



RESOLUTION NO. 2007-<sup>R-</sup>001

RESOLUTION RESCINDING RESOLUTION 2000-02

WHEREAS, the Sellersburg Town Council did on or about October 9, 2000 pass Resolution 2000-02 designating the Town of Sellersburg, Clerk-Treasurer not to be a full time employee with the municipality for purposes of Public Employee's Retirement Fund (PERF); and

WHEREAS, on February 14, 2000 the Sellersburg Town Council has previously passed a Resolution electing to enlarge participation in the Public Employee's Retirement Fund (PERF), to include the Town of Sellersburg, Clerk-Treasurer; and

WHEREAS, it is the intent of the Sellersburg Town Council that the Clerk-Treasurer be covered by the Public Employee's Retirement Fund (PERF) as established by the February 14, 2000 Resolution; and

WHEREAS, the Sellersburg Town Council has determined that Resolution No. 2000-02 should be rescinded to make clear the Sellersburg Town Council's intent that the Town of Sellersburg, Clerk-Treasurer is to be covered by the Public Employee's Retirement Fund as established by the February 14, 2000, Resolution;

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

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

BE IT NOW THEREFORE RESOLVED, Resolution No. 2000-02 dated October 9, 2000, designating the Town of Sellersburg, Clerk-Treasurer not to be a full time employee with


the Town of Sellersburg for purposes of the Public Employee's Retirement Fund (PERF), shall be and hereby is rescinded;

BE IT FURTHER RESOLVED by the Sellersburg Town Council the Resolution that passed on February 14, 2000 wherein the Town of Sellersburg elected to enlarge participation in the Public Employee's Retirement Fund (PERF) to include the Town of Sellersburg, Clerk-Treasurer shall remain in full force affect, and February 14, 2000 shall be the date the Sellersburg Clerk-Treasurer was authorized and approved to participate in the public employee's retirement fund.

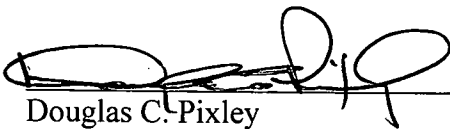
So Resolved this 12<sup>th</sup> day of February, 2007.



Doug J. Reiter  
Council President



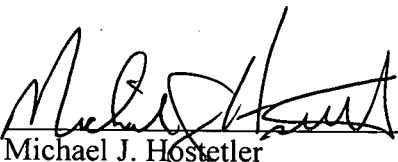
Michael N. Lockhart  
Council Vice President



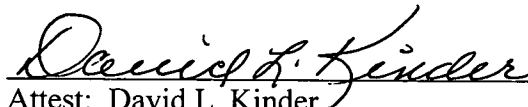
Douglas C. Pixley  
Council Member



Paul J. Rhodes  
Council Member



Michael J. Hostetler  
Council Member



Attest: David L. Kinder  
Clerk-Treasurer

**RESOLUTION NO. R2007-002**

**A RESOLUTION FOR THE TRANSFER OF APPROPRIATIONS REGARDING  
THE TOWN OF SELLERSBURG**

**WHEREAS**, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective budget administration within the Town of Sellersburg, and

**WHEREAS**, the Town Council for the Town of Sellersburg has determined that the requested transfer of appropriations is necessary for the continued efficient and effective budget administration with the Town of Sellersburg, and

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

**TRANSFER FROM THE GENERAL FUND APPROPRIATIONS:**

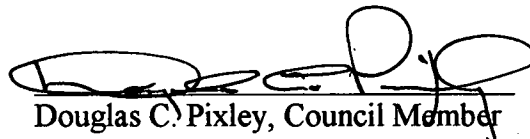
<u>Account</u>	<u>Amount</u>		<u>Account</u>
Street and Sanitation 443	\$6,894.00	to	Police Department 214

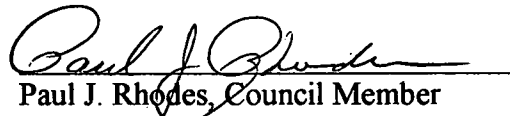
**SO ORDAINED THIS 12<sup>TH</sup> DAY OF MARCH, 2007.**


