

**Town of Greenville
P.O. Box 188
Greenville, In. 47124**

AGENDA FOR:

TOWN OF GREENVILLE, INDIANA

MONTHLY MEETING FOR MONDAY, DECEMBER 13th, 2010

1. MEETING CALLED TO ORDER BY COUNCIL PRESIDENT: Talbotte Richardson
2. OPENING MEETING WITH PRAYER:
3. ELECTION OF COUNCIL PRESIDENT FOR 2011 AND APPOINTMENT OF COMMITTEE CHAIRS
4. SPECIAL PRESENTATIONS: BUSINESS OF THE YEAR; JACK'S BRAKE AND MUFFLER
5. READING, REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MONTHLY MEETING MINUTES OF: NOVEMBER 8th, 2010
6. MARSHAL'S REPORT: David Moore.
7. FLOYD COUNTY OR STATE OF INDIANA REPRESENTATIVES:
8. WATER BUSINESS: WATER SUPERINTENDENT: Gary Getrost
 - {A} - Report on water usage and leaks
 - {B} - Superintendent's report
9. FINANCIAL: GREENVILLE TOWN CLERK: Jack Travillian
 - {A} - Review and Approve Checks and Expenditures.
10. COMMITTEE REPORTS:
 - {A} - Town Board President: Talbotte Richardson
Public Hearing December 20th @ 7:00 p.m., Vacating of Public Way {Rusby}
 - {B} - Emergency Services: Talbotte Richardson
Snow Removal Bids Opening
 - {C} - Streets and Roads: Talbotte Richardson
 - {D} - Public Relations: Patti Hayes
 - {E} - Property Cleanup: Jim Pearce
 - {F} - Special Projects: Randal Johnes
 - {G} - Attorney: Rick Fox
11. OLD BUSINESS:
 - {A} - Ordinances Second or Third Reading:
 - 2010-T-067
 - 2010-T-068
 - 2010-T-083
 - 2010-T-028 {Perkins}

**Town of Greenville
P.O. Box 188
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12. NEW BUSINESS:

{A} - Ordinances First Reading:

2010-R-084

2010-W-085

2010-R-086

2010-M-087

2010-W-088

{B} – Citizens requesting to speak and subject:

13. ADJOURNMENT:

Next Monthly Meeting January 10th, 2011 @ 7:00 PM

Note: to speak before the council your name must appear under item 9 letter B. President of the board may allow you to speak if he deems information you wish to present is a critical situation that would not be served by postponing the subject until the next meeting. To speak before the council contact Water Company Clerk or Council Member for proper form; See Rules of Meetings attached.

Minutes of Greenville Town Council Meeting December 13th, 2010

Council President Talbotte Richardson called the regular monthly meeting to order. Other Councilpersons present were Bob Wright, James Pearce, Patti Hayes, and Randal Johnes, along with Clerk Jack Travillian. Also attending the meeting were Water Utility Superintendent Getrost, town attorney Rick Fox, and other concerned citizens. The meeting was opened with a prayer by Pastor Avery followed by the Pledge of Allegiance.

Election of Council President: Councilwoman Hayes nominated Talbotte Richardson and Councilman Johnes seconded for re-election as President of the Council. Councilman Pearce nominated Councilwoman Hayes for President, however Councilwoman Hayes declined the nomination. President Richardson was elected as President for 2011.

Minutes: The amended minutes for November 08th were discussed. Motion made by President Richardson and seconded by Councilman Johnes to accept. Motion passed 5-0.

Marshal Report:

Deputy Marshal Burkhardt reported that the marshal's department was investigating several break-ins, some criminal mischief and vandalism cases.

Water Business:

Superintendent Getrost submitted monthly adjustments to the council. The board approved the adjustments for the bills without objection.

Financial:

Review/Approval Checks and Expenditures: Clerk Travillian presented the forms for the checks written from the utility and the town.

Ordinance 2010-T-067 ORDINANCE CONCERNING THE ADOPTION OF THE STATE OF INDIANA BUILDING CODES FOR ENFORCEMENT WITHIN THE CORPORATE LIMITS OF THE TOWN OF GREENVILLE, INDIANA;

Second reading was completed. A motion was made by President Richardson and seconded by Councilman Johnes to accept the ordinance. Motion passed 4-1. Voting for the ordinance were President Richardson, Councilman Johnes, Councilman Wright, and Councilwoman Hayes. Voting against the ordinance was Councilman Pearce. Third reading was completed. A motion was made by Councilman Johnes and seconded by President Richardson to accept the ordinance. Motion passed 4-1. Voting for the ordinance were President Richardson, Councilman Johnes, Councilman Wright and Councilwoman Hayes. Voting against the ordinance was Councilman Pearce.

Ordinance 2010-T-068 ORDINANCE CONCERNING THE REGULATING OF OUTDOOR ADVERTISING WITHIN THE TOWN OF GREENVILLE, INDIANA

Second reading was completed. A motion was made by President Richardson and seconded by Councilman Johnes to accept the ordinance. Motion passed 5-0. Third reading was completed. A motion was made by Councilwoman Hayes and seconded by Councilman Johnes to accept the ordinance. Motion passed 5-0.

Ordinance 2010-T-083 ORDINANCE CONCERNING THE COMPREHENSIVE PLAN WITHIN THE TOWN OF GREENVILLE, INDIANA

Second reading was completed. A motion was made by President Richardson and seconded by Councilman Johnes to accept the ordinance. Motion passed 5-0. Third reading was completed. A motion was made by President Richardson and seconded by Councilwoman Hayes to accept the ordinance. Motion passed 5-0.

Ordinance 2010-T-028 ORDINANCE CONCERNING REQUESTED SPECIAL VARIANCE BY DONALD PERKINS OWNER OF VACANT LOT AT WEST SECOND STREET AND US HIGHWAY 150 LOCATED WITHIN THE TOWN OF GREENVILLE, INDIANA; First reading of the ordinance was completed and motion was made for unanimous consent by President Richardson and seconded by Councilwoman Hayes. Motion passed 5-0. Second reading was completed. Councilman Johnes made a motion to accept the ordinance and seconded by President Richardson. Motion passed 5-0. Third reading was completed. A motion was made by Councilman Johnes and seconded by Councilwoman Hayes to accept the ordinance. Motion passed 5-0.

New Business:

Ordinance 2010-R-084 RESOLUTION CONCERNING THE RECOMMENDED BUILDING INSPECTORS FOR THE TOWN OF GREENVILLE, INDIANA; First reading of the resolution was completed and motion was made by Councilman Johnes and seconded by President Richardson to accept the resolution as written. Motion passed 5-0.

Ordinance 2010-W-085 ORDINANCE FOR MERIT INCREASES FOR WATER UTILITY EMPLOYEES FOR THE YEAR OF 2011 OF THE GREENVILLE MUNICIPAL WATER UTILITY OF GREENVILLE INDIANA; First reading of the ordinance was completed and motion was made for unanimous consent by Councilman Johnes and seconded by President Richardson. Motion passed 5-0. Second reading was completed. President Richardson made a motion to accept the ordinance and seconded by Councilman Johnes. Motion passed 5-0. Third reading was completed. A motion was made by Councilman Johnes and seconded by President Richardson to accept the ordinance. Motion passed 5-0.

Resolution 2010-R-086 RESOLUTION CONCERNING THE AUTHORIZING OF COUNCILMAN JOHNES TO SIGN BUILDING PERMIT RESOLUTIONS ON BEHALF OF THE GREENVILLE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA; Resolution reading was completed. A motion was made by Councilman Johnes and seconded by President Richardson to accept the resolution as written. Motion passed 5-0.

Ordinance 2010-M-087 ORDINANCE CONCERNING THE ENFORCEMENT OF STATE OF INDIANA TRAFFIC LAWS WITHIN CORPORATE LIMITS OF THE TOWN OF GREENVILLE, INDIANA; First reading of the ordinance was completed and motion was made for unanimous consent by President Richardson and seconded by Councilman Johnes. Motion passed 5-0. Second reading was completed. Councilman Johnes made a motion to accept the ordinance and seconded by President Richardson. Motion passed 5-0. Third reading was completed. A motion was made by President Richardson and seconded by Councilman Johnes to accept the ordinance. Motion passed 5-0.

Ordinance 2010-W-088 ORDINANCE CONCERNING PROVIDING ADDITIONAL FUNDS FOR THE ANALYSIS FOR RATE INCREASE REQUIRED FOR SDF LOAN REQUIREMENTS FOR THE GREENVILLE WATER UTILITY OF THE TOWN OF GREENVILLE INDIANA; First reading of the ordinance was completed and motion was made for unanimous consent by Councilman Johnes and seconded by President Richardson. Motion passed 5-0. Second reading was completed. Councilman Johnes made a motion to accept the ordinance and seconded by Councilwoman Hayes. Motion passed 5-0. Third reading was completed. A motion was made by Councilwoman Hayes and seconded by Councilman Johnes to accept the ordinance. Motion passed 5-0.

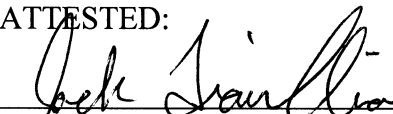
No further business coming before the Council the meeting was adjourned.

Next Monthly Meeting to be held at 7:00 P.M. on January 10th, 2011.

PRESIDING OFFICER
TOWN OF GREENVILLE, INDIANA


TALBOTTE RICHARDSON

ATTESTED:


JACK TRAVILLIAN
CLERK / TREASURER

<u>General Fund</u>		Budgeted	Spent	Remaining
101001111	Council Salary	\$ 9,600.00	\$ 7,425.00	\$ 2,175.00
101001112	Clerk Salary	\$ 3,000.00	\$ 2,750.00	\$ 250.00
101001113	Marshal's Payroll	\$ 14,000.00	\$ 12,633.59	\$ 1,366.41
101001115	Deputy's Payroll	\$ 600.00	\$ 600.00	\$ -
101001116	Marshal Reserve Pay	\$ 6,500.00	\$ -	\$ 6,500.00
101001117	Detective Payroll	\$ 11,000.00	\$ 10,000.00	\$ 1,000.00
101001131	Employee Benefits	\$ 8,250.00	\$ 4,587.19	\$ 3,662.81
101002231	Computer Software	\$ 1,500.00	\$ 1,155.00	\$ 345.00
101001210	Office Supplies	\$ 1,050.00	\$ 694.70	\$ 355.30
101001290	Marshal's Fuel	\$ 3,000.00	\$ 2,899.46	\$ 100.54
101001397	Election Expenses			
101001315	Legal	\$ 11,000.00	\$ 6,859.50	\$ 4,140.50
101001323	Travel	\$ 300.00	\$ 280.80	\$ 19.20
101001332	Legal Notices	\$ 2,700.00	\$ 1,917.52	\$ 782.48
101001140	Insurance			\$ -
101001361	Equipment &	\$ 1,500.00	\$ 1,320.25	\$ 179.75
101001394	Offical Bonds			
101001591	Town Promotion	\$ 1,000.00	\$ 383.00	\$ 617.00
101001396	Trash Collection	\$ 1,000.00	\$ 300.00	\$ 700.00
101001398	Organizational Dues	\$ 800.00	\$ 736.00	\$ 64.00
101001511	Audit Expense			
101001343	Fire Protection	\$ 9,000.00	\$ 8,400.00	\$ 600.00
	Total	\$ 85,800.00	\$ 55,517.01	\$ 22,857.99
Balance in Account				\$ 8,718.31
<u>Local Roads and Streets</u>				
202001312	Legal & Engineering			\$ -
202001332	Legal Advertising	\$ 50.00		\$ 50.00
202001361	Maintenance ROW	\$ 2,250.00		\$ 2,250.00
202001362	Streets & Alleys by Contract	\$ 25,500.00	\$ 10,974.00	\$ 14,526.00
202001363	Road Repairs	\$ 863.82		\$ 863.82
	Total	\$ 28,663.82		\$ 17,689.82
Balance in Account				\$ 10,780.94

<u>Motor Vehicle Highway</u>				
201001222	Streets Signs	\$ 250.00		\$ 250.00
201001231	Materials	\$ 677.06		\$ 677.06
201001332	Legals Published			
201001312	Engineering	\$ 500.00		\$ 500.00
201001341	Insurance Streets	\$ 4,000.00	\$ 3,297.49	\$ 702.51
201001324	Telephone	\$ 2,300.00	\$ 1,399.42	\$ 900.58
201001362	Equipment Repairs	\$ 2,000.00	\$ 691.16	\$ 1,308.84
201001351	Street Lights	\$ 6,000.00	\$ 3,906.62	\$ 2,093.38
201001361	Snow Removal &	\$ 23,500.00	\$ 14,239.75	\$ 9,260.25
201001315	Streets & Alleys by	\$ 9,500.00	\$ 9,500.00	\$ -
201001365	Other Maintenance	\$ 75.00		\$ 75.00
	Total	\$ 48,802.06	\$ 33,034.44	\$ 15,767.62
Balance in Account				\$ 31,874.78
<u>Cumulative Capital Improvement</u>				
401001520	Inter Fund Operation	\$ 6,000.00	\$ 3,260.00	\$ 2,740.00
Balance in Account				\$ 3,032.82
<u>EDIT</u>				
444001520	Other Capital	\$ 10,000.00	\$11,000.00	\$ (1,000.00)
Balance in Account				\$ 5,038.83
<u>Law Enforcement</u>				
445001362	Donations	\$ 250.00	\$ 195.01	\$54.99
233001399	Training	\$ 1,000.00	\$665.68	\$ 334.32
	Gun Permits	\$ 50.00		\$ 50.00
Balance in Account				\$439.31
<u>Riverboat</u>				
242001520	Inter Fund Transfer	\$ 6,100.00	\$ 10,187.50	\$ (4,087.50)
Balance in Account				\$ 9,089.71
<u>Rainy Day Fund</u>				
245001520	Inter Fund Transfer		\$ 6,300.00	
Balance in Account				\$ 1,176.30

		Income	Expenses	Profit/Loss
Water Operating		\$ 70,938.20	\$ 61,813.91	\$ 9,124.29
Meter Deposits		\$ 304.76	\$ 275.00	\$ 29.76
Special Projects		\$ 100,287.39		\$ 100,287.39
Bond and Interest		\$ 29.66		\$ 29.66

I hereby certify that each of the above listed vouchers and the invoices, or bills attached there to, are true and correct and I have audited same in accordance with IC5-11-10-1.6.

December 13, 2010

Fiscal Officer

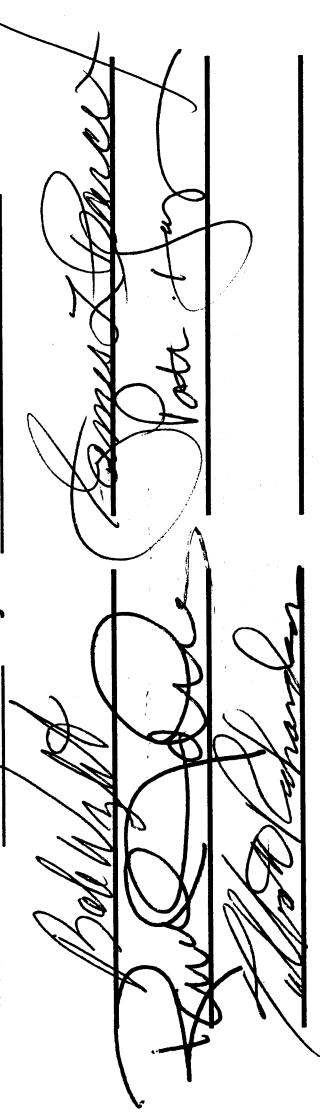
ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF GREENVILLE

WATER UTILITY DECEMBER 13, 2010

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 4 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 239,383.70.

Dated this 13th day of December 2010.



