend Ordinance 2006-013, Amending Salary, Holiday and Longevity pay for the two part time clerks for the court from \$10.00 an hour to \$12.55 an hour, effective April 14, 2006, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

Paul J. Rhodes makes a motion to amend Ordinance 2006-013, Amending Salary, Holiday and Longevity pay for the two part time clerks for the court from \$10.00 an hour to \$12.55 an hour, effective April 14, 2006, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

Michael N. Lockhart makes a motion for approve 15' Ingress/Egress Easement for Jerry Wilkerson, Nicer Reflection, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

Michael N. Lockhart makes a motion to approve Resolution R2006-004, Enlarging Participation in P.E.R.F. (Public Employees Retirement Fund), seconded by Paul J. Rhodes. 5-aye, 0-nay. Motion approved.

Michael N. Lockhart makes a motion to amend Ordinance 2006-009 on first reading, to say employees pay 3% employee percentage, effective Thursday, April 27, 2006, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

Michael N. Lockhart makes a motion to amend Ordinance 2006-009 on first reading, to say employees pay 3% employee percentage, effective Thursday, April 27, 2006, seconded by Jacques S. Smith. 5-aye, 0-nay. Motion approved.

Douglas J. Reiter states Perry (McCall) has checked into the annual Animal Shelter fee and it is okay to release the check.

**Dennis Slaughter:** Addresses the Council in reference to a flooding problem on his property.

**Carolyn Curtis:** Addresses the Council in reference to water that is draining onto West Utica Street from Scheller. Ken Alexander will look into this.

**Greg Chancey, 724 S. Forrest:** Addresses the Council in reference to an excessive water drainage problem on his property.

**Ken Alexander:** Presents a proposal from Robert E. Curry and Associates, Inc. for engineering services for a new water supply, well number 6.

**Council Regular Meeting**  
**April 24, 2006**  
**Page 3 of 3**

Jacques S. Smith makes a motion to approve proposal from Robert E. Curry and Associates, Inc., per cap of \$25,000 per scope and pending Perry's approval, seconded by Paul J. Rhodes. 5-aye, 0-nay. Motion approved.


**President Reiter:** Addresses the letter to the Council from Chief Deputy Clerk Treasurer, Michelle D. Eve in reference to mold in the Town Hall. Mr. Reiter advises that Clerk Treasurer David Kinser needs to get three quotes on fixing the leak in the roof and bring them to the next meeting and Ken Alexander will call a mold professional and report back to the Council.

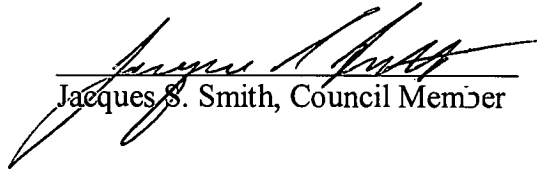
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay. Motion approved and meeting adjourned at 9:19 p.m.

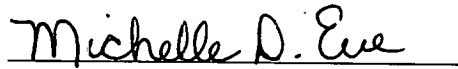
  
\_\_\_\_\_  
Douglas J. Reiter, Council President

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Michael N. Lockhart, Council Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
\_\_\_\_\_  
ATTEST: Michelle D. Eve  
Chief Deputy Clerk Treasurer



**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
April 27, 2006**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on April 27, 2006. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kincer.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:03 P.M.

**TOPICS OF DISCUSSION:**

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

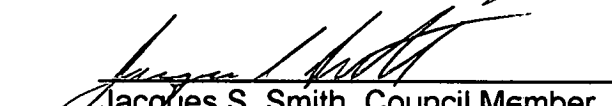
Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, meeting adjourned at 7:04 P.M.

  
\_\_\_\_\_  
Douglas J. Reiter, Council President

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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
\_\_\_\_\_  
Jacques S. Smith, Council Member

\_\_\_\_\_  
ATTEST: David L. Kinder  
Clerk-Treasurer

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
May 9, 2006**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on May 9, 2006. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:04 P.M.

**TOPICS OF DISCUSSION:**

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, meeting adjourned at 10:20 P.M.

  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

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Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

May 8, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on May 8, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall III and Clerk-Treasurer David L. Kinder.

Vice President Michael N. Lockhart was not present.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:04 P.M.

### PRAYER:

Reverend John Mantle, Jacobs Chapel United Methodist Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

**President Reiter** asks if everycne had reviewed the invoicæs for payment, as presented by the Clerk-Treasurer's office.

Jacques S. Smith makes a moticn to approve the invoices fõr payment, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everycne has reviewed the minutes as written for the April 24, 2006 Town Council Meeting.

Jacques S. Smith makes a moticn to approve the minutes as written, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everycne has reviewed the minutes, as written, of the April 27, 2006 Executive Session.

**Sellersburg Town Council Regular Meeting**  
**May 8, 2006**  
**Page 2 of 5 pages**

Jacques S. Smith makes a motion to approve the minutes as written, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**UNFINISHED BUSINESS:** Town Attorney McCall is in negotiations with the lawyer, Mike Gillenwater, reference the Sausage Plant on Sellers Avenue.

Town Attorney McCall is still negotiating with Bell South reference the new antennae on the Towns Water Tower.

Annexation has been turned over to Public Works Director, Ken Alexander, to secure signatures from the residences in the anticipated annexed area. The new area is from highway 403 from Greenleaf Road area to Stacy Road area.

An attempt to obtain consent from the City of Charlestown, to annex the area, was made and they refused to give consent so now you must obtain consent from the owner's of the property in the area and obtain their written consent to be annexed.

**President Reiter** has the sealed bids for the sale of Town property located in the 300 block of Villa Drive. There are two bids:

Jerry W. Howell, 7409 County Line Road, New Albany, 47150 bids \$33,001.00 (thirty-three thousand one dollar).

Jeep Construction, Jeff Parrish owner, bids \$50,000.00 (fifty thousand dollars).

Paul J. Rhodes makes a motion to accept the bid of Jeep Construction, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

**KERRY STEMLER, One Southern Indiana:** Represented by J. Matthew Hughes speaking about One Southern Indiana, an economic development program for Southern Indiana. This new organization will be formalized on July 1, 2006 and it will be the unification of the activities of the Southern Indiana Chamber of Commerce and Southern Indiana Economic Development Council Mr. Hughes advised that membership would be two-dollars per person, based on the Town population and he believes the population is 6,000. The dues, not payable until January 2007, would be \$15,000.00 a year.

**Sellersburg Town Council Regular Meeting**  
**May 8, 2006**  
**Page 3 of 5 pages**

Paul J. Rhodes makes a motion to pay the current \$5,500.00 (five thousand five hundred dollars) dues for 2006 and an increase of \$9,500.00 (nine thousand five hundred dollars) payable in January 2007, seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved.

**ROD PATE, Sellersburg American Legion Post 204 :** requesting a donation for the annual July 4<sup>th</sup> fireworks. This will pay for the insurance for the event.

Jacques S. Smith makes a motion to donate \$2,500.00 (two thousand five hundred dollars) to the American Legion for the fireworks, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**DON LONG:** Presents a petition signed by ninety-one residence of Forrest Estates and Lakeside sub-division protesting any road extension of North Forrest Drive.

**KENNETH J. ALEXANDER, (Public Works Director):** Presents request from Roger Harshey, 122 Hanger, reference property behind his home that has no named owner and he wants to move his fence onto this property.

Town Attorney McCall will contact Attorney Virgil Bolly and Mr. Harshey reference this property.

Alexander presents agreement on how to avoid installing a master meter at Indian Oaks.

Town Attorney explains that he is still working with their attorney (attorney for Indian Oaks) and that there are three issues: Trash pick-up, installation of radio read water meters, and billing and collection plus how to handle delinquencies. Attorney McCall will meet with the Attorney for Indian Oaks.

Alexander presents a copy of a Sellersburg News Letter that will be published quarterly.

Paul J. Rhodes makes a motion to sent out the quarterly news report, seconded by

**Sellersburg Town Council Regular Meeting**

**May 8, 2006**

**Page 4 of 5 pages**

Jacques S. Smith. 4-aye, 0-nay, motion approved.

Alexander presents copy of new street signs that will be installed around town. The signs will be eight inches wide with reflective coating. The estimated cost will be between \$15,000.00 (fifteen thousand dollars) and \$20,000.00 (twenty thousand dollars) for this project.

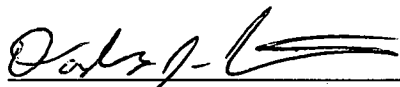
Jacques S. Smith makes a motion to approve the sign design, white background with blue lettering, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney): Presents ORDINANCE 2006-012, AN ORDINANCE AUTHORIZING VACATION BENEFITS FOR SPECIFIC TOWN OF SELLERSBURG MANAGEMENT PERSONNEL.**

This was passed on the first reading at the April 24, 2006 Town Council meeting and now needs to be approved on the second reading. Jacques S Smith makes a motion to approve ordinance 2006-012 on the second reading, seconded by Paul J. Rhodes. 3-aye, 1-nay.

President Reiter polls the Council for their vote: Imhof- nay, Reiter-aye, Rhodes-aye and Smith-aye.

Jacques S. Smith makes a motion to adjourn the meeting, seconded by Trinette S. Imhof, 4-aye, 0-nay, motion approved and meeting adjourned at 8:53 P.M.



**Douglas J. Reiter, Council President**

*ABSENT*

**Michael N. Lockhart, Council Vice President**

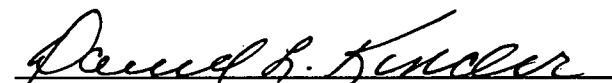


**Trinette S. Imhof, Council Member**



**Paul J. Rhodes, Council Member**

**Jacques S. Smith, Council Member**

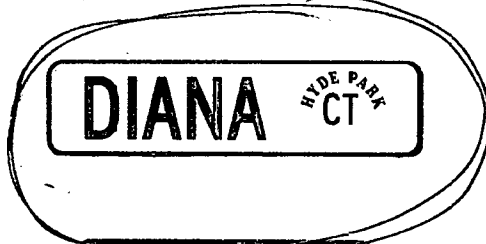


**ATTEST: David L. Kinder  
Clerk-Treasurer**

**ATTACHMENTS: 1**

**hallsigns**  
since 1949

*Specialty* Street Name Blades



## SELLERSBURG TOWN COUNCIL MEETING

May, 22 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on May 22, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Jacques S. Smith was not present.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:01 P.M.

### PRAYER:

Offered by President Reiter.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the May 9, 2006 Executive Session as written.

Paul J. Rhodes makes a motion to approve the minutes of the May 9, 2006 Executive Session, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the minutes, as written, for the May 8, 2006 Town Council Meeting.

Paul J. Rhodes makes a motion to approve the minutes as written, seconded by Trinette S. Imhof. 3-aye, 1 abstention, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer's office.



**Sellersburg Town Council Special Meeting**  
**May 22, 2006**  
**Page 2 of 4 pages**

Michael N. Lockhart makes a motion to approve the invoices as submitted by the Clerk-Treasurer's office, seconded by Douglas J. Reiter. 4-aye, 0-nay, motion approved.

**JEFF PARISH:** submits a letter requesting an extension on the sale of the property on Villa Drive because the Plan Commission meeting on June 19 and if they approve, the next day he will purchase the property.

