

2008 ORDINANCES

NUMBER	DATE	DESCRIPTION
2008-001	02-11-08	Zoning Change (Christopher Brackett) R-1 to R/PO – US
2008-002	01-21-08	Creating Forfeiture Fund for Police Department
2008-003	02-25-08	Restricting Weapons in Courtroom of Sellersburg
2008-004	02-25-08	Repealing Ordinance 427A and 497- Sanitary Sewer Board
2008-005	02-25-08	Amending Ordinance 2007-019 Establishing User Fee Fund
2008-006	03-10-08	Amending Ordinance 2005-020 Health, Dental, Life Insurance for Elected Officials
2008-007	03-10-08	Staggered terms Metropolitan Police Commission
2008-008	02-25-08	Establishing Plan Commission and terms of members
2008-009	04-14-08	Amending Ordinance 2008-003 Weapons in Municipal Buildings
2008-010	04-14-08	Sale of Town lease Vehicles and fund for sale proceeds
2008-011	04-14-08	Amending & corrections Ordinance 2008-008 Plan Commission
2008-012	04-14-08	Amending Salary ordinance 2006-029 (driver Dwayne Lee)
2008-013	05-12-08	Stop sign Greenwood Road and Celesta Way
2008-014	06-09-08	Transfer Ordinance
2008-015	06-09-08	Amending 2000-021 Death Benefit 1925 Retirees (\$10K to \$12K)
2008-016	06-25-08	Transfer Ordinance
2008-017	06-25-08	Annexation – Covered Bridge
2008-018	06-25-08	Zoning change (Hardy Business Center)
2008-019	06-25-08	Zoning Change (SSK Communities LLC)
2008-020	06-25-08	Amending 2006-029 Salary Ordinance
2008-021	07-14-08	Handicap Parking area on Allhands (front of Grace Community)
2008-022	07-28-08	Vacating easement (storage express Holdings, LLC)
2008-023	07-28-08	Transfer Ordinance Street & Sanitation
2008-024	08-11-08	Storm Water Planning Grant Fund
2008-025	10-13-08	Withdrawal from Indiana Utility Regulatory Commission (IURC)
2008-026	09-29-08	2009 Budget
2008-027	12-01-08	Town Pay 3% employee Perf and 3% police perf
2008-028	10-27-08	Noise Ordinance
2008-029	09-29-08	Transfer Ordinance (general fund)
2008-030	09-29-08	Amending Zoning Ordinance (ZS Developers 8007 SR 311) B-3 to R-3
2008-031	09-29-08	Amending Zoning Ordinance (Floyd & Mazie Hecker, 8009 SR 311) A to R-3
2008-032	09-29-08	Amending Zoning Ordinance (Joseph & Nancy Summers, 8011 SR 311) A to R-3
2008-033	09-29-08	Amending Zoning Ordinance (Floyd & Mazie Hecker, 8009 SR 311) A to B-3
2008-034	09-29-08	Amending Zoning Ordinance (Joseph & Nancy Summers, 8011 SR 311) A to R-3
2008-035	09-29-08	Zoning Change (Ronald Hess)
2008-036	10-27-08	Dissolving any previously formed Redevelopment Commission
2008-037	10-27-08	Establishing Sellersburg Redevelopment Commission
2008-038	11-10-08	Economic Development Revenue Bond (Eastside Christian Church)
2008-039	11-24-08	Rescinding Ordinance 2003-004, 2003-011 and 2003-024

2008-040	11-24-08	Amending Ordinance 2003-008 (Vehicle Tow Fees)
2008-041	12-29-08	(HRA) Reimbursement of Medical Expenses
2008-042	11-24-08	Additional Appropriations
2008-043	12-29-08	Transfer of Appropriations
2008-044	12-29-08	Salary Ordinance Employees, Elected Officials for 2009
2008-045	12-29-08	Policy and Procedure Manual

4
E-Sellersburg

Richard P. Jones 4P
CLARK COUNTY RECORDER
Filed for Record as Presented
I 201205823 Page 1 of 4
JW Date 03/26/2012 Time 12:27:48

Ordinance No. 2008-001

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG, INDIANA

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by Christopher C. Brackett for the rezoning from Single Family Residential (R-1) to Residential-Professional Office (RPO) of certain real estate located in the County of Clark, Town of Sellersburg, commonly known as 348 Highway 31, Sellersburg, Indiana, which said legal description is more specifically described as follows, to wit:

PART OF SURVEY NO. 130 OF THE ILLINOIS GRANT, BOUNDED THUS: BEGINNING AT A STAKE IN MARY RENZ'S EAST LINE, SAID STAKE BEING SOUTH 4 DEGREES 17' EAST 96 FEET FROM A STONE IN THE SOUTHWEST CORNER OF A LOT FORMERLY OWNED BY SAPHRONA SELLERS, SAID STONE BEING ALSO THE ORIGINAL NORTHWEST CORNER OF A TWO ACRE TRACT OF WHICH THIS TRACT IS A PART; THENCE NORTH 83 DEGREES 51' EAST 276 FEET TO THE WEST RIGHT OF WAY LINE OF SAID HIGHWAY NO. 31; THENCE SOUTH 3 DEGREES 21' EAST WITH SAID RIGHT OF WAY LINE 187.9 FEET TO A STAKE; THENCE SOUTH 88 DEGREES WEST WITH MRS. ANDREW RENZ'S LINE 273 FEET TO A STAKE IN MARY RENZ'S EAST LINE, THE ORIGINAL SOUTHWEST CORNER OF THE TWO ACRE TRACT; THENCE NORTH 4 DEGREES 17' WEST 168 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.11 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: PART OF SURVEY NO. 130 OF THE ILLINOIS GRANT, BOUNDED THUS: BEGINNING AT A STAKE IN MARY RENZ'S EAST LINE; SAIS STAKE BEING SOUTH 4 DEGREES 17' EAST 204.0 FEET FROM A STONE IN THE SOUTHWEST CORNER OF A LOT FORMERLY OWNED BY SAPHRONA SELLERS, SAID STONE BEING ALSO THE ORIGINAL

NORTHWEST CORNER OF A 2 ACRE TRACT OF WHICH THIS TRACT IS A PART, THENCE NORTH 88 DEGREES 00' EAST 274.0 FEET TO THE WEST RIGHT OF WAY LINE OF SAID STATE HIGHWAY NO. 31; THENCE SOUTH 3 DEGREES 21' EAST WITH SAID RIGHT OF WAY LINE 60.0 FEET TO A STAKE; THENCE SOUTH 88 DEGREES 00' WEST WITH MRS. ANDREW RENZ'S NORTH LINE 273.00 FEET TO A STAKE IN MARY RENZ'S EAST LINE, THE ORIGINAL SOUTHWEST CORNER OF THE TWO ACRE TRACT; THENCE NORTH 4 DEGREES 17' WEST WITH MARY RENZ'S EAST LINE 60.0 FEET TO THE PLACE OF BEGINNING, CONTAINING 37/100 OF AN ACRE, MORE OR LESS.

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on January 21, 2008 at 6:30 o'clock p.m. at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commissioners present and voting on January 21, 2008 at the hour scheduled and noticed for said meeting, voted unanimously to approve said rezoning application and to recommend to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located at 348 Highway 31, Sellersburg, Indiana, which is more particularly described as follows:

PART OF SURVEY NO. 130 OF THE ILLINOIS GRANT, BOUNDED THUS: BEGINNING AT A STAKE IN MARY RENZ'S EAST LINE, SAID STAKE BEING SOUTH 4 DEGREES 17' EAST 96 FEET FROM A STONE IN THE SOUTHWEST CORNER OF A LOT FORMERLY OWNED BY SAPHRONA SELLERS, SAID STONE BEING ALSO THE ORIGINAL NORTHWEST CORNER OF A TWO ACRE TRACT OF WHICH THIS TRACT IS A PART; THENCE NORTH 83 DEGREES 51' EAST 276 FEET TO THE WEST RIGHT OF WAY LINE OF SAID HIGHWAY NO. 31; THENCE SOUTH 3 DEGREES 21' EAST WITH SAID RIGHT OF WAY LINE 187.9 FEET TO A STAKE; THENCE SOUTH 88 DEGREES WEST WITH MRS. ANDREW RENZ'S LINE 273 FEET TO A STAKE IN MARY RENZ'S EAST LINE, THE ORIGINAL SOUTHWEST CORNER OF THE TWO ACRE TRACT; THENCE NORTH 4 DEGREES 17' WEST 168 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.11 ACRES, MORE OR LESS.

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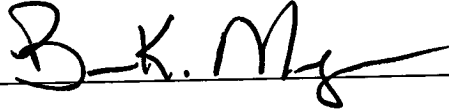
is hereby rezoned from R-1 to RPO.

PASSED AND ADOPTED by the Board of Trustees of the Town of Sellersburg,

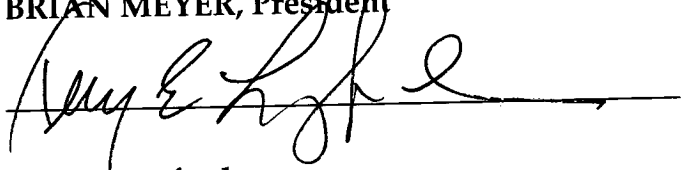
Indiana, on the 28th day of January, 2008.

TOWN COUNCIL MEMBERS

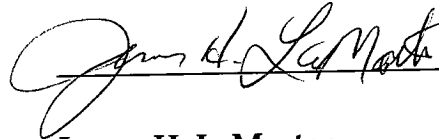
TOWN OF SELLERSBURG, INDIANA



BRIAN MEYER, President



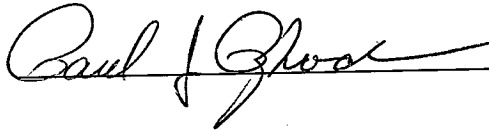
Terry Langford



James H. LaMaster

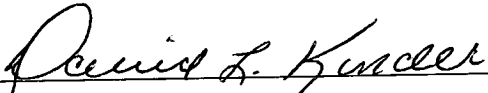


Michael N. Lockhart



Paul J. Rhodes

ATTEST:



David L. Kinder, Clerk-Treasurer

ORDINANCE NO. 2008-002

ORDINANCE CREATING FORFEITURE FUND FOR
TOWN OF SELLERSBURG POLICE DEPARTMENT

WHEREAS, the Sellersburg Town Council has been advised by the Sellersburg Clerk-Treasurer that the Town of Sellersburg Police Department needs to establish a Forfeiture Fund; and

WHEREAS, the Sellersburg Town Council has been advised the purpose of the Forfeiture Fund is to receive money obtained from any drug forfeiture action successfully pursued as a result of a drug arrest by the Town of Sellersburg Police Department; and

WHEREAS, the Sellersburg Town Council has been advised by the Town of Sellersburg Chief of Police that the use of money deposited and received into said Fund shall be for purchasing and obtaining police equipment and other police related equipment expenses; and

WHEREAS, the Sellersburg Town Council has been advised the Forfeiture Fund must be a non-reverting fund; and

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

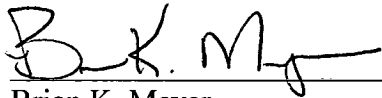
WHEREAS, the Sellersburg Town Council considered this matter at an open meeting to which the public were invited to attend and participate;

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that there shall be and hereby is established a Forfeiture Fund for the purpose of receiving all money which the Town of Sellersburg Police Department may receive for any drug forfeiture action; and

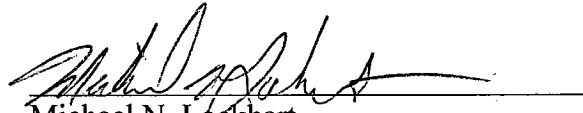
BE IT FURTHER ORDAINED by the Sellersburg Town Council all the money deposited into said Forfeiture Fund shall be used for purchasing and obtaining police equipment and other police related equipment expenses; and

BE IT FURTHER ORDAINED by the Sellersburg Town Council said Forfeiture Fund shall be a non-reverting fund.

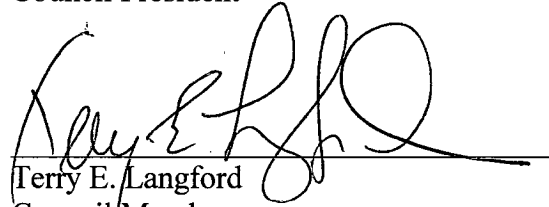
So Ordained this 28th day of January, 2008.




Brian K. Meyer
Council President



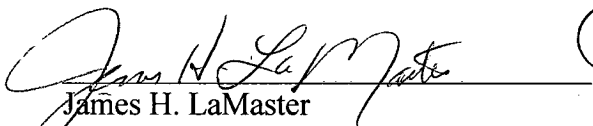
Michael N. Lockhart
Council Vice President



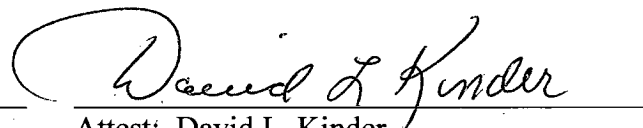
Terry E. Langford
Council Member



Paul J. Rhodes
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008- 003

AN ORDINANCE RESTRICTING POSSESSION OF WEAPONS IN THE
COURTHOUSE OF THE TOWN OF SELLERSBURG

WHEREAS, the possession of weapons within the Courthouse of the Town of Sellersburg is detrimental to the health, safety, and welfare of the persons within said building, and

WHEREAS, the Sellersburg Town Council finds that the regulation of weapons within the Courthouse of the Town of Sellersburg is within the jurisdiction of the Sellersburg Town Council;

BE IT THEREFORE ORDAINED by the Sellersburg Town Council:

I. Definitions

1. "Deadly weapon" as defined by Indiana Code 35-41-1-8
2. "Firearm" as defined by Indiana Code 35-47-1-5
3. "Electric stun weapon" as defined by Indiana Code 35-47-8-1
4. "Stun gun" as defined by Indiana Code 35-47-8-2
5. "Taser" as defined by Indiana Code 35-47-8-3
6. "Knife" includes, but is not limited to, any bladed object
7. "Explosive" refers to any agent or substance tending or serving to explode and shall include but not be limited to gunpowder and dynamite
8. "Club"
9. Any other object that in the manner in which it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury (as defined by Indiana Code 35-41-1-25) as determined by the Sellersburg Police Department or other security designated by the Judge of the Sellersburg Town Court.
10. "Courthouse" includes the entire building located at 101 South New Albany, Street, Sellersburg, Indiana

II. Restrictions

Except as provided in Section III of this Ordinance, a person shall not possess on or about his or her person a weapon within the Courthouse of the Town of Sellersburg.

III. Exceptions

The following persons are exempt from this ordinance: law enforcement officers under Indiana Code 35-41-1-17, Indiana Department of Correction officers, Community Correction officers, judicial officers and probation officers who are in the courthouse for official business and duly authorized to carry deadly weapons. Employees of the courthouse who carry chemical spray devices for person protection are also exempt.

The persons described as exempt from this Ordinance shall not be exempt if they or any member of their family is a party to any proceeding taking place in court.

IV. Penalty

Any person violating Section II of this ordinance shall be subject to punishment for contempt of court pursuant to Indiana Code 34-47 et seq. and a civil fine of not more than \$2,500.00 per violation. In addition, any person violating Section II of this Ordinance shall also be subject to confiscation and/or forfeiture of the firearm or weapon.

V. Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any part to be void, unconstitutional or ineffective for any cause shall not affect any other part of this Ordinance.

VI. Repeal

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

VII. Effective Date

This Ordinance shall take effect upon passage, after publication as required by law.

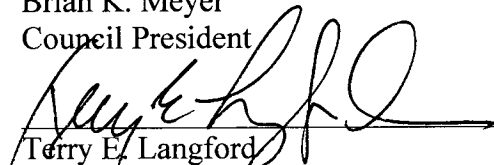
So ordained this 25th day of February, 2008.



Brian K. Meyer
Council President



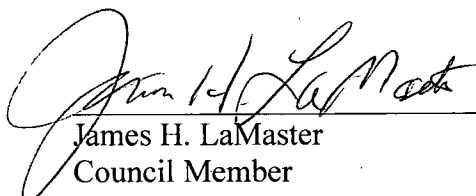
Michael N. Lockhart
Council ~~President~~



Terry E. Langford
Council Member



Paul J. Rhodes
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008- 004

ORDINANCE REPEALING ORDINANCE 427-A AND ORDINANCE 497 REGARDING
TOWN OF SELLERSBURG SANITARY SEWER BOARD

WHEREAS, the Sellersburg Town Council heretofore passed Ordinance 427-A and Ordinance 497 whereby a Sanitary Sewer Board was created and a three (3) member panel established and appointed as authorized by I.C. 36-9-23-4; and

WHEREAS, the Sellersburg Town Council did on December 9, 2005 pursuant to Ordinance No. 2005-32 create the Municipal Works Board; and

WHEREAS, the Town of Sellersburg Municipal Works Board is authorized to construct, acquire, approve, operate, and maintain the sewage works for the Town of Sellersburg in lieu of the Town of Sellersburg Sanitary Sewer Board; and

WHEREAS, because the Town of Sellersburg now has a Municipal Works Board there is no longer any need for a Sanitary Sewer Board as all powers and duties authorized under I.C. 36-9-23-3 are now vested in the Municipal Works Board for the Town of Sellersburg; and

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

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

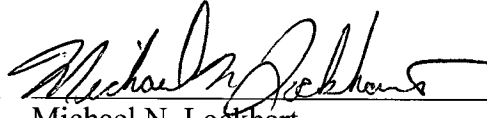
BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that Ordinance 427-A and Ordinance 497 shall be and hereby are rescinded as of the date of the

herein Ordinance.

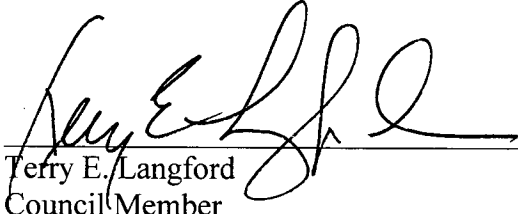
So ordained this 25th day of February, 2008.



Brian K. Meyer
Council President



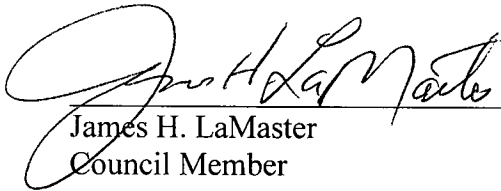
Michael N. Lockhart
Council Vice President



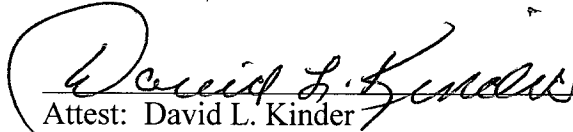
Terry E. Langford
Council Member



Paul J. Rhodes
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008- 005

ORDINANCE AMENDING ORDINANCE NO. 2007-019
ESTABLISHING DEFERRAL USER FEE FUND

WHEREAS, the Sellersburg Town Council heretofore passed Ordinance No. 2007-019 creating and establishing deferral program as a dispositional alternative for an individual who have received a Town of Sellersburg Ordinance Violation; and

WHEREAS, the State Board of Accounts has contacted the Sellersburg Clerk-Treasurer and advised that said Ordinance does not explain how or for what use the monies in said fund may be disbursed; and

WHEREAS, the Sellersburg Town Council has determined that all money deposited in the Deferral User Fee Fund shall be used by the Sellersburg Town Court to offset operational expenses of the Sellersburg Town Court; and

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

WHEREAS, the Sellersburg Town Council has determined the herein Ordinance Amending Ordinance No. 2007-019, necessary for the efficient and effective administration of Town government;

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that Ordinance No. 2007-019 shall be and hereby is amended wherein all money deposited in the Deferral User Fee Fund shall be used in accordance with the provisions of I.C. 33-37-8-4(b).

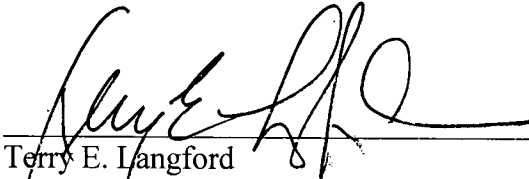
So Ordained this 25th day of February, 2008.



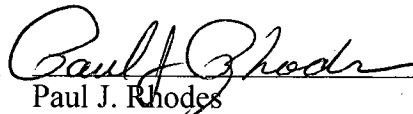
Brian K. Meyer
Council President



Michael N. Lockhart
Council Vice President



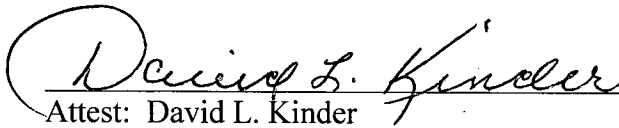
Terry E. Langford
Council Member



Paul J. Rhodes
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-006

ORDINANCE AMENDING ORDINANCE 2005-020

WHEREAS, the Sellersburg Town Council did pass Ordinance No. 2005-020 which authorized the Town of Sellersburg to provide health, dental, and life insurance benefits for the Town of Sellersburg elected officials and the Sellersburg Town Attorney; and

WHEREAS, the Sellersburg Town Council now desires to amend said ordinance to eliminate the provision which authorized health, dental and life insurance benefits for the Town of Sellersburg elected officials, excluding the current Sellersburg Town Court Judge, Thomas Lowe and the current Sellersburg Town Attorney, William P. McCall, III; and

WHEREAS, the Sellersburg Town Council hereby agrees to provide health, dental and life insurance benefits as those benefits are made available to other Town employees, to the current Sellersburg Town Court Judge, Thomas Lowe and to the current Sellersburg Town Attorney, William P. McCall, III, so long as they each serve on behalf of the Town in their current capacity; and

WHEREAS, the Sellersburg Town Council has determined the herein Ordinance 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;

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that Ordinance No. 2005-020 shall be and hereby is modified to eliminate the Town of Sellersburg's responsibility to provide health, dental and life insurance benefits to Town of Sellersburg elected officials, except for the current Sellersburg Town Court Judge, Thomas Lowe and the current Sellersburg Town Attorney, William P. McCall, III;

BE IT FURTHER ORDAINED by the Sellersburg Town Council that said health, dental and life insurance benefits shall be made available to Sellersburg Town Court Judge, Thomas Lowe and Sellersburg Town Attorney, William P. McCall, III as those benefits are made available to other Town employees upon renewal of said benefits by the Town, so long as the Sellersburg Town Court Judge, Thomas Lowe and Sellersburg Town Attorney, William P. McCall, III serve on behalf of the Town in their current capacity.

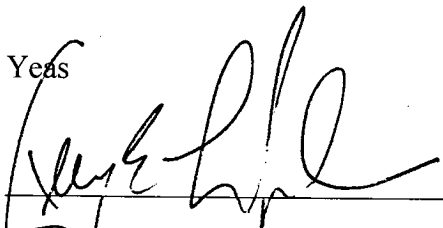
Approved First Reading this 25th day of February, 2008.

Approved Second Reading this 10th of March, 2008.

So Ordained March 10, 2008.

Yeas

Nays



B.K. Myers







ATTESTED: 
Clerk - Treasurer

ORDINANCE NO. 2008-007

ORDINANCE REGARDING TOWN OF SELLERSBURG BOARD OF METROPOLITAN
POLICE COMMISSION ESTABLISHING STAGGERED TERMS OF BOARD
MEMBERS AND THE METHOD FOR STAGGERING THE TERMS AND OTHER
REQUIREMENTS UNDER I.C. 36-8-9-3.1

WHEREAS, the Sellersburg Town Council did on January 5, 1984 pass Ordinance No. 385 increasing the number of members of the Sellersburg Board of Metropolitan Police Commissioners from three (3) members to five (5) members; and

WHEREAS, Ordinance No. 385 failed to stagger the terms of the board members and the method for staggering the terms; and

WHEREAS, the Indiana Legislature has passed I.C. 36-8-9-3.1 regulating membership of a Town Board of Metropolitan Police Commission; and

WHEREAS, the Sellersburg Town Council desires to comply with I.C. 36-8-9-3.1; and

WHEREAS, the Sellersburg Town Council has determined the herein Ordinance is necessary for the 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;

BE IT NOW THEREFORE ORDAINED as follows:

1. The Sellersburg Town Council now reaffirms a Town Board of Metropolitan Police Commission with five (5) members.
2. The Board of Metropolitan Police Commission shall be appointed under the following staggered terms:
 - a. Member One: Linda Stewart (Democrat) the initial appointment term of two (2) years to expire on January 1, 2010, thereafter the appointment shall be a three (3) year term.

b. Member Two: Mary Ann Dellavosa (Democrat) the initial appointment term of two (2) years to expire on January 1, 2010, thereafter the appointment shall be a three (3) year term.

c. Member Three: Jo Ann Kime (Democrat) the term of initial appointment of three (3) years to expire on January 1, 2011, thereafter the appointment shall be for a term of three (3) years.

d. Member Four: Robert F. McNary (Republican) the term of initial appointment of three (3) years to expire on January 1, 2011, thereafter the appointment shall be for a three (3) year term.

e. Member Five: Dustin Koetter (Republican) the term of initial appointment of four (4) years to expire on January 1, 2012, thereafter the appointment shall be for a three (3) year term.

BE IT FURTHER ORDAINED by the Sellersburg Town Council that a member of the Town Council will serve as an ex officio member of the Board of Metropolitan Police Commission.

The Town of Sellersburg now determines only one (1) member of the Sellersburg Town Council shall serve as an ex officio member of the Board of Metropolitan Police Commissioners. That said member vacates the member's position on the Board when the member is no longer a member of the Sellersburg Town Council.

The Sellersburg Town Council member may not receive any additional compensation as a member of the Board of Metropolitan Police Commission.

A board member who is also a member of the Sellersburg Town Council shall not be required to post a bond required by I.C. 36-8-9-3.1(f).

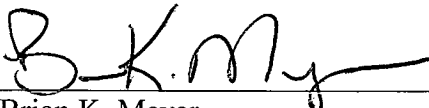
A Board of Metropolitan Police Commission member shall give bond in the sum of \$5,000.00 payable to the State on the condition upon faithful and honest discharge of the member's duties. The bond must be approved by the Sellersburg Town Council.

The Sellersburg Town Council may remove a board member for any cause that the Sellersburg Town Council considers sufficient.


Approved on First Reading February 25, 2008.

Approved on Second Reading March 10, 2008


Ordained March 10, 2008.




Brian K. Meyer
Council President




Paul J. Rhodes
Council Vice President



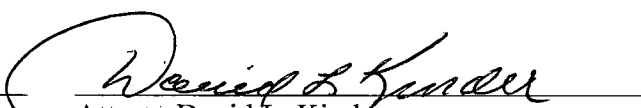
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008- 008

ORDINANCE REAFFIRMING THE ESTABLISHMENT OF A
TOWN OF SELLERSBURG PLAN COMMISSION AND THE TERMS OF
ITS MEMBERS AND THE INITIAL APPOINTMENT OF ITS MEMBERS

WHEREAS, the Town of Sellersburg currently has a Plan Commission which apparently has heretofore been established pursuant to Ordinance; and

WHEREAS, the Sellersburg Town Attorney as well as the Town of Sellersburg Clerk-Treasurer have searched the Town of Sellersburg municipal records to determine when the Plan Commission was originally established, the initial term dates and responsibilities, but despite said search have been unable to locate sufficient records or ordinance establishing said Plan Commission, the date of the initial appointments, term lengths and reappointments since the date the Plan Commission was created; and

WHEREAS, it has been determined there is currently a member of the Town Plan Commission and a member of the Board of Zoning and Appeals are currently serving terms which are in conflict with I.C. 36-7-4 et seq.; and

WHEREAS, I.C. 36-7-4 et. seq., does not authorize the removal of either member except for cause; and

WHEREAS, the Sellersburg Town Council President who is the appointing authority for both members has determined there is a conflict under I.C. 36-7-4 et. seq., and hereby desires to make corrections; and

WHEREAS, the Sellersburg Town Council President as the appointing authority now removes Thomas L. Schuster from the Town of Sellersburg Plan Commission because his term of service is in conflict with I.C. 36-7-4 et. seq., which constitutes cause; and

WHEREAS, the Sellersburg Town Council also desires to correct its current inability to determine the proper term length of the Town of Sellersburg Plan Commissioners; and

WHEREAS, the Sellersburg Town Council believes the herein Ordinance is necessary to clarify the term lengths of the Town of Sellersburg Plan Commission; and

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

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

BE IT NOW THEREFORE ORDAINED as follows:

1. The Town of Sellersburg Plan Commission shall and does consist of seven (7) members;

2. Member One shall serve an initial term of three (3) years which shall expire on January 1, 2011, after the initial term expires the appointment shall be a four year term. Member One shall be appointed by the Sellersburg Town Council;

3. Member Two shall serve an initial term of three (3) years which shall expire on January 1, 2011 after the initial term expires the appointment shall be a four (4) year term. Member Two shall be appointed by the Sellersburg Town Council President;

4. Member Three shall serve a four (4) year initial term which shall expire on January 1, 2012, after the initial term expires the appointment shall be a four year term. Member Three shall be appointed by the Sellersburg Town Council;

5. Member Four shall serve a four (4) year initial term which shall expire on January 1, 2012, after the initial term expires the appointment shall be for a four year term. Member Four shall be appointed by the Sellersburg Town Council President;

6. Member Five shall serve a two (2) year initial term which shall expire January 1, 2010 after the initial term expires the appointment shall be for a four year term. Member number five (5) shall be appointed by the Sellersburg Town Council.

7. Member Six shall serve a two (2) year initial term which shall expire on January 1, 2010 after the initial term expires the appointment shall be a four year term. Member Six shall be appointed by the Sellersburg Town Council President;

8. Member Seven shall serve a two (2) year initial term which shall expire on January 1, 2010 after the initial term expires the appointment shall be a four year term. Member Seven shall be appointed by the Sellersburg Town Council President.

a. The Sellersburg Town Council now designates Member One as Jim LaMaster.

b. The Sellersburg Town Council President now designates Member Two as Bill Voyles.

c. The Sellersburg Town Council now designates Member Three as Mike Lockhart.

d. The Sellersburg Town Council President now designates Member Four as Randy Mobley.

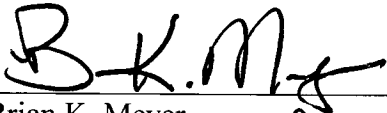
e. The Sellersburg Town Council now designates Member Five as Ken Alexander.

f. The Sellersburg Town Council President now designates Member Six as Tom McEwen.


g. The Sellersburg Town Council President as the appointing authority now removes Thomas L. Schuster as a member of the Plan Commission for cause as set forth above and now designates Member Seven as Francis Conroy.

The Sellersburg Town Council further recognizes if a vacancy occurs among the Plan Commission members who are appointed, the appointing authority (i.e. entity who initially appointed the vacating member), shall appoint a member for the unexpired term of the vacating member.

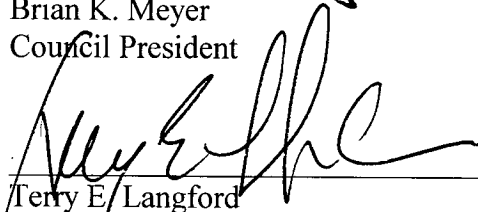
So Ordained this 25th day of February, 2008.




