FILED
AUDITOR DUBOIS COUNY

DEC 2 - 1991

Basil C. Kunkel

ORDINANCE 91-13

AN ORDINANCE ESTABLISHING THE NORTHEAST DUBOIS COUNTY FIRE PROTECTION DISTRICT.

WHEREAS, 500 Freeholders of Columbia Township, and parts of Marion, Harbison and Hall Townships have filed with the Board of County Commissioners of Dubois County, Indiana, a Petition for Establishment of the Northeast Dubois County Fire Protection District; and,

WHEREAS, the Auditor of Dubois County has certified that 500 freeholders of the proposed District, being in excess of two percent thereof, have properly executed said Petition; and,

WHEREAS, proper notice of the filing of said Petition and of hearing thereon, has been duly published as required by statute; and,

WHEREAS, public hearing was conducted by this Board on said Petition at the time and place published, with certain freeholders of the proposed District present to speak in favor of the granting of said Petition and with no interested person present to speak in opposition thereto; and,

It being the finding of this Board of County Commissioners that:

(1) The name of the fire district shall be "Northeast Dubois County Fire Protection District."

(2) That said District shall be composed of the following real estate located in Dubois County, Indiana, to-wit:

All of Columbia Township;

All of Hall Township north of a line running from the southwest corner of Section 19, Township 1 South, Range 3 West to the southeast corner of Section 24, Township 1 South, Range 3 West;

All of Marion Township north of a line running from the southwest corner of Section 29, Township 1 South, Range 4 West to the southwest corner of Section 27, Township 1 South, Range 4 West, thence North to the half-section line of said Section 27, thence east along the half-section line to the east Section line of said Section 27, thence north to the northeast corner of said Section 27, Township 1 South, Range 4 West, thence east to the northeast corner of Section 25, Township 1 South, Range 4 West;

All of Harbison Township east of a line running south from the southwest corner of Section 15, Township 1 North, Range 4 West to the southwest corner of Section 3, Township 1 South, Range 4 West, thence west on the south line of Section 4, Township 1 South, Range 4 West to the Patoka River, thence following the Patoka River southwesterly to the south line of said Township.

(3) That said District is established for purpose of providing fire protection for real and personal property located within said District, to promote fire prevention activities within the District, and to permit activities and functions reasonably related to fire protection and prevention.

(4) That need exists for the establishment of said District so as to provide revenues for continuation of fire protection services within the District.

(5) That the public health, safety and welfare of the residents and property owners of the territory can be assured by the securing of sound financial planning for the delivery of fire protection services.

(6) That the costs and damages incurred because of the District is expected to be less than the benefits to be derived because of the establishment, and such establishment is not conditioned upon the receipt of any State or Federal grant.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS of Dubois County, Indiana:

Section 1. The Northeast Dubois County Fire Protection District is hereby established as of January 1, 1992.

Section 2. That the territory included within said District shall be as set forth hereinabove.

Section 3. That the Board of Trustees of said District shall consist of five (5) persons, to be appointed by the Board of County Commissioners, with one such Trustee to be appointed from each Township or part of a Township contained within the District, and one Trustee to be appointed at large from within the District, and with the term of each appointment, except for the original appointments, to be for a period of four (4) years.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA, THIS 2ND DAY OF DECEMBER, 1991.

Gilbert Fleck
GILBERT FLECK

Virgil U Schnaus
VIRGIL U. SCHNAUS

Mary Lou Schnell
MARY LOU SCHNELL

ATTEST:

Basil C Kunkel
AUDITOR

FILED
AUDITOR DUBOIS COUNTY

MAR 18 1991

Carol C. Kunkel

ORDINANCE NO. 1991 -4

"AN ORDINANCE ESTABLISHING AND REQUIRING THE PAYMENT OF FEES BY ANY PERSON PLACING RESIDENTIAL RUBBISH IN THE COUNTY RESIDENTIAL SOLID WASTE COLLECTION SYSTEM, AND PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE."

BE IT ORDAINED by the Board of Commissioners of Dubois County, Indiana:

SECTION 1. The Board of Commissioners of Dubois County, Indiana, in order to regulate the public disposal of household rubbish, the gathering of such rubbish and to provide funding for the collection, removal and disposal thereof, does hereby establish and declare that fees shall be paid by all persons placing residential solid waste in the County solid waste collection system, whether such collection be by deposit in County solid waste containers or by any other type of delivery to or collection by any agency of Dubois County, Indiana.

