

Minutes of Greenville Town Council Meeting
June 13, 2005

President Dave Matthews called the regular monthly meeting to order. Other councilpersons present were Hanzel Barclay, Janet Wright, Joey Receveur and Clerk Jack Travillian. Also attending the meeting were Greenville Water Utility Superintendent Gary Getrost, town attorney Rick Fox and other concerned citizens. Minutes were read and approved. J. Receveur made the motion and H. Barclay seconded. (Motion passed 3-0).

Old Business:

Ordinance for Public Record Journal: President Matthews read a proposed ordinance 2005-T-48 that sets up a journal for public access to records. The journal is in response to town attorney Rick Fox's suggestion from a previous meeting about requirements to comply with State of Indiana Codes. Motion was made to pass the ordinance by J. Wright and seconded by H. Barclay. (Motion passed 3-0).

Town Map: Clerk Travillian made the suggestion of upgrading to a digital map. The board took no action and may consider this at a later meeting time.

Sappenfield Property: President Matthews would like to contact Pat Sappenfield about her property located on Cross Street. The property is in poor condition and appears to have been abandoned. There is also a vehicle that is not in compliance with town ordinances.

New Business:

Variance to town building ordinance: Tom Hammond and his wife were present at the meeting and were represented by attorney Chuck Murphy. Mr. Hammond is the owner of Hammond Construction and is presently building a house at 9433 Harrison Street. President Matthews advised Mr. Hammond about ordinance violations by building too close to Harrison Street. The measurement of the foundation from the center of the road was 33 feet. Building ordinance 9/10/1979 states "buildings must be no closer than 20 feet from the right of way and any street, highway, or any other public right of way located within the Town of Greenville, Floyd County, Indiana". The street right of way is 60 feet on Harrison Street or 30 feet from the center of the road. As a result, construction of this house should have been located at least 50 feet from the center of road. Attorney Chuck Murphy gave a presentation requesting variance to the ordinance along with signatures from neighbors located on Harrison Street stating their lack of objections to the construction. Motion was made to grant the variance request by J. Receveur and seconded by J. Wright. (Motion passed 3-0).

Neighborhood complaints: Bill & Kathy Smythe appeared before the council with complaints about the alleyway behind their house and the condition of their neighbor's property. Robert Gibson also complained about the condition of the property next to his

mother's house on Harrison Street. President Matthews requested that both of these citizens present all of their complaints in writing in a standard format that he presented to both of them. Concern was expressed that the process of correcting deviations to ordinances by town citizens had become less formal than required. President Matthews stressed that a legal process of enforcing ordinances among town neighbors must be documented with formal complaints and that once these complaints are documented, legal action to enforce them, if necessary, would be accomplished.

Greenville Elementary Parking: Greenville Elementary School is undergoing construction and expressed a need for additional parking. In order to make some of the parking spaces in the Town Hall parking lot available, President Matthews talked to Principal Uhl about the insurance rider that the council had been advised to ask for from Attorney Fox. However, Mr. Uhl stated that the parking situation will get better after the building expansion is completed and these arrangements would not be necessary.

Water Utility Personnel: Superintendent Gary Getrost advised the board that he terminated the probationary employee recently hired. He hired a temporary employee for the busy summer season. The council requested to be notified if the status of this hire is to change to permanent.

Greyhound sent notice to the town that it will no longer provide service to and from Greenville. The route from New Albany to Bloomington has been discontinued.

A letter requesting councilman Mark Trail's resignation has been sent. His position needs to be filled as soon as possible as councilman Receveur will be moving out of town in one month and his position will need to be filled as well.

Mrs. Ramona Thompson briefed the council on internet information available concerning "Indiana Sex and Violent Offenders." She noted that the Greenville area has two convicted sex offenders living in the township and it would be wise to make our citizens aware of this information. President Matthews noted that it would probably be a good idea to make information about the web site available on the Town web site.

Water Contract: The current status of the proposed contract with Indiana American Water Company (IAWC) is in question because Ramsey Water Company rewrote the latest contract to further obligate Greenville to contracted purchases of water from Floyds Knobs and Ramsey. President Matthews stated his objections to a contract that essentially obligates Greenville to purchases but does nothing to obligate Floyds Knobs or Ramsey to supply. Legal options were discussed with Attorney Fox and he stated that he had been in contact with the attorney for IAWC. He believes we will have more information and a better choice of options by next month, including the option of legal mediation.

Committee Reports:

Law Enforcement: Councilman H. Barclay presented the council with a proposed written contract, job application, and a list of responsibilities for council review in order to start

accepting applications for the vacant Town Marshal position. President Matthews asked Barclay and Wright to come up with Terms of Service and pay and benefits proposals next. Councilwoman Wright has been in contact with County Commissioner Charles Frieberger about funding for the marshal's position. He stated that past funding was for a full-time marshal only. She will contact Mr. Frieberger about the County Council's desires for future funding of a Town Marshal.

Zoning: The next meeting will be tomorrow (June 14) at 7 PM and town attorney Rick Fox will be attending to review the commission's progress and answer Zoning Commission members' questions. Current planning is now in the phase that considers Subdivision Ordinance rules.

Streets and Roads: President Matthews requested that council members who represent the three areas of town survey problems in their areas with streets and roads and present proposals for improvements and repairs. The current chairperson for streets and roads has been unavailable to accomplish these duties for a long time now but problems continue to exist.

Public Relations: Councilwoman Wright briefed the council on further issues of neighborhood complaints about lawns, vehicles and structures not in compliance with town ordinances. President Matthews asked attorney Fox questions about placing liens on properties not in compliance with town ordinances.