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

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

  
\_\_\_\_\_  
Michael J. Hostetler, Council Member

  
\_\_\_\_\_  
Douglas C. Pixley, Council Member

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

  
ATTEST: David L. Kinder  
Clerk-Treasurer

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

**WHEREAS**, the Sellersburg Town Council \_\_\_\_\_, is the governing body of the Town of Sellersburg in Sellersburg, 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 7.00 % 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 Sellersburg, Clark County, in the State of Indiana:

**SECTION ONE:** The Sellersburg Town Council 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 July 1, 1986

**SECTION TWO:** The Sellersburg Town Council 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 July 1, 2007. (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 23<sup>rd</sup> day of April, 2007

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 April 23, 2007.

### Positions Covered:

~~Sellersburg Town Attorney - hire date: 1-1-92~~

Sellersburg Clerk-Treasurer - hire date: 1-1-00

**RESOLUTION NO. R2007-004**

**A RESOLUTION FOR THE TRANSFER OF APPROPRIATIONS REGARDING  
THE TOWN OF SELLERSBURG**

**WHEREAS**, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective budget administration within the Town of Sellersburg, and


**WHEREAS**, the Town Council for the Town of Sellersburg has determined that the requested transfer of appropriations is necessary for the continued efficient and effective budget administration with the Town of Sellersburg, and


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


**Transfer** from the General Fund, Animal Control Account, 101950242 Miscellaneous Supplies, \$750.00 (seven hundred fifty dollars) to General Fund, Animal Control Account, 1011950393 Miscellaneous Charges.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF JUNE, 2007.**

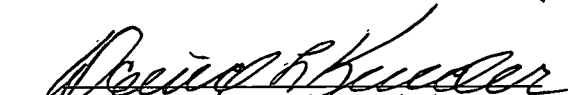
ABSENT  
Douglas J. Reiter, Council President

  
Michael N. Lockhart, Vice-President

  
Michael J. Hostetler, Council Member

  
Douglas C. Pixley, Council Member

  
Paul J. Rhodes, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer



RESOLUTION NO. R2007-005

RESOLUTION AUTHORIZING AN AGENT TO ACCEPT PENSION LIABILITY ON BEHALF OF TOWN OF SELLERSBURG (EMPLOYER)

PUBLIC EMPLOYEES' RETIREMENT FUND 143 West Market Street Indianapolis, IN 46204-2809 (317) 233-4162

1482

Account Number

RESOLVED, that DAVID KINDER, Clerk-Treasurer and MICHELLE EVE, Deputy Clerk-Treasurer of (Names) (Title)

(Political Subdivision) be, and hereby is, fully authorized and empowered to act on behalf of and in the name of TOWN OF SELLERSBURG (Political Subdivision) as its agent to accept pension liability, pursuant to

IC 5-10.2-3-1 and further to execute and deliver documents related to the Public Employees' Retirement Fund (PERF) of Indiana. This resolution will remain in full force and effect until modified or rescinded by subsequent resolution and receipt thereof in writing by the Director of PERF.

Adopted this 9th day of JULY, 2007.

Signatures of Governing Body (Board Members)

Title of Governing Body: SELLERSBURG TOWN COUNCIL

Douglas J. Reiter, Council President

Michael N. Lockhart, Vice-President

Michael J. Hostetler, Council Member

Douglas C. Pixley, Council Member

Paul J. Rhodes, Council Member

NOTE

The Agent authorized must be named and not designated by job title, unless such position is an elected position, such as Clerk-Treasurer.

This Resolution supersedes any other Resolution you have on file. Therefore, please include all agents past and current who will be authorized to accept pension liability.

We require the original signatures of your Governing Body. Copies are not acceptable.