SECTION 2. The term "residential solid waste" shall be defined to include household rubbish or trash; but shall exclude bulky items, including but not limited to refrigerators, washing machines, tables, chairs, sofas, mattresses or other household items, brush and tree trimmings, lumber, table scraps, food, oil, oil products, dead animals and fowl, human, animal or bird offal, fence wire, fence posts, bricks, building material, dirt, ashes, car and truck tires or parts.

SECTION 3. That the County solid waste collection system shall be operated solely for the benefit of, and shall be used solely by, residents of Dubois County and shall exclude persons or firms collecting rubbish for a fee, schools, retail, wholesale, manufacturing or other business establishments.

SECTION 4. Residential solid waste shall enter the County solid waste collection system only in those methods from time to time established by the Dubois County Commissioners. All such residential solid waste entering said system shall be placed in a trash bag or container having a capacity not in excess of forty-five (45) gallons.

All bags and containers shall be closed and sufficiently tight to prevent leakage of contents.

SECTION 5. Each bag or container placed in the County solid waste collection system shall have affixed to said bag or container a tag or label issued by Dubois County, Indiana signifying that the proper fee, as then determined by the Dubois County Commissioners, has been paid to Dubois County for that bag or container.

SECTION 6. The fee to be paid to Dubois County for each tag or label described in Section 5 of this Ordinance shall be seventy-five cents ($ .75) for each tag or label purchased.

SECTION 7. The Auditor of Dubois County shall issue Fifty Dollars ($50.00) to each person required to sell the tags or labels. This Fifty Dollars ($50.00) is for the purpose of making change and shall be returned to the Dubois County Auditor upon demand and upon termination of employment.

126.2

All funds collected by the County from the sale of said tags or labels shall be deposited with the Treasurer of Dubois County and shall be credited to the Dubois County Solid Waste Collection System Fund (which Fund is hereby established) use in the operation of that System, including the payment of expenses and fees for disposition of the County of residential solid waste collected within said system.

SECTION 8. No solid waste, including residential solid waste and including those items excluded from the definition of residential solid waste set forth in Section 2 hereinabove, shall be abandoned in Dubois County, Indiana except to a person or firm holding a permit to collect rubbish for a fee, or at a lawful landfill or, if applicable, in compliance with this Ordinance.

SECTION 9. Any persons, firm or corporation found violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon being found guilty the violator shall be punished for the first offense by a fine of not more than Five Hundred Dollars ($500.00); for the second offense by a fine of not more than One Thousand Dollars ($1,000.00); and for a third and each subsequent offense by a fine of One Thousand Dollars ($1,000.00) and a sentence of not more than Ninety (90) days.

SECTION 10. Should any article, section or provision of this Ordinance be declared invalid, by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof, other than the portion so declared to be invalid.

SECTION 11. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 12. This ordinance shall be in full force and effect from and after the date of its adoption and publication.

PASSED AND APPROVED by unanimous vote of the Board of Commissioners of Dubois County, Indiana, this 18th day of March, 1991.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

By Virgil Schnaus
PRESIDING OFFICER

By Mary Lou Schnell

By Gilbert Fleck

ATTEST:

Basil C Kunkel
BASIL C. KUNKEL,
Dubois County Auditor

FILED
AUDITOR DUBOIS COUNY
MAR 18 1991
Basil C. Kunkel

RE: EMPLOYEES HEALTH INSURANCE

The County Commissioners attended the County Council meeting to discuss the County Health Insurance. After a discussion the Commissioners decided to amend the Ordinance 1990-11.

AMENDED ORDINANCE 1990-11A

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA.

This Ordinance states that all eligible County Employees will pay up to and not to exceed $500.00 on there Health Insurance Family plan per year.

This amount shall stay in effect, until changed by Ordinance.

ADOPTED AND PASSED ON THIS 5th DAY OF NOVEMBER 1990.

Gilbert Fleck
Virgil Schnaus
Mary Lou Schnell

ATTEST: BASIL C. KUNKEL, AUDITOR

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AGREEMENT

Request to amend a previous agreement dated December 20, 1990, between Mehling Engineering & Surveying, Inc. and the County regarding the completion of the road and structure numbering project for Dubois County.

The request is to extend the dollar amount to "NOT TO EXCEED" $25,000.00 and to extend the completion date to February 28, 1991.