Paul J. Rhodes makes a motion to extend the sale of Villa Drive to midnight of June 20, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**BETH HALL, (Maverick Insurance):** Requesting that Maverick Insurance be permitted to submit a proposal for the Property/Liability and Worker's Compensation Insurance for the Town.

**President Reiter** states that there will be a special meeting on June 26, 2006 to review the bids on the Property/Liability and Worker's Compensation Insurance. Then at the July 10, 2006 Town Council meeting the bid will be awarded.

Paul J. Rhodes makes a motion to separate the Property/Liability from the Worker's Compensation, seconded by Michael N. Lockhart. 4-aye, 0-nay motion approved.

**President Reiter** requests that all bids be submitted to the Clerk-Treasurer's Office, by 12 O'clock Noon, Monday, June 26, 2006. Ken Alexander will have the specifications for the bids in the Clerk-Treasurer's Office by Friday, May 26, 2006 for distribution to interested parties. Alexander also will have notices to the newspapers tomorrow (May 23, 2006).

President Reiter presents **ORDINANCE NO. 2006-015, TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG.**

Paul J. Rhodes makes a motion to consider Ordinance 2006-015 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to table this Ordinance until the June 12, 2006 regular Town Council meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion

**Sellersburg Town Council Special Meeting**  
**May 22, 2006**  
**Page 3 of 4 pages**

is approved.

**President Reiter** suggests a meeting with Clerk-Treasurer. Wednesday, May 24, 2006 at the Town Council meeting room with Paul J. Rhodes, Douglas J. Reiter, Kenneth Alexander, Chief Russ Whelan, Patty Clapp and Stephanie Bower to discuss this transfer of appropriations.

**President Reiter** presents **ORDINANCE NO. 2006-016, ORDINANCE ESTABLISHING A CLERK'S RECORD PERPETUATION FUND AS AUTHORIZED BY I.C. 33-37-5-2**

Michael N. Lockhart makes a motion to consider **Ordinance 2006-016** on the first reading, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion is approved.

Michael N. Lockhart makes a motion to approve **Ordinance 2006-016** on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion is approved.

President Reiter presents **ORDINANCE NO. 2006-017, ORDINANCE ESTABLISHING CASH CHANGE FUND FOR THE SELLERSBURG TOWN COURT AS AUTHORIZED BY I.C. 36-1-8-2.**

Michael N. Lockhart makes a motion to consider **Ordinance 2006-017** on the first reading, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion is approved.

Michael N. Lockhart makes a motion to approve **Ordinance 2006-017** on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion is approved.

**WILLIAM R. WHELAN, (Chief of Police):** The Police Commissioners have approved James P. Fleming as the replacement officer for the officer the department is short.

Trinette S. Imhof makes a motion to approve James P. Fleming as a replacement officer for the Police Department pending approval by PERF, seconded by Michael N. Lockhart. 4-aye, 0-nay, motions is approved.

**KENNETH J. ALEXANDER. (Public Works Director):** The property behind e

**Sellersburg Town Council Special Meeting**

**May 22, 2006**

**Page 4 of 4 pages**

the Police Department, when the old bank building was purchased, does not have a recorded owner and the Harshey's want to file a quiet title for the property.

Ken Alexander has talked with Attorney Virgil Bolly, the Harshey's want 17 feet of the property, and the remainder will belong to the Town.

Paul J. Rhodes makes a motion to approve the processing of a quiet title with the Town paying half the cost and the Harshey's paying the other half, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Alexander explains about the new water well and that he needs permission to pursue bids for the completion of the project. There will be a bid for the electrical portion a bid for the piping and a bid for the well itself.

Paul J. Rhodes makes a motion to permit Alexander to pursue and accept bids for the new water well, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion is approved.

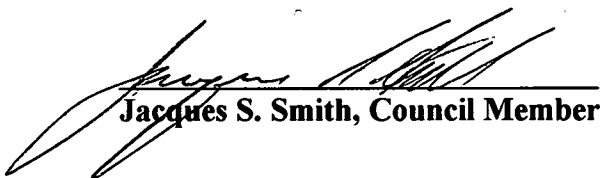
Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion is approved.

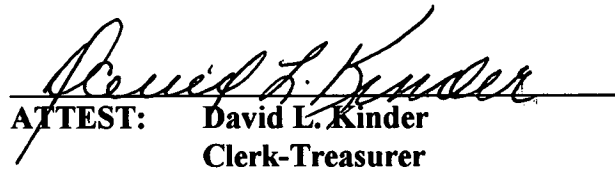
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

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

## SELLERSBURG TOWN COUNCIL MEETING

June 12, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on June 12, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Reverend Gary Fenner, Calvary Christian Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the May 22, 2006 Town Council Special Meeting as written.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Paul J. Rhodes makes a motion to approve the invoices as submitted, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

President Reiter presents **ORDINANCE 2006-015, AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG**, which was presented at the last meeting.

Paul J. Rhodes makes a motion to consider Ordinance 2006-015 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2006-015 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter presents **ORDINANCE 2006-018, AN ORDINANCE AMENDING ORDINANCE 2000-011, AN ORDINANCE ESTABLISHING A PETTY CASH FUND FOR THE SELLERSBURG PARKS DEPARTMENT**. It increases the fund from \$100,000

**Sellersburg Town Council Regular Meeting**  
**June 12, 2006**  
**Page 2 of 4 pages**

(One hundred dollars) to \$150.00 (one hundred fifty dollars).

Michael N. Lockhart makes a motion to consider on the first reading Ordinance 2006-018, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2006-018 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** asks "Jay" Tanner, Building Commissioner, if he has inspected the Sausage Plant on Schellers Street.

Mr. Tanner advises that there is asbestos present and ammonia. This plant was formerly Millstone Sausage, located at 216 Schellers and owned by Sanford Scarce.

Town Attorney will contact Mr. Scarce's attorney reference disposition of the building.

**President Reiter** has a request for tax abatement for the Pennington Properties, LLC, located at 1015 Progress Way, Sellersburg.

Jacques S. Smith makes a motion to approve President Reiter signing the tax abatement, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Town Attorney McCall will prepare a letter to send to property owners in the annexation area. President Reiter, Paul J. Rhodes and McCall will meet with people from the annexation area on July 20, 2006 at 6:30 P.M. here at the Town Hall meeting room.

**MELISSA WOODS, (River Hills Economic Development Commission):** Presents Team Contracting – Pay Application #3 (Sanitary Sewer Improvements). \$41,551.95 (forty-one thousand five hundred fifty-one and 95/100 dollars) from grant funds; \$117,225.09 (one hundred seventeen thousand two hundred twenty-five and 09/100 dollars) local matching funds and \$7,938.86 (seven thousand nine hundred thirty-eight and 86/100 dollars) retainage, for a total of \$158,777.04 (one hundred fifty-eight thousand seven hundred seventy-seven and 04/100 dollars). This includes change orders #1 and #3.

Paul J. Rhodes makes a motion to pay Team Contracting \$158,777.04 (one hundred fifty-eight thousand seven hundred seventy-seven and 04/100 dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Woods has disclosure report for the Office of Community and Rural Affairs, it discloses all the contracts regards to the sewer project. Anytime you have change order I must submit a revised disclosure report noting the amount of each contract. The Town Attorney, McCall, has reviewed this report.

**Sellersburg Town Council Regular Meeting**

**June 12, 2006**

**Page 3 of 4 pages**

Ms. Woods request that the Council authorize President Reiter to sign this disclosure report.

Michael N. Lockhart makes a motion to authorize President Reiter to sign the disclosure report, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Ms. Woods has a semi annual report for the Sewer and Down Town Revitalization Project that must be completed for the Indiana Office of Community and Rural Affairs that must be completed before the end of June. I request that the Council authorize you to sign this report outside of a meeting after your Town Attorney has reviewed it.

Jacques S. Smith makes a motion for President Reiter to sign the semi annual report outside of a meeting, pending review and approval by the Town Attorney, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

One additional thing is the Downtown Revitalization and basically the proposal are due July 13 and the applications due September 22. I will need to hold a public hearing on July 10 at your regular meeting.

**KENNETH J. ALEXANDER, (Public Works Director)**: Has a damage claim from Janice Hannon, 1514 St. Joe Court, reference a park gate striking her windshield. The cost of a new windshield, at Grangier Glass, is \$400.00 (four hundred dollars).

Paul J. Rhodes makes a motion to pay Grangier Glass, not to exceed \$500.00 (five hundred dollars) to pay for the windshield seconded by Trinetta S. Imhof. 0-aye, 5-nay motion defeated.

Mr. Alexander is obtaining bids for the new water well and presently an estimated cost will be around \$300,000.00 (three hundred thousand dollars).

**WILLIAM P. McCALL, III, (Town Attorney)**: Virgil Bolly is working on the title for the property behind the police department.

Mr. McCall is talking with Max Mason reference the health re-imbusement account.

**TRINETTE S. IMHOF, (Council Person)**: Abby Lowe, secretary of Parks Department needs to be replaced, as there could be a conflict of interest since she is also the pool manager. Glennis Wisdom will keep the minutes and will be paid for this service. Abby Lowe will resume the secretary position when the pool closes.

Trinetta S. Imhof makes a motion to remove Abby Lowe as secretary and appoint Glennis Wisdom secretary for the three months the pool is open, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**June 12, 2006**  
**Page 4 of 4 pages**

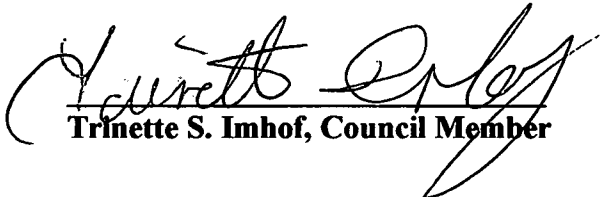
**President Reiter** presents a letter from Sellersburg Celebrates for a contribution from the Town for the Celebration.

Michael N. Lockhart makes a motion to donate \$5,000.00 (five thousand dollars) to the Sellersburg Celebrates committee, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 8:33 P.M.

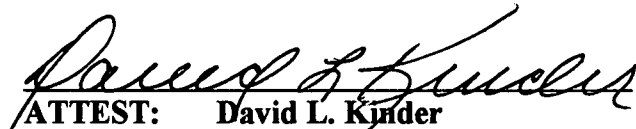
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

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**Paul J. Rhodes, Council Member**

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**Jacques S. Smith, Council Member**

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

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**June 26, 2006**

**TOWN COUNCIL SPECIAL MEETING:**

The Sellersburg Town Council met on June 12, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Paul J. Rhodes and Council Member Jacques S. Smith were absent.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:12 P.M.

**PRAYER:**

Offered by Michael N. Lockhart.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**President Reiter** asks if everyone had reviewed the minutes of the June 12, 2006.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Trinette S. Imhof. 3-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Michael N. Lockhart to approve the invoices as submitted, seconded by Trinette S. Imhof. 3-aye, 0-nay, motion approved.

President Reiter opens the Insurance proposals; Reiter makes a note for the record that Rick Zoeller, representing Neace Lukens, did not submit his proposal until 12:17 P.M., (June 26, 2006) and that was past the 12 noon deadline so it was not accepted.

Edward Culpepper Cooper, representing Maverick presents his proposal for \$87,667.00 (eighty-seven thousand six hundred sixty-seven dollars).

Michael Whalen, representing Hinton-Corby Insurance submits his proposal for \$75,657.00 (seventy-five thousand six hundred fifty-seven dollars).