Resolution Number: R2007-006

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
SELLERSBURG, INDIANA AUTHORIZING THE SUBMITTAL OF THE CDBG  
PLANNING GRANT APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND  
RURAL AFFAIRS AND ADDRESSING RELATED MATTERS**

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

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana 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 Town of Sellersburg, 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 Council of Sellersburg, Indiana that:


1. The Town Council President is authorized to prepare and submit an application for grant funding to address the storm water drainage analysis and feasibility plan 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 Town of Sellersburg, Indiana hereby commits the requisite local funds at a minimum of ten percent (10%) or three thousand three hundred thirty-three dollars (\$ 3,333) in the form of Town of Sellersburg – Wastewater Fund, as matching funds for said program, such commitment to be contingent upon receipt of CDBG funding from the Indiana Office of Community and Rural Affairs.

Adopted by the Town Council of the Town of Sellersburg, Indiana this 13th day of August, 2007, at 8:24PM.


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

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

  
\_\_\_\_\_  
Michael J. Hostetler, Council Member

  
\_\_\_\_\_  
Douglas C. Pixley, Council Member

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

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

TOWN COUNCIL  
RESOLUTION NO. R 2007-007  
SELLERSBURG, INDIANA  
APPROVING AND RATIFYING AN EXECUTIVE ORDER  
OF THE PRESIDENT OF THE SELLERSBURG TOWN COUNCIL  
ADOPTING A CAPITAL IMPROVEMENT PLAN  
PURSUANT TO IC 6-3.5-7

WHEREAS, the Indiana General Assembly has authorized counties to impose a county economic development income tax ("EDIT") on the adjusted gross income of county taxpayers, in accordance with IC 6-3.5-7 ("Act");

WHEREAS, the Clark County Council has imposed EDIT;

WHEREAS, the Act provides that a county, city or town which fails to adopt a capital improvement plan may not receive (1) its fractional amount of the certified distribution of revenues from EDIT ("Distributive Share"); or (2) any amount of EDIT revenues designated for its use by a city or town in the county;

WHEREAS, the Town of Sellersburg ("Town") will be a recipient of a Distributive Share upon adoption of its Capital Improvement Plan and will receive its Distributive Share semi-annually in May and November from the Clark County Auditor;

WHEREAS, the Town now desires to use its Distributive Share to finance certain projects as authorized by the Act;

WHEREAS, the President of the Town Council has adopted Executive Order No. 2, adopting a Capital Improvement Plan pursuant to the Act on August 13, 2007;

WHEREAS, the Town Council now desires to express its approval of the Executive Order and the Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF SELLERSBURG, INDIANA, THAT:

1. Executive Order No. 2 of the Town Council President is hereby approved, ratified and confirmed.
2. The Capital Improvement Plan of the Town of Sellersburg as adopted by the Town Council President through the adoption of Executive Order No. 2 is hereby approved, ratified and confirmed.

3. This resolution takes effect upon passage and compliance with IC 36-5-2-10.

Adopted this 10<sup>th</sup> day of September, 2007, by a vote of 5 in favor and 0 opposed.


SELLERSBURG TOWN COUNCIL

  
\_\_\_\_\_  
Doug Reiter, President

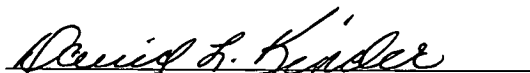
  
\_\_\_\_\_  
Mike Lockhart, Vice President

  
\_\_\_\_\_  
Paul Rhodes, Member

  
\_\_\_\_\_  
Mike Hostettler, Member

  
\_\_\_\_\_  
Doug Pixley, Member

Attest:

  
\_\_\_\_\_  
David Kinder, Clerk-Treasurer

EXECUTIVE ORDER NO. 2  
OF THE PRESIDENT OF THE TOWN COUNCIL  
OF SELLERSBURG, INDIANA

An Order to Adopt a Capital Improvement Plan Pursuant to IC 6-3.5-7

WHEREAS, the Indiana General Assembly has authorized counties to impose a county economic development income tax ("EDIT") on the adjusted gross income of county taxpayers, in accordance with IC 6-3.5-7 ("Act");