Signatures of Governing Board

ACCOUNTS PAYABLE REGISTER

WATER UTILITY DECEMBER 13, 2010

APPROPRIATION/AP VOUCHER NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NOPAY	MEMORANDUM
601001112.000	5389 PAYROLL	GETROST	0		//	1954.35	1175	11/11/2010		
601001112.000	5389 PAYROLL	STONE	0		//	1045.06	1176	11/11/2010		
601001111.000	5389 PAYROLL	SCHMITT	0		//	1013.02	1177	11/11/2010		
601001112.000	5389 PAYROLL	BURKHART	0		//	654.84	1178	11/11/2010		
601001111.000	5390 First Harrison Bank	FICA	0		//	82.58	7690	11/11/2010		
601001111.000	5390 First Harrison Bank	MEDICARE	0		//	19.31	7690	11/11/2010		
601001111.000	5390 First Harrison Bank	FEDERAL	0		//	156.48	7690	11/11/2010		
601001112.000	5390 First Harrison Bank	FICA	0		//	295.31	7690	11/11/2010		
601001112.000	5390 First Harrison Bank	MEDICARE	0		//	69.06	7690	11/11/2010		
601001112.000	5390 First Harrison Bank	FEDERAL	0		//	527.84	7690	11/11/2010		
601001131.000	5390 First Harrison Bank	FICA	0		//	377.91	7690	11/11/2010		
601001131.000	5390 First Harrison Bank	MEDICARE	0		//	88.39	7690	11/11/2010		
601001211.000	5391 Postmaster	2 ROLLS OF STAMPS @ 44.00	0		//	88.00	7691	11/16/2010		
601001211.000	5391 Postmaster	EA	0		//	185.00	7691	11/16/2010		
604001391.000	5392 JEAN JAMES	FIRST CLASS MAIL PRESORT	0		//					
604001391.000	5393 JESSE PEKINPAUGH	MAILING FE	0		//	25.00	1870	11/18/2010		
604001391.000	5394 ROBIN MELCHER	ACC 12940	0		//	50.00	1871	11/18/2010		
604001391.000	5395 Greenville Water Utility	ACC 127501	0		//	50.00	1872	11/18/2010		
		ACC 20056	0		//	50.00	1873	11/18/2010		
		APPLIED TO OUTSTANDING	0		//					
		BALANCE ACC#	0		//					
601001112.000	5396 PAYROLL	GETROST	0		//	1954.35	1179	11/23/2010		
601001112.000	5396 PAYROLL	STONE	0		//	1045.06	1180	11/23/2010		
601001111.000	5396 PAYROLL	SCHMITT	0		//	1013.02	1181	11/23/2010		
601001112.000	5396 PAYROLL	BURKHART	0		//	654.84	1182	11/23/2010		
601001111.000	5397 First Harrison Bank	FEDERAL	0		//	156.48	7692	11/23/2010		
601001111.000	5397 First Harrison Bank	FICA	0		//	82.58	7692	11/23/2010		
601001111.000	5397 First Harrison Bank	MEDICARE	0		//	19.31	7692	11/23/2010		
601001112.000	5397 First Harrison Bank	FEDERAL	0		//	527.84	7692	11/23/2010		
601001112.000	5397 First Harrison Bank	FICA	0		//	295.31	7692	11/23/2010		
601001112.000	5397 First Harrison Bank	MEDICARE	0		//	69.06	7692	11/23/2010		
601001131.000	5397 First Harrison Bank	FICA	0		//	377.91	7692	11/23/2010		
601001131.000	5397 First Harrison Bank	MEDICARE	0		//	88.39	7692	11/23/2010		
601001131.000	5397 First Harrison Bank	FICA	0		//	195.86	7693	11/29/2010		
601001120.000	5399 First Harrison Bank	MEDICARE	0		//	45.80	7693	11/29/2010		
601001120.000	5399 First Harrison Bank	FEDERAL	0		//	212.08	7693	11/29/2010		
601001131.000	5399 First Harrison Bank	FICA	0		//	195.89	7693	11/29/2010		
601001131.000	5399 First Harrison Bank	MEDICARE	0		//	45.82	7693	11/29/2010		
603001210.000	5400 First Harrison Bank	PAY OFF OF LOAN 01-0303201	0		//	159000.00	101	12/02/2010		
		PRINCIPAL	0		//					
603001210.000	5400 First Harrison Bank	INTEREST	0		//	7950.00	101	12/02/2010		

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ACCOUNTS PAYABLE REGISTER

WATER UTILITY DECEMBER 13, 2010

APPROPRIATION/ P VOUCHER NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NOPAY	MEMORANDUM
603001210.000	5400 First Harrison Bank	CUSTODIAL & ADMINISTRATIVE EXPENSES	0		//	10.00	101	12/02/2010		
601001230.000	5401 BOYCE SYSTEMS	BLUE APV VOUCHERS	0	0405109	//	128.17	0	12/09/2010		
601001230.000	5401 BOYCE SYSTEMS	LASER CHECKS	0	0405099	//	263.67	0	12/09/2010		
601001230.000	5401 BOYCE SYSTEMS	ENVELOPES	0	0404539	//	149.79	0	12/09/2010		
601001360.000	5402 GREENER, LINDA	OFFICE CLEANING	0		//	220.00	0	12/09/2010		
601001352.000	5403 Pearce Bottled Gas	100 GALLONS @ 2.25	0	34055	//	225.35	0	12/09/2010		
601001351.000	5404 DUKE ENERGY	WIND HILL PUMPST	0	01903002014	//	9.40	0	12/09/2010		
601001351.000	5404 DUKE ENERGY	CLARK ST	0	91603002011	//	87.30	0	12/09/2010		
601001351.000	5404 DUKE ENERGY	PEKIN RD	0	65802890014	//	299.18	0	12/09/2010		
601001351.000	5404 DUKE ENERGY	CLARK ST	0	02603002019	//	36.94	0	12/09/2010		
601001130.000	5405 AMERICAN GENERAL	SEE ATTACHED	0	20505040403184	//	337.00	0	12/09/2010		
601001350.000	5406 AT&T CORPORATION	OFFICE PHONES	0	81292398217619	//	279.92	0	12/09/2010		
601001350.000	5407 MCI	LONG DISTANCE SERVICE	0	08676590249	//	20.19	0	12/09/2010		
601001355.000	5408 Greenville Water Utility	OFFICE USAGE (TWO MONTHS)	0	10750	//	34.66	0	12/09/2010		
601001210.000	5409 RELIABLE OFFICE SUPPLIES	2011 CALENDARS	0	01046062	//	25.44	0	12/09/2010		
601001360.000	5410 THE TRIBUNE	PUBLISHED 2010-W-064 RATE INCREASE	0		//	127.70	0	12/09/2010		
601001130.000	5411 ALWAYS CARE BENEFITS	SEE ATTACHED	0	281995	//	343.10	0	12/09/2010		
601001111.000	5412 INDIANA DEPT OF REVENUE	STATE	0		//	90.58	0	12/09/2010		
601001111.000	5412 INDIANA DEPT OF REVENUE	COUNTY	0		//	30.64	0	12/09/2010		
601001112.000	5412 INDIANA DEPT OF REVENUE	STATE	0		//	323.88	0	12/09/2010		
601001112.000	5412 INDIANA DEPT OF REVENUE	COUNTY	0		//	109.54	0	12/09/2010		
601001120.000	5412 INDIANA DEPT OF REVENUE	STATE	0		//	104.59	0	12/09/2010		
601001120.000	5412 INDIANA DEPT OF REVENUE	COUNTY	0		//	35.38	0	12/09/2010		
601001590.000	5412 INDIANA DEPT OF REVENUE	TOWN COUNCIL STATE W/H	0		//	20.12	0	12/09/2010		
601001590.000	5412 INDIANA DEPT OF REVENUE	TOWN COUNCIL COUNTY	0		//	6.81	0	12/09/2010		
601001590.000	5412 INDIANA DEPT OF REVENUE	TREASURER STATE	0		//	8.50	0	12/09/2010		
601001590.000	5412 INDIANA DEPT OF REVENUE	TREASURER COUNTY	0		//	2.88	0	12/09/2010		
601001590.000	5412 INDIANA DEPT OF REVENUE	MARSHALL STATE	0		//	73.66	0	12/09/2010		
601001590.000	5412 INDIANA DEPT OF REVENUE	MARSHALL COUNTY	0		//	24.92	0	12/09/2010		
601001501.000	5413 INDIANA DEPT OF REV	METERED SALES OF \$53603.54 x 7%	0		//	3752.24	0	12/09/2010		
601001350.000	5414 Verizon Wireless	CELL PHONES	0	2493983308	//	333.21	0	12/09/2010		
601001230.000	5415 FERGUSON WATERWORKS	SEE ATTACHED	0	0080404	//	1064.78	0	12/09/2010		
601001230.000	5415 FERGUSON WATERWORKS	SEE ATTACHED	0	0080883	//	409.86	0	12/09/2010		
601001354.000	5416 Edwardsville Water	8,000,000 GAL	0	103533	//	10008.75	0	12/09/2010		
601001354.000	5416 Edwardsville Water	MONTHLY FAC. CHARGE	0	103533	//	6775.73	0	12/09/2010		
601001354.000	5417 Ramsey Water	100,000 GALLONS	0	105723	//	452.17	0	12/09/2010		
601001360.000	5418 JACOBI, TOOMBS AND LANZ	SEE ATTACHED	0	100776	//	4960.00	0	12/09/2010		

ACCOUNTS PAYABLE REGISTER
WATER UTILITY DECEMBER 13, 2010

APPROPRIATION/ VOUCHER NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NOPAY	MEMORANDUM
601001351.000	5419 HARRISON REMC	OLD VINCENNES RD	0	12303	//	20.10	0	12/09/2010		
601001354.000	5420 Floyds Knobs Water	1930000 GALLONS	0	100002	//	6176.00	0	12/09/2010		
601001590.000	5421 Gary Getrost	SEE ATTACHED RECEIPTS	0		//	82.30	0	12/09/2010		
601001360.000	5422 LAW OFFICES OF RICHARD FO	4 PHONE CALLS W/ GARY	0	1600	//	59.50	0	12/09/2010		
601001360.000	5422 LAW OFFICES OF RICHARD FO	2 PHONE CALLS W/ RANDY, REVIEW 2010	0	1581	//	238.00	0	12/09/2010		
601001320.000	5423 Jacobi Oil Service	GASOLINE FOR TRUCKS	0	GREENW1	//	358.43	0	12/09/2010		
601001210.000	5424 OFFICE DEPOT	SEE ATTACHED	0	601116003546113	//	97.93	0	12/09/2010		
601001360.000	5425 Environmental Laboratories	2 TOTAL COLIFORM @ 15 EACH	0	20107219	//	30.00	0	12/09/2010		
601001360.000	5425 Environmental Laboratories	3 TOTAL COLIFORM @ \$15 EACH	0	20107254	//	45.00	0	12/09/2010		
601001111.000	5426 PAYROLL	SCHMITT	0		//	1031.19	1191	12/09/2010		
601001112.000	5426 PAYROLL	GETROST	0		//	1954.35	1189	12/09/2010		
601001112.000	5426 PAYROLL	STONE	0		//	1045.06	1190	12/09/2010		
601001112.000	5426 PAYROLL	BURKHART	0		//	654.84	1192	12/09/2010		
601001111.000	5427 First Harrison Bank	FICA	0		//	84.13	7694	12/09/2010		
601001111.000	5427 First Harrison Bank	MEDICARE	0		//	19.68	7694	12/09/2010		
601001111.000	5427 First Harrison Bank	FEDERAL	0		//	160.23	7694	12/09/2010		
601001111.000	5427 First Harrison Bank	FICA	0		//	295.31	7694	12/09/2010		
601001112.000	5427 First Harrison Bank	MEDICARE	0		//	69.06	7694	12/09/2010		
601001112.000	5427 First Harrison Bank	FEDERAL	0		//	527.84	7694	12/09/2010		
601001112.000	5427 First Harrison Bank	FICA	0		//	379.46	7694	12/09/2010		
601001131.000	5427 First Harrison Bank	MEDICARE	0		//	88.74	7694	12/09/2010		
601001131.000	5427 First Harrison Bank	SCHMITT	0		//	407.32	1195	12/09/2010		
601001111.000	5428 PAYROLL	GETROST	0		//	2275.35	1193	12/09/2010		
601001112.000	5428 PAYROLL	STONE	0		//	771.32	1194	12/09/2010		
601001112.000	5428 PAYROLL	BURKHART	0		//	407.32	1196	12/09/2010		
601001230.000	5430 SLC METER SERVICE INC.	SEE ATTACHED INVOICE	0	237378	//	4258.85	0	12/13/2010		
601001360.000	5431 DAN CHRISIANI EXCAVATING	FIX LEAK BENCHMARK, SET METER HERIT	0	54038	//	420.00	0	12/13/2010		
601001360.000	5431 DAN CHRISIANI EXCAVATING	FIX LEAK BENCHMARK	0	54138	//	510.00	0	12/13/2010		
601001360.000	5431 DAN CHRISIANI EXCAVATING	FIX FLUSH OUT QUAIL WOOD DRIVE	0	54189	//	577.50	0	12/13/2010		
601001360.000	5431 DAN CHRISIANI EXCAVATING	REPLACE FIRE HYDRANT	0	54295	//	840.00	0	12/13/2010		
601001230.000	5432 Waller's Meter	SEE ATTACHED INVOICE	0	114731	//	1571.71	0	12/13/2010		
601001230.000	5432 Waller's Meter	SEE ATTACHED INVOICE	0	114807	//	491.12	0	12/13/2010		
601001230.000	5432 Waller's Meter	SEE ATTACHED INVOICE	0	114866	//	193.05	0	12/13/2010		
601001230.000	5433 EARTH FIRST OF KENTUCKIAN	CONC BLK AGGREGATE BUCKETS	0	55230	//	27.10	0	12/13/2010		
601001230.000	5433 EARTH FIRST OF KENTUCKIAN	LIMESTONE #63	0	55088	//	51.00	0	12/13/2010		
601001230.000	5433 EARTH FIRST OF KENTUCKIAN	GRAVEL	0	55479	//	23.42	0	12/13/2010		

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ACCOUNTS PAYABLE REGISTER

WATER UTILITY DECEMBER 13, 2010

APPROPRIATION/P VOUCHER NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NOPAY	MEMORANDUM
601001111.000	6102 First Harrison Bank	FEDERAL	0		//	31.68	7695	12/09/2010		
601001111.000	6102 First Harrison Bank	FICA	0		//	31.00	7695	12/09/2010		
601001111.000	6102 First Harrison Bank	MEDICARE	0		//	7.25	7695	12/09/2010		
601001112.000	6102 First Harrison Bank	FEDERAL	0		//	497.01	7695	12/09/2010		
601001112.000	6102 First Harrison Bank	FICA	0		//	279.00	7695	12/09/2010		
601001112.000	6102 First Harrison Bank	MEDICARE	0		//	65.25	7695	12/09/2010		
601001112.000	6102 First Harrison Bank	FICA	0		//	310.00	7695	12/09/2010		
601001131.000	6102 First Harrison Bank	MEDICARE	0		//	72.50	7695	12/09/2010		
*** Total ***						239383.70				

FUND SUMMARY OF A/P VOUCHERS

FUND		EXPENDED
601		72248.70
603		166960.00
604		175.00
*** Total ***		239383.70

I hereby certify that each of the above listed vouchers and the invoices, or bills attached there to, are true and correct and I have audited same in accordance with IC5-11-10-1.6.

December 13, 2010

Jack Santilli
Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF GREENVILLE

TOWN OF GREENVILLE

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 3 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 24,267.96.

Dated this 13th day of December 2010.

Patricia Day Paul J. Day
James A. Gorman Bob Wright
William H. Kenworthy

Signatures of Governing Board

APPROVED BY THE STATE BOARD OF ACCOUNTS FOR THE TOWN OF GREENVILLE-2004

ACCOUNTS PAYABLE REGISTER

TOWN OF GREENVILLE NOV/DEC 2010

APPROPRIATION/PO NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NO PAY	MEMORANDUM
101001113.000	8384 PAYROLL	MOORE	0	0	/ /	446.59	651	11/15/2010		
101001115.000	8384 PAYROLL	BURKHART	0	0	/ /	410.93	652	11/15/2010		
101001113.000	8385 First Harrison Bank	FICA	0	0	/ /	67.17	5997	11/15/2010		
101001113.000	8385 First Harrison Bank	MEDICARE	0	0	/ /	15.71	5997	11/15/2010		
101001113.000	8385 First Harrison Bank	FEDERAL	0	0	/ /	93.64	5997	11/15/2010		
101001113.000	8385 First Harrison Bank	FICA	0	0	/ /	67.16	5997	11/15/2010		
101001131.000	8385 First Harrison Bank	MEDICARE	0	0	/ /	15.71	5997	11/15/2010		
101001112.000	8386 PAYROLL	TRAVILLIAN	0	0	/ /	69.49	653	11/29/2010		
101001111.000	8386 PAYROLL	RICHARDSON	0	0	/ /	141.15	654	11/29/2010		
101001111.000	8386 PAYROLL	JOHNS	0	0	/ /	109.75	655	11/29/2010		
101001111.000	8386 PAYROLL	WRIGHT	0	0	/ /	84.75	656	11/29/2010		
101001111.000	8386 PAYROLL	HAYES	0	0	/ /	113.54	657	11/29/2010		
101001111.000	8386 PAYROLL	PEARCE	0	0	/ /	109.75	658	11/29/2010		
101001112.000	8387 First Harrison Bank	FEDERAL	0	0	/ /	37.50	5998	11/29/2010		
101001112.000	8387 First Harrison Bank	MEDICARE	0	0	/ /	9.78	5998	11/29/2010		
101001112.000	8387 First Harrison Bank	FICA	0	0	/ /	41.85	5998	11/29/2010		
101001111.000	8387 First Harrison Bank	FEDERAL	0	0	/ /	150.00	5998	11/29/2010		
101001111.000	8387 First Harrison Bank	MEDICARE	0	0	/ /	3.63	5998	11/29/2010		
101001111.000	8387 First Harrison Bank	FICA	0	0	/ /	15.50	5998	11/29/2010		
101001131.000	8387 First Harrison Bank	MEDICARE	0	0	/ /	13.44	5998	11/29/2010		
101001131.000	8387 First Harrison Bank	FICA	0	0	/ /	57.35	5998	11/29/2010		
101001113.000	8388 PAYROLL	MOORE	0	0	/ /	446.59	659	11/29/2010		
101001113.000	8388 PAYROLL	BURKHART	0	0	/ /	410.93	660	11/29/2010		
101001113.000	8389 First Harrison Bank	FICA	0	0	/ /	67.17	5999	11/29/2010		
101001113.000	8389 First Harrison Bank	MEDICARE	0	0	/ /	15.71	5999	11/29/2010		
101001113.000	8389 First Harrison Bank	FEDERAL	0	0	/ /	93.64	5999	11/29/2010		
101001131.000	8389 First Harrison Bank	FICA	0	0	/ /	67.16	5999	11/29/2010		
101001131.000	8389 First Harrison Bank	MEDICARE	0	0	/ /	15.71	5999	11/29/2010		
101001398.000	8390 Greenville Water Utility	METER DEPOSIT DEPOSITED INTO WRONG	0	0	/ /	50.00	6000	12/07/2010		
445001362.000	8391 GALL'S ARAMARK COMPANY	SEE ATTACHED	0	5143638	/ /	91.78	0	12/09/2010		
101001332.000	8392 THE TRIBUNE	PUBLIC HEARING NOTICE LAND USE MAP	0	06525713	11/18/2010	3.61	0	12/09/2010		
101001332.000	8392 THE TRIBUNE	PUBLIC HEARING NOTICE ERIC RUSBY	0	06525789	12/01/2010	4.10	0	12/09/2010		
201001362.000	8393 JACK'S AUTO CARE	SPARK PLUG	0	36220	11/29/2010	5.00	0	12/09/2010		
201001362.000	8393 JACK'S AUTO CARE	COIL	0	36220	11/29/2010	44.00	0	12/09/2010		
201001362.000	8393 JACK'S AUTO CARE	INSTALL	0	36220	11/29/2010	30.00	0	12/09/2010		
201001324.000	8394 NEXTEL / SPRINT	POLICE CELL PHONES	0	625808657041	11/15/2010	116.09	0	12/09/2010		
101001290.000	8395 MARATHON PETROLEUM CO.	GAS FOR POLICE CARS	0	0 1003130141	/ /	216.52	0	12/09/2010		
101001111.000	8396 Greenville Water Utility	STATE W/H	0	0	/ /	20.12	0	12/09/2010		