Hinton-Corby did include a proposal for Workers Compensation for \$18,466.00 (eighteen thousand four hundred sixty-six dollars).



**Sellersburg Town Council Special Meeting**

**June 26, 2006**

**Page 2 of 2 pages**

President Reiter thanks both agents for their proposals and states that the proposals will be considered and make our decision at the next meeting.

Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 3-aye, 0-nay, motion approved and meeting adjourned at 7:06 P.M.

  
\_\_\_\_\_  
**Douglas J. Reiter, Council President**

  
\_\_\_\_\_  
**Michael N. Lockhart, Council Vice President**

  
\_\_\_\_\_  
**Trinette S. Imhof, Council Member**

  
\_\_\_\_\_  
**Paul J. Rhodes, Council Member**

NOT PRESENT  
**Jacques S. Smith, Council Member**

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

## SELLERSBURG TOWN COUNCIL MEETING

July 10, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on June 12, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Reverend Larry Poe, Faith Community Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the June 26, 2006 Special Council Meeting as written.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve the invoices as submitted, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Town Attorney McCall says he has talked with Mr. Michael Gillenwater, attorney for Sanford Scarce, owner of the Millstone Sausage Plant and will work out details as to disposition of the plant.

Town Attorney McCall is still in negotiations with Bell South reference their contract for space on the water tower.

Town Attorney McCall is waiting for verification of parcels for the annexation area.

President Reiter asks about the Budget Cuts for the 2006 Town Budget. He advises that he received a letter from the Town Court Judge that says the Council can cut \$5,000.00 (five thousand dollars) from his 2006 budget and he has furnished a list of where the cuts can be made.

**Sellersburg Town Council Regular Meeting**

**July 10, 2006**

**Page 2 of 4 pages**

**President Reiter** asks if everyone has reviewed the Town insurance proposals and is there a motion to accept one of the proposals?

Michael N. Lockhart makes a motion to accept the proposal submitted by Hinton-Corby Insurance Agency, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** asks if anyone will make a motion about the Workman's Compensation Insurance as proposed.

Trinette S. Imhof makes a motion to award the Workman's Compensation Insurance to Hinton-Corby Insurance Agency, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**President Reiter** opens the Public Hearing, at 7:11 P.M., reference Downtown Revitalization Grant.

**MELISSA WOODS**, River Hills Economic District & Regional Planning Commission, asks for President Reiter to sign a Citizen Participation Report; a letter to the Indiana Office of Community and Rural Affairs permitting River Hills Economic Development District and Regional Planning Commission to prepare and submit the minutes of the required hearings related to the Community Focus Fund (CFF) grant and the application for the Community Development Block Grant to improve sidewalks, upgrade signs and grand entrances to Downtown Sellersburg.

Paul J. Rhodes makes a motion to close the Public Hearing, seconded by Jacques S. Smith. 5-aye, 0-nay and Public Hearing closed at 7:26 P.M. and we will reopen our Public Meeting at this time.

**MELISSA WOODS**, submits the fourth Draw Request for Team Contracting of the Sanitary Sewer Improvement Grant, CF-04-124, for \$160,596.00 (one hundred sixty thousand five hundred ninety-six dollars).

Paul J. Rhodes makes a motion to pay Team Contracting \$160,596.00, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to authorize President Reiter to sign the Citizen Participation Report for Downtown Revitalization Grant, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to authorize President Reiter to sign IDEM ER response letter for the Downtown Revitalization Grant, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to authorize President Reiter to sign an authorization letter to

**Sellersburg Town Council Regular Meeting**

**July 10, 2006**

**Page 3 of 4 pages**

prepare the minutes of the Public Hearing for the Downtown Revitalization Grant, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**MELISSA WOODS** needs authorization for River Hills to recertify the Income Survey of 2004.

Michael N. Lockhart makes a motion to authorize River Hills to recertify the Income Survey of 2004 for \$250.00 (two hundred fifty dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**MORRIS LANHAM:** Requests permission to have a classic car show on the third Thursday of each month.

Michael N. Lockhart makes a motion to have the car show every third Thursday of the month for three months, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**BOYCE ADAMS, Sellersburg Volunteer Fire Department:** Need to have water supply to Kahl Court area increased. This will be discussed at the next meeting, July 24, 2006.

**KEVIN STATON:** requesting that his Performance Bond be reduced from \$55,000.00 (fifty-five thousand dollars) to \$22,000.00 (twenty-two thousand dollars) for Adams Creek Development Phase II.

Paul J. Rhodes makes a motion to reduce the Performance Bond for Phase II for Mr. Staton, seconded by Trinetta S. Imhof. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, Town Attorney:** Presents **ORDINANCE NO. 2006-019, AN ORDINANCE CREATING A RETAINAGE FUND FOR PUBLIC WORK CONTRACTS.**

Michael N. Lockhart makes a motion to approve Ordinance No. 2006-019 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to pass Ordinance No. 2006-019 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Town Attorney McCall** discusses mediation for the Environmental Management Corporation (EMC) litigation.

**President Reiter** advises Town Attorney McCall to give Friendly Village of Indian Oaks until the July 24, 2006 meeting to give a solution to the trash pick-up for Indian Oaks.

**Town Attorney McCall** will continue to check into the Health Reimbursement Account Ordinance.

**Sellersburg Town Council Regular Meeting**  
**July 10, 2006**  
**Page 4 of 4 pages**

**Town Attorney McCall** is also discussing with Henryville Water Corporation about them becoming a Water Authority.

**Town Attorney McCall** has a Quick Claim Deed to the Villa Drive property. This has already been approved, the sale has been approved. The Town Council President needs to sign off on it and Clerk-Treasurer to attest it and notarizes it.

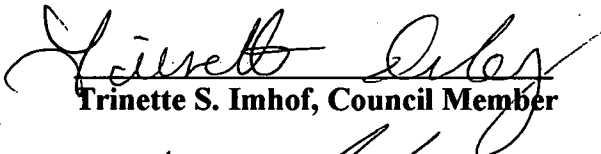
Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 8:40 P.M.



**Douglas J. Reiter, Council President**



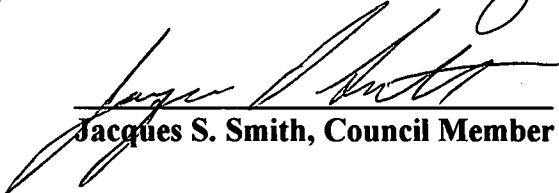
**Michael N. Lockhart, Council Vice President**



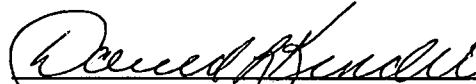
**Trinette S. Imhof, Council Member**



**Paul J. Rhodes, Council Member**



**Jacques S. Smith, Council Member**



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

## QUIT-CLAIM DEED

THIS INDENTURE WITNESSETH that **Sandford C. Scearce** and **Linda W. Scearce** of 2025 Clore Jackson Rd., Shelbyville, KY, 40065, Jefferson County, Kentucky, in consideration of the **Town of Sellersburg, Indiana** agreeing to forgive or accept responsibility for certain past due water bills which are the responsibility of the Grantor, and for other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby

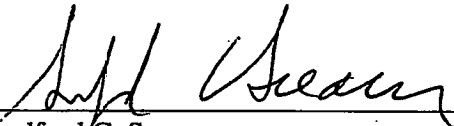
### RELEASE AND QUIT-CLAIM

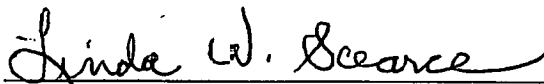
Unto the **Town of Sellersburg, Indiana**, all of Grantors' right, title and interest in and to the real estate situated in the County of Clark, state of Indiana, to wit:

Lot No. 31 in the Scheller Park Addition to the Town of Sellersburg, IN., Being the same real estate conveyed to the Grantors by Sellersburg Locker, Inc., an Indiana corporation, by Warranty Deed recorded on September 9, 1988 in the office of the Recorder of Clark County, IN. Subject to any and all easements and/or restrictions of record affecting said real estate.

By acceptance of this conveyance, the Grantee, Town of Sellersburg, Indiana agrees to accept and bear responsibility for all real estate taxes and assessments currently due on said property, and further acknowledges that Grantee accepts the real estate and all improvements located thereon **AS IS - WITH NO WARRANTY**, and agrees to hold Sandford C. Scearce and Linda W. Scearce harmless on all costs associated with owning, maintaining, renovating, remediating, and demolishing the Real Estate and the improvements located on the Real Estate.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal this 2<sup>nd</sup> day of ~~November, 2006.~~ January 2007

  
Sandford C. Scearce

  
Linda W. Scearce

STATE OF INDIANA, COUNTY OF CLARK

SS:

Before me, a notary public, for and in said county and state, personally appeared **Sandford C. Scearce and Linda W. Scearce**, Grantors herein, and acknowledged the execution of the

foregoing Quit-Claim Deed as their free and voluntary act on this 2<sup>nd</sup> day of January, ~~2006~~ 2007

WITNESS my hand and notarial seal.

H. Park Wills, Jr.  
Notary Public, Resident of  
~~Clark County, Indiana~~ Shelby County, Kentucky

My Commission Expires:  
9-16-2010

H. PARK WILLS, JR.  
Printed Name

Acceptance.

This conveyance accepted on behalf of the Town of Sellersburg by Doug J. Reiter, Town Council President, in accordance with Resolution 2006- 009, passed on the 13<sup>th</sup> day of November 2006.

Doug J. Reiter  
Doug J. Reiter, President  
Sellersburg Town Council

STATE OF INDIANA, COUNTY OF CLARK

SS:

Before me, a notary public, for and in said county and state, personally appeared Doug J. Reiter, President of the Sellersburg Town Council, on behalf of the Grantee herein, and acknowledged the acceptance of the foregoing Quit-Claim Deed on this 13<sup>th</sup> day of NOVEMBER, 2006.

WITNESS my hand and notarial seal.

David L. Kinell  
Notary Public, Resident of  
Clark County, Indiana

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

July 24, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on July 24, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Council Member Paul J. Rhodes.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Jacques S. Smith makes a motion to approve the invoices as submitted, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone had reviewed the minutes of the July 10, 2006 Town Council Meeting as written.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

KENNETH J. ALEXANDER, (Director of Public Works): Presents a letter from Virgil E. Bolly, Attorney-At-Law, to Roger A. Harshey, Sr. and Ramona V. Harshey and Ken Alexander, Municipal Works Director, reference Lot between Town of Sellersburg and Property of Roger and Ramona Harshey.

Letter contains 1. Billing for \$450.00 (four hundred fifty dollars) from Blankenbeker & Son. 2. Survey drawing. 3. Description of the 1,258 square feet being 17 x 74.25 for Harsheys. 4. Description of 4,737 square feet being 64.02 x 74.25 for the town.

Town Attorney will contact Attorney Virgil Bolly about the quiet deed for this property.

KEN ALEXANDER advises that he has talked with Kurtis Keeney of Indian Oaks Mobile Home



**Sellersburg Town Council Special Meeting**  
**July 24, 2006**  
**Page 2 of 3 pages**

Park and a document needs to be drafted to finish this matter.

