

Minutes of Greenville Town Council Meeting
March 13, 2006

President Talbotte Richardson called the regular monthly meeting to order. Councilpersons present were Hanzel Barclay, Janet Wright, David Moore, and President Talbotte Richardson, along with Clerk Jack Travillian. Also attending the meeting was Town Attorney Rick Fox, Greenville Water Utility Superintendent Gary Getrost and other concerned citizens.

Chaplain Mark Avery opened the meeting with a prayer. Minutes were read and approved. D. Moore made the motion and T. Richardson seconded. (Motion passed 4-0)

Water Business:

Water Contract: Town Attorney Fox advised the council that upon reviewing the water contract there were two items that needed to be edited. Fox has been in contact with Marcus Burgher IV about the changes in reporting and continued purchasing level. It is proposed that Greenville Water will continue purchasing at the same level from Floyds Knobs and add any additional that had been purchased from Ramsey Water added to that level, so as not to negatively effect Ramsey volume of sales.

Heritage Springs: Theatiman Construction has requested from IDEM for approval of 83 new homes added to Greenville Water Utilities current sales. Superintendent Getrost and President Richardson have sent a letter to IDEM regarding the rules that had been supplied previously, which stated that the water utility could not commit to new customers if over 90% of contracted water was being used. Greenville is currently using 125% of contracted level. Getrost stated that the original proposal was for 15 homes to be added in this year, which he considered non-threatening to the current clients. President Richardson made a recommendation that only 16 water connections be granted for Heritage Springs until the new water contract is complete with Indiana American Water and the pumping station is up and operational. The board accepted (4-0).

Adjustments: The adjustments report was submitted; the council reviewed and approved the adjustments.

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

Old Business:

Property Ordinance Violations: President Richardson stated that due to a family emergency he had not been able to keep up with the clean up effort but would resume this month at full force. Richardson has responded to complaints about a property on Harrison Street and will try to get the property into complete compliance within a couple of months.

President Richardson reviewed the current water drainage during the record rainfall this past month and noted that the town council must come up with long-term solutions for

persistent problems with slow drainage. Richardson also requested that the town set up a **standard replacement design** for roads and drainage to make for a contiguous look in the town. Richardson will supply the board with a design next month for consideration. The repairs on East Second would be a good beginning place for the new design.

Surveying: Councilman Barclay requested surveying be done in Parkland Heights for expanding the one lane road by at least ten foot. President Richardson requested Barclay also have surveying done for the other road work needed in the town. This will include East Second and Harrison, Cross Street from State Road 150 to the Greenville School. The cost is approved up to \$10,000 from the Streets and Road Engineering Fund.

Greenville Town Marshal position: Councilman Moore has received eight applications and will be conducting the initial interviews March 23 at 9:30 AM every half hour for approximately 4 hours. Frank Loop with the Floyd County Police Department has stated that they can help with training our police officer to help build connections and trust between the departments.

Planning Commission: The special meeting will be held at the Greenville School on Thursday night March 15 and will be informative for planning and zoning poll. President Richardson stated that the council should allow those who want to cast their vote that night to do so. President Richardson requested that the town hall be open on Wednesday April 5, 2006 from 8:30 AM till 6:00 PM for citizens to cast a vote in the poll for or against planning and zoning committee. Clerk Travillian and any other councilperson will be present for the voting which will be just from property owners of the Town of Greenville. Absentee votes will be accepted at either school or town hall on polling date.

Opening East Seventh: Councilman Moore made a motion to open the alley across from Buttontown Road (East Seventh Street) at the cost of the contractor who is interested in purchasing land locked property between the State Road 150 and Clark Street. The developer is responsible for all cost involved including clearing and placing gravel. The motion was seconded by T. Richardson and passed 4-0. Clerk Travillian also requested the alley be surveyed with the other projects. Request granted.


Town Cleanup Date: Councilwoman Wright asked about the trash removal date for the town. Wright is requested to get in touch with Warren Nash about Floyd County cleanup date and work with him on setting up a compatible date.

Cost of mailing: President Richardson presented the council with receipts for \$105.69 from the US Post Office for stamps to mail out the announcement for the special meeting. D. Moore made a motion and J. Wright seconded to reimburse Richardson from the Riverboat Fund. Motion passed 3-0.

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


Presiding Officer

ATTEST:



Clerk of the Council

Adjustments History Transactions by Type
Date From 02/01/2006 through 03/13/2006

Date: 03/13/2006 Time: 08:20:57

BOOK # 1

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
11280	68801	Water Adjusted		Desc LEAK	\$-29.01		Operator AMY
		Water Tax Adjusted			\$-1.85		
		Water Penalty Adjusted			\$0.00		
Total						\$-30.86	Balance
							Operator AMY

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
12785	68812	Water Adjusted		Desc LEAK	\$-64.02		Operator AMY
		Water Tax Adjusted			\$-4.08		
		Water Penalty Adjusted			\$0.00		
Total						\$-68.10	Balance
							Operator AMY

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
1177001	67868	Water Adjusted		Desc leak	\$-25.27		Operator AMY
		Water Tax Adjusted			\$0.00		
		Water Penalty Adjusted			\$1.00		
Total						\$-24.27	Balance
							Operator AMY