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APPROVED BY THE STATE BOARD OF ACCOUNTS FOR THE TOWN OF GREENVILLE-2004

ACCOUNTS PAYABLE REGISTER

TOWN OF GREENVILLE NOV/DEC 2010

APPROPRIATION/VP VOUCHER NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NOPAY	MEMORANDUM
101001111.000	8396 Greenville Water Utility	COUNTY	0		/ /	6.91	0	12/09/2010		
101001112.000	8396 Greenville Water Utility	STATE	0		/ /	8.50	0	12/09/2010		
101001112.000	8396 Greenville Water Utility	COUNTY	0		/ /	2.88	0	12/09/2010		
101001113.000	8396 Greenville Water Utility	STATE	0		/ /	73.66	0	12/09/2010		
101001113.000	8396 Greenville Water Utility	COUNTY	0		/ /	24.92	0	12/09/2010		
201001351.000	8397 DUKE ENERGY	43 @ RATE SSLP	0	449028900014	11/30/2010	326.10	0	12/09/2010		
201001351.000	8397 DUKE ENERGY	1 @ RATE SSLU	0	449028900014	11/30/2010	11.86	0	12/09/2010		
201001351.000	8397 DUKE ENERGY	6 @ RATE SSLU	0	03902890016	11/30/2010	14.47	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	REVIEW EMAILS, PHONE CALLS	0	1592	11/01/2010	51.00	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	REVIEW RAINBOLT LETTER	0	1592	11/01/2010	17.00	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	REVIEW PICTURES, PHONE CALLS	0	1592	11/01/2010	34.00	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	PREPARE PERKINS TRIAL, TRIAL	0	1592	11/01/2010	374.00	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	PHONE CALLS	0	1592	11/01/2010	25.50	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	PHONE CALL MAP HEARING	0	1592	11/01/2010	8.50	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	REVIEW ORDINANCES, SPECIAL MEETING	0	1592	11/01/2010	323.00	0	12/09/2010		
101001315.000	8398 LAW OFFICES OF RICHARD FO	PHONE CALLS, REVIEW ORD. (SECOND MO	0	1601	12/01/2010	663.00	0	12/09/2010		
101001210.000	8399 JACK TRAVILLIAN	CERTIFIED LETTER BOB WRIGHT	0		10/26/2010	5.54	0	12/09/2010		
101001210.000	8399 JACK TRAVILLIAN	CERTIFIED LETTER TO HERSHEYS	0		11/12/2010	5.54	0	12/09/2010		
101001210.000	8399 JACK TRAVILLIAN	CERTIFIED MAILING DON THIENEMAN	0		11/12/2010	5.54	0	12/09/2010		
101001210.000	8399 JACK TRAVILLIAN	CERTIFIED MAILING EDMONDS	0		11/12/2010	5.54	0	12/09/2010		
101001210.000	8399 JACK TRAVILLIAN	CERTIFIED LETTER TO ERIC RUSBY	0		11/29/2010	5.54	0	12/09/2010		
101001210.000	8399 JACK TRAVILLIAN	CERTIFIED LETTER TO KARRIE BRUDIS	0		12/01/2010	5.54	0	12/09/2010		
201001361.000	8400 EARTH FIRST OF KENTUCKIAN	SALT BULK	0	55518	12/04/2010	78.00	0	12/13/2010		
245001520.000	8401 OWENS COMMUNICATION	(2) LINEAR STROBE/ REFLECTOR @ \$67	0	2511	10/07/2010	134.00	0	12/13/2010		
245001520.000	8401 OWENS COMMUNICATION	(3) REPAIR AT \$95 EACH	0	2511	10/07/2010	285.00	0	12/13/2010		
242001520.000	99911 TOWN OF GREENVILLE	TRANSFER RIVER TO LEGAL NOTICE	0	2010 T 079	/ /	1000.00	6001	12/13/2010		
242001520.000	99911 TOWN OF GREENVILLE	TRANSFER RIVER/GEN LEGAL	0	2010 T 080	/ /	3000.00	6001	12/13/2010		
444001520.000	99912 TOWN OF GREENVILLE	TRANSFER OF FUNDS	0	2010 T 072	09/13/2010	10000.00	6002	12/13/2010		
242001520.000	999911 TOWN OF GREENVILLE	TRANSFER RIVER TO LEGAL NOTICE	0	2010 T 079	/ /	1000.00	0	11/15/2010		
242001520.000	999911 TOWN OF GREENVILLE	TRANSFER RIVER/GEN LEGAL	0	2010 T 080	/ /	3000.00	0	11/15/2010		

ACCOUNTS PAYABLE REGISTER
TOWN OF GREENVILLE NOV/DEC 2010

APPROPRIATION/P VOUCHER NUMBER	VENDOR	DESCRIPTION	PO NUM	INVOICE	DATE	AMOUNT	CK NUM	CK DATE	NOPAY	MEMORANDUM
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FUND

*** Total ***

24267.96

FUND SUMMARY OF A/P VOUCHERS

FUND	EXPENDED
101	5131.66
201	625.52
242	8000.00
245	419.00
444	10000.00
445	91.78
*** Total ***	24267.96

B37704

STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769

EXAMINATION REPORT

OF

TOWN OF GREENVILLE

FLOYD COUNTY, INDIANA

January 1, 2007 to December 31, 2009



FILED
10/27/2010

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OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Clerk-Treasurer	Jack Travillian	01-01-04 to 12-31-11
President of the Town Council	Talbotte Richardson	01-01-07 to 12-31-10
Superintendent of the Water Utility	Gary W. Getrost	01-01-07 to 12-31-10



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
302 WEST WASHINGTON STREET
ROOM E418
INDIANAPOLIS, INDIANA 46204-2769

Telephone: (317) 232-2513
Fax: (317) 232-4711
Web Site: www.in.gov/sboa

INDEPENDENT ACCOUNTANT'S REPORT

TO: THE OFFICIALS OF THE TOWN OF GREENVILLE, FLOYD COUNTY, INDIANA

We have examined the financial information presented herein of the Town of Greenville (Town), for the period of January 1, 2007 to December 31, 2009. The Town's management is responsible for the financial information presented herein. Our responsibility is to express an opinion based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence supporting the financial information presented herein and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

In our opinion, the financial information referred to above presents fairly, in all material respects, the financial information of the Town for the years ended December 31, 2007, 2008 and 2009, based on the criteria set forth in the uniform compliance guidelines established by the Indiana State Board of Accounts.

The Schedule of Long-Term Debt, as listed in the Table of Contents, is presented for additional analysis and is not a required part of the basic financial information. It has not been subjected to the examination procedures applied to the basic financial information and, accordingly, we express no opinion on it.

STATE BOARD OF ACCOUNTS

August 12, 2010

TOWN OF GREENVILLE
SCHEDULES OF RECEIPTS, DISBURSEMENTS, AND CASH AND INVESTMENT BALANCES
ALL GOVERNMENTAL AND PROPRIETARY FUND TYPES
As Of And For The Years Ended December 31, 2007, 2008 And 2009

	Cash and Investments 01-01-07	Receipts	Disbursements	Cash and Investments 12-31-07
Governmental Funds:				
General	\$ 12,959	\$ 48,273	\$ 51,758	\$ 9,474
Motor Vehicle Highway	113,920	23,125	8,667	128,378
Local Road and Street	65,082	9,065	41,538	32,609
Law Enforcement Continuing Education	912	-	-	912
Riverboat	10,187	4,156	10,736	3,607
Cumulative Capital Improvement	(608)	4,076	-	3,468
Economic Development Income Tax	36,198	3,822	-	40,020
Proprietary Funds:				
Water Utility - Operating	1,093,245	815,084	745,506	1,162,823
Water Utility - Bond and Interest	13,368	20,410	20,650	13,128
Water Utility - Reserve	15,000	-	-	15,000
Water Utility - Customer Deposit	47,065	4,527	2,942	48,650
Totals	<u>\$ 1,407,328</u>	<u>\$ 932,538</u>	<u>\$ 881,797</u>	<u>\$ 1,458,069</u>
	Cash and Investments 01-01-08	Receipts	Disbursements	Cash and Investments 12-31-08
Governmental Funds:				
General	\$ 9,474	\$ 85,607	\$ 71,874	\$ 23,207
Motor Vehicle Highway	128,378	49,704	135,037	43,045
Local Road and Street	32,609	8,836	14,974	26,471
Law Enforcement Continuing Education	912	-	-	912
Riverboat	3,607	3,707	5,700	1,614
Rainy Day	-	657	650	7
Cumulative Capital Improvement	3,468	1,922	-	5,390
Economic Development Income Tax	40,020	4,210	30,000	14,230
Proprietary Funds:				
Water Utility - Operating	1,162,823	784,897	753,193	1,194,527
Water Utility - Bond and Interest	13,128	20,398	20,100	13,426
Water Utility - Reserve	15,000	-	-	15,000
Water Utility - Customer Deposit	48,650	3,427	2,647	49,430
Totals	<u>\$ 1,458,069</u>	<u>\$ 963,365</u>	<u>\$ 1,034,175</u>	<u>\$ 1,387,259</u>
	Cash and Investments 01-01-09	Receipts	Disbursements	Cash and Investments 12-31-09
Governmental Funds:				
General	\$ 23,207	\$ 55,099	\$ 72,107	\$ 6,199
Motor Vehicle Highway	43,045	20,876	23,385	40,536
Local Road and Street	26,471	48,110	60,538	14,043
Law Enforcement Continuing Education	912	170	989	93
Riverboat	1,614	3,699	-	5,313
Rainy Day	7	3,480	-	3,487
Donations	-	570	570	-
Cumulative Capital Improvement	5,390	1,812	1,740	5,462
Economic Development Income Tax	14,230	2,428	6,214	10,444
Proprietary Funds:				
Water Utility - Operating	1,194,527	776,488	960,314	1,010,701
Water Utility - Bond and Interest	13,426	20,473	20,550	13,349
Water Utility - Reserve	15,000	-	-	15,000
Water Utility - Special Projects	-	200,596	32	200,564
Water Utility - Customer Deposit	49,430	4,551	3,418	50,563
Totals	<u>\$ 1,387,259</u>	<u>\$ 1,136,352</u>	<u>\$ 1,149,857</u>	<u>\$ 1,375,754</u>

The accompanying notes are an integral part of the financial information.

TOWN OF GREENVILLE
NOTES TO FINANCIAL INFORMATION

Note 1. Introduction

The Town was established under the laws of the State of Indiana. The Town provides the following services: public safety, highways and streets, public improvements, general administrative services, and water utility services.

Note 2. Fund Accounting

The Town uses funds to report on its cash and investments and the results of its operations on a cash basis. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain governmental functions or activities.

Note 3. Budgets

The operating budget is initially prepared and approved at the local level. In addition, funds for which property taxes are levied or highway use taxes are received are subject to final approval by the Indiana Department of Local Government Finance.

Note 4. Property Taxes

Property taxes levied are collected by the County Treasurer and are distributed to the Town in June and December. State statute (IC 6-1.1-17-16) requires the Indiana Department of Local Government Finance to establish property tax rates and levies by February 15. These rates were based upon the preceding year's March 1 (lien date) assessed valuations adjusted for various tax credits. Taxable property is assessed at 100% of the true tax value (determined in accordance with rules and regulations adopted by the Indiana Department of Local Government Finance). Taxes may be paid in two equal installments which become delinquent if not paid by May 10 and November 10, respectively.

Note 5. Deposits and Investments

Deposits, made in accordance with Indiana Code 5-13, with financial institutions in the State of Indiana at year end were entirely insured by the Federal Depository Insurance Corporation or by the Indiana Public Deposit Insurance Fund. This includes any deposit accounts issued or offered by a qualifying financial institution.

State statute (IC 5-13-9) authorizes the Town to invest in securities including, but not limited to, federal government securities, repurchase agreements, and certain money market mutual funds. Certain other statutory restrictions apply to all investments made by local governmental units.

Note 6. Subsequent Event

The Town has approved a contract to perform a preliminary engineering report to determine funding sources available for the replacement of a 100,000 gallon water storage tower with a 400,000 gallon water storage tower. The project is estimated to cost \$1,077,250.

TOWN OF GREENVILLE
SUPPLEMENTARY INFORMATION
SCHEDULE OF LONG-TERM DEBT
December 31, 2009

The Town has entered into the following debt:

Description of Debt	Ending Principal Balance	Principal and Interest Due Within One Year
Business-type activities:		
Water Utility:		
Revenue Bonds:		
1980 Water construction	\$ 159,000	\$ 20,950

TOWN OF GREENVILLE
EXAMINATION RESULTS AND COMMENTS

CONDITION OF RECORDS

The following deficiencies, relating to the recordkeeping that were cited in the prior report, were again present during our period of examination:

- (1) Record balances were not reconciled to depository balances during the three year period. The Clerk-Treasurer failed to compare the reconciled bank balances to the official records of the Town and investigate any variances. As reported by the Clerk-Treasurer, the depository balances exceeded the record balances by \$4,290.65.

IC 5-13-6-1(e) states: "All local investment officers shall reconcile at least monthly the balance of public funds, as disclosed by the records of the local officers, with the balance statements provided by the respective depositories."

At all times, the manual and computerized records, subsidiary ledgers, control ledger, and reconciled bank balance should agree. If the reconciled bank balance is less than the subsidiary or control ledgers, then the responsible official or employee may be held personally responsible for the amount needed to balance the fund. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 7)

- (2) There were a considerable number of posting errors.

Controls over the receipting, disbursing, recording, and accounting for the financial activities are necessary to avoid substantial risk of invalid transactions, inaccurate records and financial statements and incorrect decision making. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 7)

CUSTOMER DEPOSIT REGISTER

The detailed customer deposit register does not reconcile with the customer deposit amount recorded on the general ledger. Monthly reconciliations are not being performed and printouts were not available to determine the variance at December 31, 2009. At July 31, 2010, the detailed customer deposit register is reporting \$1,596.19 more than what is shown on the ledger.

At all times, the manual and computerized records, subsidiary ledgers, control ledger, and reconciled bank balance should agree. If the reconciled bank balance is less than the subsidiary or control ledgers, then the responsible official or employee may be held personally responsible for the amount needed to balance the fund. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 7)

TOWN OF GREENVILLE
EXIT CONFERENCE

The contents of this report were discussed on August 12, 2010, with Jack Travillian, Clerk-Treasurer; Talbotte Richardson, President of the Town Council; Randal Johnes, Town Council member; Gary W. Getrost, Superintendent of the Water Utility; and Amy Stone, Utility Office Manager. The officials concurred with our findings.