1. The Town will continue to provide trash pickup for the park.
2. The Town will stop picking up Yard Waste and Indiana Oaks will provide service.
3. Indian Oaks will pay for the radio read system to be installed by the Town.  
Conditions for payment shall be billed quarterly to Indiana Oaks with remittance due in 30 days.

**Town Attorney** will prepare a document for the August 14, 2006 Town Council Meeting.

**WILLIAM P. McCall, III, (Town Attorney):** has made contact with Michael Gillenwater, Attorney for Sanford Searce, owner of Millstone Sausage Plant and the Town can purchase the old plant for \$1.00 (one dollar) and other consideration. McCall will get the necessary paper work and present it at the next Council meeting.

Mr. McCall has contacted Larry Wilder, Attorney for EMC (Environmental Management Corporation) about mitigation and will report back to the Council at the next meeting.

Mr. McCall and Council Member Rhodes are still attempting to contact Henryville Water Corporation about them becoming a Water Authority.

At the next Council Meeting Mr. McCall will report on the Bingham Business Center Property and the Railroad signal disposition from the Court.

**TRINETTE S. IMHOF, (Council Member):** Makes a motion to appoint Franklin Boggess, 1408 Celesta Way to the Sellersburg Plan Commission, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** discusses the contract with H. J. Umbaugh and Associates for the Municipal Water and Sewer financial reports. The contract calls for two reports, per utility, per year and the Council should consider one report, per utility, per year. Contact will be made with Umbaugh reference this type of contract and the cost.

Ken Alexander, Director of Public Works, also requests that H. J. Umbaugh also continue to assist with the annual report for the Utility Regulatory Commission.

**President Reiter** sets a meeting for September 13, 2006 at 7:00 P.M. for meeting with Council Member Rhodes, Town Attorney McCall and himself to meet with owners of property to be in annexation plan.

**Sellersburg Town Council Special Meeting**

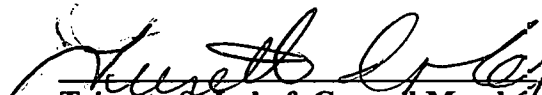
**July 24, 2006**

**Page 3 of 3 pages**

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved and meeting adjourned at 8:11 P.M.

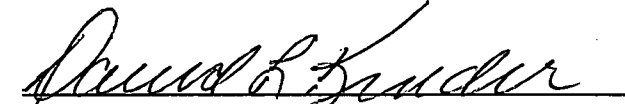
  
\_\_\_\_\_  
**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
\_\_\_\_\_  
**ATTEST: David E. Kinder**  
**Clerk-Treasurer**

**Attachments:** Letter from Virgil E. Bolly

# **VIRGIL E. BOLLY**

**ATTORNEY AT LAW**

**812-246-4413**

**FAX 812-246-9084**

**EMAIL: vbollyatty@sbcglobal.net**

**Street Address:  
204 E. Utica Street  
Sellersburg, IN 47172**

**Mailing Address:  
P.O. Box 72  
Sellersburg, IN 47172**

**July 14, 2006**

**Roger A. Harshey, Sr.  
Ramona V. Harshey  
122 Hanger Avenue  
Sellersburg, IN 47172**

**Town of Sellersburg  
Attn: Mr. Ken Alexander  
Municipal Works Director  
103 S. New Albany Street  
Sellersburg, IN 47172**

**IN RE: Lot between Town of Sellersburg  
and property of Roger and Ramona Harshey**

**Dear Roger, Ramona and Ken:**

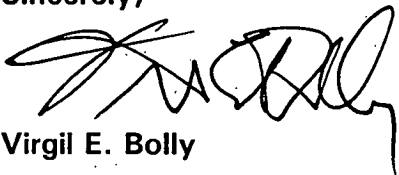
**Enclosed are copies of the following:**

- 1. Billing for \$450.00 from Blankenbeker & Son.**
- 2. Survey drawing.**
- 3. Description of the 1,258 square feet being 17x74.25 for Harsheys.**
- 4. Description of 4,737 square feet being 64.02x74.25 for the town.**

**Once this is approved, I can file the complaint to quiet title.**

**Please review and advise.**

**Sincerely,**



**Virgil E. Bolly**

**VEB:jmr**

**Enl.**

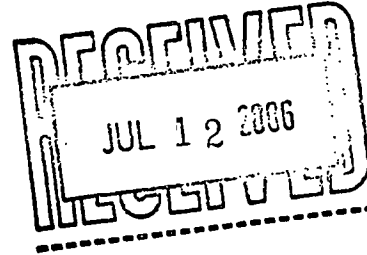
BLANKENBEKER & SON

422 MEIGS AVENUE, P.O. BOX 157  
JEFFERSONVILLE, IN 47130  
(812) 282-4183 FAX: (812) 282-4197

# Invoice

Date	Invoice #
7/11/2006	18642

Bill To
BOLLY, VIRGIL 204 EAST UTICA ST SELLERSBURG, IN 47172



P.O. No.	Terms	Rep
18642	30 DAYS	DB

Description	Rate	Amount
FOR TWO LEGAL DESCRIPTION AND SKETCH IN SURVEY 110, SELLERSBURG, CLARK CO.	450.00	450.00

DUE IN 30 DAYS OR SUBJECT TO A LATE CHARGE OF 1.50% OR \$5.00,  
WHICHEVER IS GREATER.

<b>Total</b>	\$450.00
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$450.00



# Blankenkemper & Son

## Land Surveyors Inc, P.C.

Established 1945

426 Meigs Avenue  
Jeffersonville, Indiana 47130

(812) 282-4183 Phone  
(812) 282-4197 Fax

P.O. Box 157  
Jeffersonville, Indiana 47131-0157

July 7, 2006

### DESCRIPTION OF 1,258 SQUARE FEET IN SURVEY #110

Being a part of Survey #110 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at the stone on the southeast corner of Lot #1, in the original plat of Sellersburg; Thence S.18°W., 148.5 feet to an iron pin on the northeast corner of Lot #4 of said plat; Thence S.67°13'E., 64.02 feet to THE TRUE PLACE OF BEGINNING:

Thence continuing S.67°13'E., 17 feet;  
Thence S.18°W., 74.25 feet;  
Thence N.67°13'W., 17 feet;  
Thence N.18°E., 74.25 feet to THE TRUE PLACE OF BEGINNING.

Containing 1,258 square feet and being subject to all easements of record.

# Blankenkemper & Son

## Land Surveyors Inc, P.C.

Established 1945

426 Meigs Avenue  
Jeffersonville, Indiana 47130

(812) 282-4183 Phone  
(812) 282-4197 Fax

P.O. Box 157  
Jeffersonville, Indiana 47131-0157

July 7, 2006

### DESCRIPTION OF 4,737 SQUARE FEET IN SURVEY #110

Being a part of Survey #110 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at the stone on the southeast corner of Lot #1, in the original plat of Sellersburg; Thence S.18°W., 148.5 feet to an iron pin on the northeast corner of Lot #4 of said plat, THE TRUE PLACE OF BEGINNING:

Thence S.67°13'E., 64.02 feet;

Thence S.18°W., 74.25 feet;

Thence N.67°13'W., along the east line of said Lot #4, 64.02 feet to a steel pin on the southeast corner of said Lot #4;

Thence N.18°E., 74.25 feet to THE TRUE PLACE OF BEGINNING.

Containing 4,737 square feet and being subject to all easements of record.

## SELLERSBURG TOWN COUNCIL MEETING

August 14, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on August 14, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall III and Chief Deputy Clerk Treasurer Michelle D. Eve.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:02 p.m.

### PRAYER:

Council Member Michael N. Lockhart.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the July 24, 2006 meeting.

Michael N. Lockhart makes a motion to approve the minutes of the July 24, 2006 meeting as written, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone had reviewed the invoices as submitted by the Clerk Treasurer.

Paul J. Rhodes makes a motion to approve the bills as presented by the Clerk Treasurer, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve the 2006 Budget cuts as recommended by the Clerk Treasurer, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

William P. McCall III: The Court has made a decision on the Bringham Business Center property. The Court decided that it was dedicated to the Town properly and there is no railroad signage or signal required by the Town. This matter is resolved.

Sharon Marra, Clark County Solid Waste: Gives Council information on Curbside Recycling.

Curtis Ford in reference to the Transien Merchant License Ordinance: Not Present.



**Council Regular Meeting**  
**August 14, 2006**  
**Page 2 of 3**

**Melissa Woods, River Hills:** Presents Pay Application #5 for Team Contracting in the amount of \$175,815.93 with a retainage of \$8,790.79.

Michael N. Lockhart makes a motion to approve Pay Application #5 for Team Contracting in the amount of \$175,815.93 with a retainage of \$8,790.79.

**Melissa Woods, River Hills:** Presents closeout forms 3 and 4 for the Downtown Revitalization Planning Grant to be signed by President Reiter.

Jacques S. Smith makes a motion for President Reiter to sign closeout form 3 and 4, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Steve Kannapel, Joyce Stone and several other residents of Hill & Dale:** address the Council in reference to speeding vehicles and littering in Hill & Dale.

**Alex Thompson** of Hill & Dale requests a Hearing Impaired sign at the corner of Pennsylvania and Georgian. President Reiter advises Ken Alexander to get the sign up.

**Jody Kelley in reference to the flooding on Payne Koehler Road:** Not Present.

**Trinette S. Imhof** resigns as the Liaison for the Parks Board effective immediately.

Michael N. Lockhart makes a motion to make Paul J. Rhodes the Liaison for the Parks Board, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** states that there will be a Regular Council Meeting on August 28, 2006 at 7:00 p.m. and Annexation meetings on September 13, 2006 at 10:00 a.m. and 7:00 p.m.

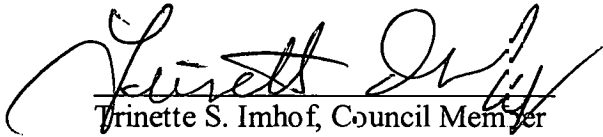
**Kenneth J. Alexander, Public Works Director:** Presents an Amendment to the Policy Manual for the Zora software.

Michael N. Lockhart makes a motion to amend the Policy Manual for the Zora software, seconded by Jacques S. Smith. 4-aye, 0-nay, 1-abstention by Jacques S. Smith, motion approved.

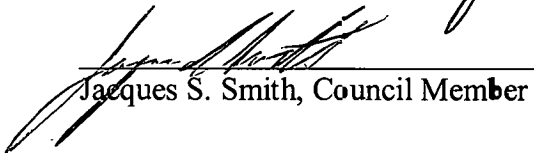
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay. Motion approved and meeting adjourned at 9:22 p.m.

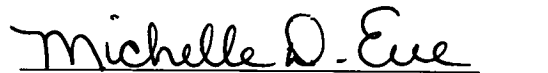
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Council Vice President

  
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Trinetta S. Imhof, Council Member

  
\_\_\_\_\_  
Paul J. Rhodes, Council Member

  
\_\_\_\_\_  
Jacques S. Smith, Council Member

  
\_\_\_\_\_  
ATTEST: Michelle D. Eve  
Chief Deputy Clerk Treasurer

Attachments: Copy of letter from Clerk Treasurer in reference to the 2006 Budget Cuts  
Amendment to Policy Manual



*Town of Sellersburg*

316 EAST UTICA STREET  
P.O. BOX 85  
SELLERSBURG, INDIANA 47172  
(812) 246-7049 FAX (812) 246-7040

David L. Kinder  
Clerk-Treasurer  
Michelle D. Eve  
Deputy Clerk-Treasurer  
Robin M. Jones  
Deputy Clerk-Treasurer

May 9, 2006

To: Douglas J. Reiter, Council President  
Michael N. Lockhart, Council Vice President  
Trinette S. Imhof, Council Member  
Paul J. Rhodes, Council Member  
Jacques S. Smith, Council Member

From: David L. Kinder, Clerk Treasurer

RE: 2006 Budget Cuts

This letter is to inform you that the Department of Local Government Finance has cut the Town's 2006 Budget as follows.

