

## 2006 RESOLUTIONS

Number	Date	
R2006-001	1/9/2006	Approval Downtown Revitalization Grant
R2006-002	1/9/2006	Benefit Section (Employee Benefit SOP)
R2006-003	3/6/2006	Transfer of Property Floyd County To Sellersburg (Police Car)
R2006-004	4/14/2006	Enlarging Participation in PERF
R2006-005	9/11/2006	Submittal of Community Focus Grant (Downtown Revitalization)
R2006-006	9/11/2006	Authorizing Submittal CFF Application (Downtown Revitalization)
R2006-007	9/14/2006	Submittal Community Focus Grant (Downtown Revitalization)
R2006-008	9/25/2006	Reimbursing Employees for Certain Uninsured Medical Expenses
R2006-009	11/13/2006	Acceptance of Conveyance of Real Estate to the Town (Scearcy)

**RESOLUTION NO. R2006-001**

**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**

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

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

**WHEREAS**, the Town of Sellersburg, Indiana, has participated in or will participate in public hearings prior to the submission of the final report to the Indiana Office of Rural Affairs;

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

1. The Town of Sellersburg authorizes the approval of the Sellersburg Downtown Revitalization Plan contingent on the final approval by the Indiana Office of Rural Affairs. This report for grant addressed the necessary steps in addressing the community's interest and needs in the area of community development.

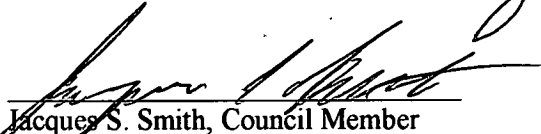
Adopted by the Town of Sellersburg, Indiana, this 9<sup>th</sup> day of January 2006.


  
Douglas J. Reiter, Council President

  
Michael N. Lockhart, Vice-President

  
Trinette S. Imhof, Council Member

  
Paul J. Rhodes, Council Member

  
Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

RESOLUTION NO. 2006-002

RESOLUTION ADOPTING TOWN OF SELLERSBURG EMPLOYEE BENEFIT PLAN

WHEREAS, the Sellersburg Town Council recently created the Sellersburg Department of Municipal Works; and

WHEREAS, based upon the creation of the Sellersburg Department of Municipal Works, the influx of new employees, and the current Sellersburg Employee Handbook (outlining Employee Benefits) which the Sellersburg Town Council has determined is antiquated, the Sellersburg Town Council has decided to modify, change and amend the current employee benefits plan to better serve the needs of all employees there under; and

WHEREAS, the Sellersburg Town Council in conjunction with the Director of the Sellersburg Department of Municipal Works have created a new employee benefits plan which is attached hereto and incorporated herein; and

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

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

BE IT NOW THEREFORE RESOLVED by the Sellersburg Town Council to adopt the Employee Benefits Plan which is attached hereto and incorporated herein;

BE IT FURTHER RESOLVED that all sections of the current Town of Sellersburg Employee Handbook which are in conflict with the new provisions as attached hereto and

incorporated herein shall be rescinded, effective the date of the herein Resolution.

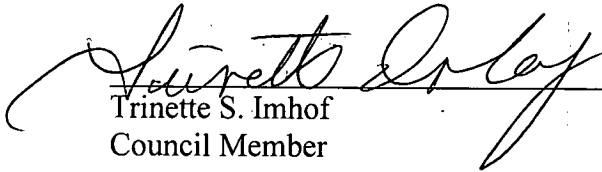
So resolved this 9<sup>th</sup> day of January, 2006.



Doug J. Reiter  
Council President



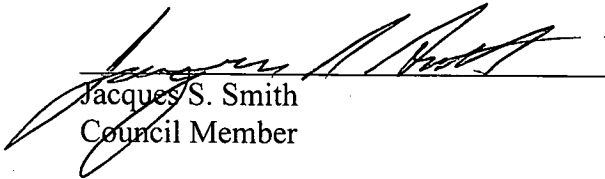
Michael N. Lockhart  
Council Vice President