Invoice No. 011-GVIL

INVOICE

Customer

Name Town of Greenville Attn: Talbotte Richardson
 Address P.O. Box 188
 City Greenville State IN ZIP 47124
 Phone 812 923-9821

Date 11/17/2010
 Order No.
 Rep
 FOB

Qty	Description	Unit Price	TOTAL
365 days	Animal Control Services to Greenville 2011 Service 01/01/11 - 12/31/11		
633	Residents July 2009	\$2.93	\$1,854.69

Payment Details



SubTotal	\$1,854.69
Shipping & Handling	
Taxes	
TOTAL	\$1,854.69

Office Use Only

Payable to City of New Albany for deposit in account# 02022.107.4318.0

Thank you in advance for your prompt attention to this matter

10-11-2010

ORDINANCE:

2009-R-086 ✓

MINUTES:

09-14-2009	MINUTES ONLY
10-12-2009	ALL INFO EXCEPT AGENDA
06-14-2010	MINUTES
07-20-2010	HEARING POSTING AND TRIBUNE LEGAL PUBLISHING
08-09-2010	FINANICAL SHEET ONLY
08-30-2010	POSTING SPECIAL MEETING
08-31-2010	POSTING SPECIAL MEETING

johnesdrafting

From: "johnesdrafting" <johnesdrafting@insightbb.com>
To: "Eric Rusby" <erusby@gmail.com>
Cc: "Greenville Councilman Pearce" <jlpearce61@hotmail.com>; "Greenville Councilman Bob Wright" <Grnvillestation@aol.com>; "Greenville Council Woman Hayes" <Pattiahayes@aol.com>; "Greenville Council President Richardson" <C.Richardson2@insightbb.com>; "Greenville Clerk Travillian" <greenville-clerk@insightbb.com>; "Greenville Atty. Mr. Fox" <rfox@aye.net>
Sent: Wednesday, November 10, 2010 5:54 PM
Attach: 2010-T-067 ADOPTION OF STATE OF INDIANA BUILDING CODES.pdf; 2010-T-068 REGULATING OUTDOOR ADVERTISING.pdf; ORDINANCE NO. 2009-T-039.pdf; ORDINANCE NO 2010-T-048.pdf; ORDINANCE NO 2010-T-050.pdf; ORDINANCE NO 2010-T-060.pdf; ORDINANCE NO 2010-T-061.pdf
Subject: Vacating a Alleyway
 11-10-2010

Mr. Rusby,

I have attached the Ordinances and Resolutions that will apply to construction on your property in Greenville. I tried to explain the process of vacating an alleyway to you in our monthly meeting. I will try to clarify this process.

1. I will make up the petition for you to sign and submit to Amy Stone at the Water Utility to start this process. I want a current plot plan of the property. I assume that this is all combined into one property so there should be a current survey that you had done. If you have not had the property surveyed I would suggest you do so. I can not accept you just giving me a written description unless it is done by an attorney. If you have not had the property surveyed we will require that you do so before we issue you a Building Permit Resolution.
2. The process for vacating any alleyway is dictated by Indiana State Law.
3. The next step after you submit your petition for vacating the alleyway, the town of Greenville will publish and set up a Public Hearing to vacate the alleyway. This has to be done within 30 days after receiving your petition. The Ordinance for vacating the alleyway will be introduced with its first reading and a vote will be taken.
4. If no objection is made to the vacating at the Public Hearing {note: objection would have to come from adjoining property owners} the second and third reading will take place with a vote at our next scheduled meeting.
5. After the passage of the Ordinance, it must be published in the Tribune. This must be done within 30 days. After the Publishing of the Ordinance, the alleyway will be officially vacated.

You will be responsible for the actual cost of vacating the alleyway. This will include all publishing. These fees will not be known until after the publishing is completed. These fees shall be paid before a Building Permit Resolution will be issued. Mr. Rusby, you also need to understand that you must present your final plan for approval before we will issue the Building Permit Resolution and I would advise you to do so before you submit your plans to the Department of Homeland Security. If we approve your final plan and you bring us your Board of Health Permit and a design release from the Department of Homeland Security we will issue you the Building Permit Resolution.

This process could take from 60 to 90 days depending upon all parties involved. I do not believe it is necessary to meet with you at this time. This is the process that is determined by law and the Greenville Town Council shall follow these laws.

Respectfully,

Randal Johnes
 Vice-President
 Greenville Town Council

11/11/2010

johnesdrafting

From: "Jorge Lanz" <j.lanz@jtleng.com>
To: "johnesdrafting" <johnesdrafting@insightbb.com>
Cc: "Aaron Sutherland" <a.sutherland@jtleng.com>
Sent: Tuesday, November 16, 2010 1:06 PM
Subject: RE: SRF LOAN

Hi, Randy:

We are getting ready to submit the draft PER. I have instructed Aaron in my office to provide you and Gary with a copy for your review and comments.

Regards,

Jorge

From: johnesdrafting [mailto:johnesdrafting@insightbb.com]
Sent: Tuesday, November 16, 2010 8:10 AM
To: MCGOFF, JAMES
Cc: Buzz Krohn; j.lanz@jtleng.com; Greenville Council President Richardson; Greenville Clerk Travillian; Greenville Atty.Mr. Fox; Greenville Water Utility Superintendent Getrost
Subject: SRF LOAN

11-16-2010

Mr. McGoff,

Attached is the Water Rate Increases we have passed based on information from the analysis done by O.W. Krone and Associates to address servicing the loan from SRF. We have a Public Hearing scheduled for 12-13 by Jacobi, Toombs and Lanz on the Preliminary Engineering Report. The Council would like to know what the next step is in obtaining the loan for the water storage tower.

Thank you,

Randal Johnes
Vice-President
Greenville Town Council

11/17/2010

johnesdrafting

From: "Buzz Krohn" <buzz@owkcpa.com>
To: <johnesdrafting@insightbb.com>
Cc: <j.lanz@jtleng.com>; "Greenville Council President Richardson" <c.richardson2@insightbb.com>; "Greenville Clerk Travillian" <greenville-clerk@insightbb.com>; "Greenville Atty.Mr. Fox" <rfox@aye.net>; "Greenville Water Utility Superintendent Getrost" <super-gre-water@insightbb.com>
Sent: Wednesday, November 17, 2010 1:22 AM
Subject: RE: SRF LOAN

Randall

Thanks for keeping me in the loop. You have done an excellent job of being the point guard on this project (or should I say "process"). I would still like to arrange a conference call with you and Gary to discuss our firm's role in the SRF funding process and the "Community (Financial) Due Diligence" filing requirements that will need to be completed prior to receiving construction bids. In the meantime, please feel free to call me anytime you might have questions or concerns. We very much appreciate being a part of your project team!

Buzz

Otto W. "Buzz" Krohn, CPA, CMC
 Executive Partner
 O. W. Krohn & Associates, LLP
 CPAs & Consultants
 231 East Main St.
 Westfield, Indiana 46074

317 867 5888 tel
 317 867 5898 fax
 317 626 8822 cell

buzz@owkcpa.com
www.owkcpa.com

From: Hudson, Sarah [mailto:sahudson@ifa.IN.gov]
Sent: Tuesday, November 16, 2010 4:23 PM
To: johnesdrafting@insightbb.com
Cc: Buzz Krohn; j.lanz@jtleng.com; Greenville Council President Richardson; Greenville Clerk Travillian; Greenville Atty.Mr. Fox; Greenville Water Utility Superintendent Getrost; MCGOFF, JAMES
Subject: FW: SRF LOAN

Mr. Johnes:

Thank you for sending the ordinance. The next step is for Greenville to submit a preliminary engineering report (PER), which I understand is currently being completed by Jacobi, Toombs and Lanz, and will be submitted to the State Revolving Fund (SRF) Loan Program in December.

After the PER is received by SRF, the general steps are:

- SRF will conduct a content review to make sure all items needed are present;
- If items are missing SRF will request that Greenville submit these items;

11/17/2010

Once items are received, SRF will conduct an in-depth technical, environmental and financial review of the PER;

If there are questions, SRF will send a comment letter to Greenville and request a response;

Greenville will prepare and submit a response to SRF;

SRF will review the response;

SRF will complete the environmental review coordination;

When the environmental review coordination is completed, SRF will approve the PER.

Once the PER is approved, SRF will go over the next steps with you. A flow chart is attached.

If you want to discuss in more depth, please feel free to call me. I look forward to receiving the PER sometime in December.

Thank you,

Sarah Hudson

Drinking Water Program Administrator

State Revolving Fund Loan Program

Indiana Finance Authority

100 N. Senate Ave. Rm. 1275

Indianapolis, IN 46204

Phone: 317-232-8663

Fax: 317-234-1338

Email: sahudson@ifa.in.gov

website: www.srf.in.gov

From: MCGOFF, JAMES

Sent: Tuesday, November 16, 2010 8:21 AM

To: Hudson, Sarah

Subject: Fw: SRF LOAN

From: johnesdrafting < >

To: MCGOFF, JAMES

Cc: **Sent:** Tue Nov 16 08:09:30 2010

Subject: SRF LOAN

11-16-2010

Mr. McGoff,

Attached is the Water Rate Increases we have passed based on information from the analysis done by O.W. Krone and Associates to address servicing the loan from SRF. We have a Public Hearing scheduled for 12-13 by Jacobi, Toombs and Lanz on the Preliminary Engineering Report. The Council would like to know what the next step is in obtaining the loan for the water storage tower.

Thank you,

Randal Johnes

Vice-President

Greenville Town Council

11/17/2010



231 E. Main Street
Westfield, In. 46074

Phone (317) 867-5888
www.owkcpa.com

INVOICE

Mr. Gary Getrost
Town of Greenville
P. O. Box 188
Greenville, Indiana 47124-0188

RE: GREENVILLE MUNICIPAL WATER UTILITY

For professional services rendered in connection with the preparation of a wholesale water cost tracking factor and progress on preliminary rate study. Includes consultations with Utility Manager, analysis of financial, billing and operational data, and preparation of exhibits for the public hearing on rates. Also, includes meetings and consultations with Town officials, assistance with rate ordinance and public notice requirements, rate comparisons with other utilities and assistance with capital project feasibility assessment, including consideration of SRF funding requirements. Also, included participation in Public Hearing on rate ordinance amendments.

2010 TIME & BILLING SUMMARY INVOICE

Billable Time Summary:	Hours 07/31/2010	Hours 08/31/2010	Hours 09/30/2010	Hours 10/31/2010	Hours Totals
CPAs	2.50	4.75	21.25	6.00	34.50
Consultants	16.25	13.75	26.25	8.00	64.25
Para-professionals	2.25	0.00	4.00	0.50	6.75
Time Charges:	07/31/2010 Amount	08/31/2010 Amount	09/30/2010 Amount	10/31/2010 Amount	Total Amount
Standard time charges	\$2,752.50	\$2,618.75	\$7,491.25	\$2,135.00	\$14,997.50
Courtesy adjustment	-352.50	-468.75	-3,491.25	-1,035.00	-5,347.50
INVOICE AMOUNT	\$2,400.00	\$2,150.00	\$4,000.00	\$1,100.00	\$9,650.00
Deduct Payments Received from Greenville to date (\$2,400.00 and \$2,150.00)					-4,550.00
Additional Courtesy Adjustment					-1,500.00
Amount Remaining					\$3,050.00

2010 hourly billing rates amount to \$90 for para-professional time charges,
\$130 for consultant time charges and \$175 for CPA time charges.

EMPLOYEE EVALUATION

From Date: Nov 4, 2009 To: Nov 4, 2010
 Name: Crystal Burkhardt Grade Level: _____
 Position: office clerk Supervisor: GW Getrost
 Years of Employment: 1 year & 3 mo Reports To: Amy Stone
 Education: High School
 Additional training or experience pertaining to present position: _____

Personal Qualities: Polite, continues to learn and get more comfortable dealing with customers, honest

Level of Performance

	Excellent	Very Good	Good	Fair	Poor
Energy/Drive		✓			
Flexibility		✓			
Organization		✓			
Communication			✓		
Attendance/Tardiness	✓				
Questioning/Probing		✓			
Motivation		✓			
Accomplishing Goals		✓			
Numerical Perception		✓			
Mechanical Skills			✓		
Leadership Traits			✓		
Time Management		✓			
Dependability	✓				
Honesty		✓			
Work Quality		✓			
Ability to Talk with customers			✓		

Employee Comments: _____

Employee Signature: Gary W. Getrost

Supervisor Signature: _____

NOVEMBER 04, 2010

TO: GREENVILLE TOWN COUNCIL

Employee Evaluation: Crystal Burkhart

Crystal has been with the water utility now for 1 year and 3 months and continues to learn the different aspects of her duties as an assistant to the office manager as well as reading water meters and learning some limited aspects of the day to day operation.

Crystal's ability to take on complex issues and work them out is very good and she picks up on things well. Her attendance record continues to be excellent.

Crystal has worked alone in the office on several occasions and does a nice job.

Crystal started her job making \$8.00 per hour and received a \$2.00 per hour increase on January 1, 2010. Upon her one year anniversary evaluation (August 16, 2010) Crystal received a .50 cents per hour increase September 1, 2010 which brings her to \$10.50 per hour.

Gary W. Getrost

EMPLOYEE EVALUATION

From Date: Nov 4, 2009 To: Nov 4, 2010

Name: Amy Stone Grade Level: _____

Position: office clerk Supervisor: GW Getrost

Years of Employment: 7 years & 4 mo Reports To: GW Getrost

Education: _____

Additional training or experience pertaining to present position: VARIOUS BUSINESS AND Computer classes, data entry, Multi-line phone systems

Personal Qualities: Excellent with customers
Very professional, dependable and organized.

Level of Performance

	Excellent	Very Good	Good	Fair	Poor
Energy/Drive	✓				
Flexibility	✓				
Organization	✓				
Communication		✓			
Attendance/Tardiness	✓				
Questioning/Probing	✓				
Motivation	✓				
Accomplishing Goals	✓				
Numerical Perception		✓			
Mechanical Skills			✓		
Leadership Traits		✓			
Time Management	✓				
Dependability	✓				
Honesty		✓			
Work Quality	✓				
Ability to Talk with customers	✓				

Employee Comments: _____

Employee Signature: _____

Supervisor Signature: Gary W. Getrost

Nov. 04, 2010

To: GREENVILLE TOWN COUNCIL

Employee Evaluation: Amy Stone

Amy has now been with the Utility for 7 years and 3 months and continues to do an excellent job for both the Utility and the Town. She is a very conscientious and organized worker. Amy continues to make a point to learn as much as she can in respect to communicating with water customers about leaks, water hardness, locate requests and other miscellaneous information.

Amy was very helpful again this year when the State Auditors conducted the audit for the Town and the Water Utility. She also does a good job checking prices for office supplies and other things which saves the utility money.

Amy continues to give the Utility a good public image with her personal and professional touch.

Amy received a .58 cents per hour increase on January 1, 2010 which brings her to \$17.20 per hour.

Gary W. Getrost

EMPLOYEE EVALUATION

From Date: Nov 4, 2009 To: Nov 4, 2010

Name: Steven Schmitt Grade Level: _____

Position: Assistant Water Supt Supervisor: GW Getrost

Years of Employment: 3 years & 9 mo. Reports To: GW Getrost

Education: High School

Additional training or experience pertaining to present position: Awwa Water School

AND CONTINUING EDUCATION CLASSES - STATE CERTIFICATION

Personal Qualities: great personality, good with water

customers, easy to work with, very dependable

Level of Performance

	Excellent	Very Good	Good	Fair	Poor
Energy/Drive		✓			
Flexibility	✓				
Organization		✓			
Communication		✓			
Attendance/Tardiness	✓				
Questioning/Probing			✓		
Motivation		✓			
Accomplishing Goals		✓			
Numerical Perception		✓			
Mechanical Skills		✓			
Leadership Traits		✓			
Time Management		✓			
Dependability	✓				
Honesty	✓				
Work Quality		✓			
Ability to Talk with customers		✓			

Employee Comments: _____

Employee Signature: _____

Supervisor Signature: Gary W. Getrost

Nov. 4, 2010

To: GREENVILLE TOWN COUNCIL

Employee Evaluation: Steven Schmitt

Steven has now been with the Utility for 3 years and 9 months. We have experienced a lot more water leaks this year with the unusually hot and dry weather, but with that comes very good experience for Steven. He has been involved in just about all of the repairs and in most cases he has been in charge of the supervision of the repairs as well as flushing once the repairs has been made.

Steven has done a really good job this year going out and finding several leaks in his spare time which has helped to lower our water loss and save the Utility money. He gets to work 15 minutes early everyday and doesn't hesitate to work late when needed.

Steven also attended a 2 day seminar on GIS/GPS mapping this year which helps him enter new information into the system. He continues to be a very dependable employee and continues to get more comfortable communicating with water customers. He does a good job for the utility.

Steven received a .75 cents per hour increase on January 1, 2010 which brings him to \$16.65 per hour.

Gary W. Getrost

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-028

**ORDINANCE CONCERNING REQUESTED SPECIAL VARIANCE BY
DONALD PERKINS OWNER OF VACANT LOT AT WEST SECOND STREET
AND US HIGHWAY 150 LOCATED WITHIN THE TOWN OF GREENVILLE.
INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in considering a request for a variance to construct a 40 foot by 65 foot storage building to be located adjacent to West Second Street and US 150 within the Corporate limits of the Town of Greenville and;

WHEREAS, the Town Council for the Town of Greenville, Indiana reached an agreement with Mr Perkins {Reference Cause No 22D02-1007-OV-07373 Court Floyd County Superior Court No.2, Judge Hancock on 11-16-2010} as follows;

IN THE SUPERIOR COURT II FOR FLOYD COUNTY STATE OF INDIANA

CITY OF NEW ALBANY,

Plaintiff, Cause No. 22D02-1007-OV-07373

v.

DON PERKINS,

Defendant.