	<u>Budget Estimate</u>	<u>Certified Budget</u>	<u>Amount Cut</u>
General	\$2,485,000	\$2,305,234	\$179,766
Local Road & Street	\$ 240,000	\$ 147,844	\$ 92,156
Cumulative Capital Imp	\$ 43,500	\$ 43,156	\$ 344

I am recommending that for the General Fund, reducing Street & Sanitation Storm Drains, Appropriation number 101301431 by \$89,883 and Street & Sanitation Sidewalks, Appropriation number 101301431 by \$89,883.

I am recommending that for the Local Road & Street Fund, reducing Local Road & Street Paving, 202001397 by \$50,000 and Local Road & Street Land Acquisitions, Appropriation number 202001401 by \$19,000 and Local Road & Street Equipment, Appropriation number 202001441 by \$23,156.

I am recommending that for the Cumulative Capital Improvement Fund (Cigarette Tax), reducing Cumulative Capital Improvement Consulting, Appropriation number 401001314 by \$344.

This is only my recommendation; however, you as the Town Council have the final approval as to where these cuts are made.

These cuts were made to remain within statutory levy limitations allowed by the Department of Local Government Finance for the Town of Sellersburg.

Attached is a copy of the 2006 Budget Order and 100% of Budget Levy Certification from the Department of Local Government Finance.

# Sellersburg Works Department

101 South New Albany Street

PO Box 175

Sellersburg, IN 47172

[www.sellersburg.org](http://www.sellersburg.org)

## Amendment to Policy Manual

### Section XI Hours of Work

- E. At the discretion of the designee for the Town Council the use of a time clocking device is permissible. Employee should be trained for the correct use of device. Hourly employee shall not clock in prior to shift start and clock out at shift end. Hourly Employee is responsible to complete task or ask for assistance from supervisor. No hourly employee shall accumulate overtime without direct direction from supervisor.

### Section VII Progressive Disciplinary Policy

35. Employee turning off Town Phone or disabling the Zora software while conducting Town business

## SELLERSBURG TOWN COUNCIL MEETING

August 28, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on August 28, 2006 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Council Member Paul J. Rhodes gave the opening prayer.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone has had a chance to review the invoices submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone had reviewed the minutes of the August 14, 2006 meeting.

Jacques S. Smith makes a motion to approve the minutes, as presented by the Clerk-Treasurer, of the August 14, 2006 meeting as written, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter states that payment number 5, to Team Contracting and it was revised because the incorrect amounts were on there, the amount of \$175,815.93 (one hundred seventy-five thousand eight hundred fifteen and 93/100 dollars) was approved and the correct amount should have been \$360,171.64 (three hundred sixty thousand one hundred seventh-one and 64/100 dollars).

Jacques S. Smith makes a motion to retract the amount of \$175,815.93 (one hundred seventy-five thousand eight hundred fifteen and 93/100 dollars) and pay the amount of \$360,171.64 (three hundred sixty thousand one hundred seventh-one and 64/100 dollars) to Team Contracting, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to pay our portion of the grant match of \$266,959.22 [and pay the remainder and the retainage when the grant money, \$93,212.42 (ninety-three thousand two hundred twelve and 42/100 dollars) is received from the State], seconded by Jacques S.

**Sellersburg Town Council Meeting**  
**August 28, 2006**  
**Page 2 of 2 pages**

Smith. 5-aye, 0-nay, motion approved.

**VINCE RIKER** addresses the Council about the property between US 31 and Lakeside Estates not being mowed.


**ROBERT MIKEL** addresses the Council about an abandoned house at 248 Kahl Court.

**WILLIAM P. McCALL, III, (Town Attorney):** reminds the Council that mediation with EMC (Environmental Management Corporation) is scheduled at the office of Irvin H. Sonne, III, in New Albany at 10:00 A.M. September 27, 2006.

Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, meeting adjourned at 8:04 P.M.

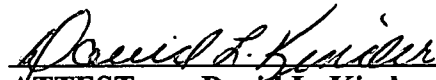
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

RESIGNED  
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**Jacques S. Smith, Council Member**

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

## **SELLERSBURG TOWN COUNCIL MEETING**

**September 11, 2006**

### **TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on September 11, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### **CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:02 P.M.

Pack 7, Cub Scouts of America presented the colors.

### **PLEDGE OF ALLEGIANCE:**

Offered by all present.

### **PRAYER:**

Offered by Reverend Bob Hauselman, Restoration Christian Church.

Council Member Jacques S. Smith gives a brief talk thanking everyone for his or her help in allowing him to serve on the Council but because of moving his residence, he must now resign from the Town Council effective immediately. This resignation is representation for District 1 and is effective at 7:08 P.M., September 11, 2006.

**President Reiter** opens the public hearing for the Downtown Revitalization at 7:09 P.M.

**Ken Alexander** shows a video of the proposed Revitalization.

**Michael Whalen** speaks about local businesses keeping their property properly maintained.

**Tony Taylor** comments about the cost of real estate in the Town.

**Janet Rudd** requests a letter be sent to all the business owners and have them attach a copy of the letter about the Downtown Revitalization with employee's paychecks encouraging them to support the effort.

**Vince Riker**, Lakeside sub-division, addresses the Council about the flooding in Lakeside during the last heavy rain.

**Tom Lowe** questions about the phases of the project are there three or just one.

**Sellersburg Town Council Meeting**  
**September 11, 2006**  
**Page 2 of 3 pages**

**President Reiter** closes the Public Hearing at 7:46 P.M. and re-opens regular meeting.

**Melissa Woods**, Community Development Specialist of River Hills Economic Development and Regional Planning Commission, submits two Resolutions for passage.

**Paul J. Rhodes** makes a motion to approve **RESOLUTION R2006-005, A DECLATORY RESOLUTION OF THE TOWN COUNCIL OF SELLERSBURG, INDIANA, FOR THE SUBMITTAL OF A COMMUNITY FOCUS FUND GRANT THROUGH THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS** seconded by Michael N. Lockhart. 4-aye, 0-nay, motion is approved.

**Michael N. Lockhart** makes a motion to approve **RESOLUTION R2006-006, RESOLUTION OF THE SELLERSBURG TOWN COUNCIL, CLARK COUNTY, INDIANA, AUTHORIZING THE SUBMITTAL OF THE CFF APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS** seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Melissa Woods**, Community Development Specialist of River Hills Economic Development and Regional Planning Commission, submits Pay Application #6 for Team Contracting, Sellersburg Sewer Project-CF-04-124.

**Michael N. Lockhart** makes a motion to pay Team Contracting \$106,746.43 (one hundred six thousand seven hundred forty-six and 43/100 dollars) and \$5,618.23 (retainage fee) (five thousand six hundred eighteen and 23/100 dollars) seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone had reviewed the minutes of the August 28, 2006 Special Council Meeting as written.

**Michael N. Lockhart** makes a motion to approve the minutes as written, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

**Paul J. Rhodes** makes a motion to approve the invoices as submitted, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** opens Public Hearing for the Town Budget for 2007 at 7:57 P.M. President Reiter asks if there are any comments about the budget, there are no comments. Public Hearing is closed at 7:58 P.M. The Budget will be approved at the August 25, 2006 meeting.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents **ORDINANCE 2006-021, AN ORDINANCE AMENDING THE SELLERSBURG TOWN CODE REGARDING THE**



**REGULATION OF WEEDS, GRASS AND RANK VEGETATION WITHIN THE MUNICIPAL LIMITS AND THE DECLARATION OF NUISANCE FOR SAME AND THE ENFORCEMENT FOR VIOLATION THEREOF.**

**Michael N. Lockhart** makes a motion to consider Ordinance 2006-021 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Paul J. Rhodes** makes a motion to approve Ordinance 2006-021 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

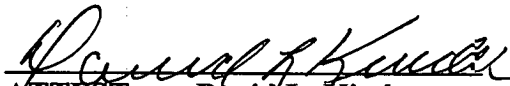
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved and meeting adjourned at 8:17 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

September 14, 2006

### TOWN COUNCIL SPECIAL MEETING:

The Sellersburg Town Council met in Special Session on September 14, 2006 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 6:00 P.M.

### PRAYER:

### PLEDGE OF ALLEGIANCE:

President Reiter presents **RESOLUTION R2006-007, DECLARATORY RESOLUTION OF THE TOWN COUNCIL OF SELLERSBURG, INDIANA FOR SUBMITTAL OF COMMUNITY FOCUS FUND GRANT THROUGH THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS.**

**Paul J. Rhodes** makes a motion to approve Resolution R2006-007, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the minutes of the September 11, 2006 Council meeting.

**Michael N. Lockhart** makes a motion to approve the minutes, as written, of the September 11, 2006 meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Paul J. Rhodes** makes a motion to allow the Public Works Director to purchase of (radio-read) meters upon the execution of the documents between the Town and SSK Communities (Friendly Village of Indian Oaks) seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**Michael N. Lockhart** reads an Interoffice Memo from a town employee asking the Council to approve five extra bereavement days as per personnel manual.

**President Reiter** a motion to approve the extra five days with pay, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**

**September 14, 2006**

**Page 2 of 2 pages**

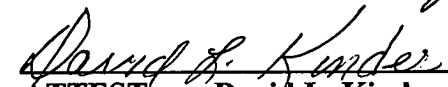
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved and meeting adjourned at 6:32 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**SEPTEMBER 25, 2006**

**TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on September 25, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall III and Chief Deputy Clerk Treasurer Michelle D. Eve.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:00 p.m.

**PRAYER:**

Council Member Paul J. Rhodes.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the September 14, 2006 meeting.

Paul J. Rhodes makes a motion to approve the minutes of the September 14, 2006 meeting as written, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

President Reiter asks if everyone had reviewed the invoices as submitted by the Clerk Treasurer.

Michael N. Lockhart makes a motion to approve the bills as presented by the Clerk Treasurer, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve on first reading the final adoption of the 2007 Budget, **Ordinance Number 2006-020**, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to pass on first reading the final adoption of the 2007 Budget, **Ordinance Number 2006-020**, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Assistant Chief Ross presents two letters to Council, one from Chief Whelan and one from Doug Pixley, President, Sellersburg Police Commission, requesting the Council approve the hiring of Todd S. Knight as a patrolman.

**Town Council Special Meeting  
September 25, 2006  
Page 2 of 3**

Paul J. Rhodes makes a motion to allow Chief Whelan to Hire Todd S. Knight, seconded by Michel N. Lockhart. 4-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to allow Officer Knight to receive First Class Officer's pay, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Motion by Paul J. Rhodes to consider on the first reading **ORDINANCE 2006-022 WITH EXHIBIT "A". AN ORDINANCE AMENDING ORDINANCE NO. 2001-001 CHANGING THE SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF SELLERSBURG FROM OWNERS OF PROPERTY SERVED BY THE SEWER WORKS OF SAID TOWN AND OTHER MATTERS CONNECTED THEREWITH and EXHIBIT A, SUMMARY OF PRESENT AND PROPOSED RATES AND CHARGES.** Effective January 1, 2007. Seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Motion by Michael N. Lockhart to consider on the first reading **Ordinance 2006-023, ORDINANCE ADOPTING A SCHEDULE OF FEES FOR PAYMENT OF JUDGEMENTS (FINES) FOR CIVIL TRAFFIC VIOLATIONS,** seconded by Paul J. Rhodes, 4-aye, 0-nay, motion approved.

