

**Minutes of Greenville Town Council Meeting
July 14th, 2008**

President Talbotte Richardson called the regular monthly meeting to order.

Councilpersons present were Bob Wright, Patti Hayes, Randal Johnes, Hanzel Barclay, and **President Talbotte Richardson**, along with Clerk Jack Travillian. Also attending the meeting was Water Utility Superintendent Gary Getrost, Town Attorney Rick Fox, and other concerned citizens.

Chaplain Avery opened the meeting with a prayer. Minutes were discussed and approved. Motion made by T. Richardson and seconded by B. Wright. Motion passed 5-0.

Ordinances:

Ordinance 2008-T-85 Update ORDINANCE CONCERNING THE REGULATING OF STRUCTURES, MOBILE HOMES, GARBAGE RECEPTACLES, PARKING, BUILDING LINES, WEEDS AND GRASS IN THE TOWN OF GREENVILLE, INDIANA. First reading of the ordinance was read. The council voted 4-1 to accept the ordinance as written.

Water Business:

Pumping station in Galena: Superintendent Getrost has been working on an easement for the project from Floyd County. Also another easement is needed from a property owner in close proximity. The project is moving at a good pace according to Getrost.

Superintendent Getrost would like to have the old platform removed from the rear yard. The council had no objections to giving the platform to some non-profit organization.

GIS/GPS is awaiting Superintendent Getrost manual input data. There should be a projection date for completion at the next meeting.

Superintendent Getrost stated that he had 6 and ½ days of vacation time that needed to be used by the end of the month. He requested an additional two months to use the time off. R. Johnes made the motion and H. Barclay seconded it. Motion passed 5-0.

Safety equipment (steel toed boots) was requested for all water utility field workers. The council voted (5-0) to spend up to \$100 per set of boots that can be bought every two years.

Councilwomen Hayes offered to talk to Water Utility Clerk Stone about the council's request to train additional persons in computer skills.

An executive session was held on Monday June 23 at 6:00 PM to discuss the progress of Deputy Clerk Meredith. No other issues were discussed and the council made no decisions about the situation.

Financial:

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

Clerk Travillian requested a transfer of funds for additional equipment purchases. The ordinance will be voted on at next meeting.

Old Business:

The first reading of an Interlocal Agreement for partnership with Floyd County Planning Commission was completed. Motion was made by R; Johnes and seconded by T. Richardson. Motion passed 5-0. Attorney Fox provided the council with a Conflict of Interest Statement due to his representing both Floyd County and the Greenville Town Council.

Drainage ditch on the south side of Harrison Street, a bid from Johnes Enterprises for the project was presented to the council. The bid of \$2,000 was the only bid received. B. Wright made motion and T. Richardson seconded it. Motion passed 4-0 with one abstained.

Annexation of Heritage Springs – Attorney Fox has been in contact Greg Fifer the attorney for D. Thiemann and is waiting on response to the request

Councilman Johnes requested town attorney Fox research if the town can bill mortgage companies directly for lawn care services provided due to lack of response when properties are foreclosed. Currently the town ordinance attaches liens against the taxes on the property.

Committee Reports

Special Projects: Councilwoman Hayes introduced John Sweetland that presented the council with a proposal for a trash contract for town citizens at discounted rates. Sweetland stated that his company only used smaller vehicles that were one of the conditions for the receiving the contract. Clerk Travillian will have Deputy Clerk Meredith complete a list of property owners for use of a mailing campaign to inform citizens about the additional services available. The spring cleanup project next year will be discounted with possibility of direct pickup.

Streets and Roads:

Parkland Heights Street Widening Project:

Motion was made by R. Johnes and seconded by T. Richardson to pay the engineering bill that was presented to Clerk Travillian at tonight's meeting. Motion passed 5-0.

President Richardson opened sealed bids for the project. Four bids were received.

Excel Engineering - \$141,815

Cristianti Construction - \$109,376

EZ Construction - \$126,000

Harbison Construction - \$117,403

A request was made to have Mr. Gibson review the bids to confirm compliance with the bid package and drawings prepared by Gibson Engineering. A meeting was scheduled for July 21st at 7:00 p.m. to review his recommendation and award the contract.

Motion was made by R. Johnes and seconded by T. Richardson to pay the engineering invoice for services completed by Bill Gibson for the Parkland Height project. Motion passed 5-0.