AGREED ENTRY

On November 16, 2010, The Town of Greenville appeared in person by its representative, Randal Johnes, and its attorney, Rick Fox, and Don Perkins appeared in person and by his attorneys, Justin Endres and Jason Lopp, for a Review Hearing in front of Judge Hancock. After a discussion of the issues, the parties have reached an agreement to resolve the issues before the Court. All parties agree as follows:

1. That under Cause No. 22D02-1007-OV-07373 the parties held a trial regarding all issues related to Cause Nos. 22D02-1007-OV-07317, 22D02-1007-OV-07318, 22D02-1007-OV-07319, 22D02-1007-OV-07373, 22D02-1007-OV-07372, 22D02-1007-OV-07374 and

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-028

22D02-1007-OV-07475. All of these matters were consolidated for purposes of trial on the record held under Cause No. 22D02-1007-OV-07373.

2. That the Plaintiff agrees to dismiss Cause Nos. 22D02-1007-OV-07372, 22D02- 1007-OV-07373, 22D02-1007-OV-07374 and 22D02-1007-OV-07475 and only Cause Nos.

22D02-1007-OV-07317, 22D02-1007-OV-07318 and 22D02-1007-OV-07319 remain pending.

3. That related to those open Cause Numbers, the parties further agree as follows below:

a. The Town of Greenville has already proposed and passed on a first reading Ordinance No.

2010-T-028 which would allow for a variance for

Don Perkins to construct a 40'x ~~60'~~^{65'} storage building on his property located adjacent to West Second Street and US 150 within the corporate limits of the Town of Greenville;

b. The Town of Greenville will place said ordinance on their next agenda, being in their December meeting, for its second and third reading;

c. Upon passage of the ordinance, Don Perkins will be permitted to construct his building so long as he complies with all state building codes, regulations and inspections as would be normal for the construction of such building;

d. It is further agreed that Mr Perkins will clean any remaining brush, trash and junk from the property (with the exception of any materials necessary for the construction of said building) within thirty (30) days from November 16,2010;

e. The Court will schedule a Review Hearing for the 20th day of December, 2010 at 1:30p.m. to determine whether the ordinance was passed and/or whether the Defendant has properly removed any additional brush, trash or junk from the property;

f. If it is determined at the Review Hearing that the Defendant has not complied, Mr Perkins may, at the Court's discretion, be held in contempt of Court;

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-028

g. Mr Perkins further agrees that all vehicles located on the property shall be in compliance with the Town ordinance related to abandoned vehicles; and

h. Mr Perkins agrees to pay \$1,000.00 to the Town of Greenville for repayment of their attorney fees related to this matter. Said payment to be made to the Town within sixty (60) days from the passage of the ordinance discussed herein.

Date:

JUDGE, FLOYD SUPERIOR COURT II

Prepared and tendered by: Jason A. Lopp, #21351-29 EXAMINED AND AGREED TO BY:

JASON A. LOPP Young, Lind, Endres & Kraft, 126 West Spring Street, New Albany, Indiana 47150
Counsel for Defendant

RICK FOX County Attorney, 409 Bank Street, New Albany, IN 47150-Counsel for Plaintiff

Distribution:

Jason A. Lopp, 126 West Spring Street, New Albany, IN 47150
Rick Fox, 409 Bank Street, New Albany, IN 47150

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

In consideration of a request before the Town of Greenville Council by Donald Perkins owner of 66 foot by 132 foot vacant lot located at West Second Street and US 150 for a special variance to allow the construction of a 40 foot by 65 foot storage building to be located nine feet {9 ft.} from the edge of a unimproved alleyway.

1. In consideration of examination of said property by Greenville Council Members a variance will be required to construct said garage.

2. The Town Council of the Town of Greenville waves the following Ordinance requirements 2009-T-039 Sidewalks and Curves and 2009-T-050 Section 3. Storage Building, Pool House. Gazebo: Twenty feet {20 ft.} from the right of way of any highway, street, alleyway, or other public right of way.

3. This Special Variance runs with the land

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-028

4. Requirements:

- The Town Council of the Town of Greenville authorizes this variance for construction in accordance with plot plan attached submitted to the Greenville Town Council by Donald Perkins with the following stipulations.
- Donald Perkins his successors or assigns agrees to use said building to clean up his lot and residence to comply with the Town of Greenville Ordinance 2010-T-046 and 2008-T-086.
- Donald Perkins his successors or assigns shall not to use storage building for a commercial or retail business.
- Donald Perkins agrees not to place upon this property or his residential property at 9907 US 150 additional vehicles or accumulation of items such are currently present.

5. Construction approval is contingent upon receiving a letter of approval from the Floyd County Health Department for location of new structure.

6. This approval document shall be submitted to the Greenville Town Clerk's office before construction may begin.

7. A signed copy of this Ordinance shall be given to Donald Perkins by the Greenville Town Clerk after signing.

ENFORCEMENT

Enforcement of this ordinance shall be pursuant to IC 36-1-6-3 or IC 36-1-6-4, or a successor statute if said statute is repealed.

PENALTIES:

- If Donald Perkins fails to comply with the terms of this special variance and it is determined by the Greenville Town Council, the Greenville Town Council shall impose fines of One Hundred U.S. Dollars {\$100.00} per day fine while in non-compliance, plus Attorney Fees and Court Cost
- If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible personal property in accordance with IC 36-1-6-2.
- The Town of Greenville may pursue any and all penalties described in IC 36-1-6-4 in addition to the penalties described in IC 36-1-6-2, or a successor statute if said statute is repealed.


TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-028

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 13th DAY
OF DECEMBER 2010.

I, DONALD PERKINS, AGREES TO AND
WILL ABIDE BY THE TERMS OF THIS
SPECIAL VARIANCE PASSED BY THE
GREENVILLE TOWN COUNCIL ON
DECEMBER 13TH, 2010.



DONALD PERKINS



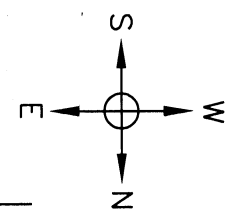
JACK TRAVILLIAN,
CLERK/TREASURER

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA

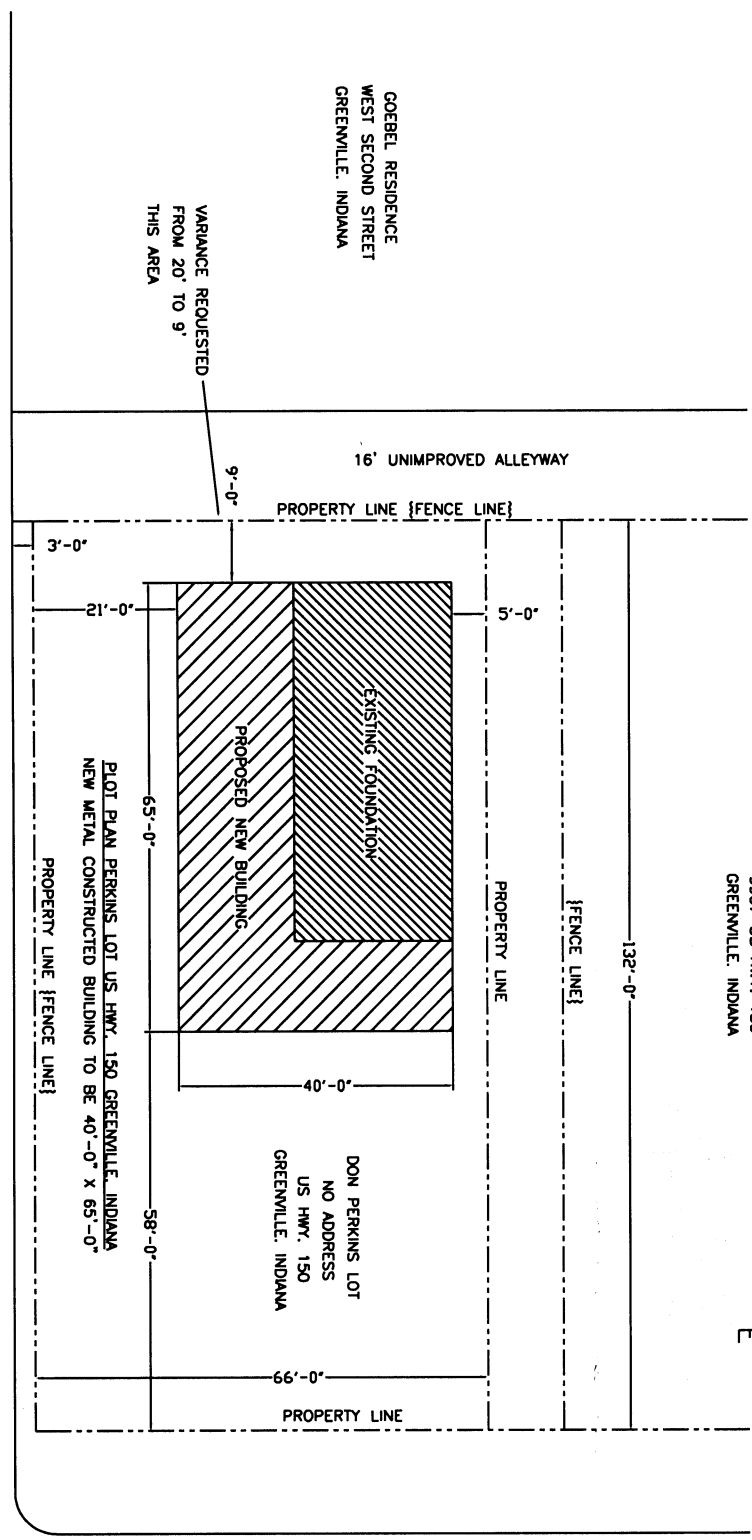


TALBOTTE RICHARDSON

PREPARED BY: RANDAL JOHNES



DON PERKINS RESIDENCE
9907 US HWY. 150
GREENVILLE, INDIANA



GOEBEL RESIDENCE
WEST SECOND STREET
GREENVILLE, INDIANA

VARIANCE REQUESTED
FROM 20' TO 9'
THIS AREA

16' UNIMPROVED ALLEYWAY

PROPERTY LINE {FENCE LINE}

{FENCE LINE}

PROPERTY LINE

DON PERKINS LOT
NO ADDRESS
US HWY. 150
GREENVILLE, INDIANA

PLOT PLAN PERKINS LOT US HWY. 150, GREENVILLE, INDIANA
NEW METAL CONSTRUCTED BUILDING TO BE 40'-0" X 65'-0"

WEST SECOND STREET 20' WIDE

FIRST HARRISON BANK
9849 US HWY. 150
GREENVILLE, INDIANA

US HWY 150

IC 36-1-6

Chapter 6. Enforcement of Ordinances

IC 36-1-6-1

Application of chapter

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances. *As added by Acts 1980, P.L.211, SEC.1.*

IC 36-1-6-2

Action to bring compliance with ordinance conditions; expense as lien against property; enforcement of delinquent fees and penalties

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. Continuous enforcement orders (as defined in IC 36-7-9-2) can be enforced and liens may be assessed without the need for additional notice. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

- (1) ten thousand dollars (\$10,000) for real property that:
 - (A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or
 - (B) is unimproved; or

- (2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

- (1) a list of delinquent fees and penalties that are enforceable under this section, including:
 - (A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;
 - (B) a description of the premises, as shown on the records of

the county auditor; and

- (C) the amount of the delinquent fees and the penalty; or
- (2) an instalment for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall charge a fee for recording the list or instrument under the fee schedule established in IC 36-2-7-10.

(f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

- (1) liens filed with the county recorder after the recorded date of conveyance of the property; and
- (2) delinquent fees incurred by the seller;

upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

As added by Acts 1980, P.L.211, SEC.1 Amended by P.L.50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.7; P.L.194-2007, SEC.8; P.L.88-2009, SEC. 5.

IC 36-1-6-3

Proceeding to enforce ordinance; law applicable

Sec. 3. (a) Certain ordinances may be enforced by a municipal corporation without proceeding in court through:

- (1) an admission of violation before the violations clerk under IC 33-36; or
- (2) administrative enforcement under section 9 of this chapter,

(b) Except as provided in subsection (a), a proceeding to enforce an ordinance must be brought in accordance with IC 34-28-5, section 4 of this chapter, or both.

(c) An ordinance defining a moving traffic violation may not be enforced under IC 33-36 and must be enforced in accordance with IC 34-28-5.

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.108, SEC.39; P.L.177-1988, SEC.8; P.L.130-1991, SEC.35; P.L.1-1998, SEC.202; P.L.98-2004, SEC.159.

IC 36-1-6-4

Civil action by municipal corporation; action by court

Sec. 4. (a) A municipal corporation may bring a civil action as provided in IC 34-28-5-1 if a person:

- (1) violates an ordinance regulating or prohibiting a condition or use of property; or
- (2) engages in conduct without a license or permit if an ordinance requires a license or permit to engage in the conduct.

(b) A court may take any appropriate action in a proceeding under this section, including any of the following actions:

- (1) Issuing an injunction.
- (2) Entering a judgment.
- (3) Issuing a continuous enforcement order (as defined in IC 36-7-9-2).
- (4) Ordering the suspension or revocation of a license.
- (5) Ordering an inspection.
- (6) Ordering a property vacated.
- (7) Ordering a structure demolished.
- (8) Imposing a penalty not to exceed an amount set forth in IC36-1-3-8(a)(10).
- (9) Imposing court costs and fees in accordance with IC 33-37-4-2 and IC 33-37-5.
- (10) Ordering a defendant to take appropriate action to bring a property into compliance with an ordinance within a specified time.
- (11) Ordering a municipal corporation to take appropriate action to bring a property into compliance with an ordinance in accordance with IC 36-1-6-2.

As added by Acts 1980, P.L.211, SEC.1. Amended by P.L. 194-2007, SEC. 9; P.L. 88-2009, SEC. 6.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

**ORDINANCE CONCERNING THE ADOPTION OF THE STATE OF
INDIANA BUILDING CODES FOR ENFORCEMENT WITHIN THE
CORPORATE LIMITS OF THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary that the Town of Greenville adopts the State of Indiana Building Codes within the Corporate Limits of the Town of Greenville, Indiana

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

1. The State of Indiana Building Codes are adopted as of the effective date of this Ordinance, codifies in 675 of Indiana Administrative Code and any future amendments or revisions to I. A. C. 675 is hereby incorporated by reference and adopted by the Town of Greenville, Indiana Building Codes.
2. Appendices and other technical matters incorporated into the State of Indiana Administrative Code 675 shall also become part of this Ordinance by reference. Standards referenced in the text of the State of Indiana Administrative Code 675 shall be considered an integral part of the codes and are also incorporated herein by reference.
3. At the time the State of Indiana adopts a new code or a supplement, revision or amendment to an existing code, the Town of Greenville Building Code Ordinance shall be deemed automatically amended to include the latest provision of such codes. These new codes shall continue to be in effect even if the State of Indiana codifies the new codes under a new title number or numbers. This amendment shall take place by operation of law , without necessity or amending this Ordinance., it being the intent of the Greenville Town Council to require compliance with the latest editions of the codes as they are amended from time to time.
4. The owner or builder of any improvements to real property shall bear the expense of any inspections mandated for compliance with the State of Indiana Building Codes I.A.C 675.
5. Upon written stop work notice from the Town of Greenville Council President or his designee work on any building, structure, electrical, gas, mechanical, plumbing that is being done contrary to provisions of State of Indiana Administrative Codes I.A.C. 675 or Town of Greenville Ordinance and Resolutions, or in a dangerous or unsafe manner, shall immediately cease. Such Stop Work Notice shall be given to the owner of the property, or his agent, or person doing the work by a Member of the Greenville Marshal Department or placed in a conspicuous location on the property and shall state the conditions under which work may be resumed.

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Where an emergency exists, the Greenville Town Council shall not be required to give a written stop work notice prior to stopping work. Stop work under emergency situation shall be issued verbally by the Greenville Town Council President, his/her designee or a member of the Greenville Marshal Department.

6. All plans for construction for new or addition to existing structures must be approved by the Greenville Town Council. Property owner or builder shall submit all plans, permit from the Floyd County Health Department if a septic system for waste removal is being used in place of sewer system tie-in, including plot plan layout showing location of structure to be in compliance with Town of Greenville set back requirements {see 2010-T-050 or a successor Ordinance if said Ordinance is repealed}. The Town of Greenville Council by a majority vote pass a Verbal Building Permit Resolution approving construction. Verbal Building Permit Resolution shall be followed by a written Confirming Resolution at the next scheduled Monthly Meeting or Special Meeting if a meeting is scheduled. Confirming Building Permit Resolution shall be signed by the Town of Greenville Council President and attested to by the Town of Greenville Clerk / Treasurer. After signing of the Confirming Building Permit Resolution a copy shall be given to the Town of Greenville Deputy Clerk and he/she shall contact property owner, builder and recommended building inspector to pick up copy of signed Confirming Building Permit Resolution.

7. If all plans submitted are approved by the Town of Greenville Council, and if the structure is determined by the Greenville Town Council to be used for commercial purposes, the owner or builder shall submit a design release from the State of Indiana Department of Home Land Security or governing office if changed to the Greenville Town Council before construction can begin.