Trinette S. Imhof  
Council Member



Paul J. Rhodes  
Council Member



Jacques S. Smith  
Council Member

Attest: David L. Kinder  
Clerk-Treasurer



RESOLUTION NO. 15-06-002  
Adopting Town of Sellersburg  
Employee Benefits Plan

*Town of Sellersburg  
Employee Benefits Section*

1-9-06

## Wage and Hour Section

### *I. Payroll*

- a. Payroll is paid on a weekly basis. All required deductions will be made according to the law.
- b. All non-elected personnel will be required to maintain a time sheet. This handwritten entry must be authorized and initialed by the supervisor."
- c. Straight time will be paid to hourly employees working 40 hours or less per work week. Work performed by hourly employees in excess of 40 hours in a work week will be considered overtime and will be paid at the rate of time and one-half the employee's regular rate of pay for hours actually worked over forty (40) hours. Benefit hours (vacation, holidays, etc.) are not considered time worked for computing overtime.
- d. If an employee is called to work by an authorized individual during an emergency, he or she will be paid a minimum of two (2) hours. The employee will receive time and one-half for actual time worked. If the employee works less than two hours, he/she will receive time and one half for actual time worked and the difference between the amount of actual time worked and two hours at straight time. Exception: Employee who is called in to work on an approved holiday will receive double time for hours worked. This includes "On Call Person"

### *II. Over Time*

- a. The Department Head shall attempt to distribute overtime as equally as practicable to qualified employees within those classifications in which overtime is required.
- b. Any employee may be required to work in excess of the normal workday or workweek to meet operational demands. Overtime will be paid under the guidelines set out by the FLSA (Fair Labor Standards Act) and paid accordingly. Eligibility for overtime shall be based upon all hours in "active pay status".
- c. Overtime is generally discouraged and is usually performed only when the Supervisor determines it is necessary. All overtime must be approved by the employee's supervisor in advance, except in unusual or emergency situations.

- d. Non-exempt (hourly) employees of the Town (see provisions of the Fair Labor Standards Act) (FLSA) shall receive overtime pay (or compensatory time off in lieu of overtime payment) for all time authorized and actually worked in excess of forty (40) hours in any work week at a rate of one and one-half (1½) times the employee's hourly base rate of pay. For purposes of calculation of overtime, paid vacation, holidays, and sick leave shall not be included as time worked...
- e. Non-exempt employees of the Town may, alternatively decide, per agreement between Town and employee may choose to receive compensatory time off for overtime hours worked in lieu of overtime.
- f. An employee works 45 hours in one week. The employee is entitled to five (5) hours of compensatory time. The employee would receive one and one-half (1.5) hour's time off for each hour over forty worked. Therefore,  $1.5 \times 5 = 7.5$  hours of regular work time off.
- g. Non-exempt employees can take compensatory time off after proper request has been submitted and approved by the employee's supervisor. Compensatory time must be used within 30 working days from the pay period in which it was accrued.

### *III. Call Outs*

- a. Town employees who is designated as the "on Call Person" and are called out after working hours during the work week or on weekends, and have worked forty (40) hours that week, will be compensated at one and one half (1½) times their regular salary.
- b. The "On Call Person" shall receive 100 dollars per week as compensation for the on call service.
- c. All call outs should be listed on the employee's time sheet and approved by the supervisor.

### *IV. PERF*

- A. Full time Town employees become fund members of P.E.R.F. on the first day of employment. Police and Fire employees may be governed by a separate policy.
- B. P.E.R.F. is a State sponsored pension plan. For additional information and eligibility, contact the Utilities Director.

## V. Longevity

The Town offers full-time employees longevity pay. Employees will receive longevity as established by ordinance or as directed by the Town Council.

## VI. Garnishments

A court ordered legal claim against the wages of an employee by a creditor for nonpayment of a debt by legal authority is a garnishment and shall be recognized and executed by the Town. When a garnishment is received for an employee, the Clerk Treasurer's office will notify employee.

## Holidays/Vacations/Leaves

### I. Holidays

The following are paid holidays:

New Year's Day	January 1st
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving (2 days)	Fourth Thursday & Friday in November
Christmas Eve	December 24th
Christmas Day	December 25th

- A. All holidays are approved by the Town Council.
- B. If the holiday falls on Sunday, it will be observed on the following Monday; if it falls on Saturday, it will be observed on the preceding Friday.
- C. To receive pay for the holiday, the employee must work the scheduled day before and the scheduled day after the holiday. If an employee is off sick two days before, or more than two days after the scheduled holiday, will not lose the holiday pay, if they provide their supervisor with a doctor's excuse. If an employee is confined to the hospital as a patient on the holiday, will not lose the holiday regardless of the length of their confinement.
- D. If a holiday occurs while an employee is on vacation, such vacation day will not be charged against his or her vacation leave.
- E. Time worked on any of the above listed holidays shall be included in time calculations.
- F. An employee scheduled to return from a non-paid leave on the day after a holiday will not be paid for the holiday. An employee whose leave without pay is approved through the end of the last business day preceding a holiday is also presumed to be on leave during the holiday, and will not receive compensation for the holiday, unless the Department Head has specifically authorized pay.
- G. Any full-time, hourly rated employee required to work one of these holidays will be paid 8 hours holiday pay in addition to double time pay for hours worked.