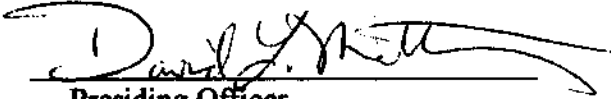
Adjustments: The board reviewed the adjustments for April/May.

Finance Issues:

2005 Budget: The board reviewed the present budget. Next month will begin working on the 2006 budget.

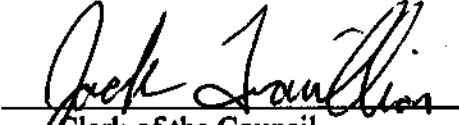
Review/Approval Checks and Expenditures: Clerk Travillian presented the forms for checks written from the utility and the town.

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



Presiding Officer

ATTEST:



Clerk of the Council

May 23, 2005

Memo for Record: Meeting on new construction on Harrison Street

May 21, 2005, Greenville Clerk/Treasurer Jack Travillian and I met with Mr. Tom Hammond, owner of the property and current builder of a house at or near 9433 Harrison St, Greenville, IN. A neighbor had complained to the Town Council that Mr. Hammond was building his house within the established easement of Harrison Street. Clerk Travillian and I measured the distance from the currently established foundation to what we assume to be the center of Harrison Street. This distance measures thirty three (33) feet. The platted easement distance for Harrison Street is 60 feet, or 30 feet from the centerline of the street. Although the current foundation does not appear to be within the distance of the easement, the most recently established ordinance restriction for buildings states that "no building structure may be established any closer than 20 feet from the right of way of any street, highway, or any other public right of way located within the Town of Greenville." [Ordinance 9/10/79, Section a(1)]. Mr. Hammond had this summary of Building Ordinances for the Town of Greenville in his possession prior to beginning construction. He stated that he paid Jeffery Zinc of Home Warrantees to advise him about his building structure. Unfortunately, however, it appears that Mr. Hammond has begun construction too close to the easement, in violation of the ordinance. We met with Mr. Hammond at the construction site May 21 to discuss our concerns about these violations and advised him that we would be contacting our lawyer about our options. We told him that we could not assure him that our legal advice would allow him to continue his construction. We also advised him that we would be discussing those options at the next Town Council meeting June 13, 2005. Mr. Hammond chose to cease construction on the property at that time and we advised him that we would be able to let him know our further decisions June 13.

David L. Matthews
President, Greenville Town Council

Transaction History by Type Adjustments

Acct #	Audit #	Type	Date	Desc	Amount	Balance	Total	Misc Penalty Adjusted	Trash Adjusted	Sewer Adjusted	Water Adjusted
10745 UHL, JR., DONALD											
Audit #	37791	Water Adjusted			\$-25.21			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$-1.51			\$0.00		\$0.00	
Date	06/02/2005	Water Penalty Adjusted			\$0.00		\$-26.72	\$0.00	\$0.00	\$0.00	\$16.19
Total \$-26.72 Balance \$16.19											
24090 MORRIS, JOHNNY											
Audit #	37769	Water Adjusted			\$-55.11			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$-3.31			\$0.00		\$0.00	
Date	06/02/2005	Water Penalty Adjusted			\$0.00		\$-58.42	\$0.00	\$0.00	\$0.00	\$17.00
Total \$-58.42 Balance \$17.00											
32020 CAVINS, ANTHONY											
Audit #	37741	Water Adjusted			\$-24.64			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$-1.48			\$0.00		\$0.00	
Date	06/01/2005	Water Penalty Adjusted			\$0.00		\$-26.12	\$0.00	\$0.00	\$0.00	\$21.67
Total \$-26.12 Balance \$21.67											
32366 WILLIAMS, JR., JOHN											
Audit #	36041	Water Adjusted			\$-0.64			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$0.00			\$0.00		\$0.00	
Date	05/24/2005	Water Penalty Adjusted			\$0.00		\$-0.64	\$0.00	\$0.00	\$0.00	\$0.00
Total \$-0.64 Balance \$0.00											
40980 LAMB, LARRY											
Audit #	38520	Water Adjusted			\$0.65			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$0.00			\$0.00		\$0.00	
Date	06/13/2005	Water Penalty Adjusted			\$0.00		\$0.65	\$0.00	\$0.00	\$0.00	\$0.65
Total \$0.65 Balance \$0.65											
41700 CENTERS, VANZEL											
Audit #	37780	Water Adjusted			\$-9.17			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$-0.58			\$0.00		\$0.00	
Date	06/02/2005	Water Penalty Adjusted			\$0.00		\$-9.75	\$0.00	\$0.00	\$0.00	\$30.94
Total \$-9.75 Balance \$30.94											
42380 BROWN, ANDREW											
Audit #	38042	Water Adjusted			\$-0.71			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$0.00			\$0.00		\$0.00	
Date	05/24/2005	Water Penalty Adjusted			\$0.00		\$-0.71	\$0.00	\$0.00	\$0.00	\$0.00
Total \$-0.71 Balance \$0.00											
54760 WOODSLEY, TERRY											
Audit #	38521	Water Adjusted			\$-0.35			\$0.00		\$0.00	
Type	Adjustment	Water Tax Adjusted			\$0.00			\$0.00		\$0.00	
Date	06/13/2005	Water Penalty Adjusted			\$0.00		\$-0.35	\$0.00	\$0.00	\$0.00	\$-0.35
Total \$-0.35 Balance \$-0.35											

SUMMARY

Water Adjusted	\$-115.18	Misc Adjusted	\$0.00
Water Tax Adjusted	\$-6.88	Misc Penalty Adjusted	\$0.00
Water Penalty Adjusted	\$0.00	Misc Penalty Adjusted	\$0.00
Total	\$-122.06	Total	\$-122.06

David S. Nester
 Attested:
Joek J. J. [Signature]