

**Minutes of Greenville Town Council Meeting**  
**April 11, 2005**

Vice President Hanzel Barclay called the regular monthly meeting to order. Councilpersons present were Janet Wright, Joey Receveur and Vice President Hanzel Barclay, along with 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. Wright made the motion and J. Receveur seconded. (Motion passed 3-0)

**Old Business:**

Annexation of 6310 Buttontown Road: Pastor Mark Avery was present and annexation was discussed. The board reviewed a map showing the proposed annexation. The next monthly meeting (May 9) the board will vote on the proposal.

Water Utility contract with Indiana American Water Company (IAWC): Superintendent Getrost presented a contract from Indiana American Water Company. The contract was given to each councilperson and town attorney for review. Superintendent Getrost would like to have the contract signed as soon as possible to avoid any problems with additional future additions for service. He stated that it should take approximately 4-6 months to complete the project once the contract has been signed. His recommendation is for accepting the changes proposed. Board will review and make a decision as soon as possible.

Greenville Christian Church: Jack Pope with Greenville Christian Church was present at the meeting along with church engineer James Fisher. Fisher gave the council a copy of plans calling for paving of the gravel parking lot and building a swale to catch runoff water diverting it to highway 150 drainage as proposed last month. There will be two swales built by the plans that were presented. The first will run parallel to East Second Street and the other will block the runoff from entering the new septic lines area that runs parallel to highway 150. The water will then be diverted south to the highway. Fisher stated that any changes involving the highway must get approval from State of Indiana highway department. He will be requesting expansion of the existing water drainage system. Mr. Pope asked that the town consider assisting with funds for the project. The council will consider that request at a later meeting date.

Meador's Property: Terry Maples from the Greenville United Methodist church was present at the meeting and stated that the church has completed an agreement in principle for the purchase of the Meador property located south of the church. He told the board that within a couple of weeks that transaction should be completed and the church will take possession of the property. Asked about the plans of the church he stated that the church will demolish the buildings and the land should be used in future projects. The cleanup should begin almost immediately upon transfer of property. Mr. Maples also gave notice to the town board of plans to place a gate on the church parking lot entrance located on the East side of the property. He stated that there was safety concerns with traffic flow and property damage caused by the vehicles using it illegally. He served this

notice out of consideration for keeping the council updated. Attorney Fox noted that the church should post good warnings with reflective material to keep the possibility of injury at a minimum.

**Water line location:** Mr. and Mrs. Scannell of 7175 John Pectol Road mailed a request to the board asking for different documentation. Attorney Fox read the statutes regarding open records request and noted that any request given in person should be noted in a log of some sort, with a response of receiving the request given within 24 hours. If letter or fax makes a request it must be given a response of receiving within 7 days. The board can make all requests mandatory in written form. Clerk Travillian will work on a log and standard operating procedure for handling such requests. The public records should be drafted in ordinance form. The letter from Scannell has been answered where available in all but one area.

**New Business:**

**Pothole on Church Street:** Roy Barbey presented the board with a written complaint about damage on Church Street that has caused damage to his vehicle. The board noted that the damage was caused by a waterline that had been run under the alley without permission of the board. Vice President Barclay made a recommendation that the town request Superintendent Getrost to have Christini Construction move a load of gravel from the town supply over to the problem pothole. He also requested that a letter be drafted to the new resident who damaged the road making them aware of their legal responsibility to have gotten permission and make necessary repairs upon completion of that project.

**Cleanup Days in Floyd County:** April 16 will be Earth Day with a cleanup crew working along the riverside. Tox Away Day will be held on April 20-21. The County will also have a Cleanup Day on April 30 with a dumpster being located at the Greenville Park for disposal of junk. Anyone interested should get a copy of the rules concerning what will be acceptable for drop off.

**Greenville Cleanup Day:** Greenville will hold cleanup days on May 13-15 with a dumpster being located at the town hall parking lot. Posting of the notice will be at the post office only in order to cut down on amount of out of town drop offs.

**Greenville Elementary School Ground Breaking:** The Greenville Elementary School has requested that local officials be present for a groundbreaking ceremony being held at the school on April 26 at 10:30 AM. Any board member should RSVP before April 20 if they are available.

**Committee Reports:**

**Zoning:** The committee is reviewing zoning for each property within the town limits. The next meeting will be tomorrow (April 12) at 7 PM. Clerk Travillian will be contacting a technician about updating the current town map, showing the annexed properties.

**Public Relations:** Councilwoman Wright stated that she has received complaints regarding vehicles located at residential location on Highway 150 and West Second

Street. Mr. [redacted] was present at the meeting and stated that he has been cleaning up the property but it is a long process. He stated that the two cars in question are for sale and the trailer has old tires loaded on it to make it comply with state regulation regarding storage of old tires. He is using the trailer as a storage shed. Clerk Travillian noted that the town has ordinances regarding this matter and suggested enforcing those. He also noted that the town marshal is the person given authority to serve notices on those ordinances. Attorney Fox reviewed the statutes regarding this matter and gave the opinion that the board can give authority to another legal party if that party will accept the responsibility. Vice President Barclay will make this request to the Floyd County Police Department.