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
1177001	67890	Water Adjusted		Desc REVERSE ADJUSTMENT	\$25.27		Operator AMY
		Water Tax Adjusted			\$0.00		
		Water Penalty Adjusted			\$-1.00		
Total						\$24.27	Balance
							Operator AMY

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
1177001	67891	Water Adjusted		Desc leak	\$-25.27		Operator AMY
		Water Tax Adjusted			\$0.00		
		Water Penalty Adjusted			\$0.00		
Total						\$-25.27	Balance
							Operator AMY

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
		Water Adjusted			\$-118.30		
		Water Tax Adjusted			\$-5.93		
		Water Penalty Adjusted			\$0.00		
Total						\$-124.23	

BOOK # 2

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
23840	65107	Water Adjusted		Desc leak	\$-59.97		Operator AMY
		Water Tax Adjusted			\$-3.50		
		Water Penalty Adjusted			\$0.00		
Total						\$-63.47	Balance
							Operator AMY

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
		Water Adjusted			\$-58.97		
		Water Tax Adjusted			\$-3.50		
		Water Penalty Adjusted			\$0.00		
Total						\$-62.47	

Acct #	Audit #	Type	Date	Description	Amount	Balance	Operator
		Water Adjusted			\$-63.47		
Total						\$-63.47	

BOOK # 4

Acct #	Adjst #	Type	Date	Description	Amount	Operator
42345	86461	Adjustment	02/07/2006	Water Adjusted	\$-14.33	Operator/AMT
				Water Tax Adjusted	\$-0.86	
				Water Penalty Adjusted	\$0.00	
Total					\$-15.19	\$0.00

BOOK # 4

Water Adjusted	\$-14.33
Water Tax Adjusted	\$-0.86
Water Penalty Adjusted	\$0.00
Total	\$-15.19

SUMMARY

Water Adjusted	\$-192.90
Water Tax Adjusted	\$-10.29
Water Penalty Adjusted	\$0.00
Total	\$-202.89

Walter Richardson
Attested *Jack Franklin*

Town of Greenville
Greenville Municipal Water Utility

P.O. Box 188, Greenville, Indiana 47124-0188
Tel: (812) 923-9821 - Fax (812) 923-1099

March 6, 2006

RE: Construction Permit on Heritage Springs Subdivision

To: Patrick Carroll
IDEM
Chief, Drinking Water Branch

Dear Mr. Carroll,

This letter is in regard to an application for a Public Water Supply Construction Permit. This application was sent to Indiana Department of Environmental Management February 3, 2006 and was for the Heritage Springs Subdivision located in Floyd County. The Town of Greenville / Water Utility is the Public Water System (PWSID # 5222004) for this service area. The developer of this subdivision, Don Thieneman (Thieneman Development-LLC.) filed a lawsuit against the Town of Greenville and the Water Utility on May 17, 2004 and we are to this day still in litigation. (Cause No. 22 C01-0405-PL-309). The reason we write this letter is because our water Superintendent Gary W. Getrost has informed us (Greenville Town Council) that after talking to Mary Hollingsworth (Section Chief) on February 27, 2006, he was informed that it appears the construction permit will be granted sometime around the middle of March 2006. Mr. Getrost stated that he spoke with Ms. Hollingsworth on May 13, 2004 about using contractual and non contractual water supplies when taking on new developments as we purchase 100% of our water. At that time Ms. Hollingsworth said we would be asking for trouble if we committed to water service for this or any other development under current circumstances. Mr. Getrost also stated that in previous years different people with IDEM told him that contractual and non-contractual water supplies could be used when filling out a Notice of Intent or Construction Permit application. Mr. Getrost said Ms. Hollingsworth advised him that Greenville Water Utility should not be using non-contractual water supplies when filing Notice of Intents or Applications for construction permits because any non-contractual water supply is not guaranteed. We now certainly do understand that reasoning. What we don't understand is how the Indiana Department of Environmental Management can approve this development under the current circumstances. Mr. Getrost has stated that using the IDEM formula, of five highest water usage days in the last two years and using only contractual water supplies, Greenville Water is presently at 127% of their total capacity. It is his understanding that IDEM does not approve any additions that would put a utility above 90% of their total capacity. The addition of phase 1 of this development would put this utility at approximately 154.2% of its total capacity and the total project at 192% of the total capacity.

Most likely the proposed water agreement with Greenville Water Utility and Indiana American Water for an unlimited water supply will eventually be signed by both parties.

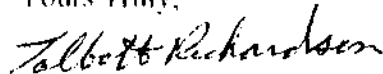
However, that has been in the works since October 2004. Once this agreement is signed and delivered, this Utility has the diligent task of engineering the booster station and obtaining easements and all required permits including IDEM before a substantial amount of water can be purchased.

Please understand that the Town Council members are not against growth and development but as elected officials we did take the oath to protect and oversee the operation of this utility as well as the customers to the best of our ability. We the Greenville Town Council strongly oppose the approval of this development under the present circumstances as we believe that to give approval to this development at this time could jeopardize the day to day operations of this water system.

If you have any questions please contact Mr. Gary Getrost Superintendent.

Thank You for your time and consideration.

Yours Truly,



Talbotte Richardson
President Town Council

CC: Mary Hollingsworth