WHEREAS, the Act provides that a county, city or town which fails to adopt a capital improvement plan may not receive (1) its fractional amount of the certified distribution of revenues from EDIT ("Distributive Share"); or (2) any amount of EDIT revenues designated for its use by a city or town in the county;

WHEREAS, the Town of Sellersburg ("Town") will be a recipient of a Distributive Share upon adoption of this Capital Improvement Plan and will receive its Distributive Share semiannually in May and November from the Clark County Auditor to finance certain projects as authorized by the Act;


WHEREAS, the Town may use its Distributive Share to finance capital improvement projects for which general obligation bonds may be issued and economic development projects as defined in the Act, through the issuance of bonds or through lease financings;

NOW, THEREFORE BE IT ORDERED BY THE PRESIDENT OF THE TOWN COUNCIL OF SELLERSBURG, INDIANA, THAT:

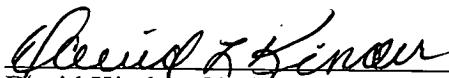
1. The Capital Improvement Plan of the Town is hereby adopted, which plan is attached hereto as Exhibit A.

2. This order shall become effective from and after the date of its adoption.

Signed by me this 10<sup>th</sup> day of September, 2007.

  
\_\_\_\_\_  
President, Sellersburg Town Council

Attest:

  
\_\_\_\_\_  
David Kinder, Clerk-Treasurer

## EXHIBIT "A"

### ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN OF THE TOWN OF SELLERSBURG

#### Introduction

This document is the Capital Improvement Plan ("Plan") for the Town of Sellersburg, Indiana ("Town"). It is intended for adoption by the President of the Town Council ("Executive") in conformance with IC 6-3.5-7.

#### Term

The term of the Plan is twenty-three (23) years from the date of its adoption.

#### Plan Objectives

IC 6-3.5-7 requires the adoption of the Plan by the Executive before the Town may receive its certified distribution of revenues from the Economic Development Income Tax ("EDIT"). The Plan must specify the uses for which the Town proposes to use the EDIT revenues.

#### Description of Capital and Economic Development Projects ("Projects")

##### Project 1

General Description – Rehabilitates Water, Sewer or Civil infrastructure within the Town of Sellersburg.

Estimated Total Cost – Two Million Six Hundred and Ninety-One<sup>Thousand</sup> Dollars (\$2,691,000).

Sources of Funding - EDIT revenues received from the Town's distributive share of EDIT for application on the costs of the annual debt service payments on the Bonds and pay as you go capital improvements.

Planning, Development and Construction Schedule – Determined Annually at the request of the Legislative Body.

**Purposes of Projects**

We hereby find that the Project outlined annually are economic development project because the improvement infrastructures and related facilities will allow commercial and residential development in and out of the Town.

**Seventy-five Percent (75%) Test**

In accordance with IC 6-3.5-7, the Plan incorporates projects, the cost of which is at least seventy-five percent (75%) of the certified distribution the Town expects to receive during the term of the Plan as follows:

Expenditures for the term of the Plan:

Town Estimated Certified Distribution for the term of the Plan:

2004	\$117,000 (estimated)	2015	\$117,000 (estimated)
2005	\$117,000 (estimated)	2016	\$117,000 (estimated)
2006	\$117,000 (estimated)	2017	\$117,000 (estimated)
2007	\$117,000 (estimated)	2018	\$117,000 (estimated)
2008	\$117,000 (estimated)	2019	\$117,000 (estimated)
2009	\$117,000 (estimated)	2020	\$117,000 (estimated)
2010	\$117,000 (estimated)	2021	\$117,000 (estimated)
2011	\$117,000 (estimated)	2022	\$117,000 (estimated)
2012	\$117,000 (estimated)	2023	\$117,000 (estimated)
2013	\$117,000 (estimated)	2024	\$117,000 (estimated)
2014	\$117,000 (estimated)	2025	\$117,000 (estimated)
		2026	\$117,000 (estimated)

Total Estimated Certified Distribution for the term of the Plan: \$2,691,000

Percentage of Certified Distribution allocated to Project 1 for the term of the Plan: 100%

