

## LEGAL NOTICE

### NOTICE OF MEETING OF GREENVILLE INDIANA COUNCIL CONCERNING REMOVAL OF TOWN'S WATER UTILITY FROM INDIANA UTILITY REGULATORY COMMISSION JURISDICTION

PUBLIC NOTICE is hereby given that at the special scheduled meeting of the Town Council of the Town of Greenville, Floyd County, Indiana, to be held on the 10th day of May, 1994, at 6:00 o'clock P.M., final vote will be taken on a proposed ordinance removing the Town's water utility from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rate and charges and of issuance of stocks, bonds, notes or other evidence of indebtedness. Any such ordinance will take effect sixty (60) days after its adoption, unless the Town Council receives a petition, in proper form, signed by at least ten per cent (10%) or 500 of the Town of Greenville's registered voters (whichever is less) requesting the Town Council to submit the question of removal from Commission ratemaking and financing jurisdiction to the registered voters of Greenville, Indiana, at the next election. Copies of the proposed ordinance are available for review during regular hours at the Town Hall, Greenville, Indiana.

TOWN OF GREENVILLE, INDIANA

By:

*Harold M. Hall*

Harold M. Hall, President

Greenville Town Council

MINUTES OF GREENVILLE TOWN COUNCIL MEETING OF MAY 10, 1994.

The regular monthly meeting of the Greenville Town Council was called to order by President Harold Hall at 6:00, p.m. with all Councilmembers and the Clerk Treasurer present.

Also attending was Gary Getrost, Janice Gibson, Bob Gibson, Virgil Bolly, Otto Krohn and others as listed on the attached sheet.

Since this was a hearing on whether the Greenville Water Utility should be removed from the jurisdiction of the Indiana Utility Regulatory Commission, Mr. Hall advised those present of the nature of the meeting and asked Mr. Virgil Bolly, Attorney for the Utility Improvement Project to apprise those in attendance of the advantages and disadvantages of such move.

Mr. Otto Krohn, CPA for the rate request before the IURC gave a presentation on the financial aspects of the removal and the rate increase requested.

After these presentations Council President Hall opened the meeting to the floor.

An abbreviated transcript of these proceedings are attached. (Insert transcript).

Following this hearing, the Council conducted the regular monthly business.

Council approved the minutes of the April meeting and the Bid opening meeting as written, with exception (change) to the April meeting: Brent Boyd's Hosp/Life insurance is to be cancelled as of 4/14/94.

Council approved claims for the town/utility and the cancellation of checks listed on the outstanding list. (See attached).

The Clerk Treasurer's report indicate bank balances appear to be correct.

Council President Hall introduced Ordinance 194-03, titled "An Ordinance Vacating an Alley". On call of the roll Councilmember Pat Sappenfield motioned the Ordinance 1994-03 be voted. On call of the roll President Hall called for votes on Ordinance 1994-03. Ayes 3 Nays 0. Since there were no objections and having been passed unanimously by the Council, Ordinance 1994-03, was duly passed by Council.

Council President Hall stated SEICO (engineers for the Water Utility Improvement Project) presented their finding on the bids submitted at the bid-opening meeting and that the low bidder, Caldwell Tank Co. should be awarded the contract. On call of the roll, Councilmember Pat Sappenfield motioned the Council accept the low bid of Caldwell Tank Co. President Hall then asked for votes on the acceptance. The vote was unanimous: Ayes 3 Nays 0. Motion Passed.

Councilmember Pat Sappenfield made a motion that the Council consider establishing a Water Advisory/Rate Board for the utility, with the purpose of being a liaison with the Town/Utility. President Hall noted that an Advisory Board exists and that this board should be abolished and a new board established. Councilmember Pat Sappenfield motioned that the old board be abolished and Council establish a Water Advisory/Rate Board, consisting of five (5) members. On call of the roll Councilmember Bob Williams seconded the motion of Councilmember Pat Sappenfield, with President Hall asking for a vote on the motion. Councilmembers Williams and Sappenfield cast Aye votes then President Hall cast an Aye vote, the motion carried unanimously; Water Utility Advisory/Rate Board established, old board abolished.