- H. The holiday scheduled may be amended by the Town Council, with written notice, distributed to all departments within Town government.
- I. Probationary employees, Part Time employees, and Temporary employees will not be eligible to receive pay for the holidays.

## II. Vacation

A full time employee shall be entitled to annual vacation leave with pay according to the:

### A. Length of Service & Vacation Benefit

1. The employee will receive on (1) day of vacation for each month worked up to 10 days. The employee will be eligible for these vacation days 180 Days following their hiring date
  2. On the employees the 1<sup>st</sup> anniversary and each January 1, thereafter the employee will receive (10) ten days of vacation until their 5<sup>th</sup> anniversary
  3. On January 1, of the year in which the five (5) year anniversary occurs, the employee will receive ten (10) days of vacation. They will receive an additional five days on the date of their anniversary
  4. On each January 1 thereafter the employee will receive (15) fifteen days of vacation until there 10<sup>th</sup> anniversary
  5. On January 1, of the year in which the tenth (10) year anniversary occurs, the employee will receive fifteen (15) days of vacation. They will receive an additional five days on the date of their anniversary
  6. On each January 1 thereafter the employee will receive (20) twenty days of vacation until there 20<sup>th</sup> anniversary
  7. On January 1, of the year in which the twenty (20) year anniversary occurs, the employee will receive fifteen (15) days of vacation. They will receive an additional five days on the date of their anniversary
  8. On each January 1 thereafter the employee will receive (25) twenty five days of vacation
- B. Vacation eligibility is earned from January 1 through December 31. Vacations are taken the year in which they are earned and cannot be carried over into the following year. Employees will be paid for unused vacation time. In rare situations the Town Council may approve an employees request to carry vacation time into the following year.
- C. Vacation leave is credited for all continuous service in active pay status. Vacation is not earned while an employee is in a non-paid status (i.e., leave of absence without pay, disciplinary suspensions, and disability leave under unpaid Family and Medical Leave).

- D. Vacations are scheduled in accordance with workload requirements of the individual department or office. For this reason, it is essential that vacation requests be made at least one (4) week in advance of the proposed starting date. Department Heads and have the authority to approve or deny vacation requests.
  - E. From time to time the Town Council may establish a vacation schedule to new employees as part of a hiring incentive. New hire should obtain in writing the vacation schedule to be part of his/her employee file.
  - F. If an employee's leaves employment with the Town of Sellersburg, for any reason, he/she will be paid for any unused vacation he/she might have accumulated. "Accrued vacation is computed by multiplying the number of full calendar months worked in the current year by the number of vacation days the employee normally would have earned (i.e. 10, 15, 20, or 25) had he/she worked the full year, and dividing that figure by 12. (Use actual amount rounded to hundredths.)
  - G. If an employee resigns or is terminated with a subsequent rehire, the rehire date will be used for calculating the earned vacation benefits.
  - H. If service is broken by release due to reduction in force and with a subsequent rehire, the original date of the previous employment will be use to calculate service if the employee's prior period of employment was longer than the time away from the Town. If the rehired employee was gone for a longer period of time than his/her prior employment; years, the rehire date will be used for calculating the earned vacation.
  - I. Employees desiring vacation should check the dates of their vacation with their Department Head. Vacation leave is granted in minimum units of four (4) hours or half-day increments; lesser amount must have the approval of the Department Head. Vacations shall be scheduled in accordance with the needs of the department and the Department Head will make every effort to respect the vacation requests. Seniority shall prevail in the determination of vacation requests.
  - J. Employees hired on a temporary basis are not eligible for vacation benefits.
- ### K. Pay Practices
1. A "vacation's" is a normal eight (8) hour working day.
  2. Pay for Vacation's is at the employee's regular base rate of pay, limited to the standard hours of work per week and subject to the standard work schedule of the facility where the employee works.
  3. If a holiday falls in a period of vacation will not be charged as a vacation day.



4. For any period of absence due to illness or injury covered under the Sick Day Policy, which commences prior to, but extends into a period of scheduled vacation, and employee may, with the approval of his/her supervisor, defer the scheduled vacation period.
  5. For any period of absence due to illness or injury covered under the Sick Day Policy, which commences after the beginning of the employee's scheduled vacation, the vacation period must be completed as scheduled after which, if the illness continues, the provisions of the Sick Day Policy will apply.
- L. Part-time employees who are (1) hired to work for a limited period of time, such as summer employment, or (2) on an irregularly scheduled basis such as co-op students or interns, are not eligible for pro-rata vacations.