Brian K. Meyer
Council President



Paul J. Rhodes
Council Vice President



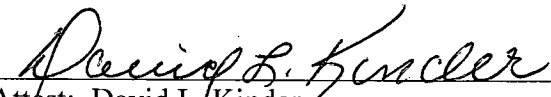
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member

NAY

James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-009

AN ORDINANCE AMENDING ORDINANCE NO. 2008-003
RESTRICTING POSSESSION OF WEAPONS IN ANY MUNICIPAL BUILDING
OR STRUCTURE FOR THE TOWN OF SELLERSBURG

WHEREAS, the Sellersburg Town Council passed Ordinance No. 2008-003 restricting weapons in the Sellersburg Town Court; and

WHEREAS, the Sellersburg Town Council desires to amend said Ordinance to restrict and prohibit the possession of weapons within any municipal building or structure of the Town of Sellersburg; and

WHEREAS, the possession of weapons within a municipal building or structure of the Town of Sellersburg is detrimental to the health, safety, and welfare of persons within said municipal building or structure; and

WHEREAS, the Sellersburg Town Council finds that the regulation of weapons within any municipal building or structure of the Town of Sellersburg is within the jurisdiction of the Sellersburg Town Council;

BE IT THEREFORE ORDAINED by the Sellersburg Town Council as follows:

I. Definitions

1. "Deadly weapon" as defined by Indiana Code 35-41-1-8
2. "Firearm" as defined by Indiana Code 35-47-1-5
3. "Electric stun weapon" as defined by Indiana Code 35-47-8-1
4. "Stun gun" as defined by Indiana Code 35-47-8-2
5. "Taser" as defined by Indiana Code 35-47-8-3
6. "Knife" includes, but is not limited to, any bladed object
7. "Explosive" refers to any agent or substance tending or serving to explode and shall include but not be limited to gunpowder and dynamite
8. "Club"
9. Any other object that in the manner in which it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury (as defined by Indiana Code 35-41-1-25) as determined by the Sellersburg Police Department or other security designated by the Judge of the Sellersburg Town Court.

10. "Municipal Building or Structure" includes, but not limited to:
- (a) The Sellersburg Town Hall;
 - (b) The Town of Sellersburg Police Station;
 - (c) The Town of Sellersburg Sewage Treatment Plant;
 - (d) The Town of Sellersburg Town Court; and
 - (e) Any other municipal building or structure which are open to the public

II. Restrictions

Except as provided in Section III of this Ordinance, a person shall not possess on or about his or her person a weapon within any municipal building or structure of the Town of Sellersburg.

III. Exceptions

The following persons are exempt from this ordinance: law enforcement officers under Indiana Code 35-41-1-17, Indiana Department of Correction officers, Community Correction officers, judicial officers and probation officers who are in any municipal building or structure for official business and duly authorized to carry deadly weapons. Employees of any municipal building or structure who carry chemical spray devices for person protection are also exempt.

The persons described as exempt from this Ordinance shall not be exempt if they or any member of their family is a party to any proceeding taking place in court.

IV. Penalty

Any person violating Section II of this ordinance shall be subject to punishment for contempt of court pursuant to Indiana Code 34-47 et seq. and a civil fine of not more than \$2,500.00 per violation. In addition, any person violating Section II of this Ordinance shall also be subject to confiscation and/or forfeiture of the firearm or weapon.

V. Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any part to be void, unconstitutional or ineffective for any cause shall not affect any other part of this Ordinance.

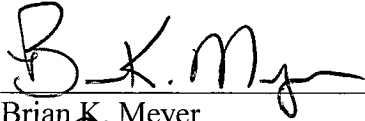
VI. Repeal

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

VII. Effective Date

This Ordinance shall take effect upon passage, after publication as required by law.

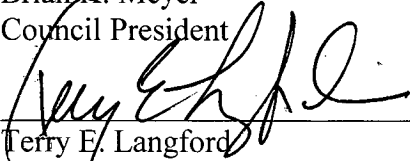
So ordained this 14th day of April, 2008.



Brian K. Meyer
Council President



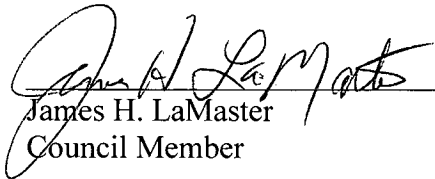
Paul J. Rhodes
Council Vice President



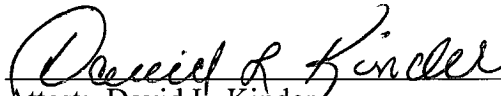
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008- 010

ORDINANCE REGARDING SALE OF TOWN OF SELLERSBURG LEASE VEHICLES
AND ESTABLISHMENT OF A FUND FOR THE SALE PROCEEDS TO BE DEPOSITED IN
AND THE USE OF SAID FUNDS

WHEREAS, the Town of Sellersburg Police Department from time to time has police vehicles which have been replaced; and

WHEREAS, the Town of Sellersburg Police Department from time to time sells these police vehicles as authorized under Indiana Law; and

WHEREAS, upon the sale of the police vehicles the funds paid for said vehicles are deposited into the Town of Sellersburg general fund; and

WHEREAS, the Sellersburg Town Council now desires to create a fund where the proceeds of the sale of the surplus police vehicles can be deposited for use by the Town of Sellersburg Police Department; and

WHEREAS, the Indiana State Board of Account requires there to be a specific fund designated for said proceeds to be deposited; and

WHEREAS, the proceeds from the sale of the surplus police vehicles should be used for purchasing additional police equipment; and

WHEREAS, the Sellersburg Town Council desires to create the Police Equipment Fund which should be a non-reverting fund; and

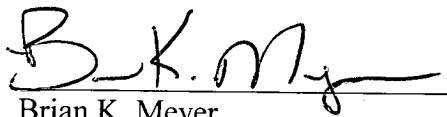
WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate; and

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

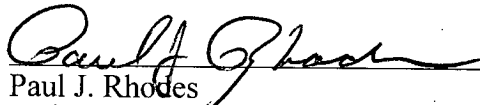
BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that all proceeds received as a result of selling Town of Sellersburg Police Department's surplus vehicles shall be deposited into a Police Equipment Fund to be used by the Town of Sellersburg for the purchase and obtaining police equipment;

BE IT FURTHER ORDAINED that the Police Equipment Fund shall be a non-reverting fund.

So Ordained this 14th day of April, 2008.



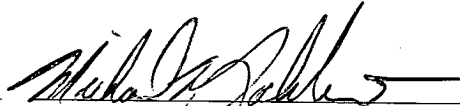
Brian K. Meyer
Council President



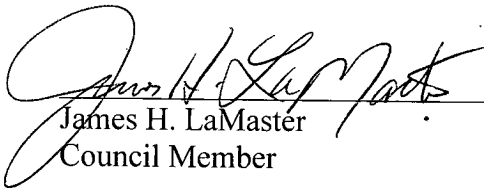
Paul J. Rhodes
Council Vice President



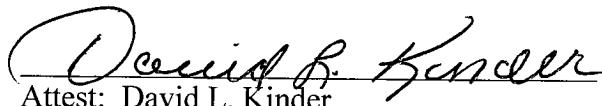
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-011

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE 2008-008 REGARDING
THE TOWN OF SELLERSBURG PLAN COMMISSION

WHEREAS, the Sellersburg Town Council did on the 10th day of March, 2008 pass Ordinance No. 2008-008 regarding to the Town of Sellersburg Plan Commission; and

WHEREAS, said Ordinance stated the terms for Plan Commission members expired on January 1; and

WHEREAS, I.C. 36-7-4-218 states each member's term expires on the first Monday of January of the second, third, or fourth year, respectively, after the year of the members appointment; and

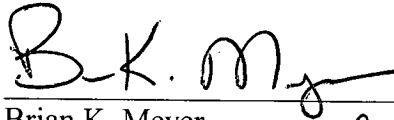
WHEREAS, the Sellersburg Town Council desires to amend Ordinance No. 2008-008 to reflect the language of I.C. 36-7-4-218 and to comply with state law in regard to the expiration of terms of Plan Commission members on the first Monday of January of the second, third, or fourth year, respectively, after the year of the members' appointment;

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


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

All other provisions of Ordinance No. 2008-008 which are not in conflict herewith shall remain in full force and affect without modification.

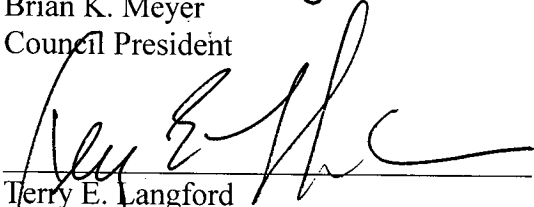
So Ordained this 14TH day of APRIL, 2008.



Brian K. Meyer
Council President



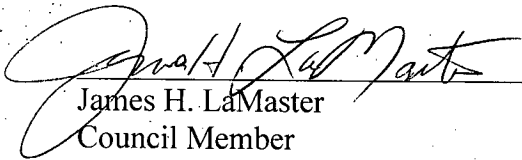
Paul J. Rhodes
Council Vice President



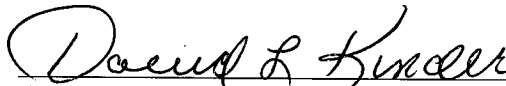
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-012

ORDINANCE AMENDING HOURLY, SALARY, HOLIDAY,
AND LONGEVITY PAY FOR EMPLOYEES OF THE TOWN OF SELLERSBURG,
INDIANA FOR CALENDAR YEAR 2008

WHEREAS, the Sellersburg Town Council previously passed Ordinance No. 2006-029 regarding the hourly, salary, holiday, and longevity pay for employees of the Town of Sellersburg, Indiana for calendar year 2007 including employees in the Department of Public Works; and

WHEREAS, the Sellersburg Town Council desires to amend Ordinance No. 2006-029 to reflect the promotion of employee, Irvin Dwayne Lee to Lead Man for the Department of Public Works; and

WHEREAS, based upon the appointment to the position of Lead Man, the Sellersburg Town Council desires to increase Irvin Dwayne Lee's hourly rate to \$17.90 per hour retroactive to March 13, 2008; and

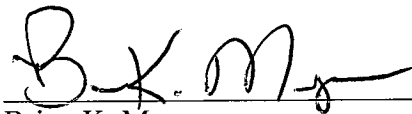
WHEREAS, this matter was considered at an open meeting to which the public were invited to attend and participate; and

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

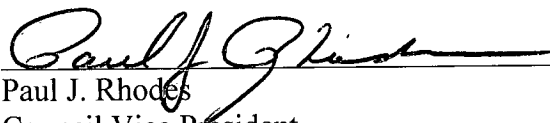
BE IT NOW THEREFORE ORDAINED that Ordinance No. 2006-029 shall be and hereby is amended to reflect that Town of Sellersburg employee Irvin Dwayne Lee is appointed to the position of Lead Man for the Sellersburg Department of Public Works, and there shall be an increase in his hourly rate to \$17.90 per hour retroactive to March 13, 2008;

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2006-029 shall remain in full force and affect without modification.

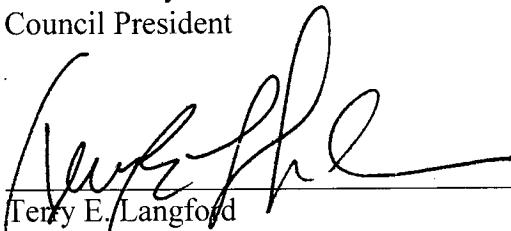
So Ordained this 14th day of April, 2008.



Brian K. Meyer
Council President



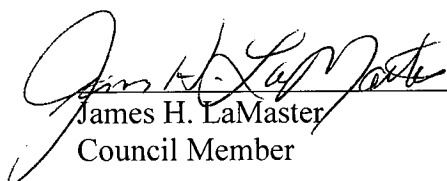
Paul J. Rhodes
Council Vice President



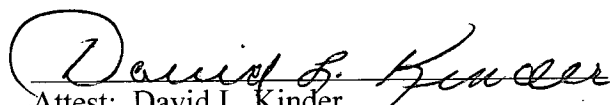
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008- 013

AN ORDINANCE ESTABLISHING A STOP SIGN AT GREENWOOD ROAD AND CELESTA WAY, TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council has been advised that there is a substantial risk for vehicle accidents at Greenwood Road and Celesta Way due to the lack of a four way stop intersection; and

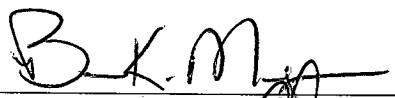
WHEREAS, the Sellersburg Town Council has determined Greenwood Road and Celesta Way should be a four way stop intersection to protect users of roadways in the Town of Sellersburg; and

WHEREAS, the Sellersburg Town Council has determined the herein Ordinance is necessary for the efficient, safe, 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;

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council the intersection of Greenwood Road and Celesta Way shall be designated as a four way stop and the Sellersburg Municipal Works Department is hereby directed to place stop signs at the intersections of Greenwood Road and Celesta Way in compliance with the herein Ordinance.

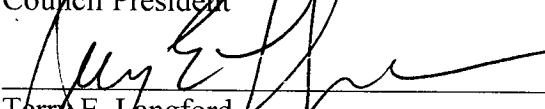
So Ordained this 12 day of May, 2008.



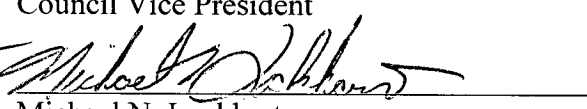
Brian K. Meyer
Council President



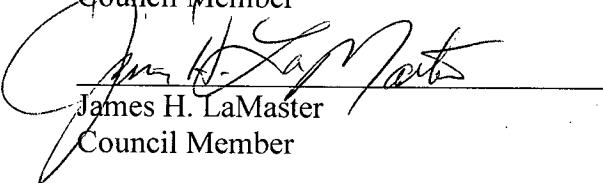
Paul J. Rhodes
Council Vice President



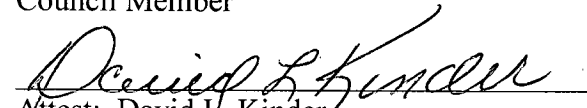
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

Ordinance No. 2008-014

**AN ORDINANCE 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 within 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.

BE IT NOW THEREFORE ORDAINED AS FOLLOWS:

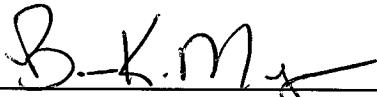
Transfers from the **General Fund** appropriations:

Amount of Transfer \$8000.00

S&S 443 Street Equipment

to

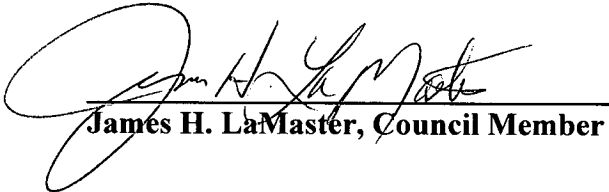
S&S 365 Packer Maintenance



Brian K Meyer, Council President


Paul J. Rhodes, Council Vice President
Michael N. Lockhart, Council Member

Absent
Terry E. Langford, Council Member


James H. LaMaster, Council Member
**ATTEST: Michelle D. Eve
Chief Deputy Clerk-Treasurer**

ORDINANCE NO. 2008-015

ORDINANCE AMENDING ORDINANCE NO. 2000-021 CONCERNING THE RECEIPT OF DEATH BENEFITS UNDER THE 1925 POLICE PENSION FUND

WHEREAS, on the 13th day of November, 2000 the Sellersburg Town Council passed Ordinance No. 2000-021 to increase the death benefits under the 1925 Police Pension Fund to \$10,000.00; and

WHEREAS, effective July 1, 2008, I.C. 36-8-6-9.8 increases the amount to be paid to date upon the death of a member of the 1925 Police Pension Fund shall be \$12,000.00; and

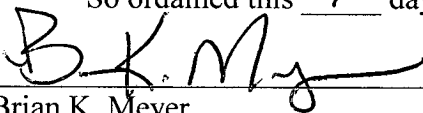
WHEREAS, the Sellersburg Town Council has determined the amount which should now be paid to members of the 1925 Police Pension Fund who die after July 1, 2008 shall be \$12,000.00; and

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


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

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that upon the Town Council and Clerk-Treasurer being notified of the death of a member of the 1925 Police Pension Fund, the Town of Sellersburg shall pay to the heirs of the estate of said deceased member the sum of \$12,000.00.

So ordained this 9th day of June, 2008.



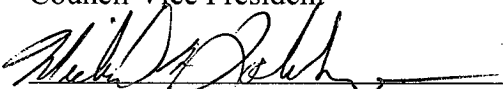
Brian K. Meyer
Council President



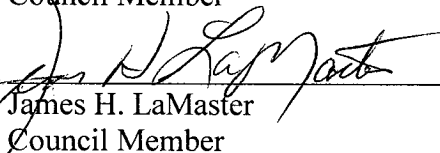
Paul J. Rhodes
Council Vice President

Absent

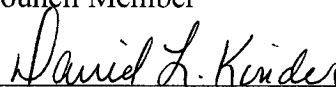
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

Ordinance No. 2008-016

AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG GENERAL, PARKS AND RECREATION AND MOTOR VEHICLE HIGHWAY FUNDS

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective maintenance of the Town of Sellersburg General Fund; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the requested transfer of appropriations is necessary for continued efficient and effective maintenance of the Town's General Fund; and

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

BE IT NOW THEREFORE ORDAINED AS FOLLOWS:

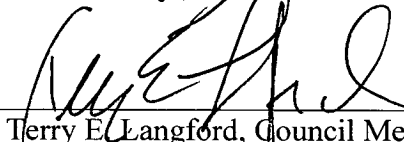
<u>Transfer from:</u>	<u>Transfer to:</u>	<u>Amount:</u>
S&S 443 Street Equipment	S&S 365 Packer Maintenance	\$3,000.00
S&S 443 Street Equipment	S&S 242 Misc. Supplies	\$1,000.00
TC 395 Judgements	TC 125 Unemployment	\$1,000.00
TC 395 Judgements	TC 232 Floor Mats/Town Hall	\$2,000.00
CT 314 Consulting	CT 323 Telephones/Pagers	\$1,000.00
CT 111 Office Salaries	CT 126 Longevity	\$2,700.00
CT 441 Office Equipment	CT 126 Longevity	\$2,000.00
TC 354 Heat/Gas	TC 314 Consulting	\$12,000.00

SO ORDAINED THIS 23rd DAY OF June 2008.

ABSENT
Brian K. Meyer, Council President


Paul J. Rhodes, Council Vice President


Michael N. Lockhart, Council Member


Terry E. Langford, Council Member

ABSENT
James H. LaMaster, Council Member


ATTEST: David L. Kinder, Clerk-Treasurer

E 1
Town
of Sellersburg

Ordinance No. 2008-017

AN ORDINANCE ANNEXING CERTAIN REAL
ESTATE INTO THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, this Town Council of the Town of Sellersburg, Indiana (the "Town Council"), is the legislative body of the Town of Sellersburg, County of Clark, State of Indiana (the "Town"); and,

WHEREAS, this Town Council has determined that approximately one thousand eight hundred and fifty two (1,852) acre tract of real estate located generally to the east/southeast of the existing corporate boundaries of the Town and within the unincorporated territory of Clark County, Indiana, which area is more particularly described hereinbelow (the "Annexation Area"), is sufficiently contiguous to the existing boundaries of the Town pursuant to the provisions of both IC 36-4-3-1.5 and IC 36-4-3-13(d)(1-5) to be eligible for annexation into the Town; and,

WHEREAS, this Town Council has determined that the Annexation Area statutorily qualifies for annexation under the provisions of IC 36-4-3, *et seq.*; and,

WHEREAS, this Town Council has adopted a Fiscal Plan by Resolution as the definite policy of the Town for the provision of non-capital and capital services to the Annexation Area (the "Fiscal Plan") in conformity with the provisions of IC 36-4-3-3.1 and IC 36-4-3-13 prior to final adoption of this Ordinance; and,

WHEREAS, on June 25, 2008, this Town Council introduced this Ordinance and approved it on its first reading; and,

WHEREAS, this Town Council adopted the Fiscal Plan by Resolution; and,

WHEREAS, following notice and publication in accordance with the provisions of IC 36-4-3-2.1 and IC 36-4-3-2.2, this Town Council held a public hearing subsequent to notice in accordance with applicable law concerning the proposed annexation which date was more than sixty (60) days after the date on which (i) the Fiscal Plan was adopted and (ii) this Ordinance was first introduced; and,

WHEREAS, more than thirty (30) days, but less than sixty (60) days have passed since the date of the public hearing on this Ordinance to and until the date of the final adoption of this Ordinance as shown below; and,

WHEREAS, this Town Council now finds that at least one-eighth (1/8) of the aggregate external boundaries of said Annexation Area coincides and is contiguous with the boundaries of the Town and the requirements of I.C. 36-4-3-13(d) (1-5) have been met. Further this Town Council finds that the Annexation Area is needed and will be used by the Town for its

development and growth in the reasonably near future, and that the annexation of the Annexation Area into the Town on the terms and conditions of this Ordinance is in the best interests of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THIS TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

Section 1. Description of Boundaries of Annexation Area. The description of the Annexation Area hereby annexed into the Town, including any public highways or rights-of-way therein or adjacent thereto, is as follows:

Attached hereto and incorporated herein as Exhibit A.

The Annexation Area consists of approximately one thousand eight hundred fifty two (1,852) acres. The aggregate external boundaries of the Annexation Area are approximately 42,988.59 lineal feet, and such aggregate external boundaries of the Annexation Area coincide with 5,376.25 lineal feet of the existing boundaries of the Town. The aggregate external boundaries of the Annexation Area are therefore 5,373.57 lineal feet (12.51%) contiguous to the Town, which percentage exceeds the minimum one-eighth (1/8) requirement established by IC 36-4-3-1.5.

The map prepared by John Toombs, Town Engineer, attached hereto as Appendix I further depicts the location of the Annexation Territory, and is incorporated herein by reference.

Section 2. Description of Special Terms and Conditions. Pursuant to the provisions of IC 36-4-3-8, the following special terms and conditions that are intended to make the annexation effected hereby equitable to the property owners and residents of the Town as well as those in the Annexation Area are hereby adopted:

a. The effective date of the annexation enacted by this Ordinance shall not be postponed.

b. The rendering of needed capital and non-capital services to the Annexation Area shall be pursuant to the provisions of the Fiscal Plan previously adopted by resolution of this Town Council.

c. This Town Council has determined upon reasonable inquiry that (i) the resident population density of the aggregate of the Annexation Area is less than three (3) persons per acre, and/or (ii) the aggregate of the Annexation Area is not subdivided or parceled through separate ownerships into lots or parcels such that at least sixty percent (60%) of the total number of lots and parcels are less than one (1) acre, and the provisions of IC 36-4-3-8(c) are accordingly inapplicable to this Ordinance and the Annexation Area.

Section 3. Description of Property Tax Abatements within Annexation Area. No property tax abatements pursuant to the provisions of IC 36-4-3-8.5 within the Annexation Area are adopted within this Ordinance as to any property within the Annexation Area.

Section 4. Assignment of Annexation Area to Municipal Legislative District. Pursuant to the provisions of IC 36-4-3-4(g), the Annexed Area shall be divided and assigned according to existing Township Precincts into the following Council Districts of the Town:

Existing Township and Precinct #

Town Council District After Annexation

Carr Township No. 1

Sellersburg District No. 5

Silver Creek Township No. 6

The ordinance defining Council Districts within the Town shall automatically be deemed as amended as of the effective date of the annexation effected by this Ordinance the changes set forth above.

Section 5. Zoning Classifications of Properties within the Annexation Area. Upon the effective date of the annexation effected by this Ordinance, all properties within the Annexation Area shall be classified for zoning purposes in accordance with the provisions of Section I(B) of the Fiscal Plan. The Town Zoning Map shall be amended as of the effective date of this Ordinance to reflect such zoning classifications of the properties within the Annexation Area. Any use existing within the Annexation Territory on the effective date of this Ordinance that was fully in compliance with the applicable Clark County zoning requirements in effect prior to the effective date of this Ordinance, but which is not in compliance with the requirements of the applicable new zoning classification under the provisions of the Sellersburg Zoning Ordinance, including without limitation any agricultural use, shall be permitted to continue as a non-conforming use to the extent and scope that such use existed as of the effective date of this Ordinance and in conformity with the provisions of the Clark County Zoning Ordinance and Indiana law generally (as the same may be amended from time-to-time) pertaining to such non-conforming uses.

Section 6. Fire Protection District. The Town does not presently provide municipal fire protection service. Such service is provided to the entirety of both the Town and the Annexation Area by the Sellersburg Volunteer Fire Department. As such, no financial adjustment is deemed as required pursuant to the provisions of IC 36-4-3-7(e). However, in the event that the Town would subsequently assume responsibility for fire protection service to the Annexation Area and/or such financial adjustment is otherwise deemed to be required as the result of this annexation, the Town shall be liable for and shall pay the indebtedness of the Silver Creek Township Fire Protection District in the same ratio that the assessed valuation of the property in the Annexation Area that is within such fire protection district bears to the assessed valuation of all property in each such fire protection district as shown by the most recent assessment before the annexation. The Town shall make such payments of principal and interest on such indebtedness to the board of fire trustees of the district as such obligations come due following the effective date that the Town assumes responsibility for fire protection service.

Section 7. No Township Debt. This Town Council has determined upon diligent inquiry to the Silver Creek Township Trustee and Carr Township Trustee that as of the date of the adoption of this Ordinance, no debt has been issued or exists within such township. Pursuant to the provisions of IC 36-4-3-10, and if as of the effective date of this Ordinance, any of the townships from which the Town has annexed territory is indebted or has outstanding unpaid bonds or other obligations, the Town shall be liable for and shall pay that indebtedness in the same ratio as the assessed valuation of the property in the annexed territory bears to the assessed valuation of all property in the respective township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the Town is already liable for the indebtedness. The Town shall pay its indebtedness under this section, if any, to the applicable township executive. If the indebtedness consists of outstanding unpaid bonds or notes of the township, the payments to the executive shall be made as the principal or interest on the bonds or notes becomes due.

Section 8. Displacement of Other Governmental Unit Employees. It is not anticipated that this annexation will result in the elimination of jobs for any employees of other governmental units. However, in the event that any such jobs are eliminated, the Town Council shall assist any such displaced employees in obtaining new employment, but nothing herein shall require the Town to provide employment for any such displaced employees.

Section 9. Effective Date of Annexation; Publication. The annexation enacted by this Ordinance shall take effect, except to the extent that applicable Indiana law may mandate a different date, at 4:00 o'clock p.m., prevailing local time, on December 31, 2008, and the Annexation Area shall be and become a part of the Town as of such date and time, except as such date and time may be delayed by operation of applicable law. Promptly after adoption of this Ordinance, the Clerk-Treasurer shall publish this Ordinance and notice of its adoption in the manner prescribed by IC 5-3-1, which publication shall occur not less than ninety (90) days prior to the effective date of the annexation effected by this Ordinance.

Section 10. Certification of Ordinance; Effect. Promptly after adoption of this Ordinance, the Clerk-Treasurer shall certify a copy of this Ordinance as being true and correct in all respects. Pursuant to the provisions of IC 36-4-3-6, such certified copy of this Ordinance shall serve as conclusive evidence of the corporate boundaries of the Town in any subsequent proceeding, including without limitation, with respect to any issue that the territory described in this Ordinance was properly annexed and is a part of the Town.

Section 11. Clerk-Treasurer to File Copies of Ordinance. Pursuant to the provisions of IC 36-4-3-7 and IC 36-4-3-22, the Clerk-Treasurer shall do all of the following:

a. Within ten (10) days after the adoption of this Ordinance, send written notice to the Sellersburg Volunteer Fire Department by its board of fire trustees that the Town shall not assume responsibility for fire protection service within the Annexed Area, and that the Sellersburg Volunteer Fire Department shall continue to provide fire protection service to the Annexation Area notwithstanding this annexation and regardless of any remonstrance under the provisions of IC 36-4-3-11 or appeal under the provisions of IC 36-4-3-15.5.

b. In the event that a remonstrance or appeal of this Ordinance is not filed during the period permitted under applicable Indiana law, file a certified copy of the Ordinance with (i) the Clark County Auditor, (ii) the Clerk of the Clark Circuit Court, (iii) the Clark County Board of Voter Registration, (iv) the office of the Indiana Secretary of State, and (v) the office of census data established by IC 2-5-1.1-12.2. The Clerk-Treasurer shall further provide a sufficient number of copies of the Ordinance to the Clark County Auditor to enable the Clark County Auditor to forward copies and provide notification of the effective date of the annexation effected by this Ordinance pursuant to the provisions of IC 36-4-3-22(d) to each of the following: (1) the Clark County Highway Department, (2) the Clark County Surveyor, (3) the Clark County Plan Commission, (4) the Clark County Sheriff, (5) the Silver Creek Township Trustee and Carr Township Trustee, (6) the office of the Indiana Secretary of State, and (7) the office of census data established by IC 2-5-1.1-12.2.

c. In the event that a remonstrance or appeal of this Ordinance is timely filed, but this Ordinance is sustained following judicial review, a certified copy of the judgment ordering annexation in accordance with this Ordinance with (i) the Clark County Auditor, (ii) the Clerk of the Clark Circuit Court, (iii) the Clark County Board of Voter Registration, (iv) the office of the Indiana Secretary of State, and (v) the office of census data established by IC 2-5-1.1-12.2. The Clerk-Treasurer shall further provide a sufficient number of copies of the judgment to the Clark County Auditor to enable the Clark County Auditor to forward copies and provide notification of the effective date of the annexation effected by this Ordinance pursuant to the provisions of IC 36-4-3-22(d) to each of the following: (1) the Clark County Highway Department, (2) the Clark County Surveyor, (3) the Clark County Plan Commission, (4) the Clark County Sheriff, (5) the office of the Indiana Secretary of State, and (6) the office of census data established by IC 2-5-1.1-12.2.

d. Record a certified copy of this Ordinance in the office of the Clark County Recorder.

e. The filings and recordings required by this Section 11 shall be accomplished no later than ninety (90) days after (i) the expiration of the period permitted for a remonstrance or appeal, or (ii) the delivery of a certified order under the provisions of IC 36-4-3-15. However, the failure to record this Ordinance as provided by IC 36-4-3-22(a)(2) shall not invalidate this Ordinance.

Section 12. Partial Invalidity; Severability. In the event that a portion, but less than all, of the provisions of this Ordinance and/or annexations effected by this Ordinance are deemed to be invalid or unenforceable by the final, non-appealable order of a court of competent jurisdiction, such provisions shall be stricken from the text of this Ordinance, but the remaining provisions following such determination and striking shall remain in full force and effect notwithstanding such partial invalidity and striking.

Section 13. Adoption of Ordinance; Effective Date. This Ordinance shall be in full force and effect from the later of (a) the date of its passage and adoption by this Town Council, or (b) any later date specified by applicable Indiana law.

Introduced and Approved on the First Reading this 25th day of June, 2008.

Approved and Ordained on the Second Reading on this 28th day of ~~June~~ ^{December}, 2009.

TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA

Voting Aye:

Voting Nay:

B. K. My
Baull Rhader
Mike M. Soloff
Steve E. ...
John ...

Attested by:

David Kinder
David Kinder, Clerk-Treasurer

Proposed Annex Area

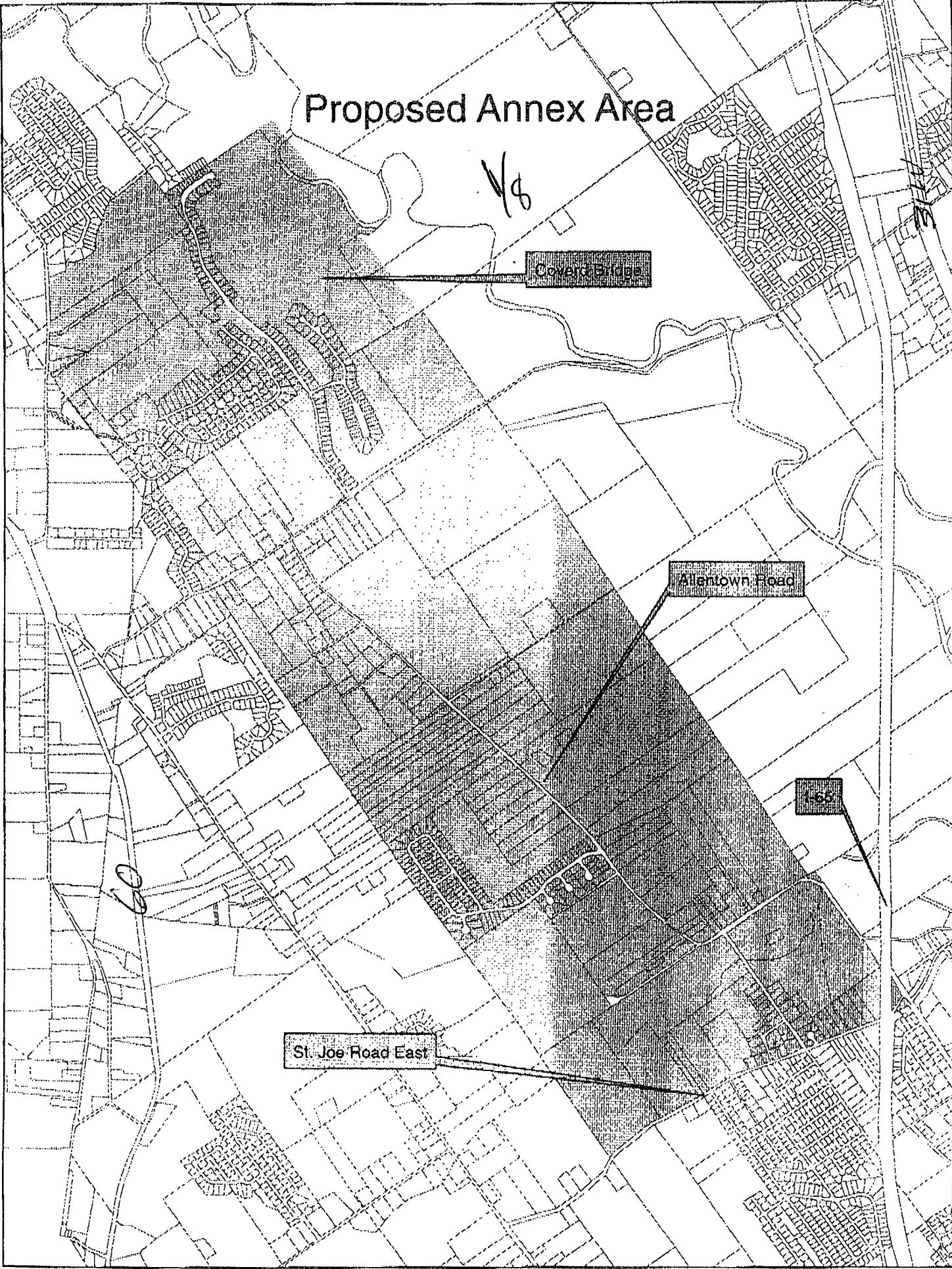
V/S

Dowd Bridge

Allentown Road

168

St. Joe Road East



DESCRIPTION OF THE TOWN OF SELLERSBURG INDIANA
2008 ANNEX AREA

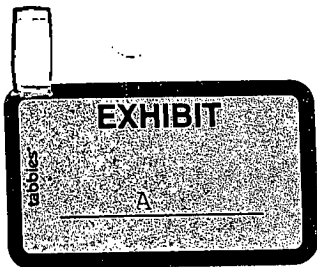
A part of Surveys No. 129, No. 147, No. 165, and No. 182 of the Illinois Grant in Clark County Indiana.

Beginning at a point in the existing boundaries of the Town, which is in the northerly right-of-way line of St. Joe Road East, which point is in the line with the easterly right-of-way line of Dreyer Lane if it were extended northerly.

Thence the following courses of the boundary of the Annex Area:

- South 60 deg. 48 min. 42 sec. West 152.07 feet along the northerly right-of-way line of St. Joe Road East which is also the Town Boundary Line;
- South 63 deg. 35 min. 44 sec. West 266.89 feet along the northerly right-of-way line of St. Joe Road East crossing I65 along the Town Boundary Line;
- South 68 deg. 59 min. 49 sec. West 1,298.89 feet along the northerly right-of-way line of St. Joe Road East crossing I65 and Allentown Road, and along the Town Boundary Line;
- South 70 deg. 30 min. 48 sec. West 130.48 feet along the northerly right-of-way line of St. Joe Road East which is the Town Boundary Line;
- North 22 deg. 35 min. 33 sec. West 105.89 feet along the Town Boundary Line;
- South 69 deg. 22 min. 11 sec. West 572.46 feet along the Town Boundary Line crossing Onward Street;
- South 20 deg. 59 min. 51 sec. East 100.00 feet along the Town Boundary Line to the northerly right-of-way line of St. Joe Road East;
- South 65 deg. 48 min. 19 sec. West 658.02 feet along the Town Boundary Line and the northerly right-of-way line of St. Joe Road East;
- South 59 deg. 09 min. 29 sec. West 40.58 feet along the Town Boundary Line and the northerly right-of-way line of St. Joe Road East;
- South 34 deg. 07 min. 03 sec. East 34.96 feet along the Town Boundary Line crossing St. Joe Road East to its' southerly right-of-way line;
- South 55 deg. 11 min. 04 sec. West 481.45 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 62 deg. 10 min. 31 sec. West 407.21 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 64 deg. 07 min. 46 sec. West 196.95 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 54 deg. 29 min. 47 sec. West 151.06 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 51 deg. 35 min. 15 sec. West 616.55 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- North 39 deg. 32 min. 56 sec. East 162.73 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- North 34 deg. 57 min. 04 sec. West 14,699.67 feet along the southwest line of Surveys No. 129, 147, 165 and 182 to the southeast line of Bennetsville Road;

\\jdl\jdl\projects\182\182\1\Boundary description.docx



North 00 deg. 04 min. 10 sec. West 1,572.16 feet along said southeast line of Bennetsville Road to the southerly line of Sunset Hills Subdivision;
South 66 deg. 34 min. 13 sec. East 113.34 feet along the line of Sunset Hills;
North 88 deg. 25 min. 47 sec. East 141.15 feet along the line of Sunset Hills;
North 64 deg. 25 min. 47 sec. East 59.50 feet along the line of Sunset Hills;
North 84 deg. 25 min. 47 sec. East 271.31 feet along the line of Sunset Hills;
North 56 deg. 25 min. 47 sec. East 192.44 feet along the line of Sunset Hills;
North 22 deg. 25 min. 47 sec. East 64.88 feet along the line of Sunset Hills;
North 08 deg. 25 min. 47 sec. East 258.80 feet along the line of Sunset Hills;
North 20 deg. 25 min. 47 sec. East 237.03 feet along the line of Sunset Hills;
North 20 deg. 25 min. 47 sec. East 123.59 feet along the line of Sunset Hills;
North 26 deg. 25 min. 47 sec. East 179.40 feet along the line of Sunset Hills;
North 54 deg. 25 min. 47 sec. East 679.64 feet along the line of Sunset Hills to the westerly line of Deer Lake Estates Subdivision;
South 34 deg. 34 min. 13 sec. East 478.73 feet along said westerly line of Deer Lake Estates;
North 54 deg. 25 min. 47 sec. East 2,168.48 feet with the southerly line of Deer Lake Estates to the northeast line of Survey No. 182;
South 34 deg. 47 min. 08 sec. East 16,374.22 feet with the northeast line of Surveys No. 182, 165, 147 and 129 to the Point of Beginning and containing 1,852.16 acres of land.

Ordinance No. 2008-018

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF
SELLERSBURG, INDIANA

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by Sprigler Development, LLC, for the rezoning from Commercial (B-3) to Multi-Family Residential (R-4) of certain real estate located at 8007 State Road 311, part of Lot 7 of Hardy Business Centre, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on the application of Sprigler Development, LLC, at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission members present and voting at the meeting duly and properly noticed and advertised, voted to approve said rezoning application and recommended to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located in the County of Clark, Town of Sellersburg, and being

located at 8007 State Road 311, part of Lot 7 of Hardy Business Centre, Clark County, Town of Sellersburg, which is more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

is hereby rezoned from B-3 to R-3.

PASSED AND ADOPTED by the Board of Trustees of the Town of Sellersburg, Indiana, on the 25th day of June, 2008.

TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA

Absent
Brian Meyer, President

Terry Langford

Michael N. Lockhart

Paul J. Rhodes

Absent
James LaMaster

ATTEST:

Michelle D. Eve
David L. Kinder, Clerk-Treasurer

JS/SPRIGLER/HARDY BUSINESS CENTER/ORDINANCE

EXHIBIT "A"

BEING A PART OF SURVEY 108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A STAKE BEING THE NORTH CORNER OF SURVEY 108; THENCE, SOUTH 50 DEGREES 15 MINUTES 00 SECONDS WEST, 2008.10 FEET TO A POINT; THENCE, SOUTH 40 DEGREES 00 MINUTES 00 SECONDS EAST, 825.00 FEET TO A POINT; THENCE, SOUTH 50 DEGREES 15 MINUTES 00 SECONDS WEST, 261.00 FEET TO A POINT; THENCE, SOUTH 39 DEGREES 15 MINUTES 00 SECONDS EAST 328.00 FEET TO A POINT, THENCE, SOUTH 50 DEGREES 15 MINUTES 00 SECONDS WEST 169.75 FEET TO A POINT; THENCE, SOUTH 39 DEGREES 15 MINUTES 00 SECONDS EAST, 231.35 FEET TO A 12" X 12" FENCE POST AND THE TRUE POINT OF BEGINNING; THENCE, NORTH 50 DEGREES 15 MINUTES 00 SECONDS EAST, 384.75 FEET TO A IRON PIN AND CAP (RUCKMAN) BEING THE NORTHERLY CORNER OF LOT 7, THENCE, SOUTH 42 DEGREES 23 MINUTES 33 SECONDS EAST, 92.28 FEET TO A POINT, THENCE, SOUTH 09 DEGREES 07 MINUTES 52 SECONDS WEST, 454.29 FEET TO A POINT, THENCE, SOUTH 65 DEGREES 44 MINUTES 19 SECONDS EAST, 148.49 FEET TO AN IRON PIN AND CAP (BLANN) BEING THE NORTHWESTERLY CORNER OF LOT 6 OF HARDY BUSINESS CENTRE PHASE I, THENCE, SOUTH 09 DEGREES 07 MINUTES 52 SECONDS WEST, 208.32 WITH THE WESTERLY LINE OF SAID LOT 6 TO AN IRON PIN AND CAP (BLANN) WHICH IS THE NORTHEASTERLY CORNER OF LOT 5 OF HARDY BUSINESS CENTRE PHASE I, THENCE, NORTH 65 DEGREES 44 MINUTES 19 SECONDS WEST, 212.33 FEET TO A POINT, THENCE, SOUTH 31 DEGREES 41 MINUTES 18 SECONDS WEST, 81.96 FEET TO A POINT, THENCE, NORTH 58 DEGREES 22 MINUTES 17 SECONDS WEST, 200.00 FEET TO A POINT, THENCE NORTH 31 DEGREES 41 MINUTES, 18 SECONDS EAST, 362.08 FEET TO A 12" X 12" FENCE POST AND THE TRUE POINT OF BEGINNING AND CONTAINING 4.59 ACRES MORE OR LESS.

QUIT CLAIM DEED

GRANTEE'S ADDRESS: _____
MAIL TAX STATEMENTS TO: _____
KEY # _____

THIS INDENTURE WITNESSETH: That SPRIGLER DEVELOPMENT, LLC, an Indiana Limited Liability Company by its duly authorized member,

CONVEYS AND QUIT CLAIMS

unto SPRIGLER DEVELOPMENT, LLC, an Indiana Limited Liability Company, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, all right, title and interest in and to the real estate being situated in the County of Clark, State of Indiana, and more particularly described as follows, to-wit:

BEING A PART OF SURVEY 108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A STAKE BEING THE NORTH CORNER OF SURVEY 108; THENCE, SOUTH 50 DEGREES 15 MINUTES 00 SECONDS WEST, 2008.10 FEET TO A POINT; THENCE, SOUTH 40 DEGREES 00 MINUTES 00 SECONDS EAST, 825.00 FEET TO A POINT; THENCE, SOUTH 50 DEGREES 15 MINUTES 00 SECONDS WEST, 261.00 FEET TO A POINT; THENCE, SOUTH 39 DEGREES 15 MINUTES 00 SECONDS EAST 328.00 FEET TO A POINT, THENCE, SOUTH 50 DEGREES 15 MINUTES 00 SECONDS WEST 169.75 FEET TO A POINT; THENCE, SOUTH 39 DEGREES 15 MINUTES 00 SECONDS EAST, 231.35 FEET TO A 12" X 12" FENCE POST AND THE TRUE POINT OF BEGINNING; THENCE, NORTH 50 DEGREES 15 MINUTES 00 SECONDS EAST, 384.75 FEET TO A IRON PIN AND CAP (RUCKMAN) BEING THE NORTHERLY CORNER OF LOT 7, THENCE, SOUTH 42 DEGREES 23 MINUTES 33 SECONDS EAST, 92.28 FEET TO A POINT, THENCE, SOUTH 09 DEGREES 07 MINUTES 52 SECONDS WEST, 454.29 FEET TO A POINT, THENCE, SOUTH 65 DEGREES 44 MINUTES 19 SECONDS EAST, 148.49 FEET TO AN IRON PIN AND CAP (BLANN) BEING THE NORTHWESTERLY CORNER OF LOT 6 OF HARDY BUSINESS CENTRE PHASE I, THENCE, SOUTH 09 DEGREES 07 MINUTES 52 SECONDS WEST, 208.32 WITH THE WESTERLY LINE OF SAID LOT 6 TO AN IRON PIN AND CAP (BLANN) WHICH IS THE NORTHEASTERLY CORNER OF LOT 5 OF HARDY BUSINESS CENTRE PHASE I, THENCE, NORTH 65 DEGREES 44 MINUTES 19 SECONDS WEST, 212.33 FEET TO A POINT, THENCE, SOUTH 31 DEGREES 41 MINUTES 18 SECONDS WEST, 81.96 FEET TO A POINT, THENCE, NORTH 58 DEGREES 22 MINUTES 17 SECONDS WEST, 200.00 FEET TO A POINT, THENCE NORTH 31 DEGREES 41 MINUTES, 18 SECONDS EAST, 362.08 FEET TO A 12" X 12" FENCE POST AND THE TRUE POINT OF BEGINNING AND CONTAINING 4.59 ACRES MORE OR LESS.

TO HAVE AND TO HOLD, the same unto said Grantee, its heirs and assigns, in fee simple forever.

This Quit Claim Deed has been prepared without a title search being completed.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, this ___ day of June, 2008

SPRIGLER DEVELOPMENT, LLC

By: _____

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, a Notary Public, in and for said County and State, personally appeared SPRIGLER DEVELOPMENT, LLC, by its duly authorized representative, JOHN C. SPRIGLER, and acknowledges the execution of the foregoing Deed to be its free and voluntary act and deed for the uses and purposes expressed therein.

WITNESS my hand and seal, this ___ day of June, 2008.

NOTARY PUBLIC

PRINTED SIGNATURE

My Commission Expires:

Resident of _____ County, IN

THIS INSTRUMENT PREPARED BY:
YOUNG, LIND, ENDRES & KRAFT
JOHN A. KRAFT, ATTORNEY

J5/sprigler,sonny/SpriglerDevelopment/Hardy Business Centre/QCD

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

By: _____
Type or Printed Name

4
E-Sellersburg

Ordinance No. 2008- 019

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF
SELLERSBURG, INDIANA

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by PAYNE KOEHLER, LLC and SSK COMMUNITIES, LLC for the rezoning from Interchange Business (IB-1) to Multi-Family Residential (R-3) of certain real estate located in the County of Clark, Town of Sellersburg, commonly known as 348 Highway 31, Sellersburg, Indiana, which said legal description is more specifically described as follows, to wit:

SEE ATTACHED EXHIBIT "A"

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on June 16, 2008 at 6:30 o'clock p.m. at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission Members present and voting on June 16, 2008 at the hour scheduled and noticed for said meeting, voted unanimously to approve said rezoning application and to recommend to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located at 348 Highway 31, Sellersburg, Indiana, which is more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

is hereby rezoned from IB-1 to R-3.

PASSED AND ADOPTED by the Board of Trustees of the Town of Sellersburg,
Indiana, on the 25th day of JUNE, 2008.

TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA

ABSENT

BRIAN MEYER, President

Terry Langford

ABSENT

James H. LaMaster

Michael N. Lockhart

Paul J. Rhodes

ATTEST:

Michelle D. Eve
David L. Kinder, Clerk-Treasurer

J/s/SSK.ORDINANCE

TRACT #1
REZONE TO R-3

The following is a legal description prepared this 30th day of May, 2008, of real property being a part of Survey #87 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the East corner of said Survey #87; thence along the Southeast line of said Survey #87 South 53° 44' 00" West 2544.20 feet to the point of beginning; thence continuing along said Southeast line South 53° 44' 00" West 283.01 feet; thence North 36° 16' 00" West 22.60 feet; thence North 24° 13' 00" East 153.48 feet; thence North 08° 30' 00" East 162.08 feet; thence North 22° 30' 00" West 201.48 feet; thence North 23° 38' 14" West 197.39 feet; thence North 53° 44' 00" East 246.40 feet; thence South 17° 42' 42" East 219.08 feet; thence North 76° 59' 00" East 53.00 feet to the right-of-way of the I-65 frontage road; thence along said right-of-way as follows: South 13° 01' 00" East 290.84 feet; thence South 27° 34' 00" West 181.80 feet; thence South 29° 09' 00" East 25.80 feet to the point of beginning, containing 3.594 Acres, more or less.

Being a part of that property conveyed to Payne Koehler Road, LLC, in Instrument #200608764 in the Office of the Recorder of Clark County, Indiana.

TRACT #2
REZONE TO R-3

The following is a legal description prepared this 30th day of May, 2008, of real property being a part of Survey #87 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the East corner of said Survey #87; thence along the Southeast line of said Survey #87 South 53° 44' 00" West 2544.20 feet to the right-of-way of the I-65 frontage road; thence along said right-of-way as follows: North 29° 09' 00" West 25.80 feet; thence North 27° 34' 00" East 181.80 feet; thence North 13° 01' 00" West 497.50 feet; thence North 04° 01' 00" West 102.55 feet to the point of beginning; thence leaving said right-of-way South 53° 44' 00" West 220.44 feet; thence North 36° 16' 00" West 131.39 feet; thence South 83° 44' 00" West 110.00 feet; thence North 06° 16' 00" West 23.00 feet; thence along a curve to the left (said curve having a radius of 60.00 feet, a chord bearing North 51° 15' 53" West, and a chord length of 84.85 feet) a distance of 94.25 feet; thence North 04° 35' 37" East 31.46 feet; thence North 22° 24' 47" West 84.69 feet; thence North 27° 17' 42" East 35.40 feet; thence North 46° 08' 30" West 45.46 feet; thence North 24° 03' 58" West 71.23 feet; thence North 53° 17' 45" West 29.90 feet; thence North 07° 34' 59" West 33.11 feet; thence North 41° 41' 35" East 43.67 feet to the right-of-way of the I-65 frontage road; thence along said right-of-way as follows: South 58° 45' 39" East 170.24 feet; thence South 80° 36' 38" East 102.61 feet; thence North 26° 57' 23" East 105.10 feet; thence North 80° 05' 43" East 46.61 feet; thence South 54° 10' 13" East 121.39 feet; thence South 31° 22' 07" East 104.19 feet; thence South 04° 01' 00" East 190.95 feet to the point of beginning, containing 3.589 Acres, more or less.

Being a part of that property conveyed to Payne Koehler Road, LLC, in Instrument #200608764 in the Office of the Recorder of Clark County, Indiana.

ORDINANCE NO. 2008-020

ORDINANCE AMENDING HOURLY, SALARY, HOLIDAY,
AND LONGEVITY PAY FOR EMPLOYEES OF THE TOWN OF SELLERSBURG,
INDIANA FOR CALENDAR YEAR 2008

WHEREAS, the Sellersburg Town Council previously passed Ordinance No. 2006-029 regarding the Hourly, Salary, Holiday, and Longevity Pay for all employees of the Town of Sellersburg, Indiana for calendar year 2007; and

WHEREAS, the Sellersburg Town Council desires to amend Ordinance No. 2006-029 to reflect necessary changes within the Town of Sellersburg's salary ordinance; and

WHEREAS, the Sellersburg Town Council desires to amend Ordinance 2006-029 to authorize Kevin Wright to receive one hundred percent (100%) of his salary from the sewer fund and no longer from the Motor Vehicle Highway (MVH) fund; and

WHEREAS, the Sellersburg Town Council desires to amend Ordinance 2006-029 to authorize the school resource officer to receive one hundred (100%) of his salary from the Town's General Fund instead of the Motor Vehicle Highway (MVH) fund; and

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

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

BE IT NOW THEREFORE ORDAINED that Ordinance No. 2006-029 shall be and hereby is amended whereby, Kevin Wright shall receive one hundred percent (100%) of his salary from the sewer fund and no longer shall be paid from the Motor Vehicle Highway (MVH) fund, which shall be retroactive to June 25, 2008; and

BE IT FURTHER ORDAINED that Ordinance No. 2006-029 shall be and hereby is amended whereby the Town's School Resource Officer shall receive one hundred percent (100%) of his salary from the Town's General Fund and no longer shall be paid from the Motor Vehicle Highway (MVH) fund, which shall be retroactive to June 25, 2008; and

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2006-029 shall remain in full force and effect.

So Ordained this 25th day of June, 2008.

Absent
Brian K. Meyer, Council President

Paul J. Rhodes
Paul J. Rhodes, Council Vice President

Terry E. Langford
Terry E. Langford, Council Member

Michael N. Lockhart
Michael N. Lockhart, Council Member

Absent
James H. LaMaster, Council Member

Michelle D. Em
Attest: David L. Kinder, Clerk Treasurer

ORDINANCE NO. 2008-021

AN ORDINANCE ESTABLISHING HANDICAP PARKING
AREA ON ALLHANDS AVENUE., SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council has received a request from members of the Grace Community Church to designate three (3) parking spaces along Allhands Avenue as handicap parking; and

WHEREAS, the Sellersburg Town Counsel has consulted with the Municipal Works Director in regard to the placement of three (3) handicap parking spaces along Allhands Avenue and have been advised placement of three (3) handicap parking spaces is acceptable for the area; and

WHEREAS, the Sellersburg Town Council believes three (3) handicap parking spaces placed along Allhands Avenue is in the best interest of the Town's residence; and

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

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that there shall be designated three (3) handicap parking spaces on the North side of Allhands Avenue approximately sixty (60) feet west of Walk Drive;

IT IS FURTHER ORDAINED by the Sellersburg Town Council the Sellersburg Municipal Works Director is hereby directed to take all actions necessary to designate three (3) handicap parking spaces along Allhands Avenue as set forth above and place the appropriate markings and signage for said handicap parking.

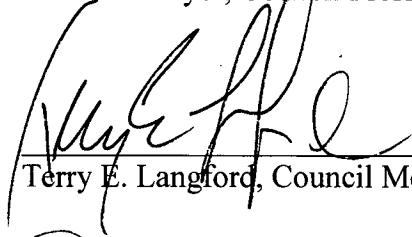
So ordained this 14th day of July, 2008.



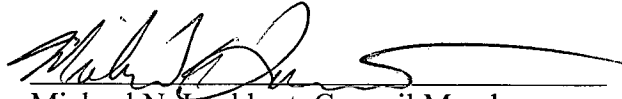
Brian K. Meyer, Council President



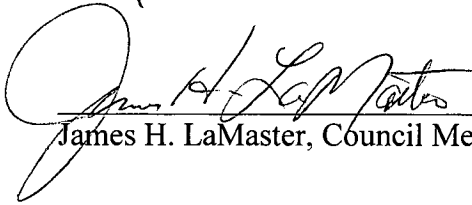
Paul J. Rhodes, Council Vice President



Terry E. Langford, Council Member



Michael N. Lockhart, Council Member



James H. LaMaster, Council Member



Attest: David L. Kinder, Clerk-Treasurer

ORDINANCE NO. 2008-022

**AN ORDINANCE VACATING EASEMENTS IN THE TOWN OF
SELLERSBURG, INDIANA**

Richard P. Jones 4P
CLARK COUNTY RECORDER
Filed for Record as Presented
I 200812531 Page 1 of 4
JW Date 07/31/2008 Time 11:57:48

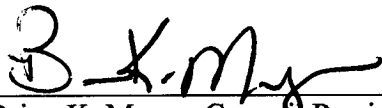
WHEREAS, a petition was filed with the Town Council for the Town of Sellersburg, Indiana, by Storage Express Holdings, LLC, requesting the vacating of easements in the Civil Town of Sellersburg, Indiana with easements in particularly described in Exhibit "A" and Exhibit "B" attached hereto and made a part here of; and

WHEREAS, the proper legal advertising for a hearing on said petition to vacate said easements within the Civil Town of Sellersburg, Indiana was placed in the appropriate newspapers; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, conducted a public hearing in regard to said petition to vacate the easement described in exhibit "A" and exhibit "B" attached hereto in the Civil Town of Sellersburg, Indiana, on the 28th day of July, 2008, at which time the Town Council heard any and all evidence concerning the vacating of said easement.

THEREFORE BE IT ORDAINED, that the Town Council for the Town of Sellersburg, Indiana, does hereby vacate the easement within the Civil Town of Sellersburg, Indiana, as it was particularly set out and described in exhibit "A" and exhibit "B", attached hereto and made a part hereof.

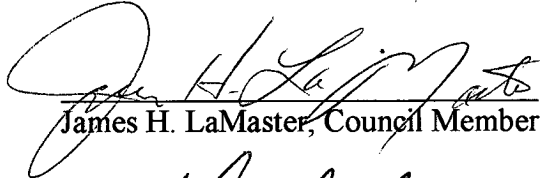
SO ORDAINED this 28th day of **July**, 2008.



Brian K. Meyer, Council President



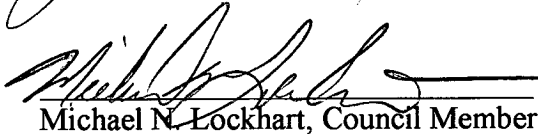
Paul J. Rhodes, Council Vice President



James H. LaMaster, Council Member



Terry E. Langford, Council Member



Michael N. Lockhart, Council Member

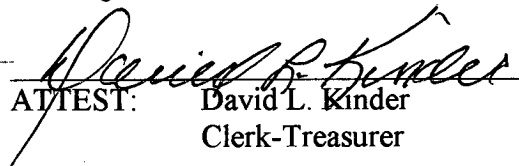

ATTEST: David L. Kinder
Clerk-Treasurer

EXHIBIT "A"

**PUBLIC UTILITY
AND DRAINAGE EASEMENTS ON
STORAGE EXPRESS HOLDINGS, LLC**

A part of lots 2, 3 & 4 of Hardy Business Centre (Plat Book 13, Page 77) in Survey 108 of the Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana. Further described as part of the Storage Express Holdings, LLC tract as recorded at Instrument 200803715 and Instrument 200803716 in the Clark County, Indiana Recorder's Office. Thence the following courses of the boundary of said vacated easements:

Vacated Easement No. 1

Commencing at the Southwesterly corner of Lot 2 and the Southeasterly corner of Lot 3; Thence, North 24 degrees 15 minutes 41 seconds East, 10.00 feet with the line dividing said Lots 2 & 3 to the True Point of Beginning;
Thence, North 65 degrees 44 minutes 19 seconds West, 5.00 feet;
Thence, North 24 degrees 15 minutes 41 seconds East, 168.04 feet running parallel with and 5.00 feet East of said line dividing Lots 2 & 3;
Thence, South 65 degrees 44 minutes 19 seconds East, 10.00 feet;
Thence, South 24 degrees 15 minutes 41 seconds West, 168.04 feet running parallel with and 5.00 feet West of said line dividing Lots 2 & 3;
Thence, North 65 degrees 44 minutes 19 seconds West, 5.00 feet to the True Point of Beginning and containing 1680.40 SF or 0.04 acres of land.

Vacated Easement No. 2

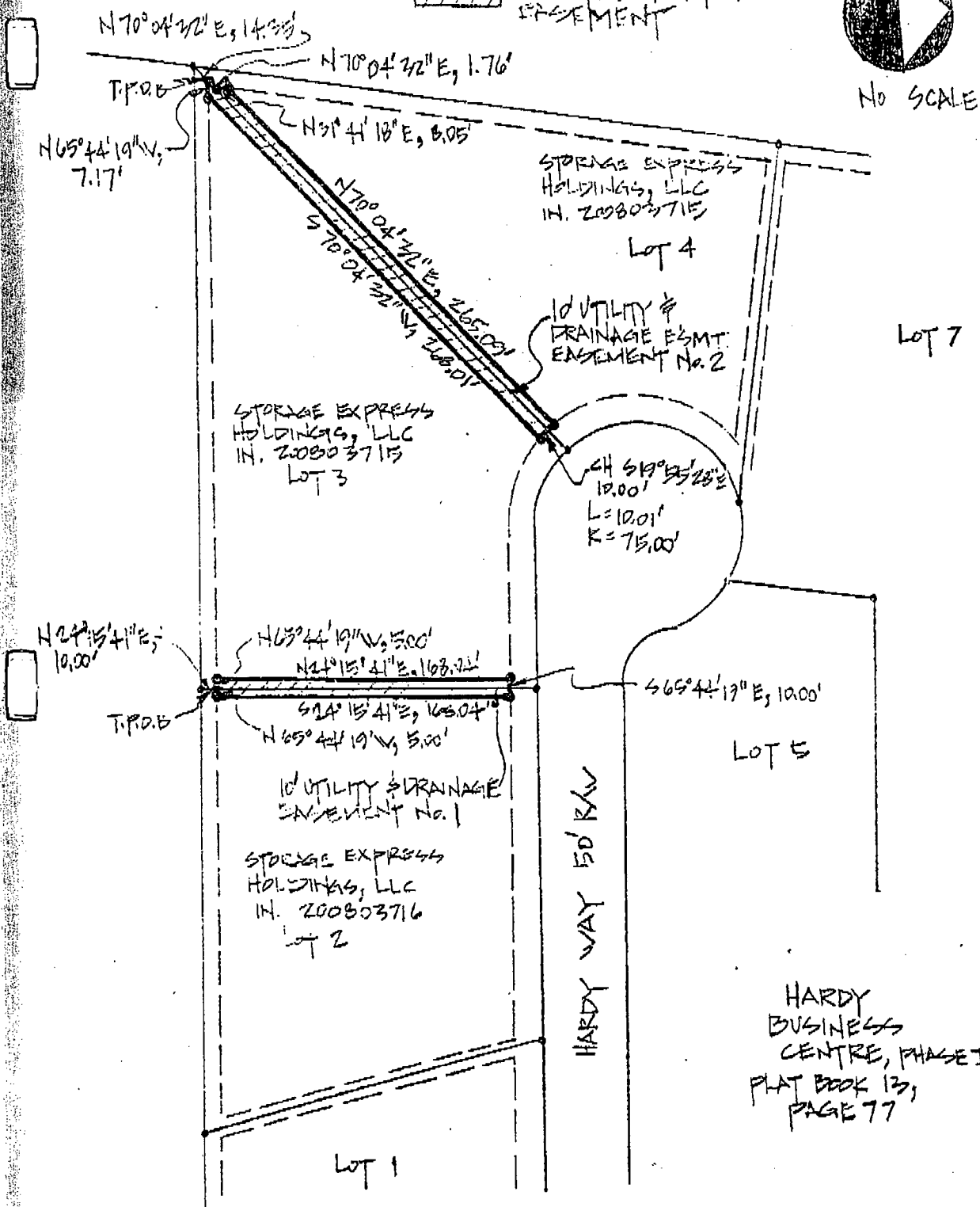
Commencing at the Easterly most corner of Lots 3 & 4, Thence North 70 degrees 04 minutes 32 seconds East, 14.35 feet with the line dividing Lots 2 & 3 to the True Point of Beginning;
Thence, North 70 degrees 04 minutes 32 seconds East, 1.76 feet continuing with said line dividing Lots 3 & 4;
Thence, North 31 degrees 41 minutes 18 seconds East, 8.05 feet;
Thence, North 70 degrees 04 minutes 32 seconds East, 265.09 feet running parallel with and 5.00 feet North of said line dividing Lots 3 & 4;
Thence, with a curve concave to the Northeast with a radius of 75.00 feet and an arc length of 10.01 feet;
Thence, South 70 degrees 04 minutes 32 seconds West, 268.01 feet running parallel with and 5.00 feet South of said line dividing Lots 3 & 4;
Thence North 65 degrees 44 minutes 19 seconds West, 7.17 feet to the True point of beginning and containing 2694.10 SF or 0.11 acres of land.