ABBREVIATED TRANSCRIPT OF HEARING WHETHER THE TOWN OF GREENVILLE SHOULD BE REMOVED FROM THE JURISDICTION OF THE INDIANA UTILITY REGULATORY COMMISSION.

At the completion of presentations of Mr. Virgil Bolly and Mr. Otto Krohn, President Hall requested input from those present.

STRATMAN - Questioned the amount of increase in rates; that he believed the water rates in town are higher than in the township.

President Hall assured him that rates for the town/township are the same.

STRATMAN - He believes the proposed rates are too high and that he would like to get his water from another utility.

President Hall stated that he could if he would pay for the lines from another utility to his house, which may not be feasible.

MARTIN - He believed the rates were higher than any other utility. That the utility is a monopoly, as defined by the IURC, without competition from other utilities and Mr. Martin stated he had a letter from the IURC to support his claim (which he did not present to the Council). He also stated that he did not trust the Council and they were, in essence, not doing their job. Mr. Martin also made accusations to Mr. Gary Getrost and Mrs. Gary Getrost (in attendance) as to their affiliation with the Floyds Knobs Water Co.

COUNCILMEMBER  
PAT SAPPENFIELD -

Explained to those present of the time and costs involved of operating the utility and the Council would like to have an advisory board to oversee certain elements of the utility. She stated she would welcome anyone to serve on this board.

FREDERICK - Stated he believed the IURC was a protective agency for the water users. Mr. Bolly explained this is a good point, but the town residents can vote out the Council and/or take any rate increase proposed to the local courts.

RICHARDSON - People were not given an opportunity to consider the advantages/disadvantages of being regulated by the IURC. That he did not believe he was given a notice in time for the hearing, and that the Town should advertise such meeting/hearings in a local paper or by notice.

PRESIDENT  
HALL

- Assured him the Council will make every effort to get the information of meeting, etc. out so everyone can be informed.

CRISTIANI - In favor of being out from under the IURC, because this agency is nothing more than a bureaucracy and does not have the community at heart. But, the Town needs an advisory board of some kind to help the Council in day to day operations.

Several others present stated their opposition to removal from the IURC but were not specific in their statements and could not be recorded.

Mr. Bolly stated to the audience that the meeting had progressed for two(2) hours and that the Council should close the meeting and decided on a vote.

As there was numerous remarks from the floor stating the Town should sell the utility to another utility, the Council directed Mr. Virgil Bolly, Attorney for the Project, to contact other utilities to ascertain their interest in this utility. To this end the Council directed Mr. Bolly to devulge any information that might be necessary to achieve the results.

On advice of Mr. Bolly the Council voted (Ays 3 Nays 0) to postpone a vote on Ordinance to Remove the Utility from the IURC and close the meeting, and to continue the hearing/meeting to Tuesday, June 7, 1994 at 7:00 p.m. at the Greenville Elementary School, for final vote on the Ordinance.

Chester "Butch" Richardson advised the Council that he would be willing to serve on a Water Utility Advisory/Rate Board. President Hall stated he was the first member and requested Councilmembers to contact other persons to serve on the Board. Mr. Hall also asked Councilmembers to contact Town residents to explain the proposed Ordinance and any other question they may have concerning the Town/Utility.

Council President Hall introduced Ordinance 199404, Bond Issue for the Town of Greenville, having been numbered accordingly. On call of the roll Ordinance 1994-04 was put to a vote since there were no objections. Councilmember Pat Sappenfield motioned the Ordinance be approved, seconded Councilmember Bob Williams. On call of the vote President Hall voted Aye. Motion carried unanimously. Ayes 3 Nays 0. Ordinance duly passed by Council.

No further business coming before the Council, Councilmember Bob Williams motioned for continuance to June 7, seconded by Harold Hall.