Emergency Services:

Councilman Wright requested contact with Floyd County Council about next year's budget for the police funding from county gaming revenue.

Property Cleanup:

Property cleanup of (Donnie Perkins') 9907 Highway 150: Mr. Perkins was in attendance and stated that he did not agree to allow Marshal Burkhart to run VIN numbers, check license plates and do an inventory. He also questioned why he couldn't park on the alley that was unimproved. Perkins stated that the harder he tried the more was asked from him. The council pointed out that the VIN checks were to assure that he was in compliance with the ordinance. Perkins stated that he was in the car restoration business. The council requested a copy of his retail license, which was supplied to the clerk.

Jerry Tush, owner of 9838 Highway 150 had no progress the cleanup so he will be ticketed as soon as possible.


Cross Street: Pat Sappenfield appeared before the council with list of concerns and complaints against council members. A copy of a complaint letter is filed at the Clerk's office. She stated that she was installing security lighting that should help. The council members reminded her of the work that had been completed with cooperation from the members.


Marshal's Report:

Marshal Burkhart was not available so there was no report given.

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

ATTEST:


Clerk of the Council


Presiding Officer

History Transactions by Type
All Adjustments
Date From 06/10/2008 through 07/14/2008

BOOK # 1		Desc		Balance	
Acct #	12905 OAKES, DOUG		previous reading new scco		
Audit #	170331	Water Adjusted			
Type	Adjustment	Water Tax Adjusted	\$-58.86	Operator AMY	\$0.00
Date	07/10/2008	Water Penalty Adjusted	\$-4.12	Misc Penalty Adjusted	\$0.00
			\$0.00		
		Total	\$-62.98	Balance	\$18.37
BOOK # 1		Desc		Balance	
Acct #	117190 DAVIDSON, SHAWNA		FINAL BILL OVERPAID BY BA		
Audit #	167823	Water Adjusted	\$0.02	Operator AMY	\$0.00
Type	Adjustment	Water Tax Adjusted	\$0.00	Misc Adjusted	\$0.00
Date	06/18/2008	Water Penalty Adjusted	\$0.00	Misc Penalty Adjusted	\$0.00
		Total	\$0.02	Balance	\$0.00

BOOK # 1		Desc		Balance	
Acct #		Water Adjusted	\$-58.84		
Audit #		Water Tax Adjusted	\$-4.12		
Type		Water Penalty Adjusted	\$0.00		
Date			0.00000		
		Total	\$-62.96		

BOOK # 3		Desc		Balance	
Acct #	3162026 BOYLE, LEIGH ANN		BAD DEBT WRITE OFF		
Audit #	167865	Water Adjusted	\$-23.84	Operator AMY	\$0.00
Type	Adjustment	Water Tax Adjusted	\$0.00	Misc Adjusted	\$0.00
Date	06/18/2008	Water Penalty Adjusted	\$0.00	Misc Penalty Adjusted	\$0.00
		Total	\$-23.84	Balance	\$0.00

BOOK # 3		Desc		Balance	
Acct #	31620310 BUHR, RONALD		RETURN CHECK		
Audit #	167975	Water Adjusted	\$45.00	Operator AMY	\$0.00
Type	Adjustment	Water Tax Adjusted	\$0.00	Misc Adjusted	\$0.00
Date	06/28/2008	Water Penalty Adjusted	\$0.00	Misc Penalty Adjusted	\$0.00
		Total	\$45.00	Balance	\$30.30

BOOK # 3		Desc		Balance	
Acct #		Water Adjusted	\$21.16		
Audit #		Water Tax Adjusted	\$0.00		
Type		Water Penalty Adjusted	\$0.00		
Date			0.00000		
		Total	\$21.16		

BOOK # 4		Desc		Balance	
Acct #	41130 LINK, GEORGE		RETURN CHECK FEE		
Audit #	167010	Water Adjusted	\$39.30	Operator AMY	\$0.00
Type	Adjustment	Water Tax Adjusted	\$0.00	Misc Adjusted	\$0.00
Date	06/13/2008	Water Penalty Adjusted	\$0.00	Misc Penalty Adjusted	\$0.00
		Total	\$39.30	Balance	\$82.38