Motion by Paul J. Rhodes to approve **ORDINANCE 2006-023** on the first reading, seconded by Michael N. Lockhart, 4-aye, 0-nay, motion approved.

Motion by Michael N. Lockhart to approve on the first reading **RESOLUTION R2006-008, RESOLUTION CREATING A PLAN FOR REIMBURSING EMPLOYEES FOR CERTAIN UNINSURED MEDICAL EXPENSES,** seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

Motion by Michael N. Lockhart to consider on the first reading **ORDINANCE 2006-024, an ORDINANCE CREATING A NON-REVERTING FUND FOR THE PURPOSE OF REIMBURSING EMPLOYEES FOR CERTAIN UNINSURED MEDICAL EXPENSES,** seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

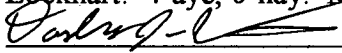
Motion by Michael N. Lockhart to approve **ORDINANCE 2006-024** on the first reading, seconded by Trinette S. Imhof. 4-aye, -0-nay, motion approved.

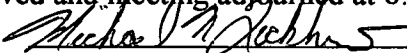
**Sellersburg Town Council Special Meeting**

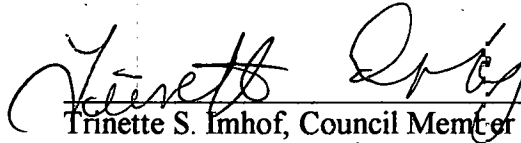
**September 25, 2006**

**Page 3 of 3 pages**

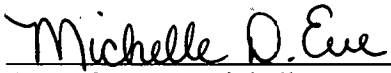
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 4-aye, 0-nay. Motion approved and meeting adjourned at 8:24 p.m.

  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Council Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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ATTEST: Michelle D. Eve  
Chief Deputy Clerk Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

October 9, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on October 9, 2006 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Reverend Father Paul Richert, St. Paul's Catholic Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the September 25, 2006 Town Council Special Meeting as written.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve the invoices as submitted, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter Opens a Public Hearing at 7:03 P.M. reference Ordinance 2006-022; Town Attorney McCall states that this is an ordinance amending Ordinance 2001-001, changing the schedule of rates and charges collected by the Town of Sellersburg from owners of property served by the sewer works of said town and other matters connected therewith.

McCall states for our records that we noticed in the Evening News and the Leader, published on September 29, 2006.

There being no comments from the public Attorney McCall states that the proposal is a reduction in rates and the reduction is going to be over a period of four years, the first year's reduction will be 2% and 1% per year thereafter.

President Reiter closes the public hearing at 7:04 P.M. and opens the regular scheduled meeting.

**Sellersburg Town Council Meeting**

**October 9, 2006**

**Page 2 of 3 pages**

**Michael N. Lockhart** makes a motion to approve **Ordinance 2006-022 AN ORDINANCE AMENDING ORDINANCE NO. 2001-001 CHANGING THE SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF SELLERSBURG FROM OWNERS OF PROPERTY SERVED BY THE SEWER WORKS OF SAID TOWN AND OTHER MATTERS CONNECTED THEREWITH** on the second reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**MELISSA WOODS, (River Hills Economic Development District):** submits Team Contracting Pay Application #7, Sellersburg Sewer Project CF-04-124 for \$45,843.49 (forty-five thousand eight hundred forty-three and 49/100 dollars). \$43,551.31 (forty-three thousand five hundred fifty-one and 31/100 dollars) paid to Team Contracting and retainage of \$2,292.18 (two thousand two hundred ninety-two and 18/100 dollars) withheld from total pay application.

**Paul J. Rhodes** makes a motion to pay Team Contracting \$43,551.31 (forty-three thousand five hundred fifty-five and 31/100 dollars), seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**Ms. Woods** advises the Council that Requests for Proposals for engineering design and inspection services will be advertised in Friday's Evening News and must be received by twelve noon on November 13, 2006. The Council must assign a scoring committee in order to score the proposals that are received.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents AN AGREEMENT REGARDING WATER, SEWER AND GARBAGE COLLECTION SERVICES PROVIDED BY TOWN OF SELLERSBURG, INDIANA TO SSK-SELLERSBURG, LLC AS OWNER OF THE FRIENDLY VILLAGES OF INDIAN OAKS COMMUNITY MANUFACTURED HOME PARK, for signature of Town Council President. This will then be faxed to SSK-Sellersburg, LLC tomorrow for their signature.

**Michael N. Lockhart** makes a motion to have Town Council President Reiter sign the contract between the Town of Sellersburg and SSK- Sellersburg, LLC, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

McCall submits a bill from Irvin H. Sonne, III who conducted mediation session between the Town of Sellersburg and EMC (Environmental Management Corporation) for payment for \$387.50 (three hundred eighty-seven and 50/100 dollars).

**Paul J. Rhodes** makes a motion to approve payment of \$387.50 (three hundred eighty-seven and 50/100 dollars) to Irvin H. Sonne, III, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.



**Sellersburg Town Council Meeting**  
**October 9, 2006**  
**Page 3 of 3 pages**

This amount is to be paid out of the sewer fund.

**President Reiter** states there will be an Executive Session at 6:00 P.M. October 23, 2006 reference litigation with EMC (Environmental Management Corporation).

**PAUL J. RHODES, (Council Member):** makes a motion that Linda Whitlatch be appointed to fill the vacancy on the Parks Board, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.


**President Reiter** requests the Council to approve the action by the Public Works Director concerning employee 1501.

**Michael N. Lockhart** makes a motion to approve the action taken by the Public Works Director regarding employee 1501, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

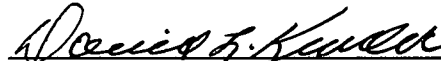
**Trinette S. Imhof** makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved and meeting adjourned at 7:26 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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

**ATTACHMENT: Agreement with Sellersburg-SSK,LLC**

**AGREEMENT REGARDING WATER, SEWER AND GARBAGE COLLECTION  
SERVICES PROVIDED BY TOWN OF SELLERSBURG, INDIANA TO SSK-  
SELLERSBURG, LLC AS OWNER OF THE FRIENDLY VILLAGES OF INDIAN OAKS  
COMMUNITY MANUFACTURED HOME PARK**

THIS AGREEMENT is made and entered into by and between the TOWN OF SELLERSBURG, INDIANA, ("Town of Sellersburg") and SELLERSBURG-SSK, LLC, a Kentucky limited liability company with the principal address of 467 Erlanger Road, Erlanger, Kentucky 41018, as owner of The Friendly Villages of Indian Oaks Mobile Home Park, on this the 9<sup>th</sup> day of October, 2006.

WITNESSETH THAT:

WHEREAS, SSK is the owner of that certain manufactured home park known as The Friendly Villages of Indian Oaks, located in the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg currently provides water, sewer and garbage collection and yard waste pick up services to park residents and individually meters and bills such residents for such services; and

WHEREAS, the Town of Sellersburg contemplated discontinuing garbage collection service and instituting a master meter at the park for water and sewer services as a result of continuing delinquencies of park residents for payment of such services; and

WHEREAS, SSK has requested continued provision of garbage collection services and individual metering and billing for water and sewer services in order to ensure that the residents of the park continue to enjoy their usual and customary quality of municipal services; and

WHEREAS, SSK and the Town of Sellersburg have reached an agreement with regard to garbage collection, water and sewer services which will allow park residents to continue to enjoy quality municipal service while alleviating the loss of revenue experienced by the Town of

Sellersburg due to delinquencies of park residents on payment of such services, all upon the terms and conditions more fully set forth hereinafter;

NOW, THEREFORE, in consideration of the premises and of the true mutual covenants and agreements hereinafter set forth, the parties do agree as follows.

1. **Garbage Collector Services.**

The Town of Sellersburg agrees to provide garbage collection services to the Friendly Village of Indian Oaks Mobile Home Park by continuing to pick up trash placed in the blue containers provided by the Town. However, the Town will no longer provide yard waste pick up for the park. Instead, SSK agrees to provide yard waste pick up through the provision of dumpsters which will be emptied by private contractors.

2. **Water and Sewer Services.**

The Town of Sellersburg agrees that there will be no action taken to install a master water meter for the Friendly Villages of Indian Oaks. In lieu of this requirement, it is agreed that the Town of Sellersburg will purchase and install individual radio frequency water meters for each of SSK's tenants within its community. This installation shall be done in phases throughout SSK's community at the Town of Sellersburg's reasonable discretion. The parties agree that the size and exact location of the phases shall be determined mutually so as to minimize disruption of operation of the community.

SSK agrees to reimburse the Town of Sellersburg for the costs of the meters that it installs in the following manner. This cost shall not exceed \$52,000.00, and shall be paid as follows:

- a) As the Town of Sellersburg completes installation of a phase of meters, it shall advise SSK of the completion and SSK shall sign a note to pay to the Town of Sellersburg the

costs of the installed meters, in that phase, over an 18 month term. The Note shall be interest free, and paid in equal monthly payments equal to the number of meters divided by 18.

b) An additional promissory note shall be executed for each phase as it are completed.

SSK agrees to bear responsibility for the repair of all service lines to the Friendly Villages of Indian Oaks. The Town of Sellersburg agrees to bear responsibility for repair of all water mains. SSK agrees to assist in such repairs by removing any manufactured home which impedes repair or by taking any other corrective action which would allow access for repair work as needed.

SSK agrees to assist in collection of any delinquent sewer or water bill by collecting a deposit from residents and applying this deposit to the delinquent bill upon request of the Town of Sellersburg. The Town of Sellersburg agrees to provide timely notice of suspected delinquencies in order to provide SSK the ability to investigate and seek payment from their tenant.

3. **Entire Agreement; Binding Effect.** This Agreement constitutes the entire agreement between the parties relative to the premises, and no amendment or modification thereto shall be binding upon either party unless reduced to a writing executed by each party. This Agreement shall be binding upon, and inure to the benefit of, the parties and their respective successors in interest.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the

dates and times set forth below.

Dated: 10/9/06

**TOWN OF SELLERSBURG, INDIANA**

By: *Dayle J. [Signature]*

Title: Town Council President

Dated: 10/4/06

**SELLERSBURG-SSK, LLC**

By: *[Signature]*

**Kurtis P. Keeney**  
Managing Member

278187.4

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**October 23, 2006**

**TOWN COUNCIL SPECIAL MEETING:**

The Sellersburg Town Council met on October 23, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:02 P.M.

**PRAYER:**

Offered by President Reiter.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**President Reiter** asks if everyone had reviewed the minutes of the October 9, 2006 Town Council Regular Meeting as written.

Paul J. Rhodes makes a motion to approve the minutes as written, seconded by Michael N. Lockhart 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve the invoices as submitted, seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved.

**President Reiter** presents a request from Clark County REMC for a letter of endorsement for the National McGruff Truck Program. President Reiter and the council request the Clerk-Treasurer prepare such a letter and the council members will sign it.