Sieco, Inc.  
Engineers

**SIECO**

629 Washington Street  
P.O. Box 407  
Columbus, Indiana 47202  
Phone: 812-372-8911  
FAX: 812-372-7190

May 10 1994

Town of Greenville  
Town Council  
P.O. Box 188  
Greenville, IN 47124

Attn: Mr. Harold M. Hall, President

Re: Water Utility Improvement Project of 1994

Dear Mr. Hall:

Based on the information provided to me by Fred Marsh following your meeting of May 5, 1994, a review of the certified bid tabulations and discussions with bidding contractors, I recommend the Council accept the low alternate bid submitted by Caldwell Tanks, Inc., on April 27, 1994, in the amount of \$713,700.00

If in the near future, the URC approval of your project is determined unnecessary you could award a contract to the low bidder in the amount of \$704,700.00

Sincerely,



James M. West, P.E.  
Design Engineer

JMW/jh

cc: C.F. Marsh, SIECO  
file

CASH OPERATING FUND

#1303	Estate of John Todd	06-02-89	7.35
#2238	Walter Goodman	04-24-91	2.00
			<u>9.35</u>

METER DEPOSIT FUND

#0065	Donald Patton	03-31-88	25.00
#0123	Parks & Weisberg	11-18-88	25.00
#0128	Douglas Binder	12-02-88	.34
#0138	Ed Owens	01-20-89	.31
#0139	Floppy Rabbitt	01-20-89	.45
#0166	Larry Uhl	08-08-89	1.31
#0194	Antique Rose	12-01-89	8.92
#0216	First Natl. Bank	04-02-90	25.00
#0289	Charles Kessler	05-08-91	.67
#0328	Erick Hughes	10-18-91	8.52
#0357	Craig Herron	03-17-92	.77
#0362	Kris Harden	03-19-92	2.21
			<u>98.50</u>

GREENVILLE TOWN Council Meeting  
May 10, 1994

Unquil Bally  
Merrin Bruce

19 STRATMAN

Rhoda Stratman

Micahel Stratman

Jerry Stratman

Harold Frederick

Edward Williams

Ernest Williams

Wilma K. Hopp

Roy Kessinger

Evelyn Kessinger

Tom Shields

William S. Smith

Wardyn Smith

Carl Dale

Robert E. Evans

Bill Campbell

Dwight Lawrence

Robert Hunt

Bob Gibson

Earl H. Meyer

Theresa Trotter

Wayne Lowrey

Doug W. Hart

Larry Meredith

Judy Pittman  
Melvin Pittman  
Tom Pittman  
Robert Pittman  
Bill Pittman

DISBURSEMENTS

FUNDS

	<u>AMOUNT BUDGETED</u>	<u>DISBURSED THIS MO.</u>	<u>TO DATE</u>	<u>BALANCE IN BUDGET</u>
<u>GENERAL:</u>				
Salaries: Councilmembers	\$ 1,920	\$ 160.-	\$ 590.-	\$ 1,330.-
Clerk Treasurer	1,080	90.-	340.-	740.-
Employees	1,680	140.-	540.-	1,140.-
Marshall/Deputy	4,200	-	-	4,200.-
FICA/Med Taxes-Employer	700	29.83	112.44	587.56
Stationery & Supplies	300	3.23	207.05	92.95
Garage & Motor	600	5.78	5.78	594.22
Legal	1,200	-	-	1,200.00
Communication & Travel	400	82.00	82.00	318.00
Printing & Adv. - Legal	600	7.00	227.54	372.46
Insurance - Property	1,700	-	-	1,700.00
Utility Services -Electric	4,000	-	-	4,000.00
Trash Removal	800	-	-	800.00
Repairs/Maint - Auto	600	-	-	600.00
Hydrant Rental	5,470	-	-	5,470.00
Indemnities	6,200	-	-	6,200.00
Bond Premiums	300	-	-	300.00
Organization Dues	650	-	452.00	198.00
Fire Protection	3,000	-	-	3,000.00
Education	1,000	-	-	1,000.00
<b>TOTALS - GEN. FUND</b>	<b>36,400</b>	<b>517.84</b>	<b>2,556.81</b>	<b>33,843.19</b>
<u>LOCAL ROADS &amp; STREETS:</u>				
Engineering	1,000	-	-	1,000.00
Repairs-Streets/Alleys	24,000	-	-	24,000.00
<b>TOTALS- L.R. &amp; S.</b>	<b>25,000</b>	<b>-</b>	<b>-</b>	<b>25,000.00</b>
<u>MOTOR VEHICLE (MVH):</u>				
Salaries	1,000	-	-	1,000.00
FICA/Med Taxes-Employer	80	-	-	80.00
Clothing Allow. - Marshall	320	-	-	320.00
Supplies - Garage	500	-	-	500.00
Supplies-Materials	500	-	-	500.00
Supplies - Other	500	-	-	500.00
Legal Services	1,000	-	-	1,000.00
Engineering Services	1,000	-	-	1,000.00
Comm. & Trans. Travel	500	-	-	500.00
Adv. - Legal	300	-	-	300.00
Insurance	700	-	-	700.00
Utility Services - Electric	5,000	276.93	567.81	4,432.19
Trash Removal	300	-	-	300.00
Repairs - Auto	300	-	-	300.00
Repairs-Streets/Alleys	30,000	-	-	30,000.00
Val/Right of Way Maint.	3,000	-	460.00	2,540.00
<b>MVH</b>	<b>45,000</b>	<b>276.93</b>	<b>1,027.81</b>	<b>43,972.19</b>