M. Payment in Lieu of Vacation Time. All employees are urged to take all of their vacation. Payment in Lieu of vacation time for employees with less than two weeks of vacation will not normally be permitted. Exceptions to this rule may be made where operating needs of the Town would require temporary help to be hired or overtime be paid. Town employees entitled to vacation time, in excess of two (2) weeks, may request pay in lieu of their additional vacation time. Employee requests shall be made in writing and approved by the Department Head. A maximum of (1) week sell back is allowed.

### III. Funeral Leave

- A. Bereavement Leave must be arranged with the appropriate Department Head or Supervisor through a written request. The request must be executed by the employee. It must state the relationship between the deceased and the employee, and the length of time needed for the requested absence.
- B. All regular, full-time employees may take a paid leave of up to three (3) days in the event of the death in the employee's immediate family. Employee's immediate family for purposes of this Section shall mean an employee's spouse, parent, child, grandparent, grandchildren, sister, brother, corresponding in-laws, uncles, aunts, and other residents of the household of an employee.
- C. Time off, without pay, or using vacation or holidays, may be added to the aforementioned maximums with the approval of the department supervisor. Every effort will also be made for time off, without pay, to attend the funeral of a close friend.
- D. In exceptional circumstances, the employee may request an additional five working days of funeral leave. The Department Head must apply to the Town Council on

behalf of the employee.

### IV. Sick Days

To provide employees with income protection during temporary periods of absence and to establish guidelines with respect to absenteeism caused by personal illness due to a non-occupational illness or injury and/or immediate family illness

#### A. Eligibility and Maximum Annual Days

I. All salaried or hourly full-time employees based on the following:

- a. 0 to 6 months: Four (4) days. One (1) day at the end of 90 days of employment and one (1) day per month up to a total of four (4) days.
- b. 6 to 12 months: One (1) day per calendar month of employment beginning with the seventh month, but not over ten (10) per year.

Example: If an employee is hired on June 15, the first complete calendar month of employment would be July 15. An employee would not earn any sick days for the months of July and August but would commence earning one day of sick leave beginning on the fifteenth day of September during the first twelve months of employment

#### B. Reporting Absences:

It is the employee's responsibility to report to his/her supervisor every absence, its estimated duration and the reason. An anticipated absence should be report by the employee, in a prompt manner, preceding the absence. An unanticipated absence should be reported as soon as possible during the morning of the first work day the employee is absent.

#### C. Proof of Illness:

Before authorizing pay for an absence, the supervisor may require proof that the absence was unavoidable and necessary. The supervisor may require proof that persona absence was unavoidable by a doctor's slip for the employee and/or a doctor's slip for dependent care, and is authorized to deny payment for such absences if these conditions were not met.

1. The employee may be required to obtain a letter from his/her physician as to the nature of illness or injury including any restrictions if the absence is over two consecutive days.

D. Pay Practices:

Persons who exhaust their sick days due to personal illness or absence due to the care of dependents, and who subsequently are absent due to their own illness, will not be paid.

1. Pay for authorized days absent is at the employee's regular base rate of pay, limited to the standard hours of work per week and subject to the standard work schedule for the department where the employee works.
2. In the event a paid holiday occurs during an illness period, which is being paid under the Sick Day Policy, the allowed time for illness will be suspended and the holiday benefit will be paid.
3. For any period of absence due to illness or injury covered under the Sick Day Policy, which commences prior to, but extends into a period of scheduled vacation, and employee may, with the approval of his/her supervisor, defer the scheduled vacation period.
4. For any period of absence due to illness or injury covered under the Sick Day Policy, which commences after the beginning of the employee's schedule vacation, the vacation period must be completed as scheduled after which, if the illness continues, the provisions of the Sick Day Policy will apply.
5. Under no circumstances are Sick Days to be considered as time off with pay for any reason other than a bona fide person/family illness or non-occupational injury/illness.
6. Maximum of 40 Sick Days can be accrued.
7. Employee will not be paid for earned or accumulated sick days at the time an employee's job ends with the Town of Sellersburg under any circumstances.
8. Sick days are given on January 1 of each year, after twelve (12) months of service.

**RESOLUTION R-2006-003**

**A RESOLUTION PERMITTING THE TRANSFER OF CERTAIN PROPERTY  
FROM FLOYD COUNTY, INDIANA TO THE INCORPORATED TOWN OF  
SELLERSBURG, INDIANA.**

**WHEREAS**, the incorporated Town of Sellersburg, Indiana has been informed by the Board of Commissioners of the County of Floyd, State of Indiana that a patrol vehicle used by the Sheriff of Floyd County is no longer needed and necessary for law enforcement purposes; and

**WHEREAS**, the Board of Commissioners has set a price of \$3,500.00 (three thousand five hundred dollars); and

**WHEREAS**, the Town Council of Sellersburg, Indiana desires to acquire said vehicle for use by the Sellersburg Police Department at the purchase price of \$3,500.00 (three thousand five hundred dollars); and