EXHIBIT "B"

INDICATES VACATED EASEMENT



NO SCALE



Sheet	Dwn by: <i>R. K...</i>	Chk by: <i>R. K...</i>
1	Date: 7/14/08	Project No: 2008-044
Of	Project: STORAGE EXPRESS HOLDINGS, LLC SELLERSBURG, IN	
1	Subject: EXHIBIT "B" EASEMENT VACATIONS	
Revisions:		

RENAISSANCE DESIGN BUILD, INC.

117 S Indiana Avenue
Sellersburg, IN 47172

Tel: 812-246-5897 Fax: 812-248-4320
www.renaissancedesignbuild.com

**Proof of
Publication**

NOTICE OF HEARING ON PETITION TO VACATE PUBLIC UTILITY AND DRAINAGE EASEMENTS ON LOTS 2, 3 & 4 OF HARDY BUSINESS CENTRE. Notice is hereby given of a petition to be heard by the Town Council for the Town of Sellersburg, Indiana, requesting the vacation of public utility and drainage easements located on lots 2, 3 & 4 of Hardy Business Centre. Easement vacations is further described as: A part of lots 2, 3 & 4 of Hardy Business Centre (Plat Book 13, Page 77) in Survey 108 of the Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana. Further described as part of the Storage Express Holdings, LLC tract as recorded at instrument 200803715 and instrument 200803716 in the Clark County, Indiana Recorder's Office. Thence the following courses of the boundary of said vacated easements: Vacated Easement No. 1 Commencing at the Southwesterly corner of Lot 2 and the Southeasterly corner of Lot 3; Thence, North 24 degrees 15 minutes 41 seconds East, 10.00 feet with the line dividing said Lots 2 & 3 to the True Point of Beginning; Thence, North 65 degrees 44 minutes 19 seconds West, 5.00 feet; Thence, North 24 degrees 15 minutes 41 seconds East, 168.04 feet running parallel with and 5.00 feet East of said line dividing Lots 2 & 3; Thence, South 65 degrees 44 minutes 19 seconds East, 10.00 feet; Thence, South 24 degrees 15 minutes 41 seconds West, 168.04 feet running parallel with and 5.00 feet West of said line dividing Lots 2 & 3; Thence, North 65 degrees 44 minutes 19 seconds West, 5.00 feet to the True Point of Beginning and containing 1680.40 SF or 0.04 acres of land. Vacated Easement No. 2 Commencing at the Easterly most corner of Lots 3 & 4, Thence North 70 degrees 04 minutes 32 seconds East, 14.35 feet with the line dividing Lots 2 & 3 to the True Point of Beginning; Thence, North 70 degrees 04 minutes 32 seconds East, 1.78 feet continuing with said line dividing Lots 3 & 4; Thence, North 31 degrees 41 minutes 18 seconds East, 8.05 feet; Thence, North 70 degrees 04 minutes 32 seconds East, 265.09 feet running parallel with and 5.00 feet North of said line dividing Lots 3 & 4; Thence, with a curve concave to the Northeast with a radius of 75.00 feet and an arc length of 10.01 feet; Thence, South 70 degrees 04 minutes 32 seconds West, 238.01 feet running parallel with and 5.00 feet South of said line dividing Lots 3 & 4; Thence, North 65 degrees 44 minutes 19 seconds West, 7.17 feet to the True point of beginning and containing 2694.10 SF or 0.11 acres of land. Petitioner is requesting that said public utility and drainage easement be vacated in its entirety. A public hearing will be held on July 28, 2008 at 7:00 p.m. in the Sellersburg Town Hall, located at 316 Ulca Street, Sellersburg, Indiana, at which time and place all interested persons will be heard in reference to the matters set out in said petition.

Pub
Fee

**STATE OF INDIANA
COUNTY OF CLARK - SS**

Melissa Tolnay On oath says that she is the bookkeeper of The Evening News and in the employment of the publisher of

THE EVENING NEWS,

a daily newspaper of general circulation printed and published in the city of Jeffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for #() time(s) to-wit: In issue of said The Evening News dated: July 18, 2008.

(X) Melissa Tolnay

**STATE OF INDIANA
COUNTY OF CLARK**

subscribed and sworn to before me this

21ST day of July, 2008.

(X) Joann Gayligan
JOANN GAYLIGAN

Notary Public, Clark County, Indiana
(My Commission Expires August 27, 2014.)

34

Ordinance No. 2008-023

**AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING
THE TOWN OF SELLERSBURG GENERAL FUND**

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective maintenance of the Town of Sellersburg General Fund; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the requested transfer of appropriations is necessary for continued efficient and effective maintenance of the Town's General Fund; and

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

BE IT NOW THEREFORE ORDAINED AS FOLLOWS:

<u>Transfer from:</u>	<u>Transfer to:</u>	<u>Amount:</u>
S&S 443 Street Equipment	S&S 323 Telephones/Pagers	\$4,000.00
S&S 443 Street Equipment	S&S 394 Misc. Services	\$2,000.00

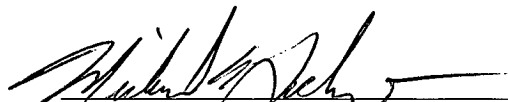
SO ORDAINED THIS 28rd DAY OF July 2008.



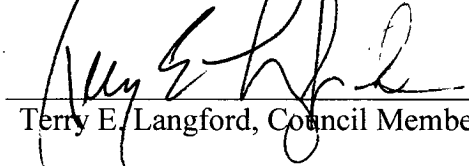
Brian K. Meyer, Council President



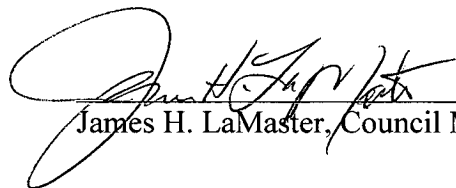
Paul J. Rhodes, Council Vice President



Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member



ATTEST: David L. Kinder, Clerk-Treasurer

ORDINANCE NO. 2008-024

ORDINANCE CREATING STORM WATER PLANNING GRANT FUND
FOR THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council has been advised by the Sellersburg Clerk-Treasurer the need to establish a Storm Water Planning Grant Fund; and

WHEREAS, the Sellersburg Town Council has been advised the purpose of the Storm Water Planning Grant Fund is to receive money for the purpose of paying engineering expenses associated with storm water improvements and maintenance; and

WHEREAS, the Sellersburg Town Council has been advised the Storm Water Planning Grant Fund shall be a non-reverting fund; and

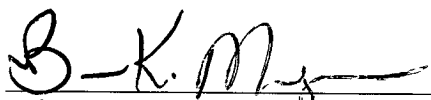
WHEREAS, the Sellersburg Town Council has determined the herein Ordinance is necessary for the efficient and effective administration of Town government; and

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 ORDAINED by the Sellersburg Town Council that there shall be and hereby is established a Storm Water Planning Grant Fund; and

BE IT FURTHER ORDAINED by the Sellersburg Town Council that the Storm Water Planning Grant Fund shall be a non-reverting fund.

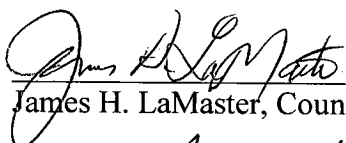
So Ordained this 11th day of August, 2008.



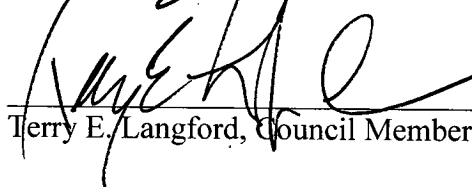
Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice President



James H. LaMaster, Council Member



Terry E. Langford, Council Member



Michael N. Lockhart, Council Member



Attest: David L. Kinder, Clerk Treasurer

ORDINANCE NO. 2008-025

**AN ORDINANCE AUTHORIZING THE WITHDRAWAL AND REMOVAL OF
THE TOWN OF SELLERSBURG WATER UTILITY FROM THE
JURISDICTION OF THE INDIANA UTILITY REGULATORY COMMISSION**

WHEREAS, I.C. 8-1.5-3-9.1 authorizes a municipality to remove its water utility from the jurisdiction of the Indiana Utility Regulatory Commission upon compliance with the provisions of said code; and

WHEREAS, the Sellersburg Town Council has determined it is in the best interest of the Town of Sellersburg to remove its water utility from the jurisdiction of the Indiana Utility Regulatory Commission, and

WHEREAS the Sellersburg Town Council shall provide written notice to all rate payers of the Town's water utility and to the Indiana Utility Regulatory Commission of its decision to remove its water utility from the jurisdiction of the Indiana Utility Regulatory Commission; and

WHEREAS, the Sellersburg Town Council has presented the herein Ordinance at an open meeting to which the public were invited to attend and participate; and

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

APPROVED on first reading on this 25th day of August, 2008.

APPROVED on a second and final reading on the 13 day of October, 2008.

• YEA

NAY

B. K. Meyer

Michelle

Paul H. [unclear]

Paul J. [unclear]

Michelle [unclear]

Attest:

David L. Kinder
David L. Kinder, Clerk-Treasurer

Ordinance Number: 2008-026
ORDINANCE FOR APPROPRIATIONS AND TAX RATES





Be it Ordained by the Town of SELLERSBURG, Indiana: That for the expenses of the Town government and its institutions for the year ending December 31, 2009, the sums of money shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition for the purpose of raising revenue to meet the necessary expense of town government, tax rates are shown on Budget Form 4-B and included herein. Two (2) copies of Budget Forms 4-A and 4-B for all funds and departments are made a part of the budget report and submitted herewith.

APPROVED BY:


TOWN COUNCIL

This ordinance shall be in full force and effect from and after its passage and approval by the Town Council.

Adopted with the following vote on **September 29**, yr **2008**.

YEA	NAY
 _____ Council Member	_____ Council Member
 _____ Council Member	_____ Council Member
 _____ Council Member	_____ Council Member
 _____ Council Member	_____ Council Member
_____ Council Member	_____ Council Member

ATTEST:



David L. Kinder, Town Clerk-Treasurer

BUDGET REPORT FOR

TOWN OF SELLERSBURG

ID	YEAR	CO	TYPE	KEY	TAXING UNIT	COUNTY	ORIGINAL PUBLISHED BUDGET APPROPRIATION	AMOUNT APPROVED BY		FINAL BUDGET AFTER REDUCTION ORDERED BY THE DEPT LOCAL GOT. FINANCE
								LOCAL COUNCIL OR BOARD	TAX ADJUSTMENT BOARD	
							DEPARTMENT: TOWN COUNCIL		FUNCTION:	
							390,000.00			
							8,000.00			
							316,700.00			
							18,300.00			
							733,000.00			
							DEPARTMENT: TOWN COURT		FUNCTION:	
							59,500.00			
							4,950.00			
							8,950.00			
							1,600.00			
							75,000.00			
							DEPARTMENT: CLERK/TREASURER		FUNCTION:	
							151,000.00			
							6,000.00			
							33,000.00			
							4,000.00			
							194,000.00			
							DEPARTMENT: POLICE DEPT		FUNCTION:	
							1,135,250.00			
							18,000.00			
							77,150.00			
							71,100.00			
							1,301,500.00			
							DEPARTMENT: STREET/SANITATION		FUNCTION:	
							348,000.00			
							108,300.00			
							171,200.00			
							69,000.00			
							696,500.00			
							DEPARTMENT: CLERK'S RECORD PE		FUNCTION:	
							3,000.00			
							3,000.00			
							DEPARTMENT: MPP		FUNCTION:	
							150,000.00			
							150,000.00			
							DEPARTMENT: RECREATION		FUNCTION:	
							62,500.00			
							26,500.00			
							43,000.00			
							38,000.00			
							170,000.00			
							DEPARTMENT: CCD		FUNCTION:	
							49,400.00			
							90,000.00			
							139,400.00			
							DEPARTMENT: CCI		FUNCTION:	
							15,692.00			
							22,500.00			
							36,192.00			
							DEPARTMENT: MVH		FUNCTION:	
							1,000.00			
							144,000.00			
							5,000.00			
							150,000.00			
							DEPARTMENT: LRS		FUNCTION:	
							94,000.00			
							26,000.00			
							120,000.00			
							DEPARTMENT: RAINY DAY		FUNCTION:	
							358,000.00			
							358,000.00			
							DEPARTMENT: LECE		FUNCTION:	
							15,000.00			
							15,000.00			
							DEPARTMENT: ORDINANCE DEF UFI		FUNCTION:	
							1,000.00			
							1,000.00			
GRAND TOTAL							4,144,592.00			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG
 FUND GENERAL

COUNTY _____
 NET ASSESSED VALUATION \$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)
 (NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	3,000,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,632,145.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	4,632,145.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	217,471.00			
7. Taxes to be collected, present year (December Settlement)	989,875.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
a. Total Column A Budget Form 2	438,024.00			
b. Total Column B Budget Form 2	766,324.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	2,411,694.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	2,220,451.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	2,220,451.00			
13. Property Tax Replacement Credit from Local Option Tax	60,625.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	2,159,826.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	
16. Net amount to be raised	2,159,826.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	1.1825			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG

COUNTY _____

FUND MVH

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:		AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
1.	Total budget estimate for incoming year	150,000.00			
2.	Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	163,923.00			
3.	Additional appropriation necessary to be made July 1 to December 31 of present year				
4.	Outstanding temporary loans				
	a. To be paid not included in lines 2 or 3				
	b. Not repaid by December 31 of present year				
5.	Total funds required (add lines 1, 2, 3, 4a and 4b)	313,923.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:					
6.	Actual cash balance, June 30 of present year (including cash investments)	9,088.00			
7.	Taxes to be collected, present year (December Settlement)				
8.	Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
	a. Total Column A Budget Form 2	95,550.00			
	b. Total Column B Budget Form 2	178,798.00			
9.	TOTAL FUNDS (add lines 6, 7, 8a and 8b)	283,436.00			
10.	Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	30,487.00			
11.	Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12.	Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13.	Property Tax Replacement Credit from Local Option Tax	0.00			
14.	NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15.	Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	
16.	Net amount to be raised	0.00	0.00	0.00	
17.	Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009

ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG

COUNTY _____

FUND LRS

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	120,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	73,007.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	193,007.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	93,583.00			
7. Taxes to be collected, present year (December Settlement)	0.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
a. Total Column A Budget Form 2	28,222.00			
b. Total Column B Budget Form 2	61,283.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	183,088.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	9,919.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13. Property Tax Replacement Credit from Local Option Tax				
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	
16. Net amount to be raised	0.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000			



2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG
 FUND MPP

COUNTY _____
 NET ASSESSED VALUATION \$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)
 (NOT TO BE PUBLISHED)

		AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:					
1.	Total budget estimate for incoming year	150,000.00			
2.	Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	112,478.00			
3.	Additional appropriation necessary to be made July 1 to December 31 of present year				
4.	Outstanding temporary loans				
	a. To be paid not included in lines 2 or 3				
	b. Not repaid by December 31 of present year				
5.	Total funds required (add lines 1, 2, 3, 4a and 4b)	262,478.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:					
6.	Actual cash balance, June 30 of present year (including cash investments)	168,979.00			
7.	Taxes to be collected, present year (December Settlement)	3,499.00			
8.	Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
	a. Total Column A Budget Form 2	30,000.00			
	b. Total Column B Budget Form 2	60,000.00			
9.	TOTAL FUNDS (add lines 6, 7, 8a and 8b)	262,478.00			
10.	Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	0.00			
11.	Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12.	Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13.	Property Tax Replacement Credit from Local Option Tax				
14.	NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15.	Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	
16.	Net amount to be raised	0.00	0.00	0.00	
17.	Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG
 FUND LLECE

COUNTY _____
 NET ASSESSED VALUATION \$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)
 (NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	15,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	12,500.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	27,500.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	39,883.00			
7. Taxes to be collected, present year (December Settlement)	0.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
a. Total Column A Budget Form 2	6,184.00			
b. Total Column B Budget Form 2	12,368.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	58,435.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	0.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13. Property Tax Replacement Credit from Local Option Tax	0.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	
16. Net amount to be raised	0.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT **TOWN OF SELLERSBURG**

COUNTY _____

FUND **CLERK'S RECORD PERPETUATION FUND**

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	3,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	3,000.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	6,000.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	5,420.00			
7. Taxes to be collected, present year (December Settlement)	0.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
a. Total Column A Budget Form 2	1,000.00			
b. Total Column B Budget Form 2	2,000.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	8,420.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	0.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13. Property Tax Replacement Credit from Local Option Tax	0.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	
16. Net amount to be raised	0.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG

COUNTY _____

FUND ORDINANCE DEFERRAL USER FEE FUND

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	1,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	1,000.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	2,587.00			
7. Taxes to be collected, present year (December Settlement)	0.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year				
(Schedule on File):				
a. Total Column A Budget Form 2	1,500.00			
b. Total Column B Budget Form 2	3,000.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	7,087.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	0.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13. Property Tax Replacement Credit from Local Option Tax	0.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXX	
16. Net amount to be raised	0.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG

COUNTY _____

FUND CCB

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	139,400.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	143,440.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	282,840.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	196,636.00			
7. Taxes to be collected, present year (December Settlement)	30,000.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year				
(Schedule on File):				
a. Total Column A Budget Form 2	3,210.00			
b. Total Column B Budget Form 2	6,430.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	236,276.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	46,564.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	46,564.00			
13. Property Tax Replacement Credit from Local Option Tax	0.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	46,564.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	
16. Net amount to be raised	46,564.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0255			

2009

ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG

COUNTY _____

FUND CCI

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	38,192.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	26,055.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	64,247.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	26,139.00			
7. Taxes to be collected, present year (December Settlement)	0.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year				
(Schedule on File):				
a. Total Column A Budget Form 2	10,503.00			
b. Total Column B Budget Form 2	19,427.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	56,069.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	8,178.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13. Property Tax Replacement Credit from Local Option Tax				
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	
16. Net amount to be raised	0.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009
 ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT **TOWN OF SELLERSBURG**

COUNTY _____

FUND **RAINY DAY FUND**

NET ASSESSED VALUATION _____

\$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)

(NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	358,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	276,727.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	634,727.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	358,050.00			
7. Taxes to be collected, present year (December Settlement)	0.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year				
(Schedule on File):				
a. Total Column A Budget Form 2	454,206.00			
b. Total Column B Budget Form 2	790,505.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	1,602,761.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	0.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)				
12. Amount to be raised by tax levy (add lines 10 and 11)	0.00			
13. Property Tax Replacement Credit from Local Option Tax	0.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	0.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	
16. Net amount to be raised	0.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0000			

2009

ID YEAR CO TYPE FUND

BUDGET ESTIMATE - FINANCIAL STATEMENT - PROPOSED TAX RATE

TAXING UNIT TOWN OF SELLERSBURG
 FUND RECREATION FUND

COUNTY _____
 NET ASSESSED VALUATION \$1,826,469.30

(This form is to be prepared for each fund that requires either a tax rate or an appropriation)
 (NOT TO BE PUBLISHED)

	AMOUNT USED TO COMPUTE PUBLISHED BUDGET	APPROPRIATING BODY	TAX ADJUSTMENT BOARD	CONTROL BOARD AND DLGF FINAL ACTION
FUNDS REQUIRED FOR EXPENSES TO DECEMBER 31st OF INCOMING YEAR:				
1. Total budget estimate for incoming year	170,000.00			
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	26,617.00			
3. Additional appropriation necessary to be made July 1 to December 31 of present year				
4. Outstanding temporary loans				
a. To be paid not included in lines 2 or 3				
b. Not repaid by December 31 of present year				
5. Total funds required (add lines 1, 2, 3, 4a and 4b)	196,617.00			
FUNDS ON HAND TO BE RECEIVED FROM SOURCES OTHER THAN PROPOSED TAX LEVY:				
6. Actual cash balance, June 30 of present year (including cash investments)	90,189.00			
7. Taxes to be collected, present year (December Settlement)	38,000.00			
8. Miscellaneous revenue to be received July 1 of present year to December 31 of incoming year (Schedule on File):				
a. Total Column A Budget Form 2	23,620.00			
b. Total Column B Budget Form 2	40,970.00			
9. TOTAL FUNDS (add lines 6, 7, 8a and 8b)	192,779.00			
10. Net amount to be raised for expenses to December 31 of incoming year (deduct line 9 from line 5)	3,838.00			
11. Operating balance (not in excess of expense January 1 to June 30, less miscellaneous revenue for same period)	67,000.00			
12. Amount to be raised by tax levy (add lines 10 and 11)	70,838.00			
13. Property Tax Replacement Credit from Local Option Tax	0.00			
14. NET AMOUNT TO BE RAISED BY TAX LEVY (deduct line 13 from line 12)	70,838.00			
15. Levy Excess Fund applied to current budget	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	
16. Net amount to be raised	70,838.00	0.00	0.00	
17. Net Tax Rate on each one hundred dollars of taxable property	0.0388			

ORDINANCE NO. 2008-027

AN ORDINANCE AUTHORIZING THE TOWN OF SELLERSBURG TO PAY THE THREE (3%) PERCENT OF THE CIVIL PERF MANDATORY EMPLOYEE CONTRIBUTION AND THREE (3%) PERCENT OF THE 1977 POLICE OFFICER'S AND FIREFIGHTER'S PENSION FUND MANDATORY EMPLOYEE CONTRIBUTION

WHEREAS, the Sellersburg Town Council has desires to observe and reward the dedication of Town of Sellersburg employees; and

WHEREAS, the Sellersburg Town Council has determined an appropriate manner to reward Town of Sellersburg employees' dedication to duty is for the Town of Sellersburg to pay the mandatory three (3%) percent employee weekly contribution to PERF and three (3%) percent of a Town of Sellersburg police officer's weekly pension contribution under the 1977 Fire and Police Pension Fund; and

WHEREAS, the Sellersburg Town Council has determined tow in fees collected by the Town of Sellersburg Police Department shall be used by the Town to pay the three (3%) percent amount on behalf of the Town of Sellersburg civilian employees and Town of Sellersburg police officers; and

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

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

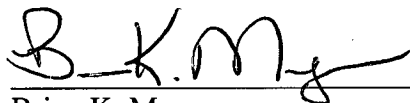
BE IT NOW THEREFORE ORDAINED, by the Sellersburg Town Council that the Town of Sellersburg shall pay three (3%) percent of the civilian's mandatory weekly PERF contribution; and

BE IT FURTHER ORDAINED, by the Sellersburg Town Council the Town of Sellersburg shall pay three (3%) percent of the police officer's mandatory weekly contribution rate under the 1977 Fire and Police Pension Fund; and

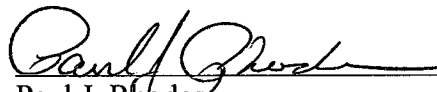
BE IT FURTHER ORDAINED, by the Sellersburg Town Council all tow in fees collected by the Town of Sellersburg Police Department shall be dedicated and used for purposes of providing the herein benefit; and

BE IT FURTHER ORDAINED, by the Sellersburg Town Council the herein Ordinance shall be effective January 1, 2009.

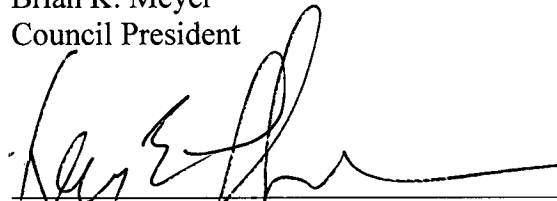
So Ordained this 1ST day of December, 2008.



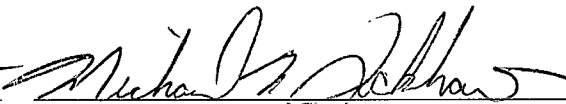
Brian K. Meyer
Council President



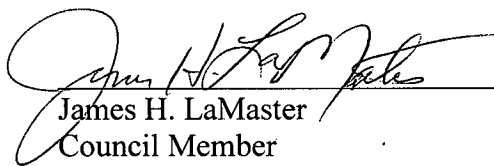
Paul J. Rabdes
Council Vice President



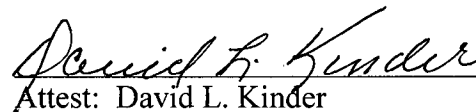
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-028

AN ORDINANCE AMENDING ORDINANCE NO. 316
REGULATING NOISE WITHIN THE TOWN OF SELLERSBURG

WHEREAS, excessive noise is a serious hazard to the public health, safety and the quality of life; and

WHEREAS, new methods exist for the successful control and abatement of excessive noise; and

WHEREAS, the people have a right to and should be ensured an environment free from excessive noise that may jeopardize their health, welfare or safety, or degrade the quality of life;

NOW, THEREFORE be it ordained by the Sellersburg Town Council:

DEFINITIONS

(See Appendix I for more concise scientific definitions)

As used in this Ordinance unless the context otherwise requires:

“A-WEIGHTED SOUND LEVEL”	Means the loudness of a sound measured through a filtering device intended to simulate human hearing. The Level is designated dB(A) or dBA.
“COMMERCIAL ZONE”	Means zones B-1, B-2, B-3 and BSC as established in the Town of Sellersburg Zoning Ordinance.
“DECIBEL (dB)”	Means a unit for measuring the sound pressure level of a sound.
“FREQUENCY”	Means an objective way to describe the pitch of sound.
“HERTZ (Hz)”	Means a unit for measuring the frequency of a sound (sometimes called ‘cycles per second’).
“INDUSTRIAL ZONE”	Means zones I-1 and I-2 as established in the Town of Sellersburg Zoning Ordinance.

“LIGHT MOTOR VEHICLE”	Means any motorized vehicle with gross vehicular weight less than 8,000 lbs. Including automobiles, vans, motorcycles, motor-driven cycles, motor scooters, dune buggies, snow-mobiles, all-terrain vehicles, go-karts, mini-bikes, trail bikes and light trucks.
“MODIFIED EXHAUST SYSTEM”	Means any exhaust system in which the original noise abatement devices have been removed, altered or replaced to produce more noise.
“NOISE”	Means any unwanted sound.
“OCTAVE BAND”	Means a way to divide the entire frequency range of sound into sections for more accurate measurements.
“PERSON”	Means any individual, firm, partnership, association, corporation, company or organization of any kind.
“PLAINLY AUDIBLE”	Means any noise for which the information content is unambiguously communicated to the listener, including understandable spoken speech, comprehension of whether a voice is raised (agitated) or normal or comprehensible musical rhythms.
“RESIDENTIAL ZONES”	Means zones R-1 and R-2 as established in the Town of Sellersburg Zoning Ordinance.
“SOUND PRESSURE LEVEL”	Means an instrument designated to measure sound pressure levels.
“SOUND PRESSURE LEVEL”	Means an objective way to describe the loudness of a sound.

All terminology used in this Ordinance shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

GENERAL PROHIBITIONS

No person shall make or cause to be made any noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restrictions listed in the following sections.

SPECIFIC RESTRICTIONS

The following acts are declared to be unlawful;

A. Radios, television sets, musical instruments, tape or record players, amplifiers and similar devices: Operating or permitting the use or operation of any such device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible across property boundaries or through partitions common to two or more persons within a building.

B. Domestic power tools: Operating or permitting the use or operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawnmower, snow-blower or similar device used outdoors between the hours of 11:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby.

C. Construction: Operating or permitting the operation of any tool or equipment used in construction, drilling or demolition between the hours of 11:00 p.m. and 7:00 a.m. in such a manner that will disturb or annoy any reasonable person nearby.

D. Horns and signaling devices: Operating a horn or other audible signaling device on any motor vehicle except in an emergency or when required by law.

E. Participation in noisy parties or gatherings: Participation in any party or gathering between the hours of 11:00 p.m. and 7:00 a.m. giving rise to noise that is plainly audible across property boundaries or between partitions common to two or more persons within a building.

F. Animals: Harboring or keeping any animal which by causing frequent or long continued noise shall disturb or annoy any reasonable person nearby.

QUANTITATIVE LIMITS

MOTOR VEHICLES:

A. It shall be unlawful for any person to cause the sound pressure level of the noise emitted during the operation of a light motor vehicle to exceed 80 dBA with the corporate limits of the Town of Sellersburg. The sound pressure level measurement shall be made at a distance of not less than 15 feet from the noise source.

B. It shall be unlawful for any person to operate a light motor vehicle which causes excessive noise as a result of a defective or modified exhaust system or as a result of an unnecessary rapid acceleration, de-acceleration, engine revving or tire squealing.

STATIONARY SOURCE:

(See Appendix II for octave-band breakdowns of the dBA limits for each zone)

A. It shall be unlawful for any person to cause the sound pressure level to exceed the limits listed below at any point on the boundary of the property where the person is located.

1. If the person is located within a RESIDENTIAL zone: 55 dBA between the hours of 11:00 p.m. and 7:00 a.m.
2. If the person is located within a COMMERCIAL zone: 64 dBA at all times.
3. If the person is located within an INDUSTRIAL zone: 66 dBA at all times.

B. If the property boundary lies between two zones, the lower limit shall apply regardless of the zone in which the person creating the noise is located.

C. In addition to the above, no person within a RESIDENTIAL or a COMMERCIAL zone shall make or cause to be made any earthshaking vibrations perceptible without the aid of instruments beyond the property boundary of the vibration source. No person within an INDUSTRIAL zone shall make or cause to be made any earthshaking vibrations perceptible without the aid of instruments beyond the zone boundary of the zone in which the vibration source is located.

EXEMPTIONS AND PERMITS

The following are exempted from the provisions of this section:

- a. Sound emitted from sirens of authorized emergency vehicles and town weather warning devices;
- b. Lawn mowers, garden tractors, and similar home power tools when properly muffled;
- c. Burglar alarms on lightmotor vehicles of the electronic signaling type which transmit an audible signal to a receiver which can be carried by the owner or operator of the vehicle; and
- d. Celebrations on Halloween, legal holidays, celebrations in connection with duly authorized parades and church bells.

The provisions of this Ordinance shall not apply to any industry existing in the Town of Sellersburg one (1) year prior to the passage of this Ordinance and located in an area zoned HEAVY INDUSTRY (I-2).

The Sellersburg Municipal Works shall have the authority to issue permits for:

- A. Holidays, celebrations, concerts, parades or other special events (public or personal).

B. Persons who demonstrate that bringing the source of sound or activity for which the permit is sought into compliance with the provisions of this Ordinance would constitute an unreasonable hardship on the applicant, the community or other persons and that the adverse impact on the health, safety and welfare of persons affected by the permit has been outweighed by such hardship. Permits may contain any conditions (including a time limit) that are necessary to limit the adverse impact of the activity.

Noncompliance with any condition of the permit shall terminate it and subject the person holding it to the provisions of this Ordinance.

The Sellersburg Municipal Works may issue guidelines defining the procedures to be followed in applying for a permit and the specific criteria to be considered in deciding whether to issue a permit.

PROSECUTION/PENALTIES

A. In any prosecution for a violation of this Ordinance, the Court may admit evidence of a noise level as tested by a sound level meter which meets or exceeds the American National Standards Institute (ANSI) specifications for Type II equipment. A person shall be found guilty of violation of this Ordinance for the emission of the noise from or on any motor vehicle source in excess of the limitations established herein.

B. It shall be unlawful for any person to violate the provisions of this Ordinance. Whenever any police officer enforces a violation of this Ordinance, he shall take the name, address, operator's license number and registration number of the vehicle, if readily available.