DISBURSEMENTS

<u>FUNDS:</u>	<u>AMOUNT BUDGETED</u>	<u>DISBURSED THIS MO.</u>	<u>TO DATE</u>	<u>BALANCE IN BUDGET</u>
<u>VEHICLE INSPECTION:</u>				
Travel & Trng.	\$ 75	-	-	75.00
<u>ACCIDENT REPORT:</u>				
Travel & Trng.	300	-	-	300.00
<u>GUN PERMIT:</u>				
Travel & Trng.	60	-	-	60.00
<u>CUMULATIVE CAPITAL IMPROVMENT:</u>				
Transfer to Gen. Fund				
 TOTAL BUDGETED & ACTUAL	 \$ 106,835	 \$ 794.77	 \$ 3584.62	 \$ 103,250.38

REVENUE

	<u>CASH</u>	<u>INVESTMENTS</u>	<u>TOTALS</u>
Bank Balance @ <u>4-30-94</u>	\$ <u>109,295.10</u>	\$ <u>41,000.00</u>	\$ <u>150,295.10</u>
<u>FUNDS:</u>			
General	<u>12,685.59</u>	<u>10,000.00</u>	<u>22,685.59</u>
L. R. & S.	<u>36,136.70</u>	<u>10,000.00</u>	<u>46,136.70</u>
M.V.H.	<u>52,541.55</u>	<u>21,000.00</u>	<u>73,541.55</u>
Vehicle Inspection	<u>75.81</u>	-	<u>75.81</u>
Accident Report	<u>314.33</u>	-	<u>314.33</u>
C.C.I.	<u>7,511.12</u>	-	<u>7,511.12</u>
Gun Permit	<u>30.00</u>	-	<u>30.00</u>
 TOTALS	 \$ <u>109,295.10</u>	 \$ <u>41,000.00</u>	 \$ <u>150,295.10</u>

# WATER UTILITY MONTHLY FINANCIAL REPORT

Month of     MAY     1994

<b>FUND</b>	Total Jan. 1 Balance & Receipts to Date	Receipts for Month	Balance & Receipts	Disbursed to Date	Disbursed for Month	Total Disbursed	Water Utility Ending Balance
Operating	196,753.14	28,812.61	225,565.75	128,270.24	59,852.07	188,122.31	37,443.44
Meter Deposit Fund	20,976.92	315.63	21,292.55	500.00		500.00	20,792.55
Debt Reserve Service	30,000.00		30,000.00				30,000.00
B & I Cash	49,192.15	30,223.03	79,415.18	21,116.25		21,116.25	58,298.93
Depreciation Cash	2,507.20		2,507.20				2,507.20
Temp. Cash Investments	60,000.00		60,000.00	30,000.00		30,000.00	30,000.00
Construction Fund							
<b>TOTALS</b>	<b>359,429.41</b>	<b>59,351.27</b>	<b>418,780.68</b>	<b>179,886.49</b>	<b>59,852.07</b>	<b>239,738.56</b>	<b>179,042.12</b>