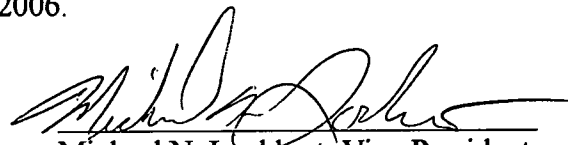
**WHEREAS**, the provisions of I.C. 36-1-11-8 permit the transfer of property between governmental entities for any amount of real property, cash, or other personal property as agreed by such entities; and

**WHEREAS**, for the price and under the terms agreed to, the Town Council of Sellersburg is desirous of acquiring said vehicle.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Council of Sellersburg shall acquire the 1998 Ford Crown Victoria, Serial number 2FAFP71W7WX147255 for the sum of \$3,500.00 (three thousand five hundred dollars) for said vehicle.

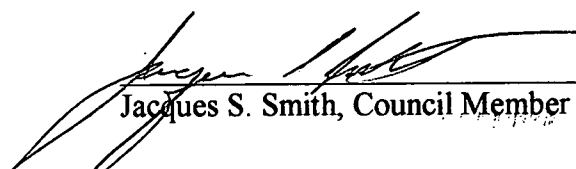
SO RESOLVED, this 6<sup>th</sup> day of March, 2006.

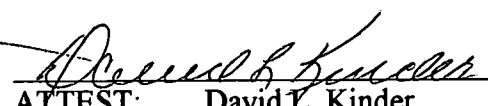
  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

**RESOLUTION ELECTING TO ENLARGE PARTICIPATION IN  
THE PUBLIC EMPLOYEES' RETIREMENT FUND**

**WHEREAS,** Sellersburg Town Council, is the governing body of the  
Town of Sellersburg in Clark County in the State of  
Indiana, and

**WHEREAS,** the actuary for the Public Employee's Retirement Fund has furnished such governing body with certain cost estimates to become a participant in such Fund as established by the Acts of 1945, Chapter 340, and all Acts amendatory and supplemental thereto and

**WHEREAS,** such governing body is fully cognizant that the percentage of cost of gross annual payroll of covered employees has been set at 6.00 % by the actuary of the Fund, and that at five year intervals, or more often if directed by the Board of Trustees of the Public Employees' Retirement Fund, the actuary will review the status of the employees covered and shall adjust the cost percentage accordingly so that the FUND will remain on an actuarially sound basis, and

**WHEREAS,** such governing body acknowledges its liability and that, pursuant to law, it and its successors in office, must appropriate sufficient funds each year to retire the employees' prior service liability in an orderly manner and also fund the current cost accruing annually.

**NOW THEREFORE, BE IT ORDAINED** by the governing body of the  
Town of Sellersburg in Clark County,  
in the State of Indiana:

**SECTION ONE:** The Town of Sellersburg elects to enlarge its participation in the Public Employees' Retirement Fund by including additional classes of employees as stated below in the coverage under Chapter 340 of the Acts of 1945, all Acts amendatory and supplemental thereto. This agreement supplements the original dated 07/01/1986.

**SECTION TWO:** The Town of Sellersburg agrees to make the required contributions under the Public Employees' Retirement Fund Act, which is the Act of 1945, Chapter 340, and all Acts amendatory thereof and supplemental thereto, including specifically the Acts of 1955, Chapter 329, commonly designated as "The Indiana Public Employees' Social Security Integration and Supplemental Retirement Benefit Act."

**SECTION THREE:** The positions listed on Appendix A are declared to be covered by the Fund.

**SECTION FOUR:** It is hereby declared that none of the classifications or positions specified in Section Three are compensated on a fee basis or of an emergency nature, or in a part-time category

**SECTION FIVE:** The active participating membership of the Town of Sellersburg  
shall begin on 07/01/2006. (Name of Political Sub-Division)

**SECTION SIX:** This Resolution shall be in full force and effect from date of passage and upon approval of the Board of Trustees of the Public Employees' Retirement Fund of Indiana, except that active participating membership shall begin on the date set forth in Section Five.

SIGNATURES OF THE GOVERNING BODY:

Dated this 10th 24th day of  
April, 2006

By: [Signature]  
Chairman/President

[Signature]  
[Signature]  
[Signature]  
[Signature]

**APPENDIX A**

Pursuant to IC 5-10.3-7-2 (6) employees occupying positions normally requiring performance of service of less than one thousand (1,000) hours during a year are excluded from PERF coverage. This is to certify that all positions listed on Appendix A are classified as full time and normally require the performance of service of a least one thousand (1,000) hours during a year.