8. All property owners or builders shall contact the recommended Town of Greenville {list shall be provided with Building Permit Resolution} professional inspectors licensed and approved by the State of Indiana or Floyd County, Indiana to be used for new building or building addition before construction shall begin. Inspectors shall abide by all inspections required by this Ordinance and I.A.C. 675. Inspector contracted by owners or builder shall submit their reports to the Greenville Town Council by delivering a copy to the Greenville Water Utility Clerk. Owners or builders shall be responsible for the cost of these inspections. If inspections are not submitted for each trade required by I.A.C.675, a stop work order will be issued by the Greenville Town Council. If construction has proceeded as to prevent the inspection, the Greenville Town Council may require removal of any additional construction so that inspection can be completed and impose a \$1000.00 fine for each inspection not preformed. Property Owner or builder accepts all responsibly for inspections submitted that are found not to meet I.A.C. 675 or future amendments if structure fails due to not being constructed in accordance with the Town of Greenville Ordinances and I.A.C. 675. Property owner or builder shall not hold the Town of Greenville or the recommended building inspector liable during, after construction, or for future structure failure.

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9. A copy of I.A.C. 675 and the town of Greenville Ordinances are available for viewing at the Greenville Water Utility. Copies can be provided of any page of I.A.C. 675 and Ordinances upon written request. A fee charge per page shall apply in accordance with I.C. 5-14-3-8 section 8 item C and I.C. 5-14-3-3 section 3{A} & {B}.

10. Whenever it is necessary to make an inspection to enforce any of the provisions of State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution, or whenever the Town of Greenville Council has reasonable cause to believe that there exists in any new construction or addition to existing structure violations of any State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution the Greenville Town Council may enter such construction or addition to existing structure at a reasonable time to inspect for compliance with State of Indiana Administrative Code I.A.C. 675 or the Town of Greenville Ordinances and Resolution. The Town of Greenville Council shall first make a reasonable effort to locate the owner or builder having charge or control of construction or addition to existing structure to request entry.

11. If the property owner or builder refuses entry to the Town of Greenville Council or their representative all legal remedies available shall be obtained to gain entry, up to and including a court order. Property owner or builder shall be responsible for all attorney fees, court cost and a fine of \$500.00 if a court ordered to enter is required. No owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Greenville Town Council or its representative for the purpose of inspection and examination pursuant to Ordinance and I.A.C. 675.

12. Any person, firm, corporation or agent who shall violate a provision of this Ordinance and I.A.C. 675, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a class A infraction, each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance and I.A.C.675 is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by Indiana State Laws.

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-067

13. No officer, agent, representative, or employee of the Town of Greenville or the Town of Greenville Council shall render himself/herself personally liable for any damage, whether personal injury, property damage, or economic loss, that may occur to any person as a result of any act required or permitted in the discharge of their duties in the enforcement of this Ordinance and I.A.C.675.

14. This Ordinance and the various parts, sections, sentences, phrases, and clauses hereof, are hereby declared to be severable, if any part, section, sentence, phrase, or clause is judges unconstitutional or invalid, and it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

15. All recommended inspector fees shall be paid to recommended inspector by the developer, builder, contractor or property owner prior to Certificate of Occupancy being issued. Recommended inspector shall submit original of all inspection reports and the Certificate of Occupancy to the Greenville Town Clerk or Deputy Clerk before occupancy can begin. Submittal of the Certificate of Occupancy by recommended inspector shall constitute all inspection fees have been paid.

ENFORCEMENT:

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-1, I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate with attorney fees and court cost in accordance with I.C. 36-1-6-2.

2. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, plus attorney fees and court cost or a successor statute if said statute is repealed.

3. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the real property into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the property into compliance.

**TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067**

4. The Town shall give all persons holding a substantial interest in any Real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested.
5. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer all fines, plus attorney fees and court cost in the following year in accordance with IC 36-1-6-2 or successor statute, if said statute is repealed.
6. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
7. This Ordinance replaces Ordinance 2007-T-75 dated September 10th, 2007. Ordinance 2007-T-75 shall be moved to the voided Ordinance file after passage of this Ordinance.
8. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.
9. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.
10. Any unlawful provision found in this ordinance shall not effect the remaining provision.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,
JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE

ORDINANCE NO. 2010-T-067

Chapter 6. Enforcement of Ordinances

IC 36-1-6-1 Application of chapter

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances. *As added by Acts 1980, P.L.211, SEC.1.*

IC 36-1-6-2

Action to bring compliance with ordinance conditions; expense as lien against property; enforcement of delinquent fees and penalties

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. Continuous enforcement orders (as defined in IC 36-7-9-2) can be enforced and liens may be assessed without the need for additional notice. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

(1) ten thousand dollars (\$10,000) for real property that:

(A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or

(B) is unimproved; or

(2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

(1) a list of delinquent fees and penalties that are enforceable under this section, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

(C) the amount of the delinquent fees and the penalty; or (2) an instalment for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall charge a fee for recording the list or instrument under the fee schedule established in IC 36-2-7-10.

(f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-067

property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

(1) liens filed with the county recorder after the recorded date of conveyance of the property; and

(2) delinquent fees incurred by the seller; upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

As added by Acts 1980, P.L.211, SEC.1 Amended by P.L.50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.7; P.L.194-2007, SEC.8; P.L.88-2009, SEC. 5.

IC 36-1-6-3

Proceeding to enforce ordinance; law applicable

Sec. 3. (a) Certain ordinances may be enforced by a municipal corporation without proceeding in court through:

(1) an admission of violation before the violations clerk under IC 33-36; or

(2) administrative enforcement under section 9 of this chapter,

(b) Except as provided in subsection (a), a proceeding to enforce an ordinance must be brought in accordance with IC 34-28-5, section 4 of this chapter, or both.

(c) An ordinance defining a moving traffic violation may not be enforced under IC 33-36 and must be enforced in accordance with IC 34-28-5.

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.108, SEC.39; P.L.177-1988, SEC.8; P.L.130-1991, SEC.35; P.L.1-1998, SEC.202; P.L.98-2004, SEC.159.

IC 36-1-6-4

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-067

Civil action by municipal corporation; action by court

Sec. 4. (a) A municipal corporation may bring a civil action as provided in IC 34-28-5-1 if a person:

- (1) violates an ordinance regulating or prohibiting a condition or use of property; or
- (2) engages in conduct without a license or permit if an ordinance requires a license or permit to engage in the conduct.

(b) A court may take any appropriate action in a proceeding under this section, including any of the following actions:

- (1) Issuing an injunction.
- (2) Entering a judgment.
- (3) Issuing a continuous enforcement order (as defined in IC 36-7-9-2).
- (4) Ordering the suspension or revocation of a license.
- (5) Ordering an inspection.
- (6) Ordering a property vacated.
- (7) Ordering a structure demolished.
- (8) Imposing a penalty not to exceed an amount set forth in IC36-1-3-8(a)(10).
- (9) Imposing court costs and fees in accordance with IC 33-37-4-2 and IC 33-37-5.
- (10) Ordering a defendant to take appropriate action to bring a property into compliance with an ordinance within a specified time.
- (11) Ordering a municipal corporation to take appropriate action to bring a property into compliance with an ordinance in accordance with IC 36-1-6-2.

As added by Acts 1980, P.L.211, SEC.1. Amended by P.L. 194-2007, SEC. 9; P.L. 88-2009, SEC. 6.

IC 5-14-3-3

Right to inspect and copy public agency records; electronic data storage; use of information for commercial purposes; contracts

Sec. 3. (a) Any person may inspect and copy the public records of any public agency during the regular business hours of the agency, except as provided in section 4 of this chapter. A request for inspection or copying must:

- (1) identify with reasonable particularity the record being requested; and
- (2) be, at the discretion of the agency, in writing on or in a form provided by the agency.

No request may be denied because the person making the request refuses to state the purpose of the request, unless such condition is required by other applicable statute.

(b) A public agency may not deny or interfere with the exercise of the right stated in subsection (a).

The public agency shall either:

- (1) provide the requested copies to the person making the request; or
- (2) allow the person to make copies:
 - (A) on the agency's equipment; or
 - (B) on the person's own equipment.

IC 5-14-3-8

Fees; copies

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-067

Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter:

(1) to inspect a public record; or

(2) to search for, examine, or review a record to determine whether the record may be disclosed.

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-068

**ORDINANCE CONCERNING THE REGULATING OF OUTDOOR
ADVERTISING WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council of the Town of Greenville, Indiana, by the powers granted by the Codes and Statutes of the State of Indiana {I.C. 36-1-3} recognizes that outdoor advertising is a legitimate, commercial use of private property adjacent to Public Streets, Roads, Alleyways and Public Ways and constitutes an integral part of a business and marketing function; further that such advertising is an established segment of the local economy and should be allowed to operate where other business and commercial activities are conducted; that erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to Public Streets, Roads, Alleyways and Public Ways within the Corporate Limits of the Town of Greenville, Indiana should be regulated in order to protect the public investments; orderly and effective display of such signs, displays and devices should be promoted within the Corporate Limits of the Town of Greenville, Indiana and:

WHEREAS, the Town Council of the Town of Greenville, deems it necessary to regulate the placement of signs, displays and devices within the Corporate Limits of the Town of Greenville, Indiana, therefore;

BE IT ORDAINED, that the placement of outdoor advertising within the Corporate Limits of the Town of Greenville, is prohibited except outdoor advertising which advertises activities conducted on the property upon which it is located and outdoor advertising which advertises the sale or lease of property upon which it is located. {I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall} and;

BE IT ORDAINED, that the placement of Political signs that advertise for the election to any type of government office or a political cause also shall be allowed but must adhere to all State of Indiana Election Laws {I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall}. Signs shall be permitted in town easement areas if permission has been received by property owner whom property adjoins easement.

FURTHER, the following signs shall not be permitted.

1. Signs which are illegal under the Federal and Indiana State Laws and Rules {I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall}
2. Signs not securely affixed to a substantial permanent structure

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3. Signs which attempt, or appear to attempt to regulate, warn, or direct the movement of traffic, or which interfere with, or imitate, or resemble any official traffic sign, signal, or device.
4. Signs which are not consistent with any law or promulgated rule prohibiting such a sign.

{I.C. 8-23-20 and INDOT Outdoor Advertising Control Manual 03-02-2010 or successor statute or manual, manual available for review at the Greenville Town Hall}
5. Signs which are erected or maintained upon trees painted or drawn upon rocks or other natural features.
6. Signs which are located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or physically interfere with a driver of a vehicle view of approaching, merging or intersecting traffic.
7. Signs which move or have any animated or moving parts.
8. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light, or lights, or signs which uses various types of evolving technology such as lights, glow cubes, rotating slats, moving reflective discs, etc. except those giving public service information such as time, date, temperature, weather or similar information.
9. Signs of a pornographic nature that depict nude, or partially clad human bodies of adults or children, male or female genitals, or breast and language that would be considered pornographic, offensive, lewd or inappropriate to be viewed by minors.
10. It shall be the responsibility of the sign's owner to insure that all outdoor advertising devices are erected and maintained in good condition; that is not decayed, insecure, lacking part or portion thereof, is safe and message is not unsightly.
11. Non-conforming signs:

{A} A non-conforming sign is a sign which was lawfully erected but does not comply with the provisions of this Ordinance. Signs must have been physically in existence at the time this Ordinance becomes effective after passage by the Greenville Town Council and publication in the New Albany Tribune.

{B} The sign must remain substantially the same as it was on the date the sign became non-conforming. Reasonable repair and maintenance is allowed.

ENFORCEMENT:

TOWN OF GREENVILLE ORDINANCE NO. 2010-T-068

Enforcement of this Ordinance shall be pursuant to I.C. 36-1-6-1, I.C. 36-1-6-2, I.C. 36-1-6-3 or I.C. 36-1-6-4, or a successor statute if said statute is repealed.

Fines and Penalties:

1. If levied fines are not paid within 30 days, a lien will be sought against person or person's responsible real estate plus attorney fees and court cost in accordance with I.C. 36-1-6-2.
2. The Town of Greenville may pursue any and all penalties described in I.C. 36-1-6-3 in addition to the penalties described in I.C. 36-1-6-4, plus attorney fees and court cost or a successor statute if said statute is repealed.
3. No penalty shall be levied for violation of this Ordinance, nor shall any action be taken by the Town to bring the sign into compliance with this Ordinance, unless all persons holding a substantial interest in the property are given a reasonable opportunity to bring the sign into compliance.
4. The Town shall give all persons holding a substantial interest in any real property, which is not in compliance with this Ordinance ten {10} days written notice to correct the condition and bring the property into compliance. Such notice may be in person by any member of the Greenville Marshal Department, or by mailing it by registered or certified mail with return receipt requested.
5. That for each day any person or entity shall be in violation of this Ordinance after the ten {10} day period set forth said person shall be fined an amount not less than fifty dollars {\$50.00} per day plus Attorney fees and Court Cost.
6. Furthermore, if the condition of said real estate has not been corrected within thirty {30} days after the aforesaid ten {10} day notice period, the Town may cause to be certified to the County Auditor as a charge against the taxes due and payable to the County Treasurer in the following year together with attorney fees and court cost in accordance with I.C. 36-1-6-2 or successor statute, if said statute is repealed.
7. Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
8. This Ordinance replaces Ordinance 2000-03 dated July 11th, 2000. Ordinance 2000-03 shall be moved to the voided Ordinance file after passage of this Ordinance.
9. The Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune after passage.

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10. The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.

11. Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE
13TH DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

TOWN OF GREENVILLE

ORDINANCE NO. 2010-T-068

IC 36-1-6

Chapter 6. Enforcement of Ordinances

IC 36-1-6-1 Application of chapter

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances. *As added by Acts 1980, P.L.211, SEC.1.*

IC 36-1-6-2

Action to bring compliance with ordinance conditions; expense as lien against property; enforcement of delinquent fees and penalties

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. Continuous enforcement orders (as defined in IC 36-7-9-2) can be enforced and liens may be assessed without the need for additional notice. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

(1) ten thousand dollars (\$10,000) for real property that:

(A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or

(B) is unimproved; or

(2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

(1) a list of delinquent fees and penalties that are enforceable under this section, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

(C) the amount of the delinquent fees and the penalty; or (2) an instalment for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall charge a fee for recording the list or instrument under the fee schedule established in IC 36-2-7-10.

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(f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

(1) liens filed with the county recorder after the recorded date of conveyance of the property; and

(2) delinquent fees incurred by the seller; upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

As added by Acts 1980, P.L.211, SEC.1 Amended by P.L.50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.7; P.L.194-2007, SEC.8; P.L.88-2009, SEC.5.

IC 36-1-6-3

Proceeding to enforce ordinance; law applicable

Sec. 3. (a) Certain ordinances may be enforced by a municipal corporation without proceeding in court through:

(1) an admission of violation before the violations clerk under IC 33-36; or

(2) administrative enforcement under section 9 of this chapter,

(b) Except as provided in subsection (a), a proceeding to enforce an ordinance must be brought in accordance with IC 34-28-5, section 4 of this chapter, or both.

(c) An ordinance defining a moving traffic violation may not be enforced under IC 33-36 and must be enforced in accordance with IC 34-28-5.

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.108, SEC.39; P.L.177-1988, SEC.8; P.L.130-1991, SEC.35; P.L.1-1998, SEC.202; P.L.98-2004, SEC.159.

IC 36-1-6-4

Civil action by municipal corporation; action by court

Sec. 4. (a) A municipal corporation may bring a civil action as provided in IC 34-28-5-1 if a person:

(1) violates an ordinance regulating or prohibiting a condition or use of property; or

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(2) engages in conduct without a license or permit if an ordinance requires a license or permit to engage in the conduct.

(b) A court may take any appropriate action in a proceeding under this section, including any of the following actions:

(1) Issuing an injunction.

(2) Entering a judgment.

(3) Issuing a continuous enforcement order (as defined in IC 36-7-9-2).

(4) Ordering the suspension or revocation of a license.

(5) Ordering an inspection.

(6) Ordering a property vacated.

(7) Ordering a structure demolished.

(8) Imposing a penalty not to exceed an amount set forth in IC36-1-3-8(a)(10).

(9) Imposing court costs and fees in accordance with IC 33-37-4-2 and IC 33-37-5.

(10) Ordering a defendant to take appropriate action to bring a property into compliance with an ordinance within a specified time.

(11) Ordering a municipal corporation to take appropriate action to bring a property into compliance with an ordinance in accordance with IC 36-1-6-2.

As added by Acts 1980, P.L.211, SEC.1. Amended by P.L. 194-2007, SEC. 9; P.L. 88-2009, SEC. 6.

Information Maintained by the Office of Code Revision Indiana Legislative Services Agency 1C
8-23-20

Chapter 20. Regulation of Billboards and Junkyards

I.C. 8-23-20-1

Agreements with United States Secretary of Commerce

Sec. 1. (a) The department and the United States Secretary of Commerce shall enter into agreements under 23 U.S.C. concerning the regulation of billboards, signs, junkyards, and scrap metal processing areas in areas adjacent to the interstate and primary highway systems. The agreements must conform to the provisions of 23 U.S.C. to ensure that federal funds to Indiana are continued.