BOOK # 4		Desc		Balance	
Acct #	42045 HUNDLEY, CHARLES		LEAK		
Audit #	170094	Water Adjusted	\$-59.25	Operator AMY	\$0.00
Type	Adjustment	Water Tax Adjusted	\$-4.14	Misc Adjusted	\$0.00
Date	07/07/2008	Water Penalty Adjusted	\$0.00	Misc Penalty Adjusted	\$0.00
		Total	\$-63.39	Balance	\$150.67

History Transactions by Type
All Adjustments
Date From 06/10/2008 through 07/14/2008

Acct #	Audit #	Type	Date	Description	Amount	Operator	Balance
BOOK # 4							
		Water Adjusted			\$-19.95		
		Water Tax Adjusted			\$-4.14		
		Water Penalty Adjusted			\$0.00		
					0.00000		
BOOK # 5							
		Water Adjusted			\$23.49		
		Water Tax Adjusted			\$2.66		
		Water Penalty Adjusted			\$1.35		
					0.00000		
		Desc RETURN CHECK FEE					
		Trash Adjusted			\$0.00		
		Misc Adjusted			\$0.00		
		Misc Penalty Adjusted			\$0.00		
					\$-26.09		
		Total			\$30.00		\$166.84
		Operator AMY			\$2.50		
		Misc Adjusted			\$0.00		
		Misc Penalty Adjusted			\$0.00		

BOOK # 5							
		Water Adjusted			\$23.49		
		Water Tax Adjusted			\$2.66		
		Water Penalty Adjusted			\$1.35		
					0.00000		
BOOK # 8							
		Water Adjusted			\$0.08		
		Water Tax Adjusted			\$0.01		
		Water Penalty Adjusted			\$0.01		
					\$0.00		
		Desc FINALED ACCOUNT/CLOSED					
		Trash Adjusted			\$0.00		
		Misc Adjusted			\$0.00		
		Misc Penalty Adjusted			\$0.00		
					\$0.09		
		Total			\$0.09		\$0.00
		Operator AMY			\$0.00		
		Misc Adjusted			\$0.00		
		Misc Penalty Adjusted			\$0.00		

BOOK # 8							
		Water Adjusted			\$0.08		
		Water Tax Adjusted			\$0.01		
		Water Penalty Adjusted			\$0.00		
					0.00000		
		Water Adjusted			\$-34.06		
		Water Tax Adjusted			\$-5.59		
		Water Penalty Adjusted			\$1.35		
					0.00000		
		Trash Adjusted			\$0.00		
		Misc Adjusted			\$0.00		
		Misc Penalty Adjusted			\$0.00		
					\$0.09		
		Total			\$0.09		\$0.00
		Operator AMY			\$0.00		
		Misc Adjusted			\$2.50		
		Misc Penalty Adjusted			\$0.00		

SUMMARY

		Water Adjusted			\$-34.06		
		Water Tax Adjusted			\$-5.59		
		Water Penalty Adjusted			\$1.35		
					0.00000		
		Trash Adjusted			\$0.00		
		Misc Adjusted			\$0.00		
		Misc Penalty Adjusted			\$0.00		
					\$-35.80		
		Total			\$-35.80		

07/14/2008
Jack Jaurillon
Attested

Progress Report & Comments
To the Greenville Town Board

July 14, 2008 Meeting

Barn has been repaired and made structurally safe. A group of 4 Amish men (recognized as "barn experts") worked 2 days doing repairs on June 13 & 14, 2008 and will continue as their work schedule permits. I am in the process of cleaning it out.

Trees, bushes, hedges, grass, and other plantings have been cut and trimmed and fallen limbs, etc. have been removed. Hauling off trash, etc. is an ongoing process when help is available.

Security Lighting Have some lights inside and outside and have consulted with a Duke Energy engineer to get security light(s) installed as soon as possible to help prevent the ongoing problem of vandalism at my property. Two outdoor spotlights have been broken out and the electrical line to the barn was torn down.