The following positions are covered by the attached Resolution dated 24th April 10, 2006.

**Positions Covered:**

Laborer  
Clerk

**RESOLUTION NO. R2006-005**

**DECLARATORY 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.**

**WHEREAS**, the Town Council of Sellersburg, Indiana desires to eliminate slum and blighted areas within the corporate limits of the Town of Sellersburg, Indiana and specifically downtown Sellersburg, and

**WHEREAS**, identifying such areas is necessary for effective action to eliminate the present slum and blighting conditions, and

**WHEREAS**, Public improvements such as sidewalks, curbs, storm drainage and other impediments to pedestrian safety have severely deteriorated contributing to blighting conditions, and

**WHEREAS**, the downtown area has experienced a cessation of significant private investment since 1995, and

**WHEREAS**, 31% of first floor commercial space, 0% of second floor commercial space (no second floor commercial space exists), and 31% of total commercial space in Downtown Sellersburg is currently vacant, and


**WHEREAS**, widespread deterioration of downtown commercial buildings has taken place by evidence of crumbling facades, vacant and under-utilized commercial floor space, a lack of quality, affordable multi-family housing stock, and safety/aesthetic concerns regarding sidewalks, curbs and storm drainage, and

**BE IT RESOLVED** by the Town council of Sellersburg that the following areas of downtown Sellersburg hereby be designated as blighted as defined by Indiana Code 36-7-14; U.S. Hwy. 31 from Silver Creek High School to Prather Lane, New Albany Street from U.S. 31 to Hauss Street, East Utica Street form U.S. Hwy. 31 to Broadway and Helbig Avenue.

Adopted by the Town Council of the Town of Sellersburg, Indiana, this 11<sup>th</sup> day of  
September, 2006 at 7:50 P.M.

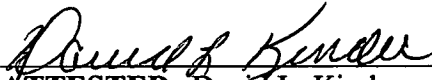
  
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Paul J. Rhodes, Council Member

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

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

**RESOLUTION NO. 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.**

**WHEREAS**, the Sellersburg Town Council, Clark County, Indiana, recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

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

**WHEREAS**, the Sellersburg Town Council, Clark County Indiana, has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low and moderate income residents;

**NOW THEREFORE, BE IT RESOLVED** by the Sellersburg Town Council, Clark County, Indiana, that:

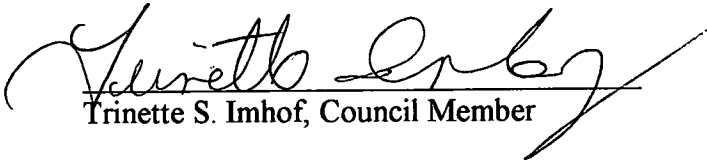
1. The President of the Sellersburg Town Council is authorized to prepare and submit an application for grant funding to address the Sellersburg Downtown Revitalization project, and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Sellersburg Town Council, Clark County, Indiana, hereby commits the requisite local funds in the amount of Fifty-Six Thousand (\$56,000.00), or 10% of the total project cost, in the form of funds from Town of Sellersburg – Cumulative Capital Development Funds, as matching funds for said program, such commitment to be contingent upon receipt of CFF funding from the Indiana Office of Community and Rural Affairs.



Adopted by the Sellersburg Town Council, of Clark County, Indiana, this 11<sup>th</sup> day of  
September, 2006, at 7:54 P.M.

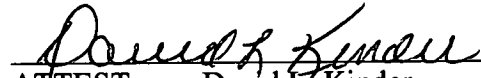
  
\_\_\_\_\_  
Douglas J. Reiter, Council President

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

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

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

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

  
ATTEST: David L. Kinder  
Clerk-Treasurer

RESOLUTION NO. <sup>R</sup>2006-007

DECLARATORY 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

WHEREAS, the Town Council of Sellersburg, Indiana, desires to eliminate slum and blighted areas within the corporate limits of the Town of Sellersburg, Indiana and specifically downtown Sellersburg, and

WHEREAS, identifying such areas is necessary for effective action to eliminate the present slum and blighting conditions, and

WHEREAS, public improvements such as sidewalks, curbs, storm drainage and other impediments to pedestrian safety have severely deteriorated contributing to blighting conditions, and

WHEREAS, the downtown area has experienced a cessation of significant private investment since 1995, and

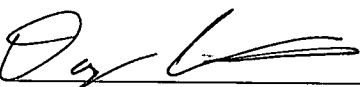
WHEREAS, 31% of first floor commercial space, 0% of second floor commercial space (no second floor commercial space exists), and 31% of total commercial space in downtown Sellersburg is currently vacant, and