C. Upon conviction of a violation of this Ordinance the violator of this Ordinance shall be punished by a fine not exceeding \$2,500.

D. Each day that a violation is in effect shall constitute a separate offense.

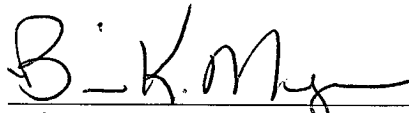
E. During any trial concerning the provisions of this Ordinance, the Court may admit evidence of the sound pressure level as tested by a second level meter which meets or exceeds ANSI specifications for type II equipment.

SEVERABILITY

If any provision of this Ordinance is held to be unconstitutional or otherwise invalidated by a court of competent jurisdiction, the remaining portions of the Ordinance shall not be invalidated.

This Ordinance shall be in full force and effect from and after its adoption and legal publication thereof.

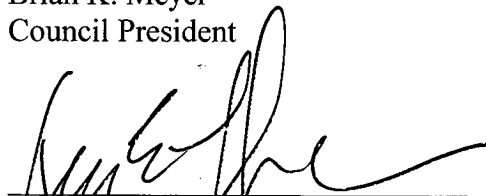
So Ordained this 27th day of October, 2008.



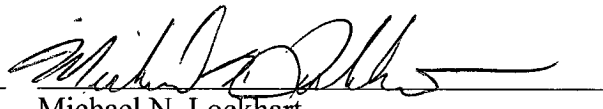
Brian K. Meyer
Council President



Paul J. Rhodes
Council Vice President



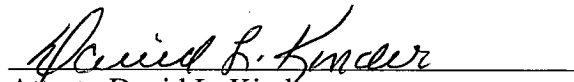
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

APPENDIX I

This concise, scientific definitions of the terms used in this Ordinance shall be:

- “A-WEIGHTED SOUND LEVEL” Means the sound pressure level of a sound measured through an A-weighting filter network. The level read is designated dB(A) or dBA.
- “DECIBEL (dB)” Means the unit used for comparing the sound pressure level of a sound to the sound pressure level of a reference sound having a sound pressure of 20 micropascals.
- “FREQUENCY” Means the number of periodic oscillations, vibrations or waves per unit time (usually one second).
- “HERTZ (Hz)” Means the unit used for measuring the frequency of a sound. The number of Hertz is the number of cycles per second of a periodic sound pressure wave.
- “OCTAVE BAND” Means a portion of the entire sound frequency spectrum contained between two frequencies a and b such that $a = 2b$.
- “SOUND PRESSURE LEVEL” Means 20 times the logarithm (base 10) of the ratio of the measured sound pressure to a reference of 20 micropascals. The sound pressure level is expressed in Decibels (dB).

$$SPL = 20 \text{ LOG } 10 \frac{\text{sound pressure a}}{\text{Sound pressure b}}$$

sound pressure a = measured sound pressure
sound pressure b = reference sound pressure
(20 micropascals)

APPENDIX II

The octave-band breakdowns of the dBA limits used in this Ordinance shall be:

A. For a RESIDENTIAL zone: (55 dBA)

<u>Octave-Band Center Frequency (hz)</u>	<u>Maximum Boundary SPL (dB)</u>
31.5	72
63	71
125	65
250	57
500	51
1000	45
2000	39
4000	34
8000	32

B. For a COMMERCIAL zone: (64 dBA)

<u>Octave-Band Center Frequency (hz)</u>	<u>Maximum Boundary SPL (dB)</u>
31.5	79
63	78
125	73
250	67
500	61
1000	55
2000	50
4000	46
8000	43

C. For an INDUSTRIAL zone: (66 dBA)

<u>Octave-Band Center Frequency (hz)</u>	<u>Maximum Boundary SPL (dB)</u>
31.5	80
63	79
125	74
250	69
500	63
1000	57
2000	52
4000	48
8000	45

Ordinance No. 2008-029

**AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING
THE TOWN OF SELLERSBURG GENERAL FUND**

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective maintenance of the Town of Sellersburg General Fund; and


WHEREAS, the Town Council for the Town of Sellersburg has determined that the requested transfer of appropriations is necessary for continued efficient and effective maintenance of the Town's General Fund; and

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

BE IT NOW THEREFORE ORDAINED AS FOLLOWS:


<u>Transfer from:</u>	<u>Transfer to:</u>	<u>Amount:</u>
317 TC Promotion	314 TC Consulting	\$10,000.00
341 TC Insurance Other Than Group	351 TC Electric	\$ 3,000.00
341 TC Insurance Other Than Group	364 TC Repairs to Town Hall	\$10,000.00
341 TC Insurance Other Than Group	392 Instructions/Seminars	\$ 1,000.00
115 S&S Longevity	232 S&S Uniforms/Maint. Sup	\$ 2,400.00
113 PD Police Longevity	131 PD Uniform Officers	\$ 2,000.00
364 PD Repairs Police Building	363 PD Maint. Police Autos	\$ 5,000.00

SO ORDAINED THIS 29th DAY OF September 2008.

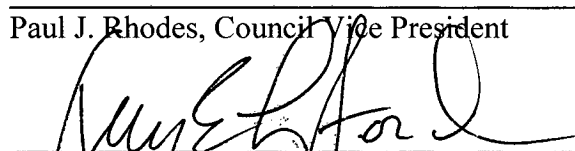


Brian K. Meyer, Council President


Paul J. Rhodes, Council Vice President



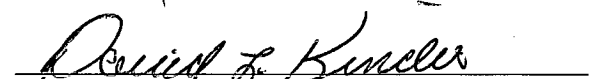
Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member



ATTEST: David L. Kinder, Clerk-Treasurer

S
E Sellersburg

Richard P. Jones
CLARK COUNTY RECORDER
Filed for Record as Presented
I 201205826
JW Date 03/26/2012
Page 1 of 3
Time 12:28:02
3P

Ordinance No. 2008-030

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG,
INDIANA**

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by ZS DEVELOPERS, LLC, for the rezoning from Business (B-3) to Residential (R-3) of certain real estate located at 8007 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows, to-wit:

PART OF LOT #7 OF THE RE-PLAT OF HARDY BUSINESS CENTER, PHASE II, AS RECORDED IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA, BEING PART OF SURVEY #108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERNMOST CORNER OF LOT #6 OF SAID SUBDIVISION, SAID POINT BEING A CORNER COMMON WITH LOT #7, THIS BEING THE POINT OF BEGINNING, THENCE NORTH 60 DEG. 41' 11" WEST 93.78 FEET, THENCE NORTH 14 DEG. 17' 40" EAST 427.24 FEET TO A POINT ON THE NORTHEAST LINE OF LOT #7, THENCE WITH SAID LINE SOUTH 37 DEG. 19' 10" EAST 185.37 FEET, THENCE SOUTH 14 DEG. 11' 27" WEST 351.10 FEET, THENCE NORTH 60 DEG. 41' 11" WEST 56.97 FEET TO THE POINT OF BEGINNING, CONTAINING 1.300 ACRE, MORE OR LESS.

AND BEING A PART OF THAT PROPERTY RECORDED IN INSTRUMENT #200804468 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on the application of September 15, at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission members present and voting at the meeting duly and properly noticed and advertised, voted to approve said rezoning application and recommended to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located in the County of Clark, Town of Sellersburg, and being located at 8007 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which is more particularly described as follows:

PART OF LOT #7 OF THE RE-PLAT OF HARDY BUSINESS CENTER, PHASE II, AS RECORDED IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA, BEING PART OF SURVEY #108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

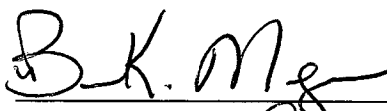
COMMENCING AT THE NORTHERNMOST CORNER OF LOT #6 OF SAID SUBDIVISION, SAID POINT BEING A CORNER COMMON WITH LOT #7, THIS BEING THE POINT OF BEGINNING, THENCE NORTH 60 DEG. 41' 11" WEST 93.78 FEET, THENCE NORTH 14 DEG. 17' 40" EAST 427.24 FEET TO A POINT ON THE NORTHEAST LINE OF LOT #7, THENCE WITH SAID LINE SOUTH 37 DEG. 19' 10" EAST 185.37 FEET, THENCE SOUTH 14 DEG. 11' 27" WEST 351.10 FEET, THENCE NORTH 60 DEG. 41' 11" WEST 56.97 FEET TO THE POINT OF BEGINNING, CONTAINING 1.300 ACRE, MORE OR LESS.

AND BEING A PART OF THAT PROPERTY RECORDED IN INSTRUMENT #200804468 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

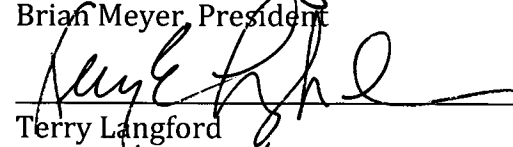
is hereby rezoned from B-3 to R-3.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, Indiana, on
the 29th day of September, 2008.

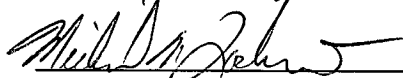
TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA



Brian Meyer, President

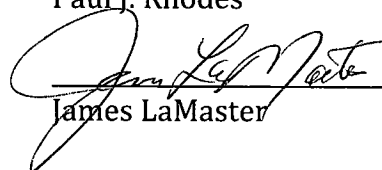


Terry Langford



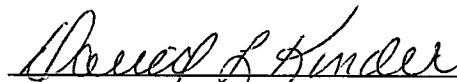
Michael N. Lockhart

Paul J. Rhodes



James LaMaster

ATTEST:



David L. Kinder, Clerk-Treasurer

JS/SPRIGLER/ORDINANCE/ZS DEVELOPERS

S
E-Sellersburg

Ordinance No. 2008-031

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG,
INDIANA

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by FLOYD H. HECKER and MAZIE W. HECKER, for the rezoning from Agricultural (A) to Residential (R-3) of certain real estate located at 8009 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows, to-wit:

PART OF SURVEY #108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SAID SURVEY #108, THENCE ALONG THE COMMON SURVEY LINE BETWEEN SURVEYS #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET, THENCE SOUTH 55 DEG. 20' 25" WEST 172.68 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THENCE SOUTH 33 DEG. 08' 47" WEST 63.25 FEET, THENCE SOUTH 36 DEG. 13' 47" EAST 61.92 FEET, THENCE SOUTH 72 DEG. 49' 29" EAST 18.47 FEET, THENCE SOUTH 36 DEG. 13' 57" EAST 201.66 FEET, THENCE SOUTH 14 DEG. 11' 27" WEST 44.24 FEET, TO A POINT ON THE NORTHERN LINE OF LOT #7 OF THE HARDY BUSINESS CENTER AS RECORDED IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA, THENCE WITH SAID LINE NORTH 37 DEG. 19' 10" WEST 185.35 FEET, THENCE NORTH 37 DEG. 19' 10" WEST 158.06 FEET, THENCE CONTINUING WITH THE LINE OF THE HARDY BUSINESS CENTER SOUTH 55 DEG. 17' 48" WEST 385.31 FEET, THENCE NORTH 34 DEG. 42' 13" WEST 232.42 FEET, THENCE NORTH 55 DEG. 28' 06" EAST 170.05 FEET, THENCE NORTH 33 DEG. 53' 07" WEST 327.94 FEET, THENCE NORTH 55 DEG. 20' 25" EAST 262.28 FEET, THENCE NORTH 55 DEG. 49' 56" EAST 35.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.074 ACRES, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN DEED DRAWER 21, INSTRUMENT #13034 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on the application of September 15, 2008, at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission members present and voting at the meeting duly and properly noticed and advertised, voted to approve said rezoning application and recommended to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG; INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located in the County of Clark, Town of Sellersburg, and being located at 8009 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which is more particularly described as follows:

PART OF SURVEY #108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SAID SURVEY #108, THENCE ALONG THE COMMON SURVEY LINE BETWEEN SURVEYS #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET, THENCE SOUTH 55 DEG. 20' 25" WEST 172.68 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THENCE SOUTH 33 DEG. 08' 47" WEST 63.25 FEET, THENCE SOUTH 36 DEG. 13' 47" EAST 61.92 FEET, THENCE SOUTH 72 DEG. 49' 29" EAST 18.47 FEET, THENCE SOUTH 36 DEG. 13' 57" EAST 201.66 FEET, THENCE SOUTH 14 DEG. 11' 27" WEST 44.24 FEET, TO A POINT ON THE NORTHERN LINE OF LOT #7 OF THE HARDY BUSINESS CENTER AS RECORDED IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA, THENCE WITH SAID LINE NORTH 37 DEG. 19' 10" WEST 185.35 FEET, THENCE NORTH 37 DEG. 19' 10" WEST 158.06 FEET, THENCE CONTINUING WITH THE LINE OF THE HARDY BUSINESS

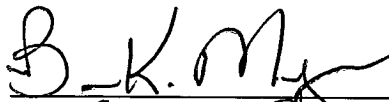
CENTER SOUTH 55 DEG. 17' 48" WEST 385.31 FEET, THENCE NORTH 34 DEG. 42' 13" WEST 232.42 FEET, THENCE NORTH 55 DEG. 28' 06" EAST 170.05 FEET, THENCE NORTH 33 DEG. 53' 07" WEST 327.94 FEET, THENCE NORTH 55 DEG. 20' 25" EAST 262.28 FEET, THENCE NORTH 55 DEG. 49' 56" EAST 35.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.074 ACRES, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN DEED DRAWER 21, INSTRUMENT #13034 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

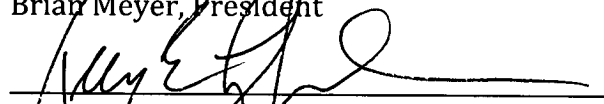
is hereby rezoned from A to R-3.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, Indiana, on the 29th day of September, 2008.


TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA



Brian Meyer, President

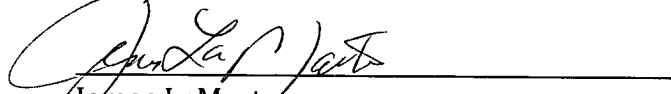


Terry Langford



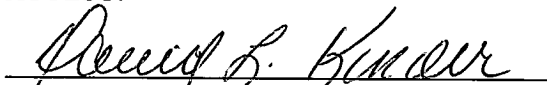
Michael N. Lockhart

Paul J. Rhodes



James LaMaster

ATTEST:



David L. Kinder, Clerk-Treasurer

JS/SPRIGLER/ORDINANCE/Hecker

3
E. Sellersburg

Ordinance No. 2008-032

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG,
INDIANA**

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by JOSEPH H. SUMMERS and NANCY S. SUMMERS, for the rezoning from Agricultural (A) to Business (B-3) of certain real estate located at 8011 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows, to-wit:

PART OF SURVEYS #108 AND #110 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SURVEY #108, THENCE WITH THE COMMON SURVEY LINE BETWEEN SURVEY #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET, THENCE SOUTH 55 DEG. 49' 56" WEST 172.68 FEET, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THIS BEING THE POINT OF BEGINNING, THENCE NORTH 33 DEG. 08' 47" EAST 185.42 FEET, THENCE NORTH 18 DEG. 34' 53" EAST 117.49 FEET, THENCE SOUTH 34 DEG. 11' 47" EAST 104.02 FEET, THENCE SOUTH 14 DEG. 08' 04" WEST 314.76 FEET, THENCE ALONG A CURVE CONCAVE NORTHEASTERLY (SAID CURVE HAVING A RADIUS OF 250.00 FEET AND WHOSE LONG CHORD BEARS NORTH 48 DEG. 27' 46" WEST, HAVING A LENGTH OF 116.83 FEET) A DISTANCE OF 117.92 FEET, THENCE NORTH 34 DEG. 57' 00" WEST 57.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.815 ACRE, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN INSTRUMENT #200716228 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on the application of September 15, 2008, at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission members present and voting at the meeting duly and properly noticed and advertised, voted to approve said rezoning application and recommended to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located in the County of Clark, Town of Sellersburg, and being located at 8011 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which is more particularly described as follows:

PART OF SURVEYS #108 AND #110 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

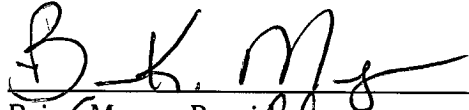
COMMENCING AT THE NORTH CORNER OF SURVEY #108, THENCE WITH THE COMMON SURVEY LINE BETWEEN SURVEY #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET, THENCE SOUTH 55 DEG. 49' 56" WEST 172.68 FEET, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THIS BEING THE POINT OF BEGINNING, THENCE NORTH 33 DEG. 08' 47" EAST 185.42 FEET, THENCE NORTH 18 DEG. 34' 53" EAST 117.49 FEET, THENCE SOUTH 34 DEG. 11' 47" EAST 104.02 FEET, THENCE SOUTH 14 DEG. 08' 04" WEST 314.76 FEET, THENCE ALONG A CURVE CONCAVE NORTHEASTERLY (SAID CURVE HAVING A RADIUS OF 250.00 FEET AND WHOSE LONG CHORD BEARS NORTH 48 DEG. 27' 46" WEST, HAVING A LENGTH OF 116.83 FEET) A DISTANCE OF 117.92 FEET, THENCE NORTH 34 DEG. 57' 00" WEST 57.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.815 ACRE, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN INSTRUMENT #200716228 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

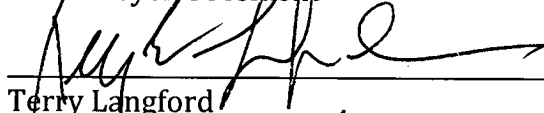
is hereby rezoned from A to B-3.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, Indiana, on
the 29th day of September, 2008.

TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA



Brian Meyer, President

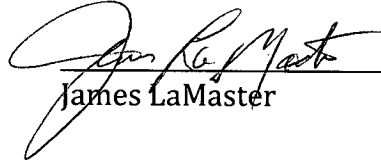


Terry Langford



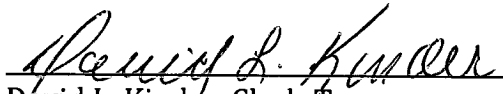
Michael N. Lockhart

Paul J. Rhodes



James LaMaster

ATTEST:



David L. Kinder, Clerk-Treasurer

JS/SPRIGLER/ORDINANCE/Hecker

5
E- Sellersburg

Ordinance No. 2008-033

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG,
INDIANA**

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by FLOYD H. HECKER and MAZIE W. HECKER, for the rezoning from Agricultural (A) to Business (B-3) of certain real estate located at 8009 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows, to-wit:

PART OF SURVEY #108 AND #110 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SAID SURVEY #108, THENCE WITH THE COMMON SURVEY LINE BETWEEN SURVEYS #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET THIS BEING THE POINT OF BEGINNING, THENCE SOUTH 55 DEG. 49' 56" WEST 172.68 FEET, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THENCE NORTH 33 DEG. 08' 47" EAST 185.42 FEET, THENCE NORTH 18 DEG. 34' 53" EAST 117.49 FEET, THENCE NORTH 18 DEG. 01' 02" EAST 134.21 FEET, THENCE NORTH 34 DEG. 38' 01" WEST 33.03 FEET, THENCE NORTH 34 DEG. 57' 72" WEST 313.45 FEET, THENCE SOUTH 55 DEG. 49' 56" WEST 201.15 FEET TO THE POINT OF BEGINNING, CONTAINING 4.785 ACRES, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN DEED DRAWER 18, INSTRUMENT #15821 AND IN DEED DRAWER 21, INSTRUMENT #13034 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on the application of September 15, 2008, at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission members present and voting at the meeting duly and properly noticed and advertised, voted to approve said rezoning application and recommended to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located in the County of Clark, Town of Sellersburg, and being located at 8009 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which is more particularly described as follows:

PART OF SURVEY #108 AND #110 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

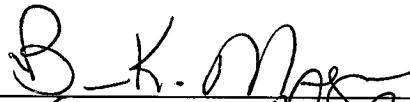
COMMENCING AT THE NORTH CORNER OF SAID SURVEY #108, THENCE WITH THE COMMON SURVEY LINE BETWEEN SURVEYS #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET THIS BEING THE POINT OF BEGINNING, THENCE SOUTH 55 DEG. 49' 56" WEST 172.68 FEET, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THENCE NORTH 33 DEG. 08' 47" EAST 185.42 FEET, THENCE NORTH 18 DEG. 34' 53" EAST 117.49 FEET, THENCE NORTH 18 DEG. 01' 02" EAST 134.21 FEET, THENCE NORTH 34 DEG. 38' 01" WEST 33.03 FEET, THENCE NORTH 34 DEG. 57' 72" WEST 313.45 FEET, THENCE SOUTH 55 DEG. 49' 56" WEST 201.15 FEET TO THE POINT OF BEGINNING, CONTAINING 4.785 ACRES, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN DEED DRAWER 18, INSTRUMENT #15821 AND IN DEED DRAWER 21, INSTRUMENT #13034 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

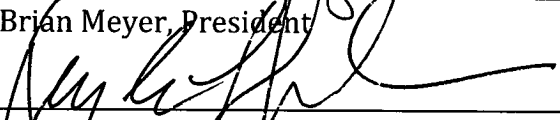
is hereby rezoned from A to B-3.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, Indiana, on
the 29th day of September, 2008.

TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA



Brian Meyer, President

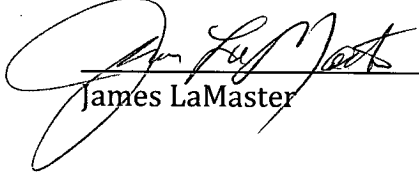


Terry Langford



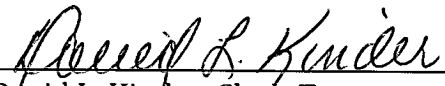
Michael N. Lockhart

Paul J. Rhodes



James LaMaster

ATTEST:



David L. Kinder, Clerk-Treasurer

JS/SPRIGLER/ORDINANCE/Hecker

3
E-Sellersburg

Ordinance No. 2008-034

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG,
INDIANA**

WHEREAS, an application was properly filed with the Sellersburg Plan Commission by JOSEPH H. SUMMERS and NANCY S. SUMMERS, for the rezoning from Agricultural (A) to Residential (R-3) of certain real estate located at 8011 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows, to-wit:

PART OF SURVEY #108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SURVEY #108, THENCE WITH THE COMMON SURVEY LINE BETWEEN SURVEY #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET, THENCE SOUTH 55 DEG. 49' 56" WEST 172.68 FEET, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THIS BEING THE POINT OF BEGINNING, THENCE SOUTH 33 DEG. 08' 47" WEST 63.25 FEET, THENCE SOUTH 36 DEG. 13' 47" EAST 61.92 FEET, THENCE SOUTH 72 DEG. 49' 29" EAST 18.47 FEET, THENCE SOUTH 36 DEG. 13' 57" EAST 201.66 FEET, THENCE NORTH 14 DEG. 11' 27" WEST 130.21 FEET, THENCE ALONG A CURVE CONCAVE NORTHEASTERLY (SAID CURVE HAVING A RADIUS OF 250.00 FEET AND WHOSE LONG CHORD BEARS 48 DEG. 47' 46" WEST, HAVING A LENGTH OF 116.83 FEET) A DISTANCE OF 117.92 FEET, THENCE NORTH 34 DEG. 57' 00" WEST 57.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.400 ACRE, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN INSTRUMENT #200716228 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

WHEREAS, the time and place of the meeting for the Plan Commission were properly noticed and advertised for a meeting to take place on the application of September 15, 2008, at the Town Hall of the Town of Sellersburg, Indiana; and

WHEREAS, the Plan Commission members present and voting at the meeting duly and properly noticed and advertised, voted to approve said rezoning application and recommended to the Town Board of Trustees the Zoning Ordinance of Sellersburg, Indiana, General Revisions, as now written, be amended to provide for said rezoning.

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA, that the Zoning Ordinance of Sellersburg, Indiana, General Revisions be, and hereby is amended such that the zoning map of the Town of Sellersburg shall hereafter indicate the real estate located in the County of Clark, Town of Sellersburg, and being located at 8011 State Road 311, Sellersburg, Indiana, Clark County, Town of Sellersburg, which is more particularly described as follows:

PART OF SURVEY #108 OF THE ILLINOIS GRANT, SILVER CREEK TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

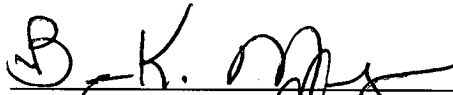
COMMENCING AT THE NORTH CORNER OF SURVEY #108, THENCE WITH THE COMMON SURVEY LINE BETWEEN SURVEY #108 AND #110 SOUTH 34 DEG. 56' 59" EAST 826.86 FEET, THENCE SOUTH 55 DEG. 49' 56" WEST 172.68 FEET, THENCE SOUTH 34 DEG. 57' 00" EAST 571.42 FEET, THIS BEING THE POINT OF BEGINNING, THENCE SOUTH 33 DEG. 08' 47" WEST 63.25 FEET, THENCE SOUTH 36 DEG. 13' 47" EAST 61.92 FEET, THENCE SOUTH 72 DEG. 49' 29" EAST 18.47 FEET, THENCE SOUTH 36 DEG. 13' 57" EAST 201.66 FEET, THENCE NORTH 14 DEG. 11' 27" WEST 130.21 FEET, THENCE ALONG A CURVE CONCAVE NORTHEASTERLY (SAID CURVE HAVING A RADIUS OF 250.00 FEET AND WHOSE LONG CHORD BEARS 48 DEG. 47' 46" WEST, HAVING A LENGTH OF 116.83 FEET) A DISTANCE OF 117.92 FEET, THENCE NORTH 34 DEG. 57' 00" WEST 57.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.400 ACRE, MORE OR LESS.

AND BEING PART OF THAT PROPERTY RECORDED IN INSTRUMENT #200716228 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA.

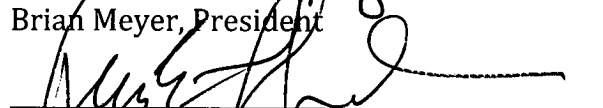
is hereby rezoned from A to R-3.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, Indiana, on the 29th day of September, 2008.

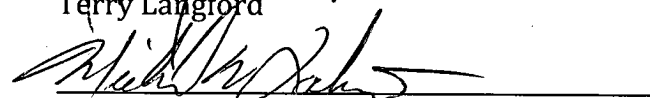
TOWN COUNCIL MEMBERS
TOWN OF SELLERSBURG, INDIANA



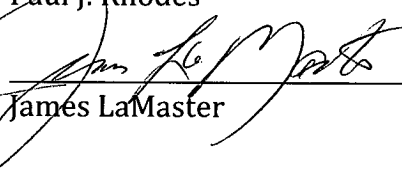
Brian Meyer, President



Terry Langford

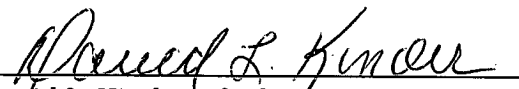


Michael N. Lockhart

Paul J. Rhodes


James LaMaster

ATTEST:



David L. Kinder, Clerk-Treasurer

JS/SPRIGLER/ORDINANCE/SUMMERS

3
E- Sellersburg

ORDINANCE NO. 2008-035

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF
PROPERTY WITHIN THE TOWN BOUNDARIES OF THE TOWN OF
SELLERSBURG, INDIANA**

WHEREAS, the Town of Sellersburg Plan Commission at its regular meeting on September 15, 2008 considered a petition by Ronald Hess, which was set for hearing after having been duly filed and notice by publication as required by law having been given, and after hearing the evidence, the Town of Sellersburg Plan Commission did hereby recommend that the property described as Exhibit "A" and attached hereto and made a part of the ordinance be changed from a zoning classification of A (agricultural) to R-1 (residential) and that recommendation having been certified to the Town of Sellersburg, Indiana.

BE IT THEREFORE ORDAINED that the property described in Exhibit "A" attached be changed from A (agricultural) to R-1 (residential).

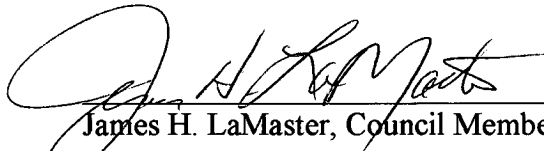
SO ORDAINED this 29th day of September, 2008.



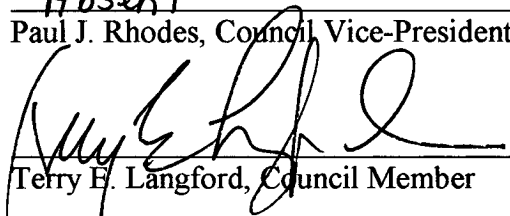
Brian K. Meyer, Council President

Absent

Paul J. Rhodes, Council Vice-President



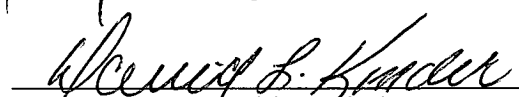
James H. LaMaster, Council Member

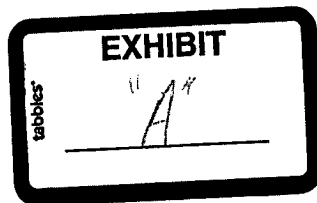


Terry E. Langford, Council Member



Michael N. Lockhart, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer



The following is a legal description prepared this 27th day of August, 2008, of real property being a part of Survey #109 of the Illinois Grant, Clark County, Indiana, more particularly described as follows:

Commencing at a brass capped limestone monument on the East corner of said Survey #109 and the North corner of Survey #108 and on the line of Survey #110, thence North 34° 52' 42" West 989.09 feet, thence continuing with said line North 34° 55' 11" West 143.03 feet, thence South 55° 10' 16" West 565.83 feet, this being the point of beginning, thence continuing South 55° 10' 16" West 114.60 feet, thence South 41° 19' 41" East 128.86 feet to a point on the Northern line of a 50.00 foot roadway, thence with said Northern line North 51° 10' 33" East 100.00 feet, thence leaving said line North 34° 49' 27" West 128.04 feet to the point of beginning, containing 0.315 Acre, more or less.

Being a part of that property recorded in Deed Drawer 30, Instrument #5712, in the Office of the Recorder of Clark County, Indiana.

ORDINANCE NO. 2011-001

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SELLERSBURG,
INDIANA

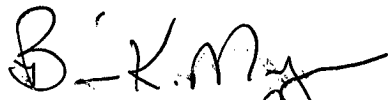
WHEREAS, an application was properly filed with the Sellersburg Plan Commission by J.J. Craig Co., LLC for the rezoning from B-1 to B-3 of certain real estate located at 7815 Hwy 311., Sellersburg, Indiana, Clark County, Town of Sellersburg, which said legal description is more specifically described as follows:

A part of Survey No. 108 of the Illinois Grant, beginning at an iron pin in the center of U.S. 31-W, said point being North 28 degrees 49 minutes East, 429.2 feet from the point where the center line of S.R. 60 intersects the center line of U.S. 31-W; thence North 57 degrees 41 minutes, West, 361.1 feet to an iron pin; thence North 86 degrees 21 minutes East, 101.6 feet to an iron pin; thence South 85 degrees 14 minutes East, 288.0 feet to an iron pin in the center line of U.S. 31-W; thence South 23 degrees 14 minutes West with said center line 120.8 feet to an iron pin; thence South 28 degrees 49 minutes West 73.7 feet to the point of beginning, containing 0.859 acre, more or less, subject to legal roadway.

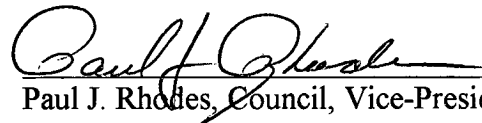
Recorded as Instrument No. 200705713

WHEREAS, the time and place of the meeting for the Plan Commissions were properly noticed and advertised for a meeting to take place on the application December 20, 2010 at the Town Hall of the Town of Sellersburg, Indiana; and

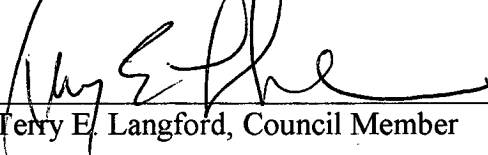
PASSED AND ADOPTED by the Town of Sellersburg, Indiana on the 10th day of January, 2011.