Request that any Town Board member and staff receive my permission to come on my property and speak to me in a courteous manner because of the following reasons:

1. On June 14, 2008, Town Board President Talbotte Richardson entered into my barn without my permission and talked with the Amish carpenters while they were working for me.
2. On Tuesday, June 17, 2008, Vice President Randal Johnes cut down all of my flowers and shrubs on the bank of my lot at Cross & Clark Streets. While I gratefully accepted his offer to mow my lawn until I could get someone new to do it, I didn't ask him to cut the bank areas and never would have agreed to his cutting down the flowers that help prevent soil erosion, help beautify the area, and have been growing there for over 60 years. When I spoke with him about this, he said that he cut down some trees, too, as these were in violation of a town ordinance. Why, then, did he only enforce this alleged ordinance on my property, as the pictures attached to the Town Board attorney's copy reveal that there are at least 27 others who are also in violation? I request a copy of the ordinance and ask that there be no more "selective cutting down" on my property.
3. On Clean Up Greenville Day, June 14, 2008, Town Board member Bob Wright talked negatively about me to 2 teenagers I hired to haul trash to put in a dumpster located at his business. Too, Richardson & Johnes gave me a hassle before they finally came to pick up a load, a service offered to senior citizens. I appreciate the help but not the hassle.
4. This is a written request to confirm two complaints I made verbally to President Richardson about the way that Jack Travillian and his deputy spoke to me and ask that I be given the same courteous treatment that they extend to others.

Please know that I am putting forth much effort, time, and money (at great sacrifice) to make repairs and clean up my real estate property and building and mobile home in Greenville. All that I ask is some recognition of this and for more fair treatment and cooperation

from the elected and appointed Town Board members, law enforcement officials and the Water Co. staff.


My property has been in my family for almost 100 years, and we have always done civic work in Greenville. For those of you who did not know my late parents, Fred and Florence Owen, I list some of the things that they did to help improve the quality of life in Greenville:

My father Fred Owen was instrumental in the beginnings of:

1. The Greenville Water Utility.
2. The Greenville Fire Dept. He was a volunteer fireman and also got the recipe for and fried many pounds of fish at the annual fish fry to help raise funds for the Fire Dept.
3. While a member of the Floyd County Parks Dept. board, he helped to get a park in Greenville.
4. He served on the Regional Water Shed Board and tried to get what is now the Patoka Lake Recreation area located in Floyd County. An environmentalists' group who were concerned about saving the area's wild flowers successfully opposed this.
5. The Kiwanis Club that honored him many times for his civic contributions.
6. The Greenville Masonic Lodge and Past Masters' Club. He served as lodge secretary for a long time and was honored as 70-year members.
7. He and my mother Florence bought the groceries and cooked the food for the many, many dinners it took to raise enough funds to help build a new church building for Greenville Christian Church.
8. The school lunch program at Greenville Elementary School.
9. Showed movies outdoors in the summer on the school grounds and popped and sold popcorn, etc. to help the school and PTA financially.
10. As a Master Gardener and environmentalists, he had a compost (years before it became a more popular thing to do) for his large vegetable garden. He had a garden every summer up until he died at the age of 92 plus years. He always had a row of beautiful flowers at its edge and planted many trees, flowers, and other plants for the good of soil and environment.
11. He helped others in the community get jobs when they were hard to find and always shared his bountiful harvest of vegetables and fruits with many in the community – especially those in need and senior citizens.

In addition to helping my father in the above, my Mother Florence Owen was active in establishing and being a member of the Eastern Star, the Floyd County Home Economics club that chose her Woman/Mother of the Year, and wrote the Greenville News column for the New Albany Tribune.

My parents were most definitely "pillars of this community" and helped build it up to improve the quality of life for Greenville residents.



 Rev. Pat Sappenfield

Cc: Richard Fox, Town Board Atty. (With pictures)
My Attorney

Questions and Comments
For the Greenville Town Board
July 14, 2008

1. What is being done to solve the widely known illegal drug use problem as well as the many break-ins, property vandalism, and thefts in Greenville? There is a Police Commissioner, Bob Wright, also a Town Board member; a full-time Marshal, Bill Burkhart, with a police car; a Deputy Marshall, Tony, also with a vehicle, and a former Indiana State Trooper, Hanzel Barclay, on the Town Board. If this much law enforcement cannot solve this major problem in a town of about 500 people, maybe they should call on the U.S. Marshals to help out, as they recently did in New Albany and Floyd County. This is often the subject discussed in coffee klatches in New Albany, and some families I have spoken with want to move because of the lack of security and being able to feel safe. To me, it seems that the major concern of the Town Board should be providing for the safety and well being of the people they represent.

In addition to my property, there has been break-ins, vandalism and property damage at the school, churches, market, and many other residences in addition to mine – including the Town Marshal's home, I understand. There are many buildings that are not occupied and many empty businesses, school, and churches in the evenings...which make them "easy targets."