Request for gravel on alleyway: Dr. Smyth requested that the board have gravel added to the alleyway behind his residence between West First and West Second streets. No action taken.

**Water Utility:**

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

**Finance Issues:**

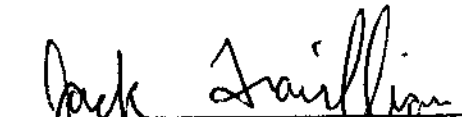
2005 Budget: The board reviewed the present budget and asked questions about the town promotion fund. The purchases in question were made for the US flag and the Citizen of the Year award.

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

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Date: 04/11/2005 Time: 09:38:34

Transaction History by Type

Adjustments

Acct #	Audit #	Type	Date	Desc	Amount	Balance
<b>11720 GINKINS, TERRY</b>						
	30873	Water Adjusted			\$-5.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
<b>24285 ELKIN, JASON</b>						
	31307	Water Adjusted			\$-65.17	
		Water Tax Adjusted			\$-3.91	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
<b>54960 ZOLLER COMPANY,</b>						
	30781	Water Adjusted			\$25.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
<b>54960 ZOLLER COMPANY,</b>						
	30780	Water Adjusted			\$-50.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
<b>54860 ZOLLER COMPANY,</b>						
	30758	Water Adjusted			\$-25.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
<b>54860 ZOLLER COMPANY,</b>						
	30782	Water Adjusted			\$25.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
<b>54960 ZOLLER COMPANY,</b>						
	30759	Water Adjusted			\$50.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$0.00	
					.00	\$0.00
Total					\$-45.00	\$0.00
<b>Desc: CHARGED TO M/JCH ON RETURN C.K. FEE</b>						
Total					\$-45.00	\$0.00
<b>Desc: ADJ. BOARD APPROVED</b>						
Total					\$-68.08	\$0.00
<b>Desc: REVERSE ADJUSTMENT</b>						
Total					\$25.00	\$-40.49
<b>Desc: REVERSE ADJUSTMENT</b>						
Total					\$-50.00	\$-65.49
<b>Desc: THIS WAS A RECONNECT FEE</b>						
Total					\$-25.00	\$-65.49
<b>Desc: SHOULD HAVE BEEN RECONNECT FEE</b>						
Total					\$25.00	\$-15.49
<b>Desc: RECONNECT FEE DOUBLE</b>						
Total					\$50.00	\$-15.49

SUMMARY

Water Adjusted	\$-45.17
Water Tax Adjusted	\$-3.91
Water Penalty Adjusted	\$0.00
0	0
Total	\$-49.08

*Edward G. Brooks*

*Jack Sullivan*

**Town of Greenville**  
P.O. Box 188, Greenville, Indiana 47124  
Tel: (812) 923-9821 • Fax: (812) 923-1099

April 1, 2005

**Councilman Mark Trail**  
P.O. Box 56  
Greenville, IN 47124


Dear Mark,

I am writing this letter to express the concerns of your fellow council members of the Greenville Town Council over your absence from our Town Council meetings. I realize that you have been in the midst of serious personal problems which demand your attention for a long time and that these problems are probably instrumental in you needing to miss our meetings. However, without your participation, undue pressure is exerted on the remaining members of the council. Not only must they carry added responsibilities, but with such a small council, your absence makes it a greater risk that we would not have a quorum at any particular meeting and, therefore, not be able to conduct the business necessary to run the Town.

I have repeatedly emphasized to our council that I do not want to, in any way, reflect negatively on your decision not to attend our meetings. I can only imagine the stress that you must experience regularly with family separations and personal problems you must endure. However, we must continue to function as a full Town Council and you are receiving payment for meetings that you are not attending. Although I would not demand that you resign if you are unable to attend meetings, I would ask you to consider whether or not the Town might not be better served if you made your position available to someone else who might be interested in serving in your position and helping the Town meet its growing needs. In short, I don't think it is an understatement to say that we need you....or at least someone in your position who can serve the community by performing the functions of Town Councilman to represent the section of Greenville that you were appointed to serve.

Please consider our concerns seriously. We have duties – particularly in your area of Streets and Roads – which desperately need to be handled. If you feel you cannot faithfully serve in the position you were appointed to, please let us know that we may be free to appoint someone in your place. We will take care of all the appropriate details of notifying the Floyd County Republican County Chairman of the need to appoint a new representative and select a new Councilman in your place. As I already said, we do not hold any negative feelings toward you and hopefully understand, in some way, your circumstances and inability to make our meetings. But we would ask you to consider whether you will be able to fulfill the responsibilities of your position or whether you should allow someone else to do so. Thank you for your consideration in this matter.