INDY 1302612v1

RESOLUTION No. R2007-008

WHEREAS, the Town of Sellersburg has applied for a Community Development Block Grant in the amount of Thirty Thousand (\$30,000.00) dollars for the Storm Water Drainage Analysis and Feasibility Study; and

WHEREAS, the Community Development Block Grant is in the amount of Thirty Thousand (\$30,000.00) dollars which requires a local match of funds by the municipality; and

WHEREAS, the Town of Sellersburg has dedicated 28.5% of the total project cost or twelve thousand dollars (\$12,000.00) as its local match of funds for the Community Development Block Grant for purposes of the Storm Water Drainage Analysis and Feasibility Study; and

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

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

BE IT THEREFORE RESOLVED by the Sellersburg Town Council that it has dedicated the amount of twelve thousand dollars (\$12,000.00) or 28.5% of the total project cost of Thirty Thousand (\$30,000.00) dollars as the local match of funds for the Community Development

Block Grant to obtain a Storm Water Drainage Analysis and Feasibility Study.

So Resolved this 24th day of September, 2007.

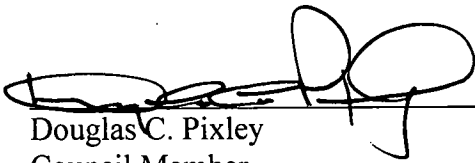
Ratified on October 8, 2007.



Doug J. Reiter  
Council President



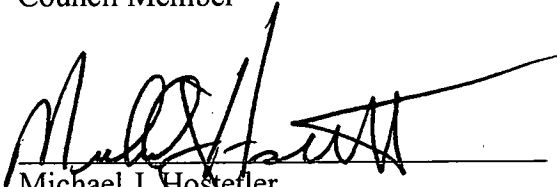
Michael N. Lockhart  
Council Vice President



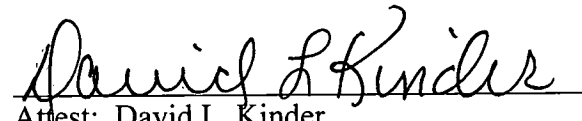
Douglas C. Pixley  
Council Member



Paul J. Rhodes  
Council Member



Michael J. Hosteller  
Council Member



Attest: David L. Kinder  
Clerk-Treasurer



RESOLUTION R2007-009

RESOLUTION AMENDING RESOLUTION R2007-008

WHEREAS, the Sellersburg Town Council passed Resolution No. R2007-008 on September 24, 2007 in which the Sellersburg Town Council designated twelve thousand (\$12,000.00) dollars in matching funds for the Community Development Block Grant in order to obtain the Storm Water Drain Analysis and Feasibility Study; and

WHEREAS, the Community Development Block Grant is in the amount of thirty thousand (\$30,000.00) dollars which requires a local funds match by the Town of Sellersburg; and

WHEREAS, the Sellersburg Town Council heretofore designated twelve thousand (\$12,000.00) dollars as the local funds match for the Community Development Block Grant for purposes of obtaining the Storm Water Drain Analysis and Feasibility Study; and

WHEREAS, the Sellersburg Town Council has been advised the designation of twelve thousand (\$12,000.00) dollars of local funds match for said grant is incorrect; and

WHEREAS, the Sellersburg Town Council has been advised it must designate Fifteen Thousand Four Hundred (\$15,400.00) dollars as the local funds match for the Community Development Block Grant; and


WHEREAS, the Sellersburg Town Council desires to designate local matching funds in the amount of Fifteen Thousand Four Hundred (\$15,400.00) dollars for the Community Development Block Grant; and

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

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

BE IT THEREFORE RESOLVED that the Sellersburg Town Council designates that the amount of fifteen thousand four hundred dollars (\$15,400.00) of the total cost of Thirty Thousand (\$30,000.00) dollars as local matching funds for the Community Development Block Grant for purpose of obtaining a Storm Water Drainage Analysis and Feasibility Study.