(b) An agreement between the state and the United States Secretary of Commerce entered into under 23 U.S.C. 131 must contain the definition of "un-zoned commercial or industrial area" found in I.C. 8-23-1-43. If the state has received from the Secretary a formal notice of a proposed determination to withhold funds from the state because of an asserted unacceptability of the definition, the governor shall modify the definition. The modification may be made during a hearing on the notice held by the Secretary under 23 U.S.C. 131, or, if as a matter of law the Secretary decides to withhold funds prior to a hearing, the governor:

(1) may modify the definition before a hearing; and

(2) shall request a hearing under 23 U.S.C. 131.

As added by P.L. 18-1990, SEC.229.

I.C. 8-23-20-2

Form of agreements; negotiation

Sec. 2. The regulatory standards set forth in an agreement described in section 1(a) of this chapter must be consistent with customary use in Indiana. The agreement must be in a form that is in the best interests of the state and may be of a duration and subject to terms and provisions for

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modification that the governor considers advisable. In negotiating the agreement, the governor shall consider the following factors:

- (1) The actual availability of federal funds.
- (2) The imminence of a sanction against the state for a violation of 23 U.S.C. 131.
- (3) The enactment of an amendment to 23 U.S.C. 131 or the regulations promulgated under 23 U.S.C. 131, or the possibility of an amendment.
- (4) The scope of an agreement entered into by another state with the Secretary under 23 U.S.C. 131.

As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-3

Determination of legality of Secretary's actions

Sec. 3. The attorney general shall institute proceedings under 23 U.S.C. 131 to obtain a judicial determination of the legality of the determination of the United States Secretary of Commerce if the Secretary makes a final determination to:

- (1) withhold funds from Indiana;
- (2) fail to agree with Indiana as to the size, lighting, and spacing of signs; or
- (3) fail to agree with Indiana as to un-zoned commercial or industrial areas in which signs may be erected and maintained.

I.C. 8-23-20-4

Signs in adjacent areas; standards

Sec. 4. Signs located in an adjacent area must conform to the standards of size, lighting, and spacing set forth in rules adopted by the department under the provisions of an agreement under section 1 of this chapter. As added by P.L.18-1990, SEC.229.

I.C. 8-23-20-5

Signs in un-zoned and zoned commercial and industrial areas

Sec. 5. Signs located in un-zoned commercial or industrial areas and zoned commercial or industrial areas must conform to the standards of size, lighting, and spacing set forth in rules adopted by the department under the provisions of an agreement under section 1 of this chapter.

As added by P.L 18-1990, SEC. 229.

I.C. 8-23-20-6 Prohibited signs

Sec. 6. The following signs may not be erected or maintained in an adjacent area:

- (1) Signs that are illegal under state statutes or rules.
- (2) Signs not securely affixed to a substantial structure.
- (3) Signs that attempt or appear to attempt to regulate, warn, or direct the movement of traffic or that interfere with, imitate, or resemble an official traffic sign, signal, or device.
- (4) Signs erected or maintained upon trees, or painted or drawn upon rocks or other natural features.
- (5) Signs that are not consistent with this chapter.

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As added by P.L 18-1990, SEC. 229.

I.C. 8-23-20-7 Authorized signs

Sec. 7. The following signs may be erected outside of urban areas beyond six hundred and sixty (660) feet of the right-of-way visible from the travelled way of a highway on the interstate or primary system with the intent of a message being read from the travelled way:

- (1) Directional or official signs and notices.
- (2) Signs advertising the sale or lease of the property upon which the signs are located.
- (3) Signs indicating the name of the business, activities, or profession conducted on the property, or identifying the goods produced or sold, or services rendered on the property.

As added by P.L. 18-1990, SEC. 229.

I.C. 8-23-20-8

Directional signs within 200 feet of right-of-way

Sec. 8. A person may not erect or maintain in the right-of-way of a highway in the state highway system, or within two hundred (200) feet of the right-of-way, a sign or device directing or indicating on what highway or route a person should travel to reach a designated place or highway without the written consent of the department. The department may remove a sign or device erected or maintained in violation of this section.

As added by P.L. 18-1990, SEC.229.

I.C. 8-23-20-9

Removal of previously existing nonconforming signs

Sec. 9. (a) A sign lawfully erected in an adjacent area that does not conform to this chapter after June 30, 1968, is not required to be removed until the end of the fifth year after the sign becomes nonconforming.

(b) A sign located beyond six hundred sixty (660) feet of the right-of-way, visible from the travelled way of a highway on the interstate or primary system, that was lawfully erected before July 1, 1976, and does not conform to this chapter is not required to be removed until the end of the fifth year after the sign becomes nonconforming. As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-10

Acquisition of nonconforming signs

Sec. 10. The department may acquire and shall pay just compensation for the removal of signs that do not conform to this chapter. A removal by the department or sign owner under this chapter constitutes a taking, and the owner shall be compensated under I.C. 32-24-1.

Compensation shall be paid for the following:

- (1) The taking from the owner of a sign of all rights, titles, and interests in the sign, and of the owner's leasehold or other interest in the land.

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(2) The taking from the owner of the real property on which the sign is located and of the right to erect and maintain signs on the real property.

I.C. 8-23-20-11

Payment of compensation

Sec. 11. Compensation under section 10 of this chapter shall be paid to a person entitled to compensation upon the presentation to the department of information that the department requires. The claim for compensation must be filed within one hundred eighty (180) days after the removal is completed. The state's share of the compensation shall be paid from funds appropriated under this section.

As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-12

Compensation determination; civil actions

Sec. 12. If a claimant under section 11 of this chapter and the department do not reach agreement on the amount of compensation to be paid within one hundred twenty (120) days after the claim is filed, the claimant may file a civil action to have the compensation determined. An action under this section shall be filed in a court of general jurisdiction in either the county where the sign and real property are located or in the county in which the claimant resides. The county of residence of a corporation shall be determined under the applicable statutes. An action under this section shall be filed not later than one (1) year after the filing with the department of a claim for compensation under section 10 of this chapter.

As added by P.L. 18-1990, SEC. 229.

I.C. 8-23-20-13 Enforcement of chapter

Sec. 13. (a) The department shall enforce this chapter.

(b) When the department is notified by a governmental agency of a possible violation of this chapter, the department shall determine whether a violation exists. Whenever the department determines a violation exists, the department shall enter a resolution setting out the nature, extent, and location of the violation and refer the resolution to the attorney general.

I.C. 8-23-20-14

Injunctions; criminal proceedings

Sec. 14. Whenever the attorney general receives a resolution under section 13 of this chapter, the attorney general shall commence an action in a court having jurisdiction to enjoin the violation of this chapter. The attorney general may also request the prosecuting attorney of the judicial circuit in which the violation has occurred to institute criminal proceedings against the persons responsible for violation of this chapter. The prosecuting attorney shall institute criminal proceedings if requested to do so by the attorney general.

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As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-15

Zoning powers; limitations

Sec. 15. (a) Subsection (c) does not apply to signs erected before March 15, 1986.

(b) A board, commission, council, governmental body, or political subdivision that has the legal authority to zone land has authority to zone areas for commercial or industrial purposes. Except as provided in subsection (c), a zoning action taken by a body described in this subsection may be taken under this chapter.

(c) A zoning action taken by a body described in subsection (a) will not be accepted under this chapter if the action is:

- (1) not part of a comprehensive plan; and
- (2) taken primarily to permit the erection of signs in an adjacent area that is outside an urban area and visible from the travelled way of a highway in the interstate or primary highway system.

I.C. 8-23-20-16

Removal, taking, and appropriation of signs; limitations

Sec. 16. (a) Subsection (b) does not apply to:

- (1) actions taken by the department under this chapter; or
- (2) the removal, taking, or appropriation of a sign, display, or device prohibited under section 6 of this chapter.

(b) Before an outdoor advertising sign, display, or device is removed, taken, or appropriated through the use of zoning or another power or authority of the state, a state agency, or political subdivision:

- (1) the value of the sign, display, or device shall be determined by the taking authority without the use of an amortization schedule; and
- (2) the owners of the sign, display, or device and of the real property upon which the sign, display, or device is situated must be paid full and just compensation for the taking.

As added by P.L.18-1990, SEC.229.

I.C. 8-23-20-17

Location of junkyards and scrap metal processing facilities

Sec. 17. A person may not establish, operate, or maintain a junkyard or scrap metal processing facility that is within one thousand (1,000) feet of the nearest edge of a right-of-way of an interstate or primary highway, unless the junkyard or facility conforms to one (1) of the following conditions:

- (1) It is screened by natural objects, plantings, fences, or other appropriate means so it is not visible from the main-travelled way of the system.
- (2) It is located within an area that is zoned for industrial use.

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(3) It is located within an un-zoned industrial area.

(4) It is not visible from the main-travelled way.

I.C. 8-23-20-18

Screening of junkyards and scrap metal facilities

Sec. 18. The department shall, if feasible, place a screen on the highway right-of-way or an area acquired for the purpose between a highway and a junkyard or a scrap metal processing facility that is lawfully located within one thousand (1,000) feet of a highway in the interstate or primary system so that the junkyard or facility is not visible from the main-travelled way, unless the junkyard or facility is

located in an industrial area.

As added by P.L. 18-1990, SEC.229.

I.C. 8-23-20-19

Rules and regulations for screening and fencing

Sec. 19. The department shall adopt rules to govern the location, planting, construction, and maintenance of screens and fences required under this chapter. As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-20

Acquisition of junkyard or scrap metal processing facility property; relocation and removal costs

Sec. 20. If the department determines that the topography of the land adjoining a highway in the interstate or primary system will not permit adequate screening of a junkyard or scrap metal processing facility, or that the screening of a junkyard or facility would not be economically feasible, the department may acquire the property on which the junkyard or facility stands by gift, purchase, exchange, or condemnation. The department may pay the costs of relocation, removal, or disposal of a junkyard or facility. As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-21

Powers of political subdivisions

Sec. 21. A political subdivision may enact and enforce requirements for junkyards and scrap metal processing facilities that are in addition to the requirements of this chapter. As added by P.L 18-1990, SEC. 229.

I.C. 8-23-20-22 Violations; notice

Sec. 22. (a) A person who violates section 4, 5, or 6 of this chapter commits a Class C infraction. Whenever the department discovers or is given written notice of a violation by a responsible government agency, the department shall give thirty (30) days' notice, by certified mail, to the owner of the property upon which the violation exists. If the owner fails to act within thirty (30) days, then each day of maintenance of the violation beginning on the thirty-first day constitutes a separate offense.

(b) A person who violates section 7 of this chapter commits a Class C infraction.

(c) A person who violates section 8 of this chapter commits a Class B misdemeanor. Whenever the department discovers or is given written notice of a violation by a responsible government agency, the department shall give thirty (30) days' notice, by certified mail, to the owner of the

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property upon which the violation exists. If the owner fails to act within thirty (30) days, then each day of maintenance of the violation beginning on the thirty-first day constitutes a separate offence.

I.C. 8-23-20-23

Federal aid; acceptance

Sec. 23. The department may accept an allotment of funds by the United States, or an agency of the United States, appropriated to carry out 23 U.S.C. 131. The department shall take any necessary action to obtain funds allotted under 23 U.S.C. 131 to receive reimbursement for the federal share of the just compensation paid to owners under sections 10 and 20 of this chapter. As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-24

Federal aid; appropriation

Sec. 24. The department may not acquire a sign, the real property upon which the sign is situated, a junkyard, or a scrap metal processing facility unless:

- (1) the acquisition costs are eligible for not less than seventy-five percent (75%) federal participation;
- (2) there are sufficient funds appropriated and immediately available to Indiana; and
- (3) the funds have been apportioned by the federal government and notice of the apportionment has been received by the state.

As added by P.L 18-1990, SEC.229.

I.C. 8-23-20-25

Advertising signs along federally regulated and interstate highways; permits; rules; registration of signs

Sec. 25. (a) The department shall institute a permit system to regulate the erection and maintenance of outdoor advertising signs along:

- (1) the interstate and primary system, as defined in 23 U.S.C. 131(t) on June 1, 1991; and
- (2) any other highways where control of outdoor advertising signs is required under 23 U.S.C. 131.

(b) Except as provided in subsections (c) and (g) and section 25.5(c) of this chapter, a sign may not be erected, operated, used, or maintained in areas described in subsection (a) unless the owner of the sign has obtained a permit under this section.

(c) A permit is not required to erect, operate, use, or maintain the following signs:

- (1) Directional or official signs and notices.
- (2) Signs advertising the sale or lease of the property on which the sign is located.
- (3) Signs that primarily indicate:
 - (A) the name of the business, activity, or profession conducted;
 - (B) the types of goods produced or sold; or
 - (C) the services rendered; on the property on which the sign is located.

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(d) Signs in existence on July 1, 1993, and subject to this section:

- (1) must comply with the registration system described in subsection (h); and
- (2) are subject to the permit requirement after the department has made the determination described in subsection (g).

(e) The department shall adopt rules under I.C. 4-22-2 to carry out this section. Rules adopted under this section may be no broader than necessary to implement 23 U.S.C. 131 and 23 CFR 750.

(f) In addition to the requirements of subsection (e), rules adopted under this section must provide the following:

- (1) A list of all roadways subject to the permit requirement.
- (2) A procedure to appeal adverse determinations of the department under I.C. 4-21.5, including provisions for judicial review under I.C. 4-21.5.
- (3) A one-time fee of one hundred dollars (\$100) per structure must accompany the permit application. A permit fee may not be charged to a sign that is subject to and complies with the registration system described in subsection (h).
- (4) That a permit may not be issued for a sign erected in an adjacent area after January 1, 1968, unless:
 - (A) the sign is erected in an area described in section 5 of this chapter; or
 - (B) the permit is a conditional permit issued under subdivision (6).
- (5) That a permit may not be issued for a sign erected after June 30, 1976, outside of urban areas, beyond six hundred sixty (660) feet of the right-of-way, visible from the travelled way, and erected with the purpose of a message being read from the travelled way, unless:
 - (A) the sign is erected in an area described in section 5 of this chapter; or
 - (B) the permit is a conditional permit issued under subdivision (6).
- (6) For the issuance of a conditional permit for a nonconforming sign that has not been acquired under section 10 of this chapter. A conditional permit issued under this subdivision may be revoked if the department subsequently acquires the sign.
- (7) That the department is granted the right to enter the real property on which a sign for which a permit under this section has been applied for or issued to perform reasonable examinations and surveys necessary to administer the permit system.
- (9) The department may revoke any permit when it is found that the permittee has provided false or misleading information and that such a finding may be cause to subsequently refuse to issue a permit.
- (9) Any other provisions necessary to:
 - (A) administer this section; or
 - (B) avoid sanctions under 23 U.S.C. 131.
- (g) A sign that is subject to and complies with the registration system described in subsection (h) may not be declared unlawful until the later of the following:
 - (1) The department has made a determination of permit eligibility under this section.
 - (2) December 31, 1993.

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(h) A separate application for registration must be submitted to the department for each structure defined in subsection (d) and must:

- (1) be on a form furnished by the department;
- (2) signed by the applicant or an individual authorized in writing to sign for the applicant;
- (3) provide information concerning the size, shape, and nature of the advertising sign, display, or device;

(4) provide the sign's actual location with sufficient accuracy to enable the department to locate the sign; and

(5) include a one-time registration fee of twenty-five dollars (\$25).

(i) A sign that is not registered before January 1, 1994, is a public nuisance subject to section 26 of this chapter.

(j) Each registrant shall fasten to each advertising sign or device a label or marker provided by the department that must be plainly visible from the travelled way.

I.C. 8-23-20-25.5

Changeable message signs; rules; permits; erection; compliance

Sec. 25.5. (a) The department may adopt rules under I.C. 4-22-2 that provide for the issuance of a permit for a changeable message sign erected, operated, used, or maintained in areas described in section 25(a) of this chapter.

(b) A permit authorized by this section may not otherwise violate state or federal law or local ordinances or regulations.

(c) Until the department adopts rules under this section, a person may erect, operate, or use a changeable message sign in an area described in section 25(a) of this chapter, subject to any other

requirements of state or federal law or local ordinances or regulations.

(d) This subsection applies to a changeable message sign erected after the owner or operator receives permit from the department. Notwithstanding any rules adopted by the department after the issuance of the permit, a changeable message sign that is in compliance with the rules in effect at the time a permit is granted for the changeable message sign is considered to be in compliance with the department's rules

I.C. 8-23-20-26

Signs in violation of chapter; public nuisance; notice; remedies

Sec. 26. (a) A sign that is in violation of this chapter or rules adopted under this chapter is a public nuisance.

(b) If the department determines that a public nuisance exists, the department shall give notice under subsection (c) to:

- (1) the owner of the property on which the public nuisance is located; and
- (2) the owner of the public nuisance, if the owner of the public nuisance can be determined by reasonable inquiry.

(c) The department shall give notice of the determination under I.C. 4-21.5-3-6. The notice must

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include the following information:

- (1) The name and address of the owner of the property or the owner of the sign.
- (2) A description of the sign, including its location, that has been determined to be a public nuisance under this section.
- (3) That the sign has been determined to be a public nuisance and the reasons for the determination.

(4) That the person receiving the notice has thirty (30) days after the date on which the notice was sent to:

(A) remove the sign from the property on which the sign is located; or

(B) file a petition for review under I.C. 4-21.5.

(5) That if after thirty (30) days the sign has not been removed or a petition for review has not been filed, the department will remove the sign or cause the sign to be removed.