Sincerely yours,



David L. Matthews  
President, Greenville Town Council

**Town of Greenville**  
**Greenville Municipal Water Utility**  
P.O. Box 188, Greenville, Indiana 47124  
Tel: (812) 923-9821 • Fax: (812) 923-1099

April 1, 2005

Mr. And Mrs. Jason R. Elkin  
7077 Old Vincennes Rd.  
Floyds Knobs, IN 47119

Dear Jason and Bethany,

We received your letter dated February 17, 2005 requesting exceptional adjustment to your water bill which occurred due to a water leak on your property earlier this year. The Town Council reviewed your request at the March Council Meeting held March 14, 2005 and considered the extenuating circumstances you listed in your letter. At the recommendation of the Water Company Superintendent, the council voted to allow you the special adjustment you requested. The adjustment computation is described as follows.

The adjustment to your excess usage due to the water leak at your property is applied to the monthly billing for the February bill. The water usage for that month was 79,300 gallons of water. To compute for a normal adjustment granted by the Water Company and allowed by the Indiana State Board of Accounts, a computation must be made to determine your average normal usage for the preceding six months. This figure came to 12,800 gallons per month. That figure is subtracted from the high/leakage figure of 79,300 and the difference was 66,500 gallons...the figure to which you are allowed to have a lower-than-normal fee applied. That lower fee comes to \$3.23 per thousand gallons of water. You can see from the attached worksheet that the leak adjusted amount of 66.5 times the lower fee of \$3.23 equals \$214.80. Added to that is your normal usage amount times the normal price you would pay without the leak (10,000 gallons times \$5.73 = \$57.30 plus 2,800 gallons time \$5.13 = \$14.36 for a total of \$71.66 for all 12,800 gallons of normal usage). By the way, the Water Superintendent used your water usage for normal rates prior to August 2004 when it appeared that your water leak problems began. This actually works in your favor as your normal usage amount is for a lower amount of water than after the leak began and the adjustment was applied to a larger amount of water than had the average figure been taken for the six months preceding the February 2005 bill.

Adding the two figures together (\$71.66 for normal usage plus the adjusted \$214.80 for the leak) gives a total figure of \$286.46 after the adjustment was applied. Adding 6% sales tax of \$17.19, your total adjusted bill came to \$303.65. Compared to your original bill of \$390.31 without adjustment for the leak, the amount the water company adjusted your bill by was \$86.66 less than the original bill.

Now, as previously mentioned, the Town Council reviewed your request at the March meeting and agreed to provide you with a further adjustment due to extenuating circumstances and financial hardship expressed by you. The council agreed to lower the adjustment from the

already lowered rate of \$3.23 to \$2.25. This lowered amount just covers the cost of the water to us and a small, reasonable overhead which is required to operate the water company. It is the absolute lowest amount that we ever adjust customers' leak amounts by. Below this amount, it is reasonable to see that one cannot expect us to feasibly operate a water company. Applying the difference between those two amounts ( $\$3.23 - \$2.25 = \$0.98$ ) to your leak adjustment amount of 66.5 (see above) results in the added reduction of your bill by \$69.08 ( $\$0.98 \times 66.5 = \$65.17$ ;  $\$65.17 + \$3.91$  in taxes =  $\$69.08$ ). Add this \$69.08 adjustment to your previous adjustment of \$86.66 and the total adjustment to your bill comes to \$155.74. Compared to your original bill for \$390.31, you can see that we have now adjusted your water bill by 40%. You can see on the worksheet that your new bill for that month now comes to \$234.57, which the Water Company will now annotate on your records for payment.

I realize that my explanation of the computations of your adjusted bill may be fairly complex. However, I must point out several important considerations that you should think about. First, a 40% adjustment to anyone's water bill is an extraordinary thing...it does not happen except by extremely unusual circumstances and should be viewed as a generous consideration by the Water Company and the Greenville Town Council. Second, please look very closely at your water bill history attached to this letter and note that it is apparent that this water leak existed over a fairly long period of time (notably from September 2004 to February 2005). Even though the Town Council approved your added adjustment, such history shows a reticence on your part to repair the leak in a timely manner and could have been used to support not allowing the additional adjustment. Also, third, your record indicates a regular habit of paying your bills late, resulting in interest penalties added to your bills. Although the council would not try to advise you on any of your lifestyle choices, such practices definitely work against granting exceptional adjustments when financial hardship is used to support a request for adjustments while regularly paying late fees and interest penalties added onto your regular bills. We would request that you consider the above observations seriously.

I hope that you agree with us that granting the added adjustment to your water bill has been the appropriate thing to do under these circumstances. Hopefully, this adjustment will help you financially with those circumstances. We realize that occasionally, incidents like these beyond our control do happen and that it is in the power of the Company to further assist individuals who live under serious financial hardships. Having experienced this, we would advise you to keep a close watch on your water system for any leaks that might occur in the future. If you have any questions or doubts about your system or your bills, please feel free to contact any of the water company officials at any time. Thanks again for your patience and faithfulness in resolving this issue.

Sincerely yours,



David L. Matthews  
President, Greenville Town Council  
Greenville Water Company