

July 28, 1997

The Ellettsville, Indiana, Town Council met in regular session at 7:30 p.m., Monday, July 28, 1997. Members present were Michael Cornman, President, Geraldine McIntyre, Vice President, Donald Ashley, Patrick Stoffers, and Gina Hawkins. Mr. Cornman called the meeting to order. Donald Ashley gave the prayer.

COMMENTS:

RELEASE ESCROW ACCOUNT-VOILS CONSTRUCTION:

Jewel Echelbarger said the Department of Commerce called today and her and Mike Spencer have been working to try and close things out on the Endwright Center. She is pleased to say they are getting pretty close. She would like permission to pay out the \$50,000 in escrow that the Town had so that they can finish out the Department of Commerce Account and get ready for them to come down and monitor that account up and free the town up so they can have other Department of Commerce Accounts. She thinks that Mike and her have been working on the legal part of it. She would ask that they permit them to do that with the approval of the architect, Sherman Bynum, is coming over on Thursday to make sure every thing is right for the claim and using the guide lines that have been established by the attorney Mike Spencer.

Mike Cornman said you want release of escrow account on approval of Sherman Bynum and Mike Spencer? Jewel said yes. Mike Cornman asked how much that was. Jewel said \$50,000, it is the money that's the retainer that was set aside in a special account by Diana and they are ready to draw down. Mike Cornman said you three people are the one's that seem to have, Sherman Bynum, Mike Spencer, and yourself should seem to be the one's to have taken care of the legal work on this. Mike Spencer said he will give his opinion first, he doesn't see any problem especially it has to have Mike Spencer's and Sherman Bynum's approval.

Gina agrees. Don doesn't see anything wrong with it what so ever. Pat thinks it is fine.

Mike Cornman said being this is not on the agenda, we would need to add it to the agenda by unanimous vote, then we could vote on it.

Mike Cornman said is there a motion to allow Area 10 to be on the agenda for release of Escrow funds. Geraldine McIntyre so moved. Patrick Stoffers seconded. Motion passed 5-0.

Mike Cornman said do we have a motion to release the escrow on the approval of Sherman Bynum and Michael Spencer for the Department of Commerce Grant. Donald Ashley so moved. Gina Hawkins seconded. Motion passed 5-0.

VFW PRESENTS FLAGS TO THE TOWN:

Jim Arnold Commander of the VFW said at the last meeting the VFW offered to present 10 flags to the City of Ellettsville. Jim Arnold and Ed Hedrix, Quartermaster presented the flags to the Council and they would like to have pictures taken.. The Journal took a picture of Jim and Ed presenting the flags to the Council. The Council thanked them for the flags.

MINUTES AND CLAIMS:

Gina Hawkins made the motion we approve the minutes and claims. Donald Ashley seconded. Motion passed 5-0.

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OLD BUSINESS:

RATIFICATION OF CASSADY AGREEMENT:

Mike Cornman said a present time we don't have an agreement to ratify . There has been some changes in the proposed agreement and this being looked at in the morning by Michael Spencer law firm partner Frank Barnhart. At this time in light of some new information, things have changed he would like to open this up for discussion , he feels it is only necessary to do so because there has been some proposals of perhaps changing some of this. Mike opened up the floor, council members may be first to speak on their thoughts or opinions on this. Some of this just came about probably last week or so. Mike Cornman said if there isn't any and according to the minutes

ARROWPOINT RELEASE OF BOND MONEY:

Rick said Melvin has put the pipe in underneath JR's drive, and has talked to JR about it. Rick said he did some changes with rip wrap on each side of JR's drive. Rick said he looked at it and looks like it shouldn't flow over JR's drive, same size pipe as the outlet from the outlet towards his property. Rick tried to call JR and ask him what he thought about it. He talked to Sandy one time a couple weeks ago and he tried to stop by this afternoon and there wasn't anybody home.

Mike Cornman said he talked with JR and he said he was happy with the conditions.

Melvin Sutherlen said he thinks he called him Wednesday and said he had to either come down to the Board meeting or write a letter or talk to somebody acknowledging . Mike Cornman said did he tell you he talked to me? Melvin said he said he would handle it.

Geraldine said she went by and looked at it and it looked all right to her. She hasn't talked to JR. Rick said it needs a little seed and that is about it. Melvin said he said he was satisfied and he was there when we worked on it.

Gina said to Mike, you talked to him and every thing is fine? Mike Cornman said that is what he told him. There was more discussion.

Donald Ashley made the motion that we seemingly have everybody in agreement that they are happy with what has been done up there on Arrow Point on the retention pond and all parties have either been contacted or contacted us and agreed that it's okay and he sees know reason, I think we should release the money, the bond money back to them. Patrick Stoffers seconded. Motion passed 5-0.

NEW BUSINESS:

CHANGE ORDERS FOR ELLETTSVILLE WWTP FACILITY:

None

REPORT ON PHYSICIAN FOR ELLETTSVILLE COMMUNITY:

Geraldine said they had their first meeting on June 25, 1997. Everything went real well she thought. Dan Rogers said they have another negotiating meeting tomorrow. Geraldine said she talked to Dr. Nice the other day and he seems very interested in getting started over here.

COMMENTS:

None

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ADJOURNMENT:

Donald Ashley made the motion to adjourn. Geraldine McIntyre seconded. Motion passed 5-0.

Michael D. Cornman
President

D. Gerald McIntyre
Vice President

Donald Ashley

Patrick Stoffers

Gina M. Hawkins

Diana K. Evans
Clerk-Treasurer