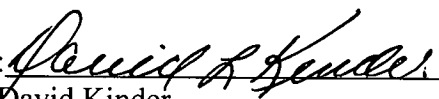
WHEREAS, widespread deterioration of downtown commercial buildings has taken place by evidence of crumbling facades, vacant and under-utilized commercial floor space, a lack of quality, affordable multi-family housing stock, and safety/aesthetic concerns regarding sidewalks, curbs and storm drainage, and

BE IT RESOLVED by the Town Council of Sellersburg that the following areas of downtown Sellersburg hereby be designated as blighted as defined by Indiana Code 36-7-14; U.S. Hwy. 31 from Silver Creek High School to Prather Lane, New Albany Avenue from U.S. 31 to unnamed creek on New Albany Avenue, East Utica Street from U.S. Hwy 31 to Broadway, Helbig Street to Penn Avenue and all of Penn Avenue to New Albany Avenue.

BE IT FURTHER RESOLVED by the Town Council of Sellersburg that any other Resolution which is not consistent with the herein Resolution shall be rescinded.

Adopted by the Town Council of the Town of Sellersburg, Indiana, this 14<sup>th</sup> day of SEPTEMBER 2006, at 6:10 PM.

  
\_\_\_\_\_  
Doug Reiter  
Town Council President, Town of Sellersburg

ATTEST:   
David Kinder  
Clerk-Treasurer, Town of Sellersburg

RESOLUTION NO. R2006- 008

RESOLUTION CREATING A PLAN FOR REIMBURSING EMPLOYEES  
FOR CERTAIN UNINSURED MEDICAL EXPENSES

WHEREAS, the Sellersburg Town Council has elected to increase the dollar amount of the deductible under its current healthcare insurance program for employees and implement an employer-funded account, known as a Health Reimbursement Arrangement (HRA) that will cover the difference between the amount the employee pays for their deductible, and the amount the Town's current health care insurer currently covers; and

WHEREAS, the Sellersburg Town Council has been advised as to the basic parameters of the healthcare insurance program, and evidenced its agreement to the limited self-insurance provisions; and

WHEREAS, the Sellersburg Town Council by the herein resolution intends to establish the conditions under which employees shall be reimbursed for certain incurred medical expenses; and

BE IT NOW THEREFORE RESOLVED that commencing on the 1<sup>st</sup> day of April, 2006, those employees (including officials and eligible retired employees), spouses, and dependants who are, from time to time, insured under the Town's medical group insurance policy, shall be entitled to reimbursement for a portion of the deductible incurred as follows:

1.	<u>United Healthcare</u>	<u>Employee Pays</u>	<u>HRA Bridge Plan Pays</u>
	Deductible \$1,000/\$3000 per covered member (max 3x per family)	First \$250/\$750 per covered member (max 3x per family)	The HRA will pay the next \$750/\$2250 per covered member (max 3x per family)

2. Maximum reimbursement. The maximum reimbursement for an insured employee shall be \$750.00; for an employee and his insured spouse \$1500.00; for an employee and his insured

children \$2250.00; or \$1500.00 if only one child is insured; and for an employee and his insured family a maximum of \$2250.00.

3. Rate of reimbursement. Allowable medical expenses exceeding the applicable amount set forth in section 1 above shall be reimbursed at a rate of 90% thereof until the maximum reimbursement provided in section 2 above has been paid for reimbursement procedure. A claim for reimbursement shall be submitted on forms provided by the Sellersburg Clerk-Treasurer and shall be supported by one or more explanation of benefits statements issued by the Town's group health insurance policy provider disclosing the amount of the deduction incurred for which a claim is being made. A claim on behalf of a spouse or other insured dependant shall be submitted by and paid to the employee. The minimum claim shall be \$100.00.

4. Incurred costs for procedures, treatment, or expenses not covered by the Town's group health care insurance policy or which are defined thereby as being: co-payments shall not be eligible for reimbursement. HRA covers in-network benefits only.

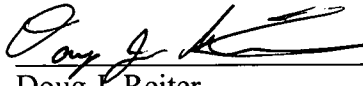
5. Procedure for reimbursement. After the healthcare provider processes the employees medical expenses, an Explanation of Benefits (EOB) will be provided to the covered employee setting forth the employees total responsibility for the services rendered.

6. The employee is responsible to pay the total expense evidenced by the EOB and then seek reimbursement from the HRA.

7. The employee shall submit their EOB to the employer for reimbursement within 60 days of their receipt thereof.

BE IT FURTHER RESOLVED that this resolution and the reimbursement plan established hereby shall remain in full force and affect until modified or terminated by further resolution of the Sellersburg Town Council.