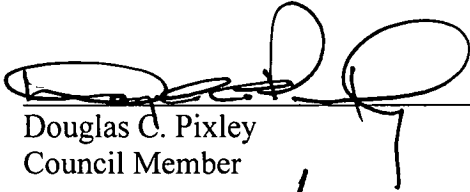
So Resolved this 8<sup>th</sup> day of October, 2007.



Doug J. Reiter  
Council President



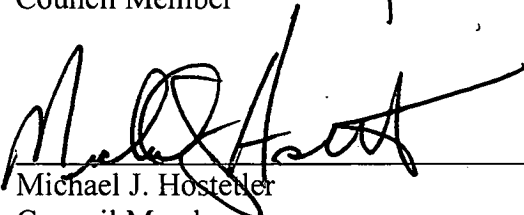
Michael N. Lockhart  
Council Vice President



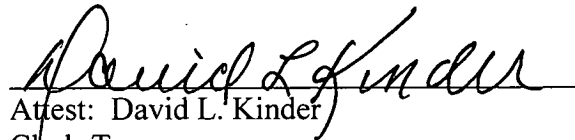
Douglas C. Pixley  
Council Member



Paul J. Rhodes  
Council Member



Michael J. Hostetler  
Council Member



Attest: David L. Kinder  
Clerk-Treasurer

RESOLUTION NO. R2007- 010

RESOLUTION OF THE SELLERSBURG TOWN COUNCIL RENEWING THE EXECUTIVE  
DISASTER EMERGENCY ORDER DATED SEPTEMBER 24, 2007

WHEREAS, the Town of Sellersburg Executive, Doug J. Reiter, did on September 24, 2007 execute an Executive Disaster Emergency Order declaring prohibited camp fires and other recreational fires, open burning of any kind using conventional fuel such as wood, or other, combustible matter, which the exception of grills fueled by charcoal briquettes or propane, the burning of debris, such as timber or vegetation, including such debris that results from building construction activities and the use of burn barrels for any open burning at residential structures, effective 12:00 midnight on September 24, 2007; and

WHEREAS, the Executive Disaster Emergency Order was executed pursuant to I.C. 10-14-3-29; and

WHEREAS, I.C. 10-14-3-29 requires the consent of the governing board of the political subdivision if the Executive Disaster Emergency Order is to be continued or renewed for more than seven (7) days; and

WHEREAS, the Town of Sellersburg Town Council desires to renew and continue the Executive Disaster Emergency Order dated September 24, 2007; and

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

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

BE IT NOW THEREFORE RESOLVED as follows:

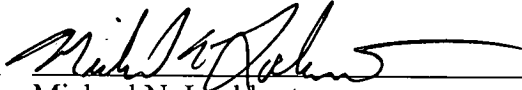
All of the following activities shall remain prohibited in the municipal limits of the Town of Sellersburg

1. Campfires and other recreational fires;
2. Open burning of any kind using conventional fuel such as wood, or other combustible matter, with the exception of grills fueled by charcoal briquettes or propane;
3. The burning of debris, such as timber or vegetation, including such debris that results from building construction activities; and
4. The use of burn barrels for any open burning at residential structures.

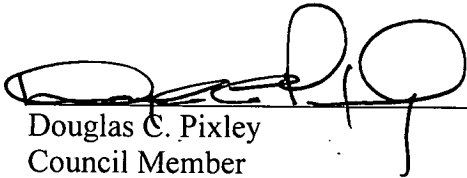
So Resolved this 8<sup>th</sup> day of October, 2007.