**PAUL J. RHODES,** addresses the subject of the mold in the Town Hall and what will be done to fix the problem.

Building Commissioner Jonas "Jay" Tanner is to obtain bids for the necessary repairs to the roof and have the bids ready for the next Town Council meeting.

**President Reiter** presents **ORDINANCE 2006-025, AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG.**

**Sellersburg Town Council Special Meeting**  
**October 23, 2006**  
**Page 2 of 3 pages**

**Paul J. Rhodes** makes a motion to consider Ordinance 2006-025 on the first reading, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2006-025 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Public Works Director):** Presents recommendations for the Water Well Number 6.

**Section A** (Water Well No. 6 Well Tower and Valve Vault, **BASTIN LOGAN**, \$71,976.00 (seventy- one thousand nine hundred seventy-six dollars).

**Section B** (Raw Water Main and Raw Water Flow Meter, **TEAM CONTRACTING**, \$93,480.00 (ninety-three thousand four hundred eighty dollars).

**Section C** (Electrical Portion of Project), **DELTA SERVICES, LLC**, \$53,490.00, (fifty-three thousand four hundred ninety dollars).

**Paul J. Rhodes** makes a motion to approve bids as presented for Water Well No. 6. Section A, Water Well No. 6 Well Tower and Valve Vault, low bidder Bastin Logan for \$71,976.00; Section B, raw Water main and Raw Water Flow Meter, low bidder Team Contracting at \$93,480.00 and Section C, Electrical Portion of Project, low bidder Delta Services, LLC. \$53,490.00, depending upon the approval of the engineers, consultants and the Town Attorney.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents **ORDINANCE 2006-026, AN ORDINANCE ESTABLISHING FEES FOR SELLERSBURG POLICE DEPARTMENT.**

**Trinette S. Imhof** makes a motion to consider Ordinance 2006-026 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to approve Ordinance 2006-026 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Attorney McCall** presents new voter district as prepared by John (Toombs) one at large and four regular districts. The law requires that the changes to the boundaries in a district have to be done by November 8 this year.

**Michael N. Lockhart** makes a motion to consider **ORDINANCE 2006-027, AN ORDINANCE ESTABLISHING REVISED VOTER DISTRICTS IN THE TOWN OF SELLERSBURG, INDIANA CREATING ONE (1) AT LARGE DISTRICT AND FOUR (4) REGULAR DISTRICTS** on the first reading, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**  
**October 23, 2006**  
**Page 3 of 3 pages**

Michael N. Lockhart makes a motion to approve Ordinance 2006-027 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**ATTORNEY McCALL** states EMC (Environmental Management Corporation) made an offer to settle with the Town for \$38,000.00 (thirty-eight thousand dollars). I am asking that (President Reiter) Doug give me the authority to go ahead and formalize this with EMC's attorney, Larry Wilder, understanding that this will end it all, there will be no ability to challenge the issue; electrical expense, chemicals expense reimbursement, the way the project was left, all matters will be resolved pursuant to this settlement, claims known or unknown.

**Paul J. Rhodes** makes a motion to approve the funds of \$38,000.00 (thirty-eight thousand dollars) payment to EMC for final payment for the work performed here, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** advises to write the check after Town Attorney gets the release. Pay from utility funds, 30% water operating and 70% sewer operating.

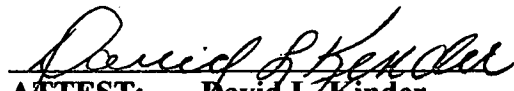
**Trinette S. Imhof** makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved and meeting adjourned at 8:00 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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



**MUTUAL RELEASE OF ALL CLAIMS AND SETTLEMENT OF ALL DISPUTES  
BETWEEN THE TOWN OF SELLERSBURG, INDIANA  
AND ENVIRONMENTAL MANAGEMENT CORPORATION  
(As Parent and Successor of EMC of Indiana, LLC)**

**KNOW ALL MEN BY THESE PRESENTS, that:**

On or about January 13, 2003 the Town of Sellersburg, Indiana (hereinafter "Town") and Environmental Management Corporation (as parent and successor of EMC of Indiana, LLC) (hereinafter "EMC") entered into an Agreement for Contract Operations, Maintenance and Management of the Town of Sellersburg Water, Wastewater and Utility Billing / Collection Systems and as subsequently amended (hereinafter "Agreement") wherein EMC agreed to perform certain functions relative to the operation, maintenance and collections for the Town's Water and Wastewater Treatment operation. The Agreement was an extension of a previous agreement between the parties.

The Town chose not to renew the Agreement effective January 1, 2006.

Subsequently, the Town and EMC disagreed as to several issues regarding the amount of the final payment owed by the Town to EMC. The Town asserted that EMC failed to perform certain duties and make certain payments pursuant to the Agreement. EMC claimed that it had made all of the payments and performed all of the duties required under the Agreement.

The parties, after substantial negotiations and mediation agreed to settle all of their disputes regarding all of those issues related to the Agreement, and the performance and the services provided by EMC to the Town during the entire course of the parties contractual relationship.

Wherefore, EMC, in exchange for the receipt of the sum of Thirty Eight Thousand Dollars (\$38,000) Dollars, paid to EMC, the receipt of which is hereby acknowledged, hereby forever releases and discharges, the Town, its administrators, agents and assigns, and all other persons, firms or corporations liable, or who might be liable, none of whom admit any liability to EMC, but all dispute any liability to EMC, of and from any and all manner of actions, cause of action, suits, accounts, contracts, debts, claims and demands whatsoever, at law or in equity, and however arising, up to the date of these presents, including particularly, but not exclusively, all matters related to any and all contractual obligations that may or may not have accrued pursuant to any and all contracts that the Town entered into with EMC regarding the operation of the Town's Water and Wastewater Treatment facilities as well any other work performed by EMC and/or any services provided by EMC during the term of any and all contracts including, but not limited to, the Agreement.

It is understood and agreed that the payment of said amount is not to be construed as an admission of liability, but that said payment is made and accepted in full accord and satisfaction of, and in compromise of, a disputed claim arising out of the contractual relationship between the parties, and for the purpose of terminating any disputes and to avoid any litigation between the parties.

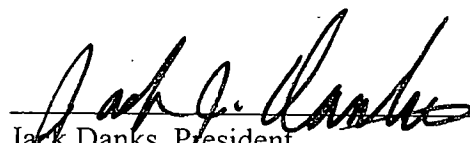
It is further understood and agreed that this Release extends to all claims of every nature and kind whatsoever, known or unknown, suspected, and that the undersigned are executing this Release upon the advice and with the consent of their own counsel, and on no representations of the parties released or their counsel.

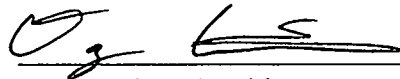
Wherefore, the Town, by payment of the sum of Thirty Eight Thousand Dollars (\$38,000) Dollars, paid to EMC, the receipt of which is hereby acknowledged, hereby forever releases and discharges, EMC, its administrators, agents and assigns, and all other persons, firms or corporations liable, or who might be liable, none of whom admit any liability to the Town, but all dispute any liability to the Town, of and from any and all manner of actions, cause of action, suits, accounts, contracts, debts, claims and demands whatsoever, at law or in equity, and however arising, up to the date of these presents, including particularly, but not exclusively, all matters related to any and all contractual obligations that may or may not have accrued pursuant to any and all contracts that the Town entered into with EMC regarding the operation of the Town's Water and Wastewater Treatment facilities as well any other work performed by EMC and/or any services provided by EMC during the term of any and all contracts including, but not limited to, the Agreement.

It is understood and agreed that the payment of said amount is not to be construed as an admission of liability, but that said payment is made and accepted in full accord and satisfaction of, and in compromise of, a disputed claim arising out of the contractual relationship between the parties, and for the purpose of terminating any disputes and to avoid any litigation between the parties.

It is further understood and agreed that this Release extends to all claims of every nature and kind whatsoever, known or unknown, suspected, and that the undersigned are executing this Release upon the advice and with the consent of their own counsel, and on no representations of the parties released or their counsel.


WITNESS our hand and seal this \_\_\_\_ day of November, 2006.

  
\_\_\_\_\_  
Jack Danks, President  
Vice President, Business Development  
General Manager, Indiana Municipal Market



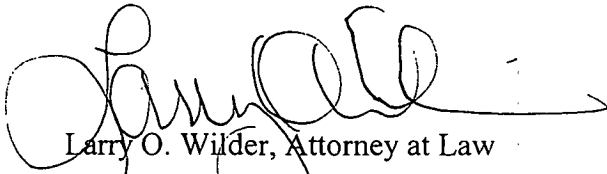
Doug Reiter, President  
Sellersburg Town Board

Attested by:



David Kinder, Clerk-Treasurer  
Town of Sellersburg

Prepared by:



Larry O. Wilder, Attorney at Law  
Attorney for EMC/BOC  
530 East Court Avenue  
Post Office Box 146  
Jeffersonville, Indiana 47130  
Tx: 812.288.6820 Fax: 812.282.3188  
In. S. Ct. #11443-10 E-Mail: lowilder3@aol.com

Seen and Approved by:



William Perry McCall, Attorney at Law  
Town of Sellersburg, Indiana

## SELLERSBURG TOWN COUNCIL MEETING

November 13, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on November 13, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Michael J. Hostetler, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Reverend John Mantle, Jacobs Chapel United Methodist Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks the Clerk-Treasurer to swear in the new Town Council Member, Michael J. Hostetler.

Mr. Michael J. Hostetler is administered the Oath of Office.

President Reiter asks if everyone had reviewed the minutes of the October 23, 2006 Council Special Meeting as written.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Paul J. Rhodes makes a motion to approve the invoices as submitted, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

MELISSA WOODS, (River Hills Economic Development Commission): Presents pay application #8 for Sellersburg Sewer Project –CF-04-124, to Team Contracting; the total amount is \$132,858.11 (one hundred thirty-two thousand eight hundred fifty-eight and 11/100 dollars). This payment will be \$126,215.21 (one hundred twenty-six thousand two hundred fifteen and 21/100 dollars) with a retainage of \$6,642.90 (six thousand six hundred forty-two and 90/100 dollars).

Michael N. Lockhart makes a motion to pay the \$126,215.21 to Team Contracting, seconded by

**Sellersburg Town Council Regular Meeting**  
**November 13, 2006**  
**Page 2 of 3 pages**

Paul J. Rhodes. 4-aye, 0 nay, motion approved.

**Ms. Woods** states that the Downtown Revitalization you will hear that on December 1. Tonight the Scoring Committee scored the engineering proposals that were received and Jacobi, Tombs and Lanz, Inc. is recommended.

Michael N. Lockhart makes a motion to accept the recommendation of the Scoring Committee, seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved.

**President Reiter** asks Linda L. Whitlatch to come forward for her swearing in as a new member of the Sellersburg Parks Board.

Clerk-Treasurer administers the Oath of Office to Ms. Whitlatch.

**DIANA KARR** of 308 South Fern Street makes complaint about Jeep Construction, owned by Jeff Parrish about the construction of her home.

President Reiter advises her that he, along with Kenneth J. Alexander, Public Works Director and Jonas "Jay" Tanner, Building Commissioner will come to her residence this week to make certain that the contractor complied with the building codes of the Town.