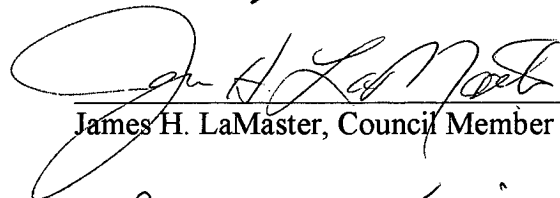
Brian K. Meyer, Council President



Paul J. Rhodes, Council, Vice-President



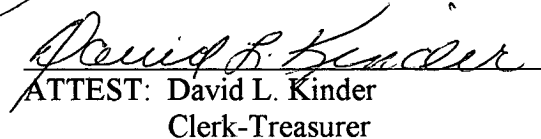
Terry E. Langford, Council Member



James H. LaMaster, Council Member



Michael N. Lockhart, Council Member



ATTEST: David L. Kinder
Clerk-Treasurer

ORDINANCE 2008-036

**AN ORDINANCE DISSOLVING ANY PREVIOUSLY FORMED SELLERSBURG
REDEVELOPMENT COMMISSION**

WHEREAS, the Town of Sellersburg desires to establish a Redevelopment Commission pursuant to Indiana Code 36-7-14, *et seq.* for the purposes set forth therein, which include, but are not limited to, the establishment of an Economic Development Area in the Town of Sellersburg;

WHEREAS, the Town of Sellersburg believes that a prior Town Council may have passed an ordinance or resolution establishing a Redevelopment Commission under prior law;

WHEREAS, the Town of Sellersburg further believes that any such previously formed entity has sat dormant and never organized to take any action on the authority granted to it;

WHEREAS, since the prior Town Council established the Redevelopment Commission, Indiana Code sections governing said Redevelopment Commission have substantively changed:

WHEREAS, in order to ensure that all of the legal requirements are satisfied in establishing an organizing a Redevelopment Commission under current Indiana Code sections, efficiency calls for the dissolution of the previously established Redevelopment Commission.


BE IT NOW, THEREFORE, ORDAINED by the Sellersburg Town Council
that

1. Each and every recital set forth above is adopted and made a part of this ordinance.
2. The Sellersburg Town Council now ordains and orders that any previously established board known as the Sellersburg Redevelopment Commission, created to exercise and authority under Indiana Code 36-7-14, *et seq.* or its predecessor, is hereby dissolved.

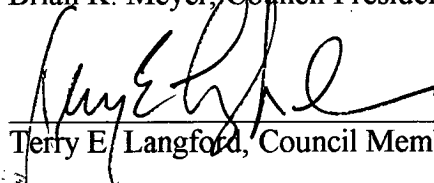
This Ordinance passed by a 5-aye, 0-nay vote by the Sellersburg Town Council on this 27th day of October, 2008.




Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice- President



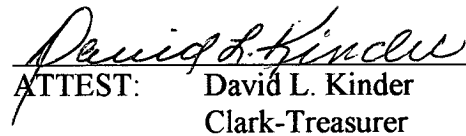
Terry E. Langford, Council Member



Michael N. Lockhart, Council Member



James H. LaMaster, Council Member



ATTEST: David L. Kinder
Clark-Treasurer

ORDINANCE NO. 2008-037

AN ORDINANCE ESTABLISHING THE SELLERSBURG REDEVELOPMENT COMMISSION

WHEREAS, the Town of Sellersburg is a unit of government empowered under Indiana Code 36-7-14-1 to establish a Redevelopment Commission.

WHEREAS, the Town of Sellersburg believes that certain areas of Sellersburg have a great potential for growth, including , but not limited to, the attraction of new business enterprises and jobs;

WHEREAS, the Town of Sellersburg is concerned that this potential cannot be achieved through the Town's standard regulatory process or by the ordinary operation of private enterprise; and

WHEREAS, in order to encourage this economic potential, the Town of Sellersburg desires to establish a Redevelopment Commission pursuant to Indiana Code 36-7-14, et seq., as amended, for the purposes set forth therein, which include, but are not limited to, the establishment of an Economic Development Area in the Town of Sellersburg.

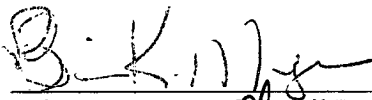
BE IT NOW, THEREFORE, ORDAINED by the Sellersburg Town Council that:

1. Each and every recital set forth above is adopted and made a part of this ordinance.
2. The Sellersburg Town Council now ordains, orders, and establishes, pursuant to Indiana Code 36-7-14-3, the Sellersburg Redevelopment Commission.
3. Pursuant to Indiana Code 36-7-14-3 and 6.1, the Sellersburg Redevelopment Commission shall be comprised of five (5) voting commissioners and one (1) non-voting advisor. The appointment of these six (6) individuals must conform with the following:
 - A. Three (3) voting commissioners are appointed by the Sellersburg Town Council President who acts in the capacity of the town executive.
 - B. Two (2) voting commissioners are appointed by the Sellersburg Town Council acting in the capacity of the town legislative body; and


C. The Sellersburg Town Council President will appoint one (1) person from the West Clark Community Schools School Board that represents the schools serving the Town of Sellersburg to serve as the non-voting advisor to the Sellersburg Redevelopment Commission.

4. Pursuant to Indiana Code 36-7-14-7, the originally appointed commissioners shall serve from the date of their appointments until the first day of January in the second year after their appointment. Each appointed redevelopment commissioner thereafter shall serve for one (1) year from the first day of January after the commissioner's appointment.
5. Pursuant to Indiana Code 36-7-14-8, the newly-established Sellersburg Redevelopment Commission shall hold a meeting for the purpose of its reorganization not later than thirty (30) days after the commissioners are appointed. Organization of the Sellersburg Redevelopment Commission shall conform with Indiana Code.
6. The Sellersburg Redevelopment Commission shall have all the rights and responsibilities set forth in the Indiana Code, including, but not limited to, Indiana Code 36-7-14, et seq., as amended.

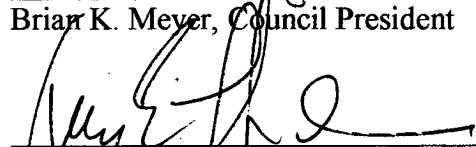
This Ordinance passed by a **5-aye, 0-nay** vote of the Sellersburg Town Council on this 27th day of October, 2008.



Brian K. Meyer, Council President



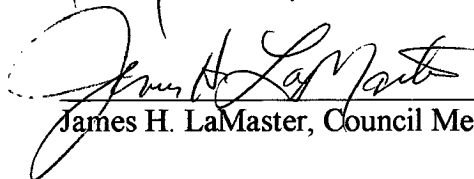
Paul J. Rhodes, Council Vice-President



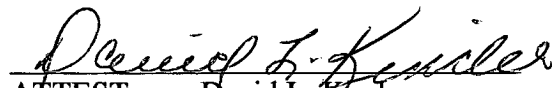
Terry E. Langford, Council Member



Michael N. Lockhart, Council Member



James H. LaMaster, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-038

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA AUTHORIZING THE ISSUANCE OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2008 (EASTSIDE CHRISTIAN CHURCH PROJECT), IN THE PRINCIPAL AMOUNT OF \$4,500,000.00 TO FINANCE THE COSTS OF AN ECONOMIC DEVELOPMENT FACILITY FOR THE EASTSIDE CHRISTIAN CHURCH OF JEFFERSONVILLE, INDIANA; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AND LOAN AGREEMENT WITH RESPECT TO THE PROJECT AMONG THE TOWN OF SELLERSBURG, INDIANA, AS ISSUER, A TO-BE-DETERMINED BANK, AS PURCHASER, AND THE EASTSIDE CHRISTIAN CHURCH OF JEFFERSONVILLE, INDIANA, AS BORROWER, PROVIDING FOR LOAN REPAYMENTS SUFFICIENT TO PAY THE PRINCIPAL OF, AND INTEREST ON THE BONDS AS THE SAME BECOME DUE; AND TAKING OTHER RELATED ACTION

A. The Town of Sellersburg, Indiana (the "Town") is organized and exists under the laws of the State of Indiana (the "State") and as such is authorized under the Economic Development and Pollution Control Act, as amended IC 36-7-11 and 12 (the "Act"), to issue its economic development revenue bonds and lend the proceeds thereof to "developers or users" (as defined in the Act) to finance the cost of "economic development facilities" (as defined in the Act), including, specifically, facilities for commercial, business, healthcare or recreational activities (whether for profit or not-for-profit), in order to accomplish thereby the public purposes of the Act and to benefit the general welfare of the Town, provided that such bonds are payable solely from revenues and receipts derived from the "financing agreement" (as defined in the Act) and are not in any respect a general obligation of the Town nor payable in any manner from revenues raised by taxation.

B. The Eastside Christian Church of Jeffersonville, Indiana (the "Company"), an Indiana not-for-profit corporation, engaged in the business of providing education and related activities, has applied to the Commission for economic development revenue bond financing pursuant to the Act up to the principal amount of \$4,500,000.00 to refinance the construction,

renovation, installation and equipping of a 56,000 square foot facility and the renovation of an existing facility located at 2319 Veterans Parkway, Jeffersonville, Indiana 47130, and adjacent to the Town of Sellersburg, Indiana, within the boundaries of the County of Clark, Indiana, (all of the above hereinafter referred to as the "Project").

C. The Town of Sellersburg Economic Development Commission (the "Commission") adopted on November 3, 2008, an Inducement Resolution approving the Borrower's application to the Town for issuance of economic development revenue bonds and adopting and approving the Borrower's Project Report. On November 3, 2008, pursuant to prior published notice, the Commission, on behalf of itself and on behalf of the Town Board conducted a public hearing, and in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, (the "Code") and I.C. 36-712-24 of the Act, at which members of the general public were given an opportunity to comment on the proposed issuance of Economic Development Revenue Bonds to finance the Project, after which hearing the Commission found that the Project will have no adverse competitive effect on similar facilities already operating in the Town; will meet all applicable zoning laws; will benefit the health and general welfare of the Town; will comply with the Act; and the form of the Bond Purchase and Loan Agreement among a to-be-determined bank, as Purchaser, the Town and the Borrower, is in accord with the Act. and recommended the financing of the Project through Economic Development Revenue Bonds of the Town in order to improve and promote job opportunities and industrial diversification in the Town.

D. In order to accomplish the public purposes of the Act and to benefit the economic welfare of the citizens of the Town, the Town Board considers it necessary and proper to [i] authorize the issuance of the Town's Economic Development Revenue Bonds, Series 2008

(Eastside Christian Church Project) (the "2008 Bonds") and the loan of the proceeds thereof to the Borrower to finance the costs of the Project, [ii] authorizing the execution and delivery of the Bond Purchase and Loan Agreement, and [iii] take other related action.

NOW, THEREFORE, BE IT ORDAINED by the Town of Sellersburg Economic Development Commission as follows:

1. Public Purpose. The Town Board hereby finds and declares that the issuance of the 2008 Bonds and the loan of the proceeds thereof to the Borrower to finance the costs of the Project, as herein provided, will further the public purposes of the Act and will be of benefit to the general welfare of the Town.

2. Authorization of the 2008 Bonds and the Project. For the purposes set forth in the preamble hereto, there is hereby authorized and directed:

A. the confirmation and ratification of the Commission's Inducement Resolution;

B. the issuance, execution, sale and delivery of the 2008 Bonds, as provided in the Bond Purchase and Loan Agreement.

C. the authorization and approval and direction to the President of the Town Board to execute and deliver the Bonds with the Clerk/Treasurer of the Town Board to attest and also execute said 2008 Bonds.

3. Authorization of Bond Purchase and Loan Agreement. The President of the Town Board and the Clerk/Treasurer of the Town Board are hereby authorized and directed to execute and deliver on behalf of the Town the Bond Purchase and Loan Agreement, substantially in the form attached hereto as Exhibit "A".

4. Administrative Fee. As a condition to closing, the Corporation agrees to pay to the Town of Sellersburg, Indiana, as an administrative fee for the issuance of the Bonds a fee at closing of \$1,500.00 and an annual fee thereafter on each anniversary of the issuance of the Bonds for the years 2009 and 2010 in the amount of \$1,500.00.

5. NONE OF THE BONDS WILL BE GENERAL OBLIGATIONS OF THE TOWN OF SELLERSBURG, THE TOWN BOARD OR THE TOWN OF SELLERSBURG ECONOMIC DEVELOPMENT COMMISSION; NEITHER THE BONDS NOR THE INTEREST THEREON CONSTITUTE OR GIVE RISE TO ANY INDEBTEDNESS OF THE TOWN OF SELLERSBURG, THE TOWN BOARD OR THE TOWN OF SELLERSBURG ECONOMIC DEVELOPMENT COMMISSION OR ANY CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER; THE BONDS AND THE PAYMENT OF INTEREST THEREON SHALL BE SECURED AND PAYABLE SOLELY AND ONLY BY A PLEDGE OF AMOUNTS TO BE PAID BY THE COMPANY UNDER ANY LOAN AGREEMENT; AND NO PART OF SAID PROJECT COSTS WILL BE PAYABLE OUT OF ANY GENERAL FUNDS, REVENUES, ASSETS, PROPERTIES OR OTHER CONTRIBUTIONS OF THE TOWN OF SELLERSBURG, THE TOWN BOARD OR THE TOWN OF SELLERSBURG ECONOMIC DEVELOPMENT COMMISSION.

6. Further Acts and Deeds. The President of the Town Board and the Clerk/Treasurer of the Town Board and other appropriate officers and employees of the Town are hereby authorized and directed to execute, acknowledge and deliver on behalf of the Town any and all papers, instruments, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary or proper for entering into and effecting this Ordinance, the Bond Purchase and Loan Agreement and the 2008 Bonds, provided that neither

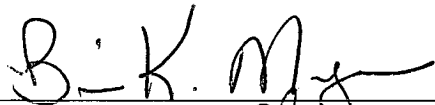
the Town nor any of its members, officers, employees or agents shall incur any general liability thereby.

7. Severability. The provisions of this Ordinance are severable, and if any section phrase or provision hereof shall for any reason be declared invalid or unenforceable, such declaration shall not affect the validity of the remainder of this Ordinance.

8. Prior Conflicting Actions Superseded. To the extent that any ordinance, resolution, order or part thereof is in conflict with the provisions of this ordinance, the provisions of this Ordinance shall prevail and be given effect.

9. Effective Date. This Ordinance shall be in full force and effect from and after its enactment.

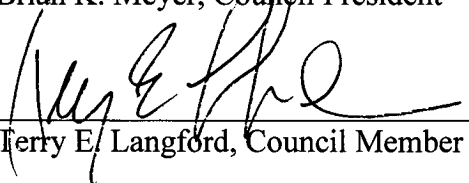
SO ORDAINED THIS 10th DAY OF NOVEMBER, 2008.




Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice-President



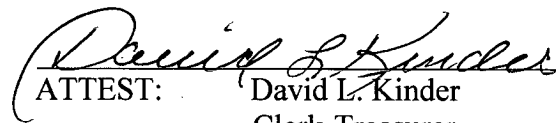
Terry E. Langford, Council Member



Michael N. Lockhart, Council Member



James H. LaMaster, Council Member


ATTEST: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-039

AN ORDINANCE RESCINDING ORDINANCE NO. 2003-004,
ORDINANCE NO. 2003-011, AND ORDINANCE NO. 2003-024

WHEREAS, the Sellersburg Town Council heretofore adopted various ordinances establishing a "Group Health Insurance Benefit and Medicare Supplemental Insurance to Retired Full Time Sellersburg Department Employees' Fund", in which all town in fees collected by the Town of Sellersburg Police Department were deposited and to which each employee of the Town of Sellersburg was authorized to have held from their weekly pay check the amount of five (\$5.00) dollars which was deposited into said Fund; and

WHEREAS, the purpose of said Fund was to allow all retired employees and police officers of the Town of Sellersburg to receive monetary benefits from the fund to assist the Town employee or police officer in obtaining a supplemental health insurance coverage; and

WHEREAS, the Sellersburg Town Council has determined the implementation and management of "Group Health Insurance Benefit and Medicare Supplemental Insurance to Retired Full Time Sellersburg Department Employees' Fund" is impractical and not financially feasible for the Town of Sellersburg; and

WHEREAS, the Sellersburg Town Council has determined all employees (past or present) who have paid into the "Group Health Insurance Benefit and Medicare Supplemental Insurance to Retired Full Time Sellersburg Department Employees' Fund" shall receive a refund of all amount paid into said Fund; and

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

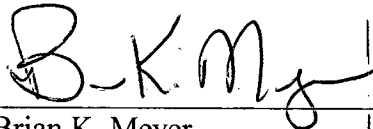
WHEREAS, the Sellersburg Town Council has determined the herein Ordinance is necessary for the efficient and effective administration of Town government;

BE IT NOW THEREFORE ORDAINED, by the Sellersburg Town Council that Ordinance No. 2003-004, Ordinance No. 2003-011 and Ordinance No. 2003-024 shall be and hereby are rescinded effective from and after the date that the herein Ordinance is adopted by a majority of the Sellersburg Town Council;

BE IT FURTHER ORDAINED, by the Sellersburg Town Council that any employee (past or present) who paid into the "Group Health Insurance Benefit and Medicare Supplemental Insurance to Retired Full Time Sellersburg Department Employees' Fund" shall be entitled to a refund of all amounts paid into the Fund;

BE IT FURTHER ORDAINED, by the Sellersburg Town Council all funds remaining in the "Group Health Insurance Benefit and Medicare Supplemental Insurance to Retired Full Time Sellersburg Department Employees' Fund" shall be deposited into the Town of Sellersburg General Fund;

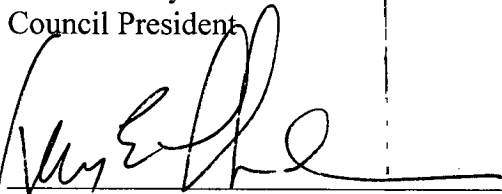
So Ordained this 24th day of November, 2008.




Brian K. Meyer
Council President



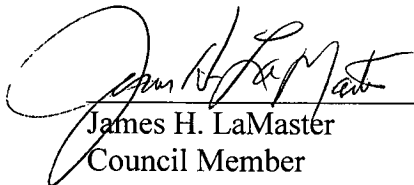
Paul J. Rhodes
Council Vice President



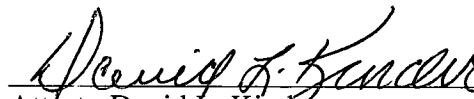
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-040

AN ORDINANCE AMENDING ORDINANCE NO. 2003-008 REGARDING
THE TOWN OF SELLERSBURG VEHICLE TOW IN FEES

WHEREAS, on the Sellersburg Town Council passed Ordinance No. 2003-008 establishing a twenty-five (\$25.00) dollar vehicle tow in fee for the Town of Sellersburg Police Department with said fees to be deposited into the "Group Health Insurance Benefits and Medicare Supplemental Insurance to Retired Full Time Sellersburg Employees' Fund"; and

WHEREAS, the Sellersburg Town Council has determined the implementation and management of the "Group Health Insurance Benefits and Medicare Supplemental Insurance to Retired Full Time Sellersburg Employees' Fund" is impractical and not in the best interest of the Town government; and

WHEREAS, the Sellersburg Town Council has determined the "Group Health Insurance Benefit and Medicare Supplemental Insurance to Retired Full Time Sellersburg Employees' Fund" shall be eliminated pursuant to a separate Ordinance; and

WHEREAS, upon the elimination of the "Group Health Insurance Benefits and Medicare Supplemental Insurance to Retire Full Time Sellersburg Employees' Fund", all monies paid into said fund by any employee of the Town as well as all moneys heretofore collected as tow in fees by the Town of Sellersburg Police Department and deposited into said Fund shall now be deposited into the Town of Sellersburg General Fund;

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

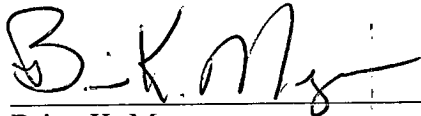
WHEREAS, the Sellersburg Town Council has determined that the herein Ordinance is necessary for the efficient and effective administration of Town government;

WHEREAS, all prior Ordinances regarding tow in fees for the Sellersburg Police Department which are inconsistent with the herein provision shall be deemed repealed.


WHEREAS, this Ordinance shall be in full force and effect from and after the date that it is adopted by a majority of the Sellersburg Town Council.

BE IT NOW THEREFORE ORDAINED, that all tow in fees collected by the Town of Sellersburg Police Department shall now be deposited into the Town of Sellersburg General Fund.

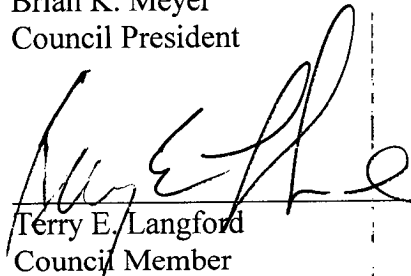
So Ordained this 24th day of November, 2008.



Brian K. Meyer
Council President




Paul J. Rhodes
Council Vice President



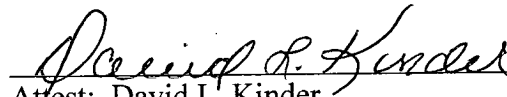
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

ORDINANCE NO. 2008-041

ORDINANCE REGARDING THE PLAN FOR REIMBURSING EMPLOYEES FOR CERTAIN UNINSURED MEDICAL EXPENSES AND AMENDING AND CLARIFYING ORDINANCES 2007-006, ORDINANCE 2007-003 AND ORDINANCE 2006-033 AND ORDINANCE 2006-024

WHEREAS, THE Sellersburg Town Council has heretofore created a non-reverting fund for the purpose of reimbursing employees for certain uninsured medical expenses; and

WHEREAS, the State Board of Accounts confirmed in volume number 283 of the County Bulletin, January, 1991, that municipality acting pursuant to the provisions of I.C 36-1-3, et. seq., is empowered to create, by Ordinance, such funds deemed necessary for the effective operation of government and to local affairs; and

WHEREAS, the Sellersburg Town Council created the non-reverting fund which is currently known as the Employee Health Reimbursement Account fund wherein sources of revenue were appropriated from the Town General Fund and/or transferred from one or more categories of the Town General Fund budget in amounts reasonable necessary to effect the purpose of the Employee Health Reimbursement Account; and

WHEREAS, the Sellersburg Town Council through fund has been able to reduce the rate of escalation of medical insurance premiums through self insurance of certain aspects of the insurance program offered employees; and

WHEREAS, the Employee Health Reimbursement Account is a non-reverting fund at year end, which continues from year to year until it is duly terminated by Ordinance of the Sellersburg Town Council; and

WHEREAS, the Sellersburg Town Council has determined that all employee reimbursements of certain uninsured medical expenses be paid from the Town's General Fund, Appropriation TC Group Health Insurance, upon submission of proper claim; and

WHEREAS, the Sellersburg Town Council has determined that the Employee Health Reimbursement Account provision is retroactive to March 31, 2006; and

WHEREAS, the Sellersburg Town Council ultimately determined the payments for the Employee Health Reimbursement Account were to be made from the Town's water, sewer and civil funds as required to effectuate the purposes of the employee Health Reimbursement Accounts Ordinances previously passed; and

WHEREAS, the Sellersburg Town Council has determined that commencing on the 1st day of January, 2009 those employees, including officials, spouses, 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>Humana</u>	<u>Employees Pay</u>	<u>HRA Bridge Pay Plan</u>
	Deductible	Individual first \$250.00	HRA will pay next
	Individual \$2000.00	Family first \$500.00	Individual \$1,750.00
	Family \$4000.00		Family \$3,500.00

2. Maximum reimbursement. The Maximum reimbursement for an insured employee shall be \$1,700.00; for family \$3,500.00.

3. 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 (EOB) 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.


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 employee's medical expenses, an Explanation of Benefits (EOB) will be provided to the covered employee setting forth the employee's total responsibility for the services rendered.


6. The employee shall submit their Explanation of Benefits (EOB) to the employer for reimbursement within 60 days of their receipt thereof.

That all other provisions of any Ordinance concerning the Employee Health Reimbursement Account or health reimbursement arrangement (HRA) which are not inconsistent herewith shall remain in full force and effect without modification.


So Ordained the 29th day of December, 2008.

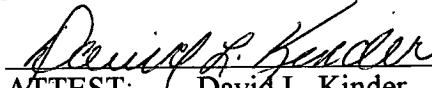

 Brian K. Meyer, Council President


 Paul J. Rhodes, Council Vice-President


 Terry E. Langford, Council Member


 James H. LaMaster, Council Member


 Michael N. Lockhart, Council Member


 ATTEST: David L. Kinder
 Clerk-Treasurer

ORDINANCE NO. 2008-042

ADDITIONAL APPROPRIATIONS

Whereas, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget;

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

Now, Therefore be it ordained by the Town Council of the Town of Sellersburg, Clark County, that for the expenses of the Town of Sellersburg the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name: <u>General</u>	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
10000 Personal Services	\$ <u>1,892,800.00</u>	\$ <u>1,892,800.00</u>
20000 Supplies	\$ <u>88,450.00</u>	\$ <u>88,450.00</u>
30000 Other Services & Charges	\$ <u>580,450.00</u>	\$ <u>580,450.00</u>
40000 Capital Outlays	\$ <u>138,300.00</u>	\$ <u>138,300.00</u>
TOTAL for <u>General</u> :	\$ <u>2,700,000.00</u>	\$ <u>2,700,000.00</u>

Fund Name: <u>Metro Police Pension</u>	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
30000 Other Services & Charges	\$ <u>150,000.00</u>	\$ <u>150,000.00</u>
TOTAL for <u>Metro Police Pension</u>	\$ <u>150,000.00</u>	\$ <u>150,000.00</u>

Fund Name: <u>Local Road & Street</u>	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
30000 Other Services & Charges	\$ <u>75,000.00</u>	\$ <u>75,000.00</u>
40000 Capital Outlays	\$ <u>75,000.00</u>	\$ <u>75,000.00</u>
TOTAL for <u>Local Road & Street</u> :	\$ <u>150,000.00</u>	\$ <u>150,000.00</u>

Fund Name: <u>Motor Vehicle Highway</u>	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Major Budget Classification:		
10000 Personal Services	\$ <u>205,000.00</u>	\$ <u>205,000.00</u>
20000 Supplies	\$ <u>40,000.00</u>	\$ <u>40,000.00</u>
30000 Other Services & Charges	\$ <u>70,000.00</u>	\$ <u>70,000.00</u>
40000 Capital Outlays	\$ <u>15,000.00</u>	\$ <u>15,000.00</u>
TOTAL for <u>Motor Vehicle Highway</u>	\$ <u>330,000.00</u>	\$ <u>330,000.00</u>

Fund Name: Parks & Recreation

AMOUNT
REQUESTED

AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:

10000 Personal Services	\$ <u>62,000.00</u>	\$ <u>62,000.00</u>
20000 Supplies	\$ <u>22,838.00</u>	\$ <u>22,838.00</u>
30000 Other Services & Charges	\$ <u>40,658.00</u>	\$ <u>40,658.00</u>
40000 Capital Outlays	\$ <u>31,004.00</u>	\$ <u>31,004.00</u>
TOTAL for <u>Parks & Recreation</u> :	\$ <u>156,500.00</u>	\$ <u>156,500.00</u>

Fund Name: CCI

AMOUNT
REQUESTED

AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:

30000 Other Services & Charges	\$ <u>23,500.00</u>	\$ <u>23,500.00</u>
40000 Capital Outlays	\$ <u>26,500.00</u>	\$ <u>26,500.00</u>
TOTAL for <u>CCI</u> :	\$ <u>50,000.00</u>	\$ <u>50,000.00</u>

Fund Name: CCD

AMOUNT
REQUESTED

AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:

30000 Other Services & Charges	\$ <u>50,835.00</u>	\$ <u>50,835.00</u>
40000 Capital Outlays	\$ <u>100,565.00</u>	\$ <u>100,565.00</u>
TOTAL for <u>CCD</u> :	\$ <u>151,400.00</u>	\$ <u>151,400.00</u>

Fund Name: LLECE

AMOUNT
REQUESTED

AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:

30000 Other Services & Charges	\$ <u>15,000.00</u>	\$ <u>15,000.00</u>
TOTAL for <u>LLECE</u> :	\$ <u>15,000.00</u>	\$ <u>15,000.00</u>

Fund Name: Clerk's Record Perpetuation

AMOUNT
REQUESTED

AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:

30000 Other Services & Charges	\$ <u>3,000.00</u>	\$ <u>3,000.00</u>
TOTAL for <u>Clerk's Record Perpetuation</u> :	\$ <u>3,000.00</u>	\$ <u>3,000.00</u>

Fund Name: Rainy Day

AMOUNT
REQUESTED

AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:

30000 Other Services & Charges	\$ <u>276,727.00</u>	\$ <u>276,727.00</u>
TOTAL for <u>Parks & Recreation</u> :	\$ <u>276,727.00</u>	\$ <u>276,727.00</u>

Fund Name: CEDIT

AMOUNT
REQUESTED

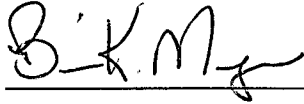
AMOUNT
APPROVED BY
FISCAL BODY

Major Budget Classification:
30000 Other Services & Charges
TOTAL for CEDIT:

\$ 342,362.00
\$ 342,362.00

\$ 342,362.00
\$ 342,362.00

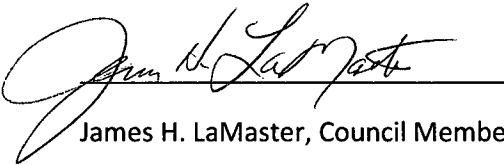
Adopted this 24TH day of NOVEMBER, 2008.



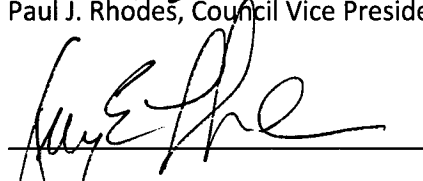
Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice President



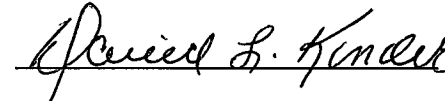
James H. LaMaster, Council Member



Terry E. Langford, Council Member



Michael N. Lockhart, Council Member



ATTEST: David L. Kinder, Clerk Treasurer

Ordinance No. 2008-043

AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG GENERAL, MOTOR VEHICLE HIGHWAY, CUMULITIVE CAPITAL IMPROVEMENT, LOCAL ROAD AND STREET AND PARKS AND RECREATION FUNDS

WHEREAS, the Town of Sellersburg Clerk-Treasurer has determined there exists a need to transfer appropriations to continue efficient and effective maintenance of 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 continued efficient and effective maintenance of the Town of Sellersburg; and

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

BE IT NOW THEREFORE ORDAINED that the following appropriations be transferred as follows:

General Fund

<u>Transfer From\To:</u>	<u>Amount:</u>
CT 101002126\101002242	\$41.83
CT 101002126\101002361	\$18.43
TC 101003317\101003111	\$4517.20
TC 101003317\101003351	\$130.21
PD 101020323\101020318	\$400.00
PD 101020323\101020116	\$130.29
PD 101020113\101020323	\$140.00
S&S 101301323\101301365	\$51.39
S&S 101301323\101301231	\$205.45
S&S 101301323\101301232	\$802.85

Motor Vehicle Highway Fund

<u>Transfer From\To:</u>	<u>Amount:</u>
MVH 201001112\201001111	\$14679.75
MVH 201001128\201001111	\$15803.06
MVH 201001225\201001111	\$14292.20
MVH 201001441\201001355	\$5049.93

Local Road and Street

<u>Transfer From\To:</u>	<u>Amount:</u>
LRS 202001313\202001397	\$3960.00
LRS 202001398\202001397	\$9529.10
LRS 202001401\202001397	\$5000.00
LRS 202001431\202001397	\$29117.52

Parks and Recreation Fund

<u>Transfer From\To:</u>	<u>Amount:</u>
PR 204001111\204001242	\$96.00
PR 204001111\204001441	\$903.73

Cumulative Capital Improvement Fund

<u>Transfer From\To:</u>	<u>Amount:</u>
CCI 401001314\401001431	\$3683.72
CCI 401001445\401001431	\$5354.35

SO ORDAINED THIS 29th DAY OF December 2008.