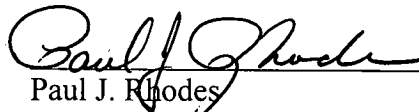
Doug J. Reiter  
Council President



Michael N. Lockhart  
Council Vice President



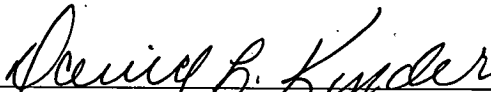
Douglas C. Pixley  
Council Member



Paul J. Rhodes  
Council Member



Michael J. Hostetler  
Council Member



Attest: David L. Kinder  
Clerk-Treasurer

# **EXECUTIVE DISASTER EMERGENCY ORDER**

## **TOWN OF SELLERSBURG, INDIANA**

September 24, 2007

**WHEREAS**, Sellersburg, Indiana is immediately threatened by a natural disaster, specifically County wide drought conditions, and:

**WHEREAS**, as of September 24, 2007, I find our Town to be at risk of widespread fire hazards because of the ongoing drought conditions, and;

**WHEREAS**, a Town wide burn ban affecting certain activities is an appropriate public safety response to the fire hazards presented by the current drought condition;

**NOW, THEREFORE**, effective 12:00 midnight September 24, 2007, I, Douglas J. Reiter, Executive for the Town of Sellersburg, declare, pursuant to the provisions of IC 10-14-3-29, that a state of emergency exists in the Town and I hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the County for the exercise of all necessary emergency authority for protection of the lives and property of the people of Sellersburg, Indiana.

I also declare that, effective immediately, the following activities are prohibited in the Town limits of Sellersburg:

1. Campfires and other recreational fires.
2. Open burning of any kind using conventional fuel such as wood, or other combustible matter, with the exception of grills fueled by charcoal briquettes or propane
3. The burning of debris, such as timber or vegetation, including such debris that results from building construction activities; and
4. The use of burn barrels and any open burning at residential structures.

Charcoal from permitted grills shall not be removed from the grills until the charcoal has been thoroughly extinguished.

In addition, I strongly encourage our residents to attend public displays of fireworks and limit their personal use of fireworks to those that do not leave the ground, and that they refrain from using aerial firework devices.

Reference is hereby made to all appropriate laws, statutes, ordinances and resolutions, and particularly to Section 10-14-3-29 of the Indiana Code.

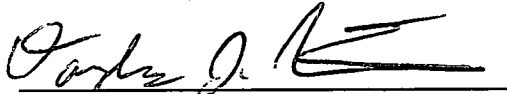
**Executive Disaster Emergency Order**  
**Page 2 of 2 pages**

All public offices and employees of the Town of Sellersburg are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of emergency laws, regulations, and directives whether State or Local.

All residents are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers.

The knowing, intentional or reckless violation of the herein Executive Order is a Class B Misdemeanor as provided by IC 10-14-3-34.

In witness, whereof, I have hereunto set my hand this 24<sup>th</sup> day of September, 2007.



**Douglas J. Reiter, President**  
**Sellersburg Town Council**

RESOLUTION NO. R2007-11

RESOLUTION RESCINDING RESOLUTION R2007-010 REGARDING EXECUTIVE  
DISASTER EMERGENCY RESOLUTION


WHEREAS, the Sellersburg Town Council did on October 8, 2007 pass Resolution  
R2007-010 renewing the Executive Disaster Emergency Order dated September 24, 2007; and

WHEREAS, the Sellersburg Town Council has now determined the need and purpose for  
the Executive Disaster Emergency Order no longer exists; and

WHEREAS, the Sellersburg Town Council believes it is in the best interest of Town  
government that Resolution R2007-010 should be rescinded;

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

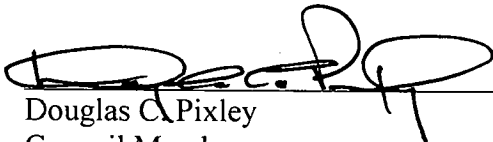
BE IT NOW THEREFORE RESOLVED that Resolution No. R2007-010 shall be and  
hereby is rescinded effective October 22, 2007.



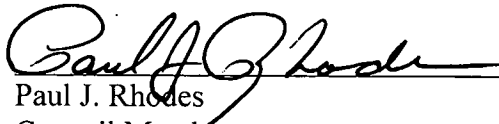
Doug J. Reiter  
Council President



Michael N. Lockhart  
Council Vice President



Douglas C. Pixley  
Council Member



Paul J. Rhodes  
Council Member



Michael J. Hostetler  
Council Member



Attest: David L. Kinder  
Clerk-Treasurer