2. Why won't the Town Marshal or the Police Commissioner have the containers of what was stolen from my property finger printed? Especially, as I had a rap sheet on a suspect who currently has a warrant out for his arrest; and the marshal saw two adult men parked in the alley between my lots and didn't recognize them or their car. Too, another person described seeing this same suspect go into my mobile home, as well as David Miller enter with a group of young people and also a Terrence who lives close to the liquor store at various times.
3. Why wasn't I notified when my mobile home was broken into, as the Town Board had my address and phone no. I am grateful for the Town Marshal securing the door as best he could. However, I do not understand why Johnes said that he wasn't concerned about any theft of my identity when I told him that my personal files had been broken into and strewn about.
4. I appreciate Vice President Johnes letting me know that my barn had been broken into and he offered to secure the doors, as the locks were broken off. However, it took him a week to remove the wood that he nailed to the doors and I couldn't enter.
5. Last June, Johnes told me that Wright was interested in buying my property so his son could build a house on it. Just last week, I checked with Wright again and he said that this was still the case. How can someone else build a house on it, as Johnes told me that the only thing that I can do is to make repairs or replace what is located on it as long as there is 50% of it remaining. Then, he made what I consider a "veiled threat" when he told me that should my mobile home and barn burn down to the ground, there wasn't anything that I could do with my property. He made this comment to me when I met with him for an hour or two at his home on June 6, 2008 just prior to the June Town Board Meeting. This matter has been reported to a U.S. Marshal who will investigate any such occurrence.

6. Why didn't the Town Board let me know that there was a business interested in buying my property? A businessman attending a previous Town Board meeting told me that the board discussed this at a previous town board meeting where they talked about getting my property by eminent domain and then selling it to the interested business to make some money? As previously mentioned herein, Johnes had my postal address and phone number. Between May 7, 2007 and April 2008, I spoke with him at least ten times on the phone and he sent me a letter postmarked May 22, 2007. However, at no time did he bring up this subject with me.
7. Why hasn't the drainage problem along the Cross Street side of my property been solved? This is getting worse with water backing up and standing in it (creating a breeding place for mosquitoes). Too, it is washing away the asphalt pavement, earth, and gravel from the alley. Pictures are attached to attorney's copy that shows what happened during two recent rains as well as how the drainage is handled on the opposite side of Cross Street, which has a culvert at U.S. Highway 150.
8. Why don't the Town Board meeting minutes reveal that the alley between my two lots was closed by Town Board action while I was serving as a member? This action was taken because it was common belief that this alley had been closed years ago when Pearce Bottled Gas was located at 9770 Hwy. 150. If this alley is so important, why isn't it paved like all others in town, except one?
9. Why can my neighbor, Clerk-Treasurer Jack Tavillian, have unlicensed cars without tarps and a wrecked van parked on his premises while I was forced to have my vehicle removed from my property? Picture of parked cars attached to attorney's copy. Above all others, I believe that the Town Board members should follow the rules and laws so as to be an example.
10. Why am I not able to get a history of my water account, especially when I had to pay an amount that was listed as being past due and a reconnect fee? I am concerned, especially as there is a possibility that some of my payments were not reported and diverted by a former Water Co. employee who embezzled funds from the utility. To me, there is a real chance that this happened to me, as this employee knew that I was not in the area. Still I am not able to get what a plumber told me is a faulty meter replaced.
11. What, if anything, is being done about a registered sex offender moving into an apartment at the corner of U.S. 150 and the Georgetown-Greenville Road and being in possible violation of living within 1,000 feet of a public school?
12. Why is it that some of the townspeople are afraid to attend Town Board meetings? Is this, their concern, legitimate: that if they did attend, they would end up being harassed, abused, and treated with hostility such as they see happening to some others who attend and myself?

During the time that I served on the Town Board, I discovered some illegal activity going on and consulted with a private attorney for my own protection. This attorney was very well known and respected, the late John Cody. He advised me that I needed to protect myself, as any Town Board member – elected or appointed – could be sued for not performing his/her job. He was very

familiar with the Greenville Town Board, as he was its attorney once. When I shared with him about what was happening, he agreed to represent me should I need him – even though he was semi-retired at that time.



Rev. Pat Sappenfield

Cc: Richard Fox, Attorney – with pictures
My Attorney