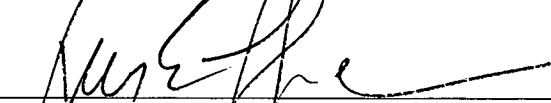
Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice President



Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member



ATTEST: David E. Kinder, Clerk-Treasurer

ORDINANCE NO. 2008-044

**HOURLY AND SALARY PAY FOR EMPLOYEES AND ELECTED OFFICIALS OF
THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2009**

BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana, that the hourly and salary pay for the Town of Sellersburg, Indiana for calendar year 2009 payable from the General Fund, Parks and Recreation Fund, Water Utility and Waste Water Utility of the Town of Sellersburg, Indiana shall be as follows:

Town Council-General Fund	Qty.	Salary
Town Council President	1	\$11,113.47
Town Council Members	4	\$9,913.47

Police Officers-General Fund	Qty.	Salary
Chief	1	\$53,580.80
Asst. Chief	1	\$49,067.20
Detective	1	\$41,059.20
Sergeant	3	\$40,123.20
First Class Patrolman	8	\$37,897.60
School Resource Officer	1	\$37,897.60
Probationary Patrolman hired in 2009		\$36,483.20

Dispatchers-General Fund		Hourly	Salary
Full Time Police Dispatcher/Secretary	1		\$35,734.40
Full Time Police Dispatcher/IDACS Coordinator	1	\$14.24	
Full Time Police Dispatcher	3	\$13.24	
Part-Time Police Dispatcher	1	\$13.24	
Probationary Dispatchers		\$12.54	

Public Works-General Fund		Hourly	Salary
Team Member	1	\$16.99	
Team Member w/CDL	2	\$16.49	

Clerk Treasurer's Office-General Fund		Hourly	Salary
Clerk Treasurer	1		\$37,973.23
Chief Deputy Clerk Treasurer	1		\$39,000.00
Deputy Clerk Treasurer	1		\$35,734.40

Traffic Violations Clerks/Court Clerks-General Fund		Hourly	Salary
Chief Deputy Clerk	1	\$1.44	
Deputy Clerk	1	\$1.44	

Court-General Fund		Hourly	Salary
Town Court Judge	1		\$34,063.47
Court Reporter-Part Time	1	\$13.08	
Court Reporter-Part Time	1	\$11.18	

Public Works-Water Fund		Hourly	Salary
Water Superintendent	1		\$45,572.80
Team Member	1	\$16.99	

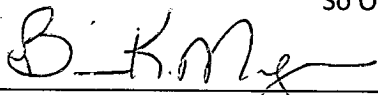
Public Works-WasteWater Fund		Hourly	Salary
Asst. Public Works Director	1		\$55,120.00
WasteWater Superintendent	1		\$43,784.00
Safety Coordinator	1	\$16.49	
Team Member	1	\$15.99	

Public Works-Split Funds		Hourly	Salary
15% Civil/40% Water/45% Waste Water			
Public Works Director	1		\$59,987.20
Building/Utilities Inspector	1		\$49,212.80
Billing Manager	1		\$38,979.20
Billing Clerk	1	\$14.99	
Team Leader	1	\$18.08	
Team Member	1	\$16.49	
Team Member	2	\$15.99	
Team Member	1	\$15.24	
Team Member-Seasonal/Part-Time	2	\$10.00	
On Call Pay 14.28 per day			
Probationary Team Members		\$12.00	
Probationary Billing Clerk		\$12.00	

Pool/Seasonal Part-Time		Hourly
Pool Manager	1	\$11.21
Assistant Manager	1	\$10.21
Returning Lifeguard		\$9.11
Beginning Lifeguard		\$8.51
Concessions		\$7.56

Overtime pay is 1 1/2 times the hourly rate.

So Ordained this 29th day of December 2008.



Brian K. Meyer, Council President



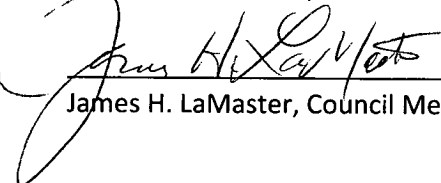
Paul J. Rhodes, Council Vice President



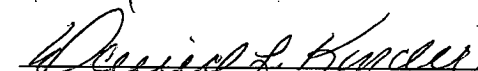
Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member



Attest: David L. Kinder, Clerk Treasurer

Ordinance No. 2008-045

**AN ORDINANCE REVISING AND ADOPTING THE POLICY AND
PROCEDURE MANUAL FOR THE TOWN OF SELLERSBURG**

WHEREAS, the Sellersburg Town Council previously adopted a policy and procedure manual for the Town of Sellersburg; and

WHEREAS, the prior policy and procedure manual for the Town of Sellersburg was outdated and in need of modification; and


WHEREAS, the Sellersburg Town Council has developed a new policy and procedure manual for 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; and

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

BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that the previous policy and procedure manual adopted by the Town of Sellersburg shall be and hereby is rescinded and the new policy and procedure manual marked as Exhibit A and incorporated herein shall be and hereby is adopted effective immediately upon the execution of this ordinance.


So ordained this 29th day of December, 2008.



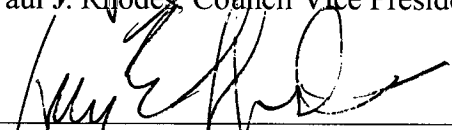
Brian K. Meyer, Council President



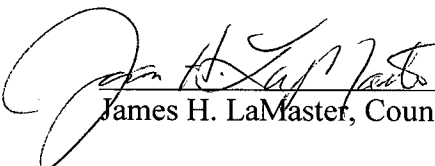
Paul J. Rhodes, Council Vice President



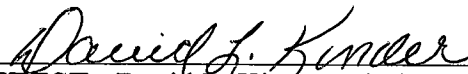
Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member



ATTEST: David L. Kinder, Clerk-Treasurer

Ordinance No. 2008-045

Town of Sellersburg

Policy and Procedure Manual

Ordinance No. 2008-045

Passed: December 29, 2008

Effective Date: January 1, 2009

Table of Contents

INTRODUCTION TO THE TOWN OF SELLERSBURG	1
Welcome to the Town of Sellersburg	1
Town Organization and Structure	1
A Proud Team Dedicated to Citizen Service	1
Purpose of Employee Handbook	2
Statement of Change	2
EMPLOYMENT PRACTICES	3
Equal Employment Opportunity	3
Employment Classifications	3
Harassment	4
Drug- and Alcohol-Free Workplace	5
Background Checks	6
Privacy/Personnel Files	6
Employment of Friends and Relatives	7
Job Vacancies	7
Promotions	7
PERSONAL CONDUCT AND PERFORMANCE	8
Performance Management	8
Personal Conduct	8
Problem Resolution	10
GENERAL POLICIES	11
Computer Usage, Electronic Mail, and Internet Security	11
Phone Systems and Cellular Phones	13
Equipment, Property, and Vehicles	13
Travel and Expense Reimbursement	14
Safety and Security	14
Weapons and Violence	15
Right to Search	16
Confidentiality	16
Conflict of Interest	16
Solicitation/Distribution	17
Image and Dress Code	17
Meal Periods and Breaks	17
Outside Employment	18
Smoking	18
Housekeeping	18
Emergency Weather Conditions	18
ATTENDANCE AND TIME OFF	19
Attendance	19
Attendance Policy Guidelines	19
Working Hours	19
Holidays	20
Paid Time Off (PTO)	20
Bereavement Leave	22
Jury Duty	23
Indiana Military Family Leave	23
Family and Medical Leave (FMLA)	24
Personal Leave of Absence (Non-FMLA)	26



COMPENSATION AND BENEFITS	28
Pay Policies	28
Overtime	28
Benefits	29
COBRA	30
Professional Development	31
Workers' Compensation	31
Unemployment Compensation	31
RESIGNATIONS AND TERMINATIONS	32
Resignation	32
Downsizing and Rehire	32
Exit Interview	32
Termination Pay	32
Eligibility for Rehire	32
ACKNOWLEDGMENT OF RECEIPT	33

Introduction to the Town of Sellersburg

Welcome to the Town of Sellersburg

Sellersburg, Indiana, is located in Clark County, approximately 10 miles north of Louisville, Kentucky. The town has a population of more than 6,000 according to the 2006 U.S. census.

Sellersburg was settled in 1846 and is named after Moses W. Sellers, the first man to keep a store in the town and the town's first postmaster. Sellersburg was formally incorporated in 1890.

Your fellow employees with the Town of Sellersburg welcome you to our team. You are now part of a proud working tradition. Sellersburg is an outstanding community, and one of the biggest reasons we are so successful is because of the pride and dedication of our municipal workforce.

Town Organization and Structure

The Town of Sellersburg is organized into various departments, or offices, to ensure adequate expertise, specialization, and efficiency. These departments function under the administrative guidance and control of the town council, which is responsible for the day-to-day management of the town.

The town council governs the Town of Sellersburg. Administrative personnel directly report to the town council and are responsible for the general administration of town business. A member of the town council serves as a designee to each town department in order to enable efficient communication of operational issues between the governing and operational functions of the town.

A Proud Team Dedicated to Citizen Service

You are now part of an organization that is dedicated to serving our community, and we are confident you will soon be contributing toward that end. Your coworkers and their predecessors have established an outstanding reputation serving the citizens of Sellersburg. Our simple motto is "Citizen Service." This means our mission is to provide quality service on a consistent basis with economy and efficiency in mind. We must be ever mindful of how we spend our taxpayers' dollars.

Please understand that you will be in the public's eye. Greater scrutiny and expectations from our citizenry is your heritage. We are confident you will serve the town with pride and honor.

All citizens should be treated with respect and courtesy. Employees should not engage in arguments, debates, or lengthy discussions with private citizens regarding town policies, procedures, or services. Employees should refer all citizen complaints to their department head and/or to the council member who is designated to the department.





Purpose of Employee Handbook

The Town of Sellersburg has established the following policies and procedures to ensure consistency in day-to-day operations. This employee handbook outlines some of the general policies and procedures that cover employment practices, operations, and professional conduct. It is your responsibility to know and practice them. As you study them, please list any questions so you can review them with your supervisor.

Statement of Change

The policies in this handbook are subject to change at any time at the sole discretion of the Town of Sellersburg. From time to time, you may receive updated information regarding any changes in policy. This handbook is for informational purposes only. Because town employees are employed at will, this is not intended to be and does not create any contract of employment. An individual's employment can be terminated for any reason at any time, at the option of either the employee or the town. Please direct any questions about specific policies or procedures to your department head, your supervisor, or the clerk-treasurer.

Employment Practices

Equal Employment Opportunity

The Town of Sellersburg offers equal employment opportunities to all without regard to race, sex, age, color, religion, national origin, disability, or sexual orientation. This policy applies to all employees and applicants for employment and in all phases of employment, including recruitment, hiring, placement, promotion, compensation, evaluation, training, discipline, termination, and all other terms and conditions of employment. If you feel that you have been discriminated against in any way, see your department head or the town council department designee.

Employment Classifications

Town of Sellersburg employees fall into one of the following classifications:

Full-Time Hourly—Any employee who normally works for the town on a regular and full-time basis for a period of at least 37.5 hours or more per week and is paid by the hour.

Full-Time Salary—Any employee who normally works for the town on a regular and full-time basis for a period of at least 37.5 hours or more per week and is paid on a regular salary basis.

Part-Time Hourly—Any employee who normally works for the town less than 37.5 hours per week and is paid on an hourly basis.

Temporary—Any employee who is hired for a limited period of time to perform a duty until it is finished, whether paid by salary or by the hour. Seasonal employees are included in this category.

Employees will be either exempt or nonexempt for the purposes of the overtime requirements of state law and the federal Fair Labor Standards Act:

Exempt—Exempt employees, as defined by the Fair Labor Standards Act, are employed in certain administrative, executive, professional, technical, or outside sales categories and are specifically exempted from overtime payment considerations. The hours worked by exempt employees are often irregular and may begin and end beyond the normal workday. Exempt employees do not receive overtime pay.

Nonexempt—Nonexempt employees, as defined by the Fair Labor Standards Act, are expected to confine their work to the normal workday and workweek unless their department head authorizes overtime in advance. The town will pay nonexempt employees overtime at one and one-half times their regular hourly rate for all hours worked over eight hours per day (refer to the overtime section in this handbook).

Employees under the age of 18 must furnish a work permit in order to be employed by the town.



Harassment

The Town of Sellersburg affirms its commitment to the principle of equal opportunity and equal treatment in employment regardless of a person's race, sex, age, color, religion, national origin, disability, or sexual orientation. In accepting a position at the town, you agree to share this commitment in the performance of your assigned responsibilities and in your interactions.

The town strives to provide all staff, clients, and vendors with an environment that is free of harassment or other unreasonable interference with the performance of their duties. We aspire to be a community in which mutual respect guides our day-to-day interactions. In our work environment, there is no place for conduct that demeans or belittles another person. For these reasons, **harassment of any kind is unacceptable.**

Sexual Harassment Deserves Special Mention

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment is conduct based on sex, whether directed toward a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another person's body.

Employee's Responsibility

If you feel you are the subject of harassment, you should first advise the offending person that the behavior is unwanted. If you and the offending person are unable to satisfactorily resolve the situation, or if you feel that discussing the behavior with the offending person will present a physical danger or undue suffering, you should notify your department head as soon as possible. This immediacy will allow for swift investigation, action, and resolution. If for any reason you are unable to inform your department head, you may also discuss the issue with your department's town council designee.

Investigation Process

If you bring forth a harassment complaint, you should be as specific as possible about the conditions and information surrounding the issue. We will treat every complaint of harassment seriously and will investigate each incident immediately. We will make all due effort to maintain confidentiality and the dignity of all parties involved. As we work to resolve the issue, you are also responsible for maintaining the dignity and privacy of the offending person.

If an investigation confirms that a violation has occurred, we will take corrective action. This may include disciplinary action against the offending person, up to and including immediate termination, as

determined appropriate. We will take all necessary steps to prevent harassment from occurring.

Retaliation

The town's policy prohibits retaliation against any employee by another employee or by the town itself for using this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a federal or state enforcement agency. Prohibited retaliation includes, but is not limited to, demotion, suspension, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

Drug- and Alcohol-Free Workplace

The Town of Sellersburg prohibits employees from unlawfully manufacturing, distributing, dispensing, selling, transferring, using, or possessing any illegal controlled substance or alcohol on town premises or while working. Any employee who is found in violation of this policy will be subject to disciplinary action, up to and including termination.

The town reserves the right to require applicants and employees to consent to a drug or alcohol test. As a condition of continued employment with the town, all employees are subject to random drug and alcohol testing at the expense of the town. No testing will be done without an applicant's or employee's written and witnessed consent. Applicants or employees who do consent will be sent to a town-selected medical facility for testing.

Pre-Employment Testing

The town will require applicants for employment to submit to a drug-screen test **before** they can begin working for the town. Drug testing will take place once a conditional offer of employment has been extended.

For-Cause Testing

An employee who is involved in an accident while working at the town or while on town property, or who is reasonably suspected of being unfit to work due to being under the influence of drugs or alcohol, will be required to consent to drug and/or alcohol testing. The supervisor will accompany the employee to the designated testing site.

Prior to testing, management will ask the employee if he or she has been drinking or using any unprescribed drug.

- If the employee responds in the affirmative, he or she will be subject to disciplinary action, up to and including termination of employment.
- If the employee denies the use of drugs or alcohol, he or she will be offered the opportunity to consent to a drug test. The employee will be placed in a temporary position that does not require driving or operation of heavy machinery (if one is available) or will be placed on suspension pending test results.





- If the employee denies the use of drugs or alcohol and refuses to consent to testing, he or she will be terminated from employment.

Random Testing

The town will randomly test all employees for compliance with its drug-free workplace policy. Random testing is a method of selecting employees for testing, performed by an outside third party that will result in an equal probability that any employee from a group of employees will be tested. The town has no discretion to waive the selection of an employee chosen by this random selection method.

Results

If test results are positive, the original specimen will be retested immediately for more conclusive results. If results again reveal the presence of alcohol and/or drugs at levels sufficient to indicate impairment:

- Applicants for employment will no longer be considered for the position for which they applied.
- The employee will be discharged; however, in lieu of discharge the employee has the option to enter and successfully complete an alcohol and/or drug rehabilitation program at his or her own expense. The employee's job will be held during this time. If the employee chooses not to enter such a program, he or she will be discharged.

If the test results are negative, applicants will move forward in the employment process; employees will return to work and receive pay for the days they were suspended.

Background Checks

The Town of Sellersburg reserves the right to require applicants for all full- and part-time positions to submit to a background check upon the extension of a conditional offer of employment. An employee's first day of work must not be prior to the satisfactory completion of the background check.

If an applicant attempts to withhold information or falsify information pertaining to his or her background, previous convictions, etc., he or she will be disqualified from further employment consideration. If, after hire, an employee is found to have withheld or falsified information regarding his or her background, he or she may be subject to disciplinary action and/or termination.

Privacy/Personnel Files

The Town of Sellersburg respects the privacy of its employees and keeps employee files confidential to the extent possible. Your file contains your original application, forms relating to references received, forms pertaining to your benefits, information regarding changes such as promotions, and annual salary actions.



It is important that you keep the town current on your address, phone number, emergency contact information, insurance beneficiaries, payroll tax-withholding allowances, direct-deposit account numbers, and other pertinent information that is necessary to properly administer benefits or maintain up-to-date records. Please submit any changes to the clerk-treasurer's office. You should contact the clerk-treasurer's office with questions regarding your personnel files.

Employment of Friends and Relatives

The Town of Sellersburg appreciates all referrals for employment, including referrals of relatives. However, we typically will not hire a relative or friend of yours to work where a direct reporting relationship, a conflict of interest, or the appearance of a conflict of interest would result. "Relative" means a spouse/significant other, parent, grandparent, child, sibling, cousin, uncle, aunt, niece, nephew, in-law, or step-relative.

Job Vacancies

In the event that a job vacancy exists, the town will conspicuously post throughout its facilities a notice of the opening. The notice will remain posted for a period of five working days. It will include the date of posting as well as the date it expires.

All announcements will specify the job title, nature of the job, required qualifications, essential functions of the position, compensation range, application deadline, and the place to file applications.

Any employee may apply for a posted vacancy provided he or she possesses the requisite minimum qualifications and is not serving in a probationary status.

Promotions

The Town of Sellersburg encourages you to seek promotional opportunities within the town. Promotions will be based on job performance, skill, and ability. If all three of these elements are equal, seniority will be considered in the decision-making process.



Personal Conduct and Performance

Performance Management

From time to time, problems related to your job may develop. If so, the Town of Sellersburg intends to have candid and open conversations with you in order to resolve them. Such problems may include, but are not limited to, violation or conflict with policy, performance on the job, or other job-related situations. The following steps cover the normal pattern of progressive discipline.

Step 1: Performance Coaching	Your department head discusses with you the specific performance problem, what improvements are needed, and a date by which corrections should occur. Your department head will document the date and content of the conversations.
Step 2: Written Warning	If the performance problem persists, your department head will have another discussion with you and will issue a written warning at this time. This warning will contain a statement of the problem, what corrections are necessary, and a date by which corrections should occur. Your department head will ask you to sign the form to indicate you have read it. You will receive a copy, and another copy will be placed in your personnel file.
Step 3: Disciplinary Action	If the performance problem recurs after the written warning(s), your department head may take disciplinary action, up to and including termination.

NOTE: The town reserves the right to proceed with suspension or termination at any point in the progressive-discipline process.

Personal Conduct

Although the vast majority of employees have careers that never involve disciplinary action, it is the policy of the Town of Sellersburg to administer appropriate treatment to any employee if disciplinary action becomes necessary. Should you be involved in disciplinary action, your department head will consider the following questions:

- How serious is the offense and what circumstances are involved?
- What is your past conduct/performance record?
- Have you had any previous disciplinary action; if so, what did it involve and when did it occur?

Disciplinary action may range from a verbal warning to discharge. Acts of misconduct that are not permitted and that may subject an employee to disciplinary action at the discretion of the town include:

- Unsatisfactory work performance
- Failure to follow guidelines for attendance

- Inappropriate attire or poor personal hygiene
- Excessive use of profanity (of an abusive nature that is offensive)
- Immoral or indecent behavior
- Boisterous or disruptive activity in the workplace
- Unauthorized use of telephones, computers, the electronic communications system, or other town-owned equipment

This list is not all-inclusive, and we may also take disciplinary action in other circumstances where an employee fails to maintain appropriate standards of conduct.

While we believe in giving a chance to improve, some actions are so extreme that they may warrant immediate suspension or termination. Examples include:

- Willful misconduct/dishonesty or flagrant violation of the town's policy
- Harassment of any employee, customer, vendor, or any other individual, as defined by the anti-harassment policy
- Intentionally giving false or misleading information as a means of obtaining employment
- Deliberate destruction or defacing of the town's property through abuse, indifference, neglect, or carelessness
- Violation of the town's drug- and alcohol-free workplace policy
- Theft, unauthorized use, or removal of the town's property, vehicles, assets or property of any town employee, customer, or vendor
- Unauthorized disclosure of any confidential information pertaining to the town or its employees
- Fighting on town premises or threatening the life or well being of another individual
- Possession of firearms or other dangerous weapons on town property, unless authorized
- Gross insubordination or refusal to complete duties as required by your department head or supervisor
- Falsification of work hours or any other information on town documents
- Verbal and/or physical abuse of any person while on town property
- Illegal acts on town premises or during working time

This list is not all-inclusive, and we reserve the right to terminate employees on an at-will basis unless otherwise prohibited by state or local law. If during the course of your employment you are convicted of a felony, you must disclose this to your department head or the town





council. We will evaluate the nature of the conviction to determine appropriate action.

Problem Resolution

The Town of Sellersburg encourages you to bring to our attention any issues or concerns you may have regarding your employment and working conditions. In order to minimize the possibility of misunderstandings, we suggest that you talk with your immediate department head as soon as possible. Your department head will investigate, evaluate, and provide a solution or explanation to you.

If you do not receive a satisfactory answer from your immediate department head within a reasonable amount of time, or if your problem is particularly sensitive, you may contact the town council directly.



General Policies

Computer Usage, Electronic Mail, and Internet Security

The electronic communication systems, Internet service, and the computer hardware and software owned or leased by the Town of Sellersburg are to be used for business purposes. Any message, file, or information transmitted or stored on these systems is not considered private and may be seen by other people (refer to Indiana Code 5-15-3). Employees who use the town's computers and network resources must protect them and the information stored on them through the use of passwords, antivirus programs, firewalls, security updates, storage and backup techniques, and maintenance of confidentiality. Employees must understand the appropriate use of computing and network resources by following the instructions in this policy.

Software License and Copyright

The town will purchase and distribute software in compliance with license and copyright law. All employees are responsible for informing themselves of, and complying with, the license and copyright provisions of the software they use. Only the department head can approve the installation of software, in accordance with the software license; the department head issuing the software will restrict access to only the appropriate number of licensed users. Employees must not download to their computer any software without permission from their department head (this includes games and personal software); they may not upload any software or data owned or licensed to the town without explicit permission from their department head, or the department head responsible for the software or data.

Purchasing

The town council can review all computer-related purchases to ensure the following:

- The product is compatible with current town systems
- The purchase is cost-effective
- The product fits the budget and long-term information technology plan
- The equipment is properly installed and licensed

Personal Use

As a general rule, all town property, including computers, is for town use only. Personal use should be minimal and must not interfere with town business or work processes. In no case should an employee use town property for personal use without approval of his or her department head.

Internet Access

The town will determine which employees will have Internet access and will set up privileges accordingly. Internet access is for business needs only and is not a fringe benefit. Under no circumstances should an employee access any web site that may be offensive or otherwise



contain inappropriate material. All connections to the Internet must pass through the town's firewall for security reasons.

The town reserves the right to block access to specific web pages. To help protect against viruses, employees should download files from the Internet only with department head approval.

Electronic Mail

Employees should use e-mail for business purposes only. Employees should be aware that electronic communications are not private and that e-mail can be forwarded, intercepted, printed, and stored by others. The content of electronic communications may be monitored to support operations, maintenance, auditing, security, and investigative action.

Employees must not use profanity, obscenities, or derogatory remarks in e-mail messages. Such remarks may create legal problems for the author and/or the town. Employees must always use caution when sending an e-mail because backups and archival copies of e-mails may actually be more permanent and readily accessed than traditional paper communications.

If an e-mail message contains information relevant to the completion of a business transaction, contains potentially important reference information, or has value as evidence of an elected official's or department head's decision, it should be retained for future reference. Employees should regularly move important information from e-mail message files to word-processing documents, databases, and other files. E-mail systems are not intended for archival storage of important information.

Virus Prevention and Web Mail

The town utilizes a virus detection program, and all messages that come in through the town's e-mail system are scanned for viruses. Web-based e-mail such as Hotmail or Yahoo! mail is not scanned, however, and can infect the town's network with a virus. Therefore, employees must not access web-based mail.

Solicitation

Employees should never use the town's computer systems for solicitation, advertisements, personal announcements, etc.

Storage and Backups

Employees may store data files on the network drive. Due to limited storage on network servers, however, they must regularly delete unneeded data files and e-mail. Backups of network data will be performed daily and will be maintained for 30 days. In addition to the network storage, users may consider additional backup routines, including disk, USB, zip drive, etc. Each user is responsible for ensuring that data located on his or her hard drive is backed up appropriately.

Phone Systems and Cellular Phones

The telephone systems and cellular phones owned or leased by the town are to be used for town purposes only. If you need to make a personal call, please make arrangements to use another telephone.

In the interest of safety, you should not use hand-held cell phones (neither personal nor town-owned) when driving during work time. You may use a hands-free device during safe driving conditions.

Equipment, Property, and Vehicles

The Town of Sellersburg's facilities, equipment, and property are to be used only for business purposes. Employees are responsible for equipment while it is in their possession, and they should immediately report any damage, malfunction, or theft to their department head. Employees may be responsible for the insurance deductible for any damage/loss caused by abuse, neglect, or carelessness. Employees are expected to follow and adhere to all motor vehicle laws and safe operating practices while operating these vehicles.

Town-owned vehicles are assigned to employees based on business need. Any employee using a town vehicle is expected to keep the interior clean. These vehicles are to be used **only** for town business, except when being driven to and from the employee's home. Only employees authorized by their department head and/or the town council may take home a town vehicle.

In addition to the above, all Police Department employees must follow their own standard operating procedures regarding this policy.

Certain take-home vehicles are considered taxable fringe benefits, and the commuting or lease value of the vehicles will be included in the employee's wages for tax purposes. The town will comply with all relevant tax laws and regulations regarding take-home vehicles. The purposes for which take-home vehicles may be authorized, and the conditions of use, are outlined below:

Commuting

Take-home vehicles may be assigned to employees for use in town business where, due to the nature of the employee's position, the town has bona fide non-compensatory reasons for requiring the employee to commute to and from work in the vehicle. This is generally considered a fringe benefit and is taxable.

Any and all use that is not for the benefit of the town constitutes personal use and is prohibited except where personal use is minimal (e.g., a stop on the way home from work, running an errand, etc.).

Qualified Nonpersonal Use

Take-home vehicles may be assigned to employees if it serves the town's interests to have the employee readily available for call out in the vehicle and where the vehicle is:

- A marked vehicle bearing municipal plates or the town's logo





- Designed or modified to facilitate its use for town purposes in a manner that makes personal use of the vehicle unlikely and minimal

Any use that is not for the benefit of the town constitutes personal use and is prohibited. This is not considered a fringe benefit and is not taxable.

Other Purposes

Take-home vehicles may be assigned to employees for other purposes at the discretion of their department head or town council, who will have sole discretion to determine the conditions of and restrictions upon use of the vehicles. This is generally considered a fringe benefit and is taxable.

Travel and Expense Reimbursement

The Town of Sellersburg wants all staff traveling on town business to do so in a safe and comfortable manner. At the same time, each traveler must control and minimize the cost of travel-related expenses. All travel must be approved in advance in order to receive reimbursement. Itemized receipts must be saved and submitted with a claim form to the clerk-treasurer within seven days of the trip in order to receive reimbursement.

Mileage

The town will reimburse employees for mileage expenses incurred while conducting official town business. The mileage reimbursement rate will be the amount allowed by town standards (see ordinance 2006-009), so long as the employee carries motor vehicle liability insurance as required by law.

Overnight Travel

The town will reimburse expenses incurred (e.g., meals, lodging, etc.) for overnight travel if over 50 miles from the town offices and while conducting official town business.

Personal Expenses

Certain personal expenses incurred during travel are not reimbursable, including but not limited to, personal telephone calls, laundry, entertainment, and alcoholic beverages.

If you abuse expense reports or violate this policy, you will be subject to disciplinary action, up to and including termination.

Safety and Security

The Town of Sellersburg is committed to employee safety and to protecting employees from accidents. The town and all employees have a responsibility to drive and work safely at all times. Therefore, the town has adopted a safety policy to promote, achieve, and ensure the safe conduct of town operations for the benefit of all employees and residents.

- Employees must make safety the first consideration when conducting town operations.
- Employees must demonstrate a continuous awareness of safety considerations as an integral part of achieving accident prevention and efficient productivity.



- The town will provide proper tools, and materials, equipment, and facilities, as well as sufficient training for a safe work environment.
- Employees must understand and observe all town rules and safety regulations.

NOTE: Following any accident, you MUST contact the town as soon as possible. You should try to contact your immediate department head first. If your department head is not available, you must follow the chain of command for communication until you reach someone. You must not delay reporting an accident simply because your department head is not available.

Universal Precautions

Employees in certain departments (including police, parks, and utilities) may face occupational exposure to blood, bloodborne pathogens, or infectious material. The town will observe universal precautions in order to prevent contact with infectious material, and all such material will be considered infectious regardless of the source of the material being known. In order to ensure their safety and to ensure compliance with this policy, employees must follow these important guidelines:

- Wear protective equipment (gloves, goggles, face guards, etc.) at all times when exposure potential exists.
- Do not compress trash in waste cans; the trash may contain needles or sharp objects exposed to infectious materials, and these items may burst during compression.
- Examine trash bags prior to handling them to identify leaks, liquid substances, or sharp objects.
- Handle trash bags by the handle(s) to avoid the potential for a puncture wound from a sharp object.
- Do not reuse any protective equipment except for approved gloves that can be properly disinfected and cleaned.
- Utilize proper handwashing techniques often and frequently. Handwashing facilities are available to employees who incur exposure.
- Wastewater employees: Do not use your hands to clean out impellers or pumps, where sharp objects may be lodged. Instead, utilize the proper tools to clean, disassemble, and remove the objects. Also, use caution when shoveling out pits and tanks, as infectious materials could be present in the sludge.
- Notify your supervisor or department head if you are exposed; the town will provide Hepatitis B vaccinations at your request.

Weapons and Violence

The Town of Sellersburg supports an environment that is safe and free from violence for all employees, residents, and vendors. To achieve this goal, you are not to possess or carry firearms, knives, or any other weapons on town property or while conducting town business unless



authorized by your department head or the town council. There are no exceptions. If you are found possessing or carrying such an item on town property or while conducting town business, you will be subject to discipline, up to and including immediate termination.