(6) That if the department removes the sign or causes the sign to be removed, the person receiving notice will be charged the cost of the removal of the sign, including all administrative costs, and a lien will be imposed on the property under subsection (e).

(7) Any other information the department determines to be necessary.

(d) To qualify for judicial review under I.C. 4-21.5-5 of a final agency action taken under this section, the person filing the petition for review must post a bond of five thousand dollars (\$5,000) with the clerk of the court in which the petition for review is filed. If the court determines that the request for review was:

(1) frivolous;

(2) in bad faith; or

(3) taken for the primary purpose of delaying the removal of a sign that is in violation of this chapter; the bond shall be forfeited to the state highway fund.

(e) If after:

(1) thirty (30) days following the date on which the notice was sent under subsection (c):

(A) a petition for review of the determination has not been filed; and

(B) the sign that is determined to be a public nuisance has not been removed; or

(2) a petition for review has been filed, a final determination that the sign is a public nuisance has

been made, and the sign that is determined to be a public nuisance has not been removed; the department shall enter the property and remove the public nuisance or cause the public nuisance to be removed. The department shall bill the owner of the property on which a sign that is determined to be a public nuisance is located for the cost of the removal. If the bill remains unpaid for at least thirty (30) days following the date on which the bill was issued, the department shall file the bill with the clerk of the circuit court of the county in which the property is located. The clerk shall immediately enter the bill on the judgment docket against the owner of the property as a lien against the property. The lien may be foreclosed in the same manner as other judgment liens, without relief from valuation or appraisal laws or right of redemption. Each owner of the property on which a sign that is determined to be a public

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nuisance is located is jointly and severally liable for the costs of the removal of the sign under this subsection.

(f) A lease or other contract for the display of a sign that is determined to be a public nuisance under this section is against public policy and may not be enforced. An owner from whom the costs of removing a sign that is determined to be a public nuisance are collected under subsection (e) is entitled to contribution from any other owners of the property.

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ORDINANCE CONCERNING THE AMENDMENT OF
THE COMPREHENSIVE PLANNING MAP FOR
THE TOWN OF GREENVILLE, INDIANA

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of Planning for Development of Real Property within the Corporate Limits of the Town of Greenville and;

WHEREAS, the annexation of Heritage Springs Sub-Division by Ordinance No. 2009-T-035 dated 11-24-2009 and the Striha Property by Ordinance No. 2010-T-035 dated 8-9-2010 has required amendment of the Comprehensive Planning Map adopted by Town of Greenville by Resolution No. 2009-R-037 dated 10-12-2009;


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

1. Notice of Public Hearing was published in the New Albany Tribune on 11-18-2010.
2. Public Hearing was held 12-13-2010.
3. Comprehensive Planning Map shall be amended by this Ordinance in accordance per Comprehensive Planning Map attached.
4. After consideration and discussion of Planning and Development for Real Property within the Corporate Limits of the Town of Greenville this Ordinance shall be effective upon its passage and publishing in the New Albany Tribune.

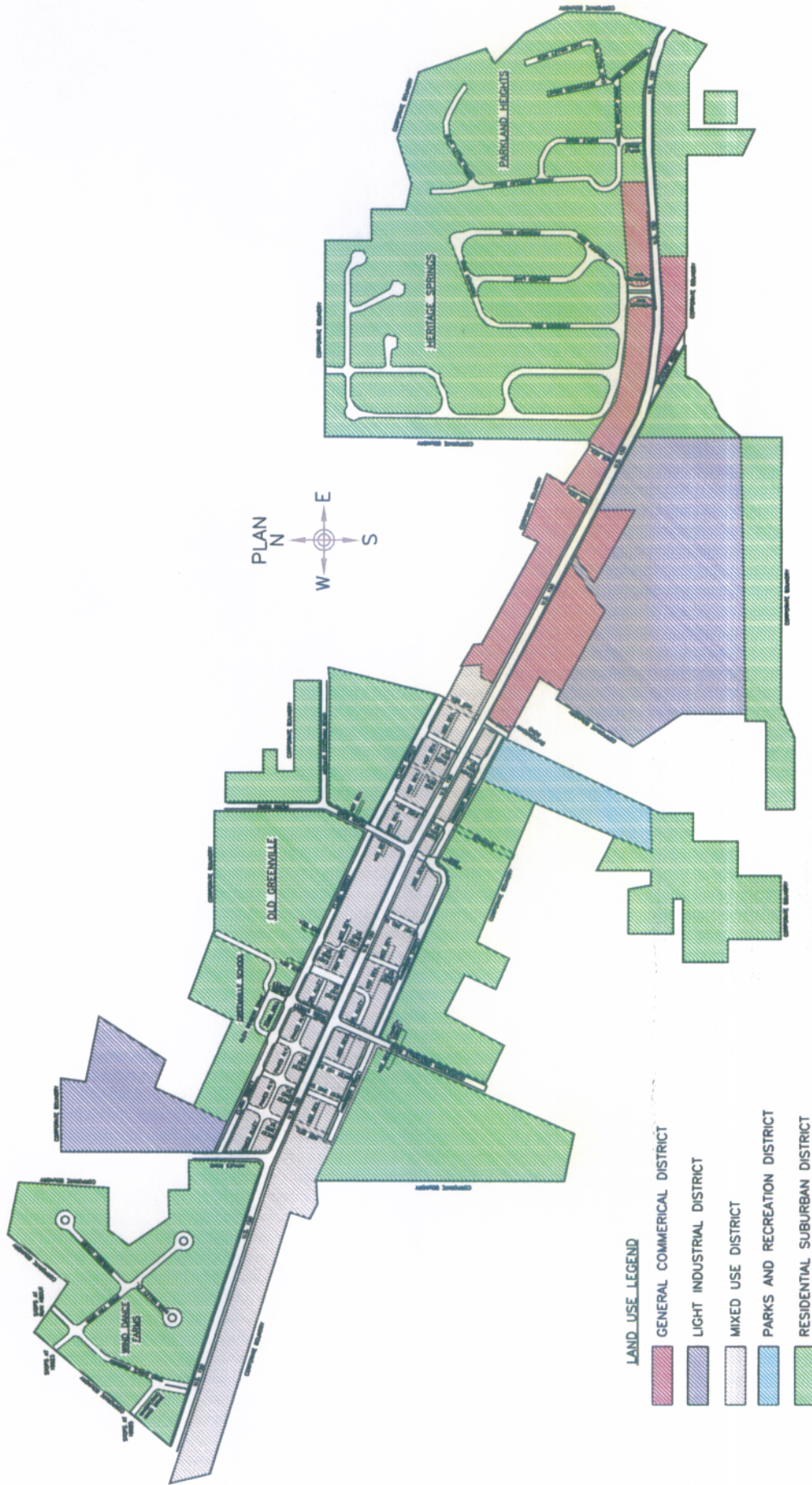
ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY: RANDAL JOHNES



LAND USE LEGEND

- GENERAL COMMERCIAL DISTRICT
- LIGHT INDUSTRIAL DISTRICT
- MIXED USE DISTRICT
- PARKS AND RECREATION DISTRICT
- RESIDENTIAL SUBURBAN DISTRICT

COMPREHENSIVE PLANNING MAP FOR THE TOWN OF GREENVILLE, 2011
 ADOPTED BY RESOLUTION 2009-R-037 DATED 10-12-2009
 PUBLIC HEARING NOTICE FOR REVISED PLAN PUBLISHED IN THE NEW ALBANY TRIBUNE ON 11-18-2010
 PUBLIC HEARING HELD ON 12-13-2010
 AMENDED BY ORDINANCE 2010-T-083 DATED 12-13-2010

SCALE: 1"=400'

TOWN OF GREENVILLE
ORDINANCE NO. 2010-W-085

**ORDINANCE FOR MERIT INCREASES FOR WATER UTILITY
EMPLOYEES FOR THE YEAR 2011 OF THE GREENVILLE MUNICIPAL
WATER UTILITY OF GREENVILLE, INDIANA**

WHEREAS, the Greenville Municipal Water Utility Council in an Executive Meeting held on November 8th, 2010 reviewed the performance appraisals for Water Utility Employees submitted by the Water Utility Superintendent for merit increases to be reflective on their first pay period in January 2011;

THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. Employee Steven Schmitt, Assistant Water Utility Superintendent current rate of Sixteen U.S. Dollars and Sixty Five Cents per hour {\$16.65} shall be increased {.35 cents} to Seventeen U.S. Dollars per hour {\$17.00}.
2. Employee Amy Stone, Office Manager and Clerk current rate of Seventeen U.S. Dollars and Twenty Cents per hour {\$17.20} shall be increased {.35 cents} to Seventeen U.S. Dollars and Fifty Five Cents per hour {\$17.55}.
3. Employee Crystal Burkhardt, Office Clerk current rate of Ten U.S. Dollars and Fifty Cents per hour {\$10.50} shall be increased {.50 cents} to Eleven U.S. Dollars per hour {\$11.00}.

ADOPTED BY THE TOWN COUNCIL AND WATER UTILITY COUNCIL
FOR THE TOWN OF GREENVILLE, INDIANA ON THE 13th DAY OF
DECEMBER, 2010.

PRESIDENT OF THE GREENVILLE
WATER UTILITY AND THE TOWN
COUNCIL OF GREENVILLE, INDIANA



JACK TRAVILLIAN,
CLERK/TREASURER



TALBOTTE RICHARDSON

PREPARED BY: RANDAL JOHNES

TOWN OF GREENVILLE
RESOLUTION NO. 2010-R-086

**RESOLUTION CONCERNING THE AUTHORIZING OF COUNCILMAN JOHNES TO
SIGN BUILDING PERMIT RESOLUTIONS ON BEHALF OF THE GREENVILLE
TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the Town Council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, deemed it necessary to develop a Building Permit Resolution for allowing structure construction upon real property within the Corporate limits of the Town of Greenville and;

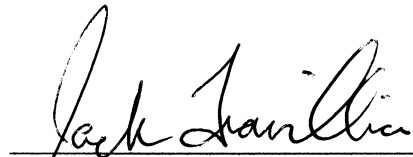
WHEREAS, it is not prudent to require those seeking a standard Building Permit Resolution to wait until the next scheduled Town of Greenville Monthly Meeting to submit their plans for approval;

LET IT BE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1. Councilman Johnes is authorized by this Resolution to review plans submitted by those seeking to acquire a Building Permit Resolution and issue a Building Permit Resolution on behalf of the entire Greenville Town Council.
2. This shall apply to all new construction and new construction to existing structures if such structures adhere to all Town of Greenville Ordinances and Resolutions.
3. This does not apply to any structure that will require a Construction Building Permit Variance before construction can begin. All Construction Building Permit Variances requested shall be reviewed by the entire council present at the next scheduled Monthly Meeting or if scheduled Special Meeting.
4. Any denial of a Building Permit Resolution by Councilman Johnes can be appealed to the entire council present at the next scheduled Monthly Meeting or if scheduled Special Meeting.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA



JACK TRAVILLIAN,
CLERK/TREASURER OR
AMY STONE DEPUTY CLERK



TALBOTTE RICHARDSON

PREPARED BY: RANDAL JOHNES

TOWN OF GREENVILLE
ORDINANCE NO. 2010-W-088

**ORDINANCE CONCERNING PROVIDING ADDITIONAL FUNDS FOR THE
ANALYSIS FOR RATE INCREASE REQUIRED FOR SRF LOAN REQUIREMENTS
FOR THE GREENVILLE WATER UTILITY OF THE TOWN OF GREENVILLE,
INDIANA**

WHEREAS, the Water Utility Council for the Town of Greenville, Indiana is the entity for approving rate increases to the Greenville Water Utility Customers and:

WHEREAS, O.W. Krohn & Associates provided the rate increase analysis for the preparation of a pass through of rate increase from Water Utility Suppliers and requirements to satisfy the rate increase needed to apply for a SRF loan to construct the 400,000 gallon Water Storage Tower for the Greenville Water Utility Customers and;

WHEREAS, O.W. Krohn & Associates provided a cost estimate of \$5500.00 U.S. Dollars to provide the analysis and Town of Greenville Resolution 2010-R-039 dated June 22nd, 2010 and Town of Greenville Ordinance 2010-W-074 dated September 28th, 2010 provided for the funds per estimate and;

WHEREAS, the cost of providing the analysis exceeded the \$5500.00 U.S. Dollars provided under Town of Greenville Resolution 2010-R-039 and Ordinance 2010-W-074 and;

WHEREAS, the Water Utility Council for the Town of Greenville desires to compensate O.W. Krohn with adjustments {see invoice attached} for the additional cost of providing the rate increase analysis for the preparation of a pass through of rate increase from Water Utility Suppliers and requirements to satisfy the rate increase needed to apply for a SRF loan to construct the 400,000 gallon Water Storage Tower for the Greenville Water Utility Customers

NOW, THEREFORE, BE IT ORDAINED BY THE WATER UTILITY COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1. This Ordinance authorizes an additional payment of \$3,050.00 U.S. Dollars. This will be the final payment to O.W. Krohn & Associates for this contract. Any additional funds required to complete this project shall be funded after a new Ordinance is passed by the Greenville Town Council for any additional project requirements.
2. The Town of Greenville Clerk / Treasurer shall the following day after passage of this Ordinance issue a check to O.W. Krohn & Associates in accordance with attached invoice.

ADOPTED BY THE WATER UTILITY COUNCIL OF THE TOWN OF GREENVILLE, INDIANA,
ON THE 13TH DAY OF DECEMBER, 2010.

PRESIDENT OF THE GREENVILLE WATER
UTILITY COUNCIL AND GREENVILLE TOWN
COUNCIL, GREENVILLE, INDIANA

ATTEST:
JACK TRAVILLIAN,
CLERK/TREASURER


TALBOTTE RICHARDSON

PREPARED BY: RANDAL JOHNES



231 E. Main Street
Westfield, In. 46074

Phone (317) 867-5888
www.owkcpa.com

INVOICE

Mr. Gary Getrost
Town of Greenville
P. O. Box 188
Greenville, Indiana 47124-0188

RE: GREENVILLE MUNICIPAL WATER UTILITY

For professional services rendered in connection with the preparation of a wholesale water cost tracking factor and progress on preliminary rate study. Includes consultations with Utility Manager, analysis of financial, billing and operational data, and preparation of exhibits for the public hearing on rates. Also, includes meetings and consultations with Town officials, assistance with rate ordinance and public notice requirements, rate comparisons with other utilities and assistance with capital project feasibility assessment, including consideration of SRF funding requirements. Also, included participation in Public Hearing on rate ordinance amendments.

2010 TIME & BILLING SUMMARY INVOICE

Billable Time Summary:	Hours 07/31/2010	Hours 08/31/2010	Hours 09/30/2010	Hours 10/31/2010	Hours Totals
CPAs	2.50	4.75	21.25	6.00	34.50
Consultants	16.25	13.75	26.25	8.00	64.25
Para-professionals	2.25	0.00	4.00	0.50	6.75
Time Charges:	07/31/2010 Amount	08/31/2010 Amount	09/30/2010 Amount	10/31/2010 Amount	Total Amount
Standard time charges	\$2,752.50	\$2,618.75	\$7,491.25	\$2,135.00	\$14,997.50
Courtesy adjustment	-352.50	-468.75	-3,491.25	-1,035.00	-5,347.50
INVOICE AMOUNT	\$2,400.00	\$2,150.00	\$4,000.00	\$1,100.00	\$9,650.00
Deduct Payments Received from Greenville to date (\$2,400.00 and \$2,150.00)					-4,550.00
Additional Courtesy Adjustment					-1,500.00
Amount Remaining					\$3,050.00

2010 hourly billing rates amount to \$90 for para-professional time charges,
\$130 for consultant time charges and \$175 for CPA time charges.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-R-089

Signatory Authorization Resolution

Whereas, the Greenville Water Utility Council of Floyd County, Indiana, (the "Participant") has plans for a drinking water infrastructure improvement project to meet State and Federal regulations, such as the Safe Drinking Water Act, and the Participant intends to proceed with the construction of such project:

Now, therefore, be it resolved by the Greenville Water Utility Council, the governing body of the Participant, that:

1. Talbotte Richardson be authorized to make application for a State Revolving Fund Loan ("SRF Loan") and provide the SRF Loan Program such information, data and documents pertaining to the loan process as may be required, and otherwise act as the authorized representative of the Participant; and
2. The Participant agrees to comply with State and Federal requirements as they pertain to the SRF Loan Program; and
3. Two certified copies of this Resolution be prepared and submitted as part of the Participant's Preliminary Engineering Report.

ADOPTED BY THE TOWN COUNCIL AND WATER UTILITY COUNCIL OF
GREENVILLE, INDIANA, ON THE 13th DAY OF DECEMBER, 2010.

PRESIDENT OF THE TOWN COUNCIL AND
THE WATER UTILITY COUNCIL
OF GREENVILLE, INDIANA


TALBOTTE RICHARDSON,

CERTIFIED BY AN ATTESTED TO BY;


JACK TRAVILLIAN,

CLERK/TREASURER TOWN COUNCIL AND GREENVILLE WATER UTILITY COUNCIL.

PREPARED BY:

RICK FOX, ATTORNEY FOR THE GREENVILLE WATER UTILITY COUNCIL