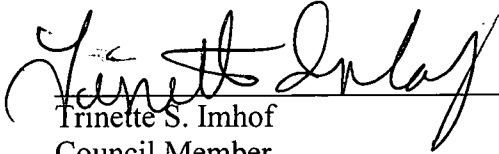
So Resolved this 25 day of September, 2006.



Doug J. Reiter  
Council President



Michael N. Lockhart  
Council Vice President




Trinette S. Imhof  
Council Member



Paul J. Rhodes  
Council Member

\_\_\_\_\_  
Council Member



Attest: David L. Kinder  
Clerk-Treasurer

RESOLUTION NO. <sup>R</sup>2006-009

A RESOLUTION APPROVING THE ACCEPTANCE OF THE CONVEYANCE OF CERTAIN REAL ESTATE TO THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, pursuant to IC §36-1-4-5 et. seq. the Town Council for the Town of Sellersburg, Indiana is authorized acquire real estate on behalf of the Town; and

WHEREAS, Sandford C. Scarce and Linda W. Scarce own certain real property located in the corporate limits of the Town of Sellersburg, described below (hereinafter the "Real Estate"), 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.

and:

WHEREAS, the Town of Sellersburg owns real property adjacent to the Real Estate currently owned by Sandford C. Scarce and Linda W. Scarce, the combined value of which would be benefited by joining the two parcels so that they could be owned as a single parcel by the Town of Sellersburg; and

WHEREAS, certain ad valorem real estate taxes, other assessments, and past due water bills owed to the Town of Sellersburg are presently are a lien on the Real Estate owed by Sandford C. Scarce and Linda W. Scarce on the Real Estate; and

WHEREAS, Sandford C. Scarce and Linda W. Scarce are willing to convey ownership of the Real Estate to the Town of Sellersburg in consideration of the Town of Sellersburg assuming responsibility for the ad valorem real estate taxes and assessments and past due water bills on the Real Estate; provided that the Town of Sellersburg accepts ownership of the Real Estate *AS IS - WITH NO WARRANTY*, and the Town of Sellersburg agrees to hold Sandford C. Scarce and Linda W. Scarce harmless on the costs associated with owning, maintaining, renovating, remediating, and/or demolishing the improvements located on the Real Estate.

BE IT THEREFORE RESOLVED by the Town Council for the Town of Sellersburg that The Town of Sellersburg should accept the conveyance of the following-described real estate from Sandford C. Scarce and Linda W. Scarce upon the conditions described above, as described


on the Quit Claim Deed issued to the Town of Sellersburg, Indiana by the current owners, Sandford C. Scarce and Linda W. Scarce, 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.

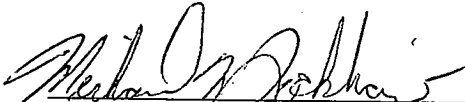
All of which is resolved on this 13<sup>th</sup> day of November, 2006.

AYES

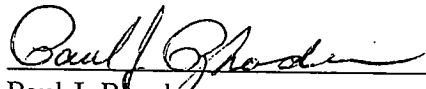
NAYS

  
\_\_\_\_\_  
Doug J. Reiter  
Council President

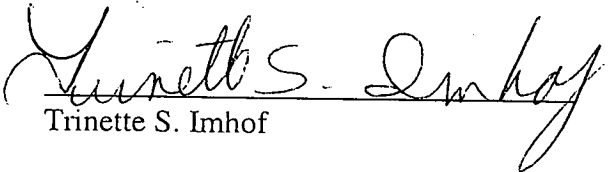
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Doug J. Reiter  
Council President

  
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Michael N. Lockhart

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Michael N. Lockhart

  
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Paul J. Rhodes

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Paul J. Rhodes

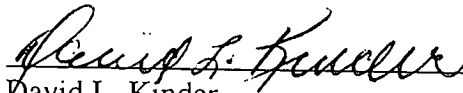
  
\_\_\_\_\_  
Trinette S. Imhof

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Trinette S. Imhof

~~\_\_\_\_\_~~

~~\_\_\_\_\_~~  
Jacques Smith

Attest:

  
\_\_\_\_\_  
David L. Kinder  
Town Clerk-Treasurer

3/20

Under

TAX KEY NO.: 017-23-0060  
MAILING ADDRESS:

Richard P. Jones  
CLARK COUNTY RECORDER  
Filed for Record as Presented  
I 200703617 Page 1 of 3  
C1 Date 02/14/2007 Time 10:46:38

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER

FEB 14 2007

16  
Sellersburg

# QUIT-CLAIM DEED

Barbara Haas  
AUDITOR CLARK COUNTY

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  
Sandford C. Scearce

Linda W. 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