Right to Search

The Town of Sellersburg's right-to-search policy has been implemented to provide a safe and productive work environment. Failure to submit, upon request, to a search of any town property or personal property located in the town's facilities may lead to progressive discipline, up to and including immediate termination.

Confidentiality

Depending upon the nature of your duties, you may have access to information that is confidential and privileged. This includes financial information, organizational information, and information regarding other employees or residents. To protect confidentiality, you must limit the disclosure and discussion of this information to only those employees who need to know. You should never use this information for personal benefit or for the benefit of others.

Media Inquiries

Employees must refer all inquiries for information from the news media to their department head. Unless authorized to do so, employees must not speak on behalf of the town. Employees should remember that they represent the town and serve as an ambassador to the community, and therefore they should speak accordingly. They should remember that their comments may be overheard, misinterpreted, and disclosed.

Conflicts of Interest

Employees have a responsibility to avoid any situation that might make it difficult to act in the best interest of the Town of Sellersburg. In general, a conflict of interest could exist when you or a member of your family has a financial interest in a company dealing with the town. In addition, if you would receive any personal gain from a business relationship, a conflict of interest likely exists. If any business/vendor/supplier relationship could affect your judgment or decisions exercised on behalf of the town, then there is a conflict of interest. For clarity on whether any transaction or vendor relationship is or might be appropriate, you should contact your department head.

In addition, employees, including elected officials, must not accept honorariums, compensation, or gifts in exchange for their services as a town employee. This policy does not preclude the acceptance of small items of nominal value. However, before you accept any gifts, gratuities, favors, preferential treatment, event tickets, excessive entertainment, or anything else of monetary value (more than \$25) from companies or individuals related to the job, you must receive approval from your department head. To the extent state law requires an alternative handling of honorariums, compensation, or gifts, the town will comply with those laws.

Solicitation/Distribution

People who are not employed by the Town of Sellersburg may not solicit or distribute literature and goods on town property for any purpose at any time. Vendors soliciting in the normal course of business who have established a business relationship with the town are excluded from this restriction. Exceptions to this are at the discretion of the town council.

The town strives to clearly and accurately communicate with employees; therefore, unless the town is involved in the activity, all notices, brochures, and other forms of solicitation of or by outsiders are prohibited. Employees are strongly discouraged from soliciting other employees during working time (either their own working time or the working time of other employees). Working time includes that time for which any employee is paid and is expected to be performing services for the town. Working time does not include meal breaks, recognized break periods, or time before or after the established workday. Department heads may authorize limited exceptions to this policy (e.g., bona fide charitable causes).

Image and Dress Code

As an employee of the Town of Sellersburg, you should be concerned with the impressions you make on others. You should strive at all times to ensure that your clothing and appearance is clean, is businesslike, and contributes to a professional atmosphere for coworkers, clients, and visitors.

In general, the town is a business-casual workplace. You should wear business-professional dress, however, for special meetings, for making presentations, or when generally representing the town within the community. If you have specific questions about whether something is appropriate to wear, your best bet is not to wear it. Employees who are dressed inappropriately will be asked to change their attire. Repeated violations of this policy may result in disciplinary action.

Uniforms

Certain town jobs require the use of uniforms. If your position requires a uniform, you must wear it at all times while on duty. Uniformed employees are representatives of the Town of Sellersburg and should act accordingly. Uniforms should not be worn outside of work.

Meal Periods and Breaks

All hourly employees may take a 30-minute or one-hour **unpaid** lunch break at the discretion of their department head. Unless otherwise instructed to work through the meal period, nonexempt employees must record the meal period as **unpaid** on their time record. In addition, all employees are provided two 15-minute paid breaks during the workday. Department heads will determine break times. Police Department employees are exempt from this policy and will follow their department standard operating procedure for meal periods and breaks.





Outside Employment

Employment with the Town of Sellersburg is considered exclusive employment for all full-time employees and should take preference in any employment decisions. It is the employee's responsibility to make certain that outside employment does not adversely affect the performance of his or her job duties at the town. You should direct questions about outside employment to your department head.

Smoking

Use of tobacco products is prohibited in all facilities owned by the town of Sellersburg. Any employee wishing to designate a working area a non-smoking area may submit the request in writing to the town council. Such requests will be evaluated by the town council or a designee of the council.

Housekeeping

The Town of Sellersburg strives to make its facilities enjoyable places to work and presentable to visitors. We hope you will help achieve that goal by keeping your work space and common areas clean and orderly, and by projecting a positive image to all.

Emergency Weather Conditions

In the event of emergency weather conditions, we ask you to use sound judgment in assessing your individual situation and in making decisions regarding leaving work early, arriving late, or staying home rather than attempting to reach work.

If Clark County or the county in which you live declares a weather emergency, the town will compensate you for your scheduled work hours. If you miss work and Clark County or the county in which you live has not declared a weather emergency, you will be required to use PTO to cover the absence.

Please follow our general attendance policy, including notifying your department head if you make a decision regarding severe weather conditions.

Attendance and Time Off

Attendance

Being at work on time every day is important. Your coworkers and the town's residents depend on you. The Town of Sellersburg realizes that occasional absences are unavoidable. However, excessive absenteeism or tardiness creates a hardship for your coworkers, who must do your job as well as their own. Because of this, frequent and unapproved absences and excessive tardiness can be cause for disciplinary action or dismissal.

Attendance Policy Guidelines

- In the event you are absent, it is critical that you provide as much notice as possible in order to ensure coverage for your position. The further in advance you provide notice, the more likely that coverage will be possible.
- You must call your department head at least 60 minutes before the start of your scheduled work time to report an absence or extended time away from the office. It is your responsibility to make contact with your department head. If you cannot reach your department head, leave a message and then call another department head on duty. This procedure holds for every day of absence, unless you are on an approved leave of absence.
- If you are going to be late for work, you must notify your department head at least 30 minutes before the start of your scheduled work time. If you arrive at work late, take extended breaks, or leave work early, your department head will record it in your attendance records. If you leave work early for any reason, you must notify your department head before leaving.
- A no call or no show will be cause for disciplinary action, up to and including termination of employment. If you have three unreported consecutive absences, we will consider it to be job abandonment and will assume that you have voluntarily resigned from your employment.
- If you are absent for three or more consecutive workdays, we may require you to provide acceptable medical or other documentation to support your absence.
- We reserve the right to address the issue of chronic absenteeism or tardiness by accelerating the disciplinary process, up to and including termination.

Working Hours

Many town jobs require that employees work a nonstandard work schedule in order to provide excellent service to citizens. Your department head will discuss your scheduled work hours with you.



Recording Hours Worked

Your department head will notify you of the deadline for submitting hours worked.

Ghost Employment

The Town of Sellersburg prohibits ghost employment. Ghost employment occurs when an organization pays an employee who does not perform work for it (refer to Indiana Code 35-44-2-4). No employee will receive pay for work if it is not related to the operations of the town. Any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

Holidays

All full-time employees (those scheduled to work at least 37.5 hours per week on a regular basis) are eligible to receive holiday pay. Employees working less than 37.5 hours per week on a regular basis and temporary employees are not eligible. Employees must work the day before and the day after the holiday in order to receive holiday pay, unless using paid time off and approved in advance by their department head. Employees do not receive holiday pay while on an unpaid leave of absence.

Any full-time hourly employee required to work on Thanksgiving, Christmas Eve, or Christmas Day will be paid 8 hours' holiday pay in addition to double-time pay for hours worked.

The Town of Sellersburg observes the following holidays:

Holidays	
New Year's Day	Independence Day
Memorial Day	Labor Day
President's Day	Veterans Day
Good Friday	Thanksgiving Day
Day after Thanksgiving	Christmas Eve
Election Day (May and November)	Christmas Day

If a holiday falls on a Saturday, the town will typically observe the holiday on the preceding Friday. If the holiday falls on a Sunday, the town will typically observe the following Monday as the holiday.

Paid Time Off (PTO)

The Town of Sellersburg believes that employees should have opportunities to enjoy time away from work to help balance their lives. We recognize that employees have diverse needs for time off from work and have established this paid time off (PTO) policy to meet those

needs. The policy contains provisions for vacation, personal, and sick time. The benefits of PTO are that it promotes a flexible approach to time off. Employees manage their own PTO hours to allow for time off to cover vacation, illness or disability, appointments, emergencies, or other needs that require time off from work.

Eligibility

All full-time employees (those scheduled to work at least 37.5 hours per week on a regular basis) are eligible for PTO. Employees working less than 37.5 hours per week on a regular basis and temporary employees are not eligible to accrue PTO.

Availability

Employees are eligible for PTO after 60 days of continuous employment. During the first calendar year of employment, employees earn 1.5 days per month. Thereafter, employees will receive PTO on January 1 each year. PTO credited on January 1 is based on employees' years of service as of December 31 the previous year. PTO is earned on the following schedule:

Length of Service	Full-Time Employees
Up to 1 year	1.5 days per month of full-time service (maximum of 15 days)
1-4 years	25 days
5-9 years	30 days
10-19 years	35 days
20 years and over	40 days

Use and Scheduling of PTO

You must schedule PTO at least two weeks in advance or as soon as possible in the case of illness or emergency and notify your department head as soon as possible. All time away from work, including absences will be deducted from your PTO bank—exceptions include holidays and time off in accordance with town policy for jury duty, military duty, bereavement, or other leaves of absences.

All town employees may use PTO in half-day increments.

Rollovers to Sick Bank

At the end of each year, employees will receive the option to roll over any accrued but unused PTO (up to a maximum of 30 days) into a "sick bank" or receive payment for unused time (see Cash-Outs below). Employees may choose a combination of both a rollover and a cash-out. For example, if an employee has ten accrued but unused PTO days, he or she could roll over five days into the sick bank and receive payment for the remaining five days.



The sick bank exists to help employees offset lost income while on an approved leave of absence. It may not be used for any other purpose. An employee must exhaust sick bank time prior to receiving short- and long-term disability benefits. Sick bank time is exclusive to the employee and may not be transferred to another employee. The maximum number of days that an employee can accumulate in the sick bank at any given time is 90.

Cash-Outs

Employees selecting the cash-out option will receive full payment for accrued but unused PTO up to a maximum of five days.

Payment upon Termination

Upon resignation or separation of employment, employees will be paid for all PTO earned but not used. Earned PTO is calculated by multiplying the number of full calendar months the employee worked in the current year by the number of PTO days he or she is eligible for and then dividing by 12. Please see the following example:

Employee	Years of Service	Full Months Completed	PTO Eligible For	Number of Days Paid Out
Employee A	3	6	25	12.5
Employee B	9	3	30	7.5
Employee C	14	10	35	29

Special Retirement Provision

Upon resignation or retirement after 20+ years of town service, eligible employees can cash in every three sick bank days banked into 1 day of pay; up to a maximum of 30 days pay.

Bereavement Leave

The Town of Sellersburg will provide full-time employees with up to three paid days off, one to include funeral attendance, upon the death of an immediate family member (mother, father, spouse, child, grandparent, sister, brother, grandchild, an immediate step-relative, an immediate in-law, or any legal dependent living with the employee). The town will provide one paid day to attend the funeral upon the death of non-immediate family members (aunt, uncle, niece, nephew, or non-immediate step-relative).

In exceptional circumstances, the employee may request additional time off from his or her department head, and PTO time may be used.

The bereavement leave policy is designed to reimburse employees for work days lost. As such, it does not apply if the employee is on any other type of leave. Employees should notify their department head as soon as possible if the need for bereavement leave arises.

Jury Duty

The Town of Sellersburg encourages employees to fulfill their obligation as citizens when they are called to serve jury duty. If you serve, you are entitled to retain any compensation you receive from the courts. In addition, you will receive the difference between your jury duty pay and your normal salary or hourly rate for the period of time you serve on jury duty, up to ten days.

- Before you begin jury duty leave, you must submit to your department head the court order for jury duty.
- At the beginning of the jury duty term, you should ask the court clerk or bailiff to prepare a weekly verification form. The court clerk will typically provide the work verification form on each day you serve on the jury.
- Please give the work verification form to your department head each week. You should not turn in the check you received for jury duty pay.

Indiana Military Family Leave

The Town of Sellersburg will grant Indiana employees military family leaves in accordance with the Indiana Military Family Leave Act. Eligible employees can take up to 10 days per rolling calendar year of unpaid, job-protected leave during the 30 days before and/or after a soldier is on active duty and/or while a soldier is on leave during active duty. If you are anticipating taking a military family leave, please discuss it with your department head as soon as possible

Eligibility

You may be eligible if you:

- Have worked for the town for at least 12 months
- Have worked at least 1,500 hours during the 12 months preceding your requested leave of absence
- Are the spouse, parent, grandparent, or sibling of a person who is ordered to full-time active duty for a period that exceeds 89 consecutive calendar days.

Employee Benefits

Employees may continue their health-care benefits at their expense while on leave.

Notice

Whenever the need for leave is foreseeable, you must request the leave not less than 30 days before the leave is to begin by completing a Leave of Absence Request Form. Failure to submit the request at least 30 days in advance may result in the leave being delayed. The town reserves the right to require employees to provide proper verification of the need for leave. Failure to provide proper verification may result in the absence being counted as unexcused.



Use of Paid Time Off

Employees may use available paid time off during the 10-day period if they choose.

Family and Medical Leave (FMLA)

The Town of Sellersburg will grant family and medical leaves of absence in accordance with the Family and Medical Leave Act (FMLA) and applicable state or other laws. The law is complex, so we encourage you to contact your department head with questions or if you are anticipating a need to take a leave.

Eligibility

You may be eligible for FMLA leave if you:

- Have worked for the town for at least 12 months
- Have worked at least 1,250 hours during the 12 months preceding your requested leave of absence

Reasons for FMLA Leave

You may take FMLA leave for any of the following reasons:

- The birth or care of a newborn child
- The placement of a child with you for adoption or foster care, or the care of the newly placed child
- The care of a spouse, child, or parent (but not in-law) with a serious health condition
- Your own serious health condition
- Any "qualifying exigency" arising out of a spouse's, child's, or parent's tour of active duty or notification of an impending call or order to active duty in the Armed Forces
- The care of a spouse, child, parent, or nearest blood relative recovering from an injury or illness sustained while on active duty in the Armed Forces

A serious health condition generally means an illness, injury, or other medical condition that renders you unable to perform your job, such as a period of hospitalization or a period of incapacitation exceeding three days while under the continuing care or treatment of a health-care provider.

Leave Time Allowed

- **Leave Permitted:** The FMLA allows eligible employees to take up to 12 unpaid workweeks of leave during a 12-month period for the family and medical reasons listed above (see the exception below). The 12-month period is determined by a rolling calculation and is measured backward from the date leave is used.

Exception: Eligible employees may take up to 26 unpaid workweeks of leave during a single 12-month period for the care of a spouse, child, parent, or nearest blood relative recovering

from an injury or illness sustained while on active duty in the Armed Forces.

- **Husband and Wife Employed:** If you and your spouse are both employed by the town, each of you may take 12 workweeks' leave for your own serious illness or to take care of your sick child or each other. However, a married couple is limited to a total of 12 workweeks for the birth, adoption, or foster placement of a child; the care of a sick parent; or the care of a healthy infant or adopted child.
- **Intermittent or Reduced-Schedule Leave:** You may take leave for serious health conditions of yourself, your spouse, your child, or your parent when medically necessary, either continuously, intermittently, or on a reduced schedule. If your need for intermittent leave requires you to miss only part of the workday, we expect you to work the remainder of your shift, whether before or after the requisite period of intermittent leave. Under certain circumstances, if you are using intermittent leave or reduced leave, we may temporarily transfer you to an alternate position for which you are qualified and that better accommodates your leave.
- If you use FMLA leave for any purpose other than its intended purpose, we will consider it as grounds for disciplinary action, up to and including termination.
- We will consider authorized absences for family or medical leave as excused absences for purposes of our attendance policies. But whenever the need for leave is for planned, periodic or foreseeable medical treatments of a serious health condition, please schedule the treatments to minimize any absence from work and so as not to disrupt the operations of the town.

Notice

Whenever the need for leave is foreseeable, you must request the leave not less than 30 days before the leave is to begin. Failure to submit the request at least 30 days in advance may result in the leave being delayed. In this instance, any absences that occur prior to the beginning of the leave may be counted as unexcused.

If you request leave, you must obtain a Leave of Absence Request Form and submit the completed form to your department head. The request form should explain the reason(s) for the requested leave, the anticipated length of the leave, and the starting and ending dates of the leave. If the need for leave is not foreseeable, you must give as much advance notice as is practicable and complete a Leave of Absence Request Form.

Medical Certification

You must produce a satisfactory medical certification in support of your leave request, or during the leave, or as a condition of return to work at the expiration of the leave. In addition, the town may require you to obtain a second opinion at our expense. In certain circumstances, the town also has the right to require follow-up medical certifications during your leave.



The clerk-treasurer's office will provide you with the Certification of Health Care Provider Form to be completed by your attending physician. You must return the Certification of Health Care Provider Form to your department head prior to your leave if the need for leave is foreseeable, or as soon as practicable if the leave is not foreseeable (at least within 15 days of the date you receive the request for certification). If you fail to provide the required certifications in a timely manner, your leave may be denied and the absences in question may therefore be considered unexcused.

Use of Paid Time Off

The town requires you to use any available paid time off at the onset of the leave. You must exhaust any available paid time off before applying time from your sick bank.

Benefits

The town will continue your existing health insurance coverage under the same conditions applicable to active employees. You must continue paying your portion of the health insurance premium during this time. The town must receive funding by the 15th day of the month. If any payment is more than 30 days late, we may terminate your coverage for the duration of the leave. If a check is returned for insufficient funds, we will not consider the payment made until we receive sufficient cash, a money order, or a cashier's check. If you do not make any contributions, the town will terminate benefits, and you may be eligible for continuation of coverage under COBRA.

If you do not return to work after the leave, the town reserves the right to require reimbursement for the health-care premiums/expenses we paid during your leave.

During periods of FMLA leave, you are not entitled to unemployment compensation.

Reinstatement

Upon the expiration of the leave, the town will return you to the job that you held prior to the leave of absence or to an equivalent position, unless your position has been affected by a reduction-in-force or reorganization.

If you find that you do not require the amount of time originally contemplated for your FMLA leave, it is your responsibility to notify your department head in writing immediately. The town requires a minimum of two days' notice of your intent to return to work early.

You must have your attending physician complete a Return-to-Work Release prior to returning to work. If you fail to return to work at the conclusion of an unpaid FMLA leave, we will proceed with the understanding that you have voluntarily resigned your employment.

Personal Leave of Absence (Non-FMLA)

In some circumstances, the Town of Sellersburg may allow you to take an unpaid personal leave of absence up to a 12-month maximum. We

may grant personal leave for any justifiable reason, at our sole discretion, provided the leave does not materially disrupt town operations. Whenever possible, we will consider other alternatives to meet your needs, such as a reduced or flexible work schedule.

Notice

If you request a non-FMLA leave, you must submit a Leave of Absence Request Form to your department head, preferably 30 days in advance, unless an emergency prevents you from doing so.

Once your leave is approved, you must contact your department head every two weeks to provide updates on your status and your return date. Unless otherwise prohibited by law, if you do not contact your department head during the leave or do not return on your scheduled date, we will assume you have voluntarily resigned your position.

Use of Paid Time Off

When you take a personal leave of absence, the town will first apply any available paid time off before allowing you to begin the unpaid period.

Benefits

To continue health insurance coverage, you are required to continue paying your portion of the health insurance premium during a non-FMLA leave. You may prepay in advance for the time you are away, or you can send monthly payments directly to the clerk-treasurer's office.

For your share of the health insurance premium, the town must receive payment by the 15th day of the month. If any payment is more than 30 days late, we will terminate your coverage. If a check is returned for insufficient funds, we will not consider the payment made until we receive sufficient cash, a money order, or a cashier's check.

Reinstatement

If your non-FMLA leave is medically related, you must have your attending physician complete a Return-to-Work Release prior to returning to work, or the town will not allow you to do so. If you fail to return to work at the conclusion of a non-FMLA leave, we will proceed with the understanding that you have voluntarily resigned your employment.



Compensation and Benefits

The Town of Sellersburg is proud of the benefits package we provide to our employees and their families. Your supervisor will explain these benefits to you and let you know at what point you will be eligible for them. We reserve the right to amend or terminate any of the plans at any time.

Pay Policies

The Town of Sellersburg is committed to a compensation program that is consistent and fair and that does not discriminate.

Paychecks

The town's payroll cycle runs on a weekly pay period. Paydays are issued every Friday. If we have made an error in calculating your wages, you should notify the clerk-treasurer immediately. We will make every effort to correct the error as quickly as possible.

Direct Deposit

The town requires direct deposit of paychecks into the banking institution of your choice. If you change banks or account numbers, please submit the change immediately to the clerk-treasurer's office.

Payroll Deductions and Garnishments

The town is directed by law to make certain deductions from your paycheck. Among these are applicable federal, state, and local income taxes. We also must deduct Social Security taxes on your earnings up to a specified limit. We match the amount of Social Security taxes you pay. Court-ordered payments such as garnishments are pay deductions collected and forwarded to the courts. We will handle garnishments as required by court order, and the clerk-treasurer's office will notify the employee when one is received.

The town also offers programs and benefits (group medical and insurance plans, etc.) beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these benefit programs.

Overtime

Occasionally, the Town of Sellersburg may require overtime for hourly employees on short notice. Although situations may arise that will prevent you from working overtime, we do expect all of our hourly employees to be available to work overtime and a flexible schedule when it is necessary.

Hourly employees will be paid overtime at one and one-half times their regular hourly rate for all hours worked over (eight hours) per day. Paid time off and holidays are not included in the calculation of overtime pay. Police employees are exempt from this provision and will earn overtime pay in accordance with the department's standard operating procedure for overtime pay.

On-Call Designation

Town employees who are designated as being on-call, who are called out after working hours during the workweek or on weekends, and who have already worked 40 hours that week will be compensated at one and a half times their regular rate of pay. In addition, the on-call employees will receive an additional pay, per the salary ordinance, for serving in the on-call capacity. This applies only to civilian employees and does not apply to the police department.

Benefits

The following are highlights of the benefits that the Town of Sellersburg provides employees. It is not to be considered a summary-plan description.

The Town of Sellersburg Benefits Summary	
Medical Insurance	Public Employees' Retirement Fund
Life Insurance	Paid Time Off (PTO)
Paid Holidays	Paid Bereavement Leave
Professional Development	Longevity Pay
Short- and Long-Term Disability Insurance	Dental Insurance

Medical Insurance

Full-time employees are eligible for the town's medical insurance plan on the first of the month following 60 days of continuous employment. Major benefits of the plan include hospitalization, surgery, major medical care, diagnostic X-rays, lab fees, and prescription coverage. More information on the plan is available from the clerk-treasurer.

Dental Insurance

Full-time employees are eligible for the town's dental insurance plan on the first of the month following 60 days of continuous employment. The town pays 100 percent of the premium costs for this plan.

Life Insurance

Full-time employees are eligible for the town's life insurance plan after completing 60 days of employment. More information on the plan is available from the clerk-treasurer.

Supplemental Disability Insurance

Full-time employees are eligible for the town's supplemental insurance plan on the first of the month following 60 days of continuous employment. The town pays 100 percent of the premium costs for this plan.

Public Employees' Retirement Fund (PERF)

PERF is one of the oldest and largest public or private pension funds in the nation, and it provides secure, long-term benefits for full-time employees who choose careers in public service in Indiana. Mandatory contributions are determined by PERF and are suspended during an



unpaid leave of absence. Members of the PERF retirement fund are vested following ten years of service.

Longevity Pay

All full-time salary and full-time hourly employees who have completed two years of employment with the town will receive longevity pay (refer to town ordinance 2005-031). Years of service will be determined by the anniversary date of each employee, in the year the benefit is to be received. Longevity pay will be calculated at 1 percent of a first-class patrolman's base pay per year of consecutive employment. A maximum of 20 years can be claimed for employment. Employees will receive the longevity pay in the pay period that includes their anniversary date.

If an employee retires or leaves town employment for any reason before his or her anniversary date, he or she will not receive the longevity pay benefit.

COBRA

When you or your enrolled dependents are no longer eligible for regular coverage under the Town of Sellersburg's medical plan, you may be eligible for continued coverage by paying the monthly premium for the coverage. This is guaranteed under the Consolidated Omnibus Budget Reconciliation Act (COBRA) if:

- You were covered under the group plan at the time of a qualifying event (see "Qualifying Events" below)
- You are not eligible for Medicare
- You are not eligible for coverage under another employer's group plan
- You have not applied to convert your group coverage to an individual health/life insurance policy

Qualifying Events

You have the right to choose continuation coverage (COBRA) if you lose your group insurance because of a reduction of hours in employment or the termination of your employment (voluntary or involuntary) for reasons other than gross misconduct. A covered family member or dependent child has the right to choose continuation coverage (COBRA) if coverage is lost for **any** of the following reasons:

- You die
- You are terminated (voluntarily or involuntarily) or your hours of employment are reduced
- You become eligible for Medicare
- Your child is no longer considered a "dependent child" under the terms of the town's insurance policies

You must inform the clerk-treasurer's office as soon as possible in the case of a qualifying event. If you have questions regarding continuation

coverage (COBRA) or your responsibilities to obtain and maintain it, you should contact the clerk-treasurer's office.

Professional Development

At the Town of Sellersburg, we believe in the ongoing development of our employees. Therefore, we offer full-time employees the opportunity to receive reimbursement for seminars, professional/municipal society meetings, professional registrations, and other educational opportunities, as town funds are available. Programs and courses that are eligible for this reimbursement are those that meet the following criteria:

- The program content must be applicable to your job or the town's mission
- The programs must be offered by an accredited institution or organization
- Your department head must review and approve the program before you enroll

Please see your department head for more information about the program and the reimbursement process.

Workers' Compensation

From the first day of employment, all Town of Sellersburg employees are covered with insurance against medical expenses arising from work-related illnesses or accidents. This insurance also provides for a percentage of lost wages due to accidents and illness related to work. These benefits start seven days from the date of disability.

NOTE: Employees who sustain a work-related injury or illness must inform their department head **immediately**. This will enable eligible employees to qualify for coverage as quickly as possible.

Unemployment Compensation

Each Town of Sellersburg employee's job is covered by state unemployment compensation, which may pay a weekly benefit if an employee is laid off. The cost of this benefit is paid entirely by the town.



Resignations and Terminations

Resignation

If you intend to resign from the Town of Sellersburg, you should provide your department head with as much advance notice as possible. Please notify your department head **in writing** at least two weeks in advance.

Downsizing and Rehire

Job security is essential for retaining productive employees. Only in very extreme situations would the Town of Sellersburg consider downsizing. Should downsizing occur, however, performance, attendance, and operational needs are the major factors in determining who will be affected. When all other things are equal, we will consider an employee's length of service. Downsizing is at the discretion of the town. The town is not required to, but may, rehire downsized employees. All rehire decisions will be made based on applicant's qualifications.

Exit Interview

If you are leaving the Town of Sellersburg, we may conduct an exit interview with you in order to:

- Finalize your compensation
- Obtain all Town of Sellersburg property, if applicable
- Understand your reasons for leaving

Termination Pay

If you are terminated either voluntarily or involuntarily, the Town of Sellersburg is obligated to pay you only for that period you have worked, in addition to any earned but unused PTO time (see the chart on page 22, *payment upon termination* section). You should expect no pay for any period beyond the last hour worked. Regardless if the termination is voluntary or involuntary, you will receive your final paycheck on the next scheduled payday. Upon termination, you will receive payment for earned but unused paid time off.

Eligibility for Rehire

You must meet the following criteria in order to be considered for rehire at the Town of Sellersburg:

- Two weeks' written notice provided upon previous resignation
- Qualifications for the position for which you are applying

Acknowledgment of Receipt

I hereby acknowledge that I have received the Town of Sellersburg employee handbook and that I have been advised to read it carefully and bring any questions I have to the attention of my department head or the town council.

I understand that this handbook and the policies contained in it do not create a contract of employment between the Town of Sellersburg and any of its employees.

I further understand that my employment with the Town of Sellersburg is at will and that either the Town of Sellersburg or I may terminate my employment at any time, for any lawful reason or for no reason at all.

I acknowledge that I do not in any way rely upon the provisions of this handbook in accepting or continuing my employment with the Town of Sellersburg.

Finally, I understand that the Town of Sellersburg may, unilaterally and without prior notice, alter, amend, change, or discontinue any of the policies or benefits described in this handbook at any time.

Employee Printed Name	
Employee Signature	
Date	





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

December 29, 2008

To: Brian K. Meyer, Council President
Paul J. Rhodes, Council Vice-President
Michael N. Lockhart, Council Member
James H. LaMaster, Council Member
Terry E. Langford, Council Member

From: David L. Kinder, Clerk Treasurer *DLK*

RE: 2008 Encumbered Appropriations

This letter is to inform you that, per Public Works Director Kenneth J. Alexander's request, the Clerk Treasurer's Office will be encumbering \$44,741.85 (forty-four thousand seven hundred forty-one dollars and eighty-five cents) from the 2008 Budget Appropriation 202001397 Local Road and Street Paving, to cover the outstanding contact with MAC Construction & Excavating, Inc. for Paving Package B.

Attachment: Contract for MAC Construction

MAC CONSTRUCTION & EXCAVATING, INC.
P.O. BOX 6787
NEW ALBANY, IN 47151-6787
OFFICE: (812) 941-7895 OR FAX: (812) 941-0699
PROPOSAL

TO: TOWN OF SELLERSBURG
103 SOUTH NEW ALBANY ST.
SELLERSBURG, IN 47172

DATE: 10/27/2008
PHONE: (812) 246-3821
FAX: (812) 246-0174

PROJECT: PAVING PACKAGE B

WE HEREBY PROPOSE TO FURNISH MATERIAL, LABOR, & EQUIPMENT FOR THE ABOVE SPECIFIED PROJECT AND FOR THE ITEMS HEREINBELOW ENUMERATED:

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
101	MILL ROADWAYS 7' FROM CURB AND GUTTER FROM 1 1/2" TO 0 AND CUT EDGEKEYS WHERE NEEDED. CLEAN, TACK AND PLACE 1 1/2" COMPACTED ASPHALT SURFACE. THIS IS A PER TON PRICE.	593	TONS	\$75.45	\$44,741.85
TOTAL					\$44,741.85

CONTRACT TYPE: **UNIT PRICE** **LUMP SUM**

INCLUSIONS:

<input type="checkbox"/>	PERMITS	<input checked="" type="checkbox"/>	KEYWAYS/SAWCUTS
<input type="checkbox"/>	BOND	<input type="checkbox"/>	PRIME
<input type="checkbox"/>	SALES TAX	<input checked="" type="checkbox"/>	TACK
<input type="checkbox"/>	LAYOUT	<input type="checkbox"/>	LEVEL & WEDGING
<input type="checkbox"/>	EXCAVATION	<input type="checkbox"/>	TRAFFIC CONTROL
<input type="checkbox"/>	SHAPE/ROLL SUBGRADE	<input type="checkbox"/>	STRIPING
<input type="checkbox"/>	ADJUST MH/CB	<input type="checkbox"/>	TESTING/INSPECTION
<input checked="" type="checkbox"/>	BROOM CLEANING	<input type="checkbox"/>	HEAVY CLEANING
<input type="checkbox"/>	MOBILIZATION BASE	<input type="checkbox"/>	PREVAILING WAGES
<input checked="" type="checkbox"/>	MOBILIZATION SURFACE	<input checked="" type="checkbox"/>	OTHER

THE ABOVE PRICES ARE GOOD FOR THE 2008 PAVING SEASON ONLY.
 SHOULD THE PROJECT EXTEND BEYOND SUCH TIME, THE REMAINING WORK WILL BE REPRICED.

MAC CONSTRUCTION & EXCAVATION, INC. IS NOT RESPONSIBLE FOR MOVEMENT OF THE UNDERLYING SURFACE, SOFT SUBGRADE OR DRAINAGE PROBLEMS.