**KENNETH HECKER**, owner of property at 8711 Old Highway 60 expressing concern about the drainage onto his property after the State Department of Transportation installs the new drainage culvert on new Highway 60.

President Reiter asks that he write a letter to the Town Council about the problem and they will attach this to a letter, send it to the State Department of Transportation, and ask for an engineering study for the drainage and how this new culvert will effect the Town.

**KENNETH J ALEXANDER, (Director of Public Works):** With the construction of the "noise barrier" Norman Drive has no street lighting and I am requesting a street lamp be installed.

Michael N. Lockhart makes a motion to install a street light, on Norman Drive, and pay a lump sum of \$1,607.64 (one thousand six hundred seven and 64/100) and \$5.48 per month thereafter, plus the cost of installation, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents **RESOLUTION R2006-009, A RESOLUTION APPROVING THE ACCEPTANCE OF THE CONVEYANCE OF CERTAIN REAL ESTATE TO THE TOWN OF SELLERSBURG, INDIANA.** (This is the old sausage property on Sellers Avenue).

Michael N. Lockhart makes a motion to approve Resolution R2006-009 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**November 13, 2006**  
**Page 3 of 3 pages**

Mr. McCall also advises there needs to be a motion approving the Council President signing a Quit Claim Deed on behalf of the Town.

Michael N. Lockhart makes a motion to approve the Council President signing a Quit Claim Deed on behalf of the Town, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Public Works Director):** presents the bids for asphalt and milling work on the Town streets.

There were two proposals; Gohmann Asphalt at \$38.20 (thirty-eight and 20/100 dollars) per ton and \$2.50 (two and 50/100 dollars) per square foot for milling.

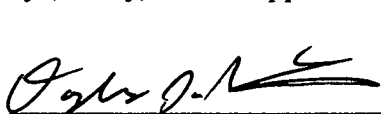
Mac Construction asphalt \$48.00 (forty eight dollars) per ton and \$3.40 (three and 40/100 dollars) per square yard for milling.

Michael N. Lockhart makes a motion to accept the Gohmann Asphalt low bid, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**PAUL J. RHODES, (Council Member):** Parks Board will host light up Sellersburg at 6:00 P.M. on November 24, 2006.

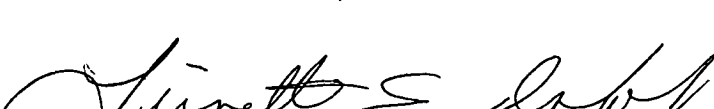
**MICHAEL N. LOCKHART, (Council Member):** The Williams Property on North New Albany Street will be sold at auction November 25<sup>th</sup>.

**Trinette S. Imhof** makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved and meeting adjourned at 8:08 P.M.


  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Michael J. Hostetler, Council Member**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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

## SELLERSBURG TOWN COUNCIL MEETING

November 27, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on November 27, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Michael J. Hostetler, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, , and Clerk-Treasurer David L. Kinder.

Town Attorney William P. McCall, EI was not present.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Council Member Michael N. Lockhart.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the November 13, 2006 Town Council Special Meeting as written.

Trinetta S. Imhof makes a motion to approve the minutes as written, seconded by Michael J. Hostetler. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve the invoices as submitted, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

GREG CHANCEY, (724 Forrest Drive South) asks why the road paving in Forrest Estates was not done on Forrest Drive South. Michael N. Lockhart says it was a priority and money thing about just where to pave and that this will be on next years list for consideration.

Mr. Chancey also questions the drainage behind his home that was discussed approximately six months ago, when he appeared before the Council. He has talked with Bob Lynn, developer of Silver Glades and he advised that they were going to use the easement to install drainage as was in the original plans. Plus there will be a retention pond constructed.

KEVIN WRIGHT, (Assistant Public Works Director): Presents bids for repairs to Town Hall roof.

**Sellersburg Town Council Regular Meeting  
November 27, 2006  
Page 2 of 2 pages**

**WILLIAM R. "Russ" WHELAN, (Chief of Police):** presents letter about Personal Days that were accumulated before the present Personnel Manual went into effect.

Paul J. Rhodes makes a motion that this matter be tabled until December 11 meeting and all town employees accumulated days are totaled, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**DAVID L. KINDER, (Clerk-Treasurer):** presents an invoice from IACT (Indiana Association of Cities and Towns) for the 2007 dues.

Michael N. Lockhart makes a motion to pay the \$1949.00 (one thousand nine hundred-nine dollars) for the IACT 2007 dues.

**DOUGLAS J. REITER, (Council President):** request an appointment to the River Hills Economic Development Board.

Michael N. Lockhart makes a motion to appoint Paul J. Rhodes to this Board, seconded by Michael J. Hostetler. 4-aye, 1-abstains, motion approved.

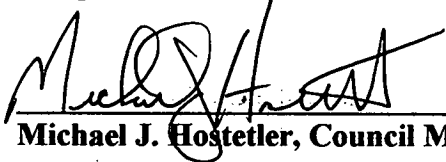
**Michael N. Lockhart** makes a motion to adjourn the meeting, seconded by Trinetta S. Imhof. 5-aye, 0-nay, motion approved and meeting adjourned at 7:45 P.M.



**Douglas J. Reiter, Council President**



**Michael N. Lockhart, Council Vice President**



**Michael J. Hostetler, Council Member**



**Trinetta S. Imhof, Council Member**



**Paul J. Rhodes, Council Member**



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



**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
November 30, 2006**

**EXECUTIVE SESSION:**

The Sellersburg Town Council met in Executive Session November 30, 2006. Present were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Michael J. Hostetler, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Trinette S. Imhof was absent.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:00 P.M.

**TOPICS OF DISCUSSION:**

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**


Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 4-aye, 0-nay, meeting adjourned at 6:24 P.M.

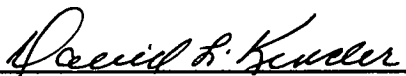
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Michael J. Hostetler, Council Member

*RESIGNED*  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**November 30, 2006**

**TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on November 30, 2006 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Michael J. Hostetler, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Trinette S. Imhof was absent.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:25 P.M.

**PRAYER:**

Offered by Council President Douglas J. Reiter.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**President Reiter** asks if everyone had reviewed the minutes of the July 10, 2006 Town Council Meeting as written.

Paul J. makes a motion to approve the minutes as written, seconded by Michael N. Lockhart Rhodes. 4-aye, 0-nay, motion approved.

President Reiter presents **ORDINANCE 2006-028, AN ORDINANCE TRANSFERING APPROPRIATIONS.** Transferring from MVH (Motor vehicle Highway) fund to LRS (Local Roads and Streets) fund

Michael N. Lockhart makes a motion to consider Ordinance 2006-028 on the first reading, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2006-028 on the first reading, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**  
**November 30, 2006**  
**Page 2 of 2 pages**

Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved and meeting adjourned at 6:31 P.M.


  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Michael J. Hostetler, Council Member**

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*RESIGNED*  
**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

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

## SELLERSBURG TOWN COUNCIL MEETING

December 11, 2006

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on December 11, 2006, at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Michael J. Hostetler, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Offered by Reverend Steve Davison, First Baptist Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

**Trinette S. Imhof, (Council Member):** Submits her oral resignation to the Council. She has moved from her elected political district to another political district within the Town.

**President Reiter** asks if members have reviewed the personal day carry over for employees.

Paul J. Rhodes makes a motion that personal days that have been accrued prior to this current calendar year be placed in a pool for the individuals use according to the direction of usage of personal days and that the days they earned now, under the current system be tracked accordingly. Stipulating that these pooled day will not be reimbursed upon termination or resignation. Motion seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

Town Attorney McCall will prepare an ordinance for this and present it at the January 2007 meeting.

**President Reiter** asks if everyone has reviewed the minutes of the November 30, 2006 special meeting.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the minutes of the Executive Session of November 30, 2006.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Michael J.

**Sellersburg Town Council Regular Meeting  
December 11, 2006  
Page 2 of 4 pages**

Hostetler. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the invoices as submitted by the Clerk-Treasurer.

Paul J. Rhodes makes a motion to approve the invoices as submitted, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**MELISSA WOODS, (River Hills Economic Development Commission):** Submits Team Contracting payment number 9 in the amount of \$110,287.57 (one hundred ten thousand two hundred eighty-seven and 57/100 dollars) with retainage of \$5,804.18 (five thousand eight hundred four and 18/100 dollars).

Michael N. Lockhart makes a motion to make the payment to Team Contracting, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Michael N. Lockhart** makes a motion to authorize President Reiter to sign, outside of a meeting, to pay Team Contracting retainage of \$83,869.81 (eighty-three thousand eight hundred sixty-nine and 81/100 dollars) upon River Hills getting all the information they need to get, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**Melissa Woods** presents invoice number 2 for River Hills grant administration and labor standards in the amount of \$25,000.00 (twenty five thousand dollars).

Paul J. Rhodes makes a motion to pay the invoice to River Hills for the services to help us with the sewer grant, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**Michael N. Lockhart** makes a motion to authorize President Reiter to sign the Indiana Office of Community and Rural Affairs updated disclosure report. Seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to authorize President Reiter to sign, outside a meeting, the grant closeout documents, contingent upon (Town Attorney McCall's) Perry's review, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** presents **ORDINANCE 2006-030, AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG.**

Michael N. Lockhart makes a motion to consider Ordinance 2006-030 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve on the first reading Ordinance 2006-030, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

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**President Reiter presents ORDINANCE 2006-029, AN ORDINANCE for HOURLY, SALARY, HOLIDAY AND LONGEVITY PAY FOR EMPLOYEES OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2007.**

Paul J. Rhodes makes a motion to consider on the first reading Ordinance 2006-029, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2006-029 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**President Reiter presents ORDINANCE 2006-031, AN ORDINANCE FIXING THE COMPENSATION OF ELECTED OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2007.**

Michael N. Lockhart makes a motion to consider on the first reading Ordinance 2006-031, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2006-031 on the first reading, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

**President Reiter presents ORDINANCE 2006-032, AN ORDINANCE FIXING THE COMPENSATION OF APPOINTED OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2007.**

Michael N. Lockhart makes a motion to consider Ordinance 2006-032 on the first reading, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve on the first reading Ordinance 2006-032 on the first reading, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Public Works Director): presents a Development Improvement Agreement with Jeff Parrish and Becky McCoy who are the developers on Villa Drive for fire protection lines on Villa Drive and Kahl Court by having a line off of US 31 with a fire hydrant and then go through their property and coming out on Villa Drive with another fire hydrant.**

Michael N. Lockhart makes a motion to authorize President Reiter to sign a Development Improvement Agreement and Sanitary Sewer with Jeff Parrish and Becky McCoy, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Alexander asks that the repair proposals for the Town Hall roof be tabled until another matter with the roof is received. Michael N. Lockhart makes a motion to table the Town Hall roof repair proposals, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents **ORDINANCE 2006-033, AN ORDINANCE AMENDING ORDINANCE 2006-024.**

Michael N. Lockhart makes a motion to consider Ordinance 2006-033 on the first reading, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve on the first reading Ordinance 2006-033, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.


**Michael N. Lockhart** makes a motion to adjourn the meeting, seconded by Michael J. Hostetler. 4-aye, 0-nay, motion approved and meeting adjourned at 7:53 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Michael J. Hostetler, Council Member**

  
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**Paul J. Rhodes, Council Member**

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