Adopted and approved this 1st day of April, 1991.

Virgil Schnaus

Virgil Schnaus

Mary Lou Schnell

Mary Lou Schnell

Gilbert Fleck

Gilbert Fleck

Board of County Commissioners

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Prescribed by State Board of Accounts

CLAIM

County Form No. 17 (Rev. 1953)

A CLAIM, TO BE PROPERLY ITEMIZED MUST SHOW: KIND OF SERVICE, WHERE PERFORMED, DATES SERVICE RENDERED, BY WHOM, RATE PER DAY, NUMBER OF HOURS, RATE PER HOUR, PRICE PER FOOT, PER YARD, PER HUNDRED, PER POUND, PER TON, ETC.

DuBois COUNTY, INDIANA

On Account of Appropriation for

Payable To MEHLING ENGINEERING & SURVEYING INC.

Address P.O. BOX 197, FERDINAND, IN 47532

DATE 19 91	ORDER NO.	ITEMIZED CLAIM	DOLLARS	CTS.
MAR 20		CORRECTING ERRORS & INACCURACIES IN		
		ADDRESSING FOR E-911 SYSTEM		
		FROM 1-21-91 to 3-14-91		
		AS PER AGREEMENT		
		502 MANHOURS @ 30.00	15060	00

Pursuant to the provisions and penalties of Chapter 155. Acts of 1953.

I hereby certify that the foregoing is just and correct, that the amount claimed is legally due after allowing all just credits, and that no part of the same has been paid.

MEHLING ENGINEERING & SURVEYING, INC

Date March 20, 1991

Leander H. Mehling, Pres.

SIGNATURE LEANDER H. MEHLING TITLE

2-13-91	20	"	480.00
2-14-91	5	"	360.00
2-15-91	19	"	600.00
2-16-91	10	"	180.00
2-18-91	9	"	480.00
2-19-91	14	"	300.00
2-20-91	5	"	120.00
		"	600.00
		"	540.00
		"	630.00
		"	570.00
		"	510.00
		"	390.00
		"	570.00
		"	750.00
		"	570.00
		"	540.00
		"	450.00
		"	150.00
		"	210.00
		"	600.00
		"	150.00
		"	570.00
		"	300.00
		"	270.00
		"	420.00
		"	150.00

-91

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ORDINANCE 1991-5

AN ORDINANCE OF DUBOIS COUNTY, INDIANA REQUIRING A PERMIT TO INSTALL, REPAIR OR ALTER ANY PRIVATE SEWAGE DISPOSAL SYSTEM AND ESTABLISHING REGULATIONS WITH REGARD TO THE INSTALLATION THEREOF; REQUIRING THE REGISTRATION AND BONDING OF INSTALLERS OF SUCH SYSTEMS; AND FIXING FEES FOR SUCH PERMITS AND REGISTRATION AND PENALTIES FOR VIOLATION THEREOF.

A. Before commencement of construction of any business building or private residence where a private sewage disposal system or privy is to be installed or where any alteration, repair or addition of an existing private sewage disposal system is planned, the owner or agent of the owner shall first obtain a written permit signed by the Health Officer. The application for such permit shall be made on a form provided by the Dubois County Health Department which application shall be supplemented by any plans, specifications and other information as is deemed necessary by the Health Officer. The application for a permit shall be accompanied by an acceptable plot plan, showing dimensions of the lot and the distances from the sewage disposal system to the dwelling and other pertinent buildings. The plot plan shall show the following:

1. Location of proposed sewage disposal system or changes to existing one.
2. Location of any existing or proposed source of water supply and water lines on property.
3. Location of water supply sources, water service lines, and sewage disposal systems within 100 feet of the proposed system.
4. Completed soil survey evaluation, conducted by a soil scientist, containing any information the soil scientist feel is pertinent to the site.

B. No person shall construct, install, connect, alter or extend a private sewage disposal system within Dubois County, Indiana without first having filed a written application as set forth in this ordinance and having a written permit from the Health Officer.

C. A fee of twenty ($20.00) dollars shall be paid with each application for permit filed with the Dubois County Health Department.

D. A separate permit shall be obtained for sewage disposal work on each dwelling.

E. If the sewage disposal system has not been constructed, installed, altered, or extended within one year from the date of issuance, the permit shall automatically expire.

F. The Health Officer shall deny a permit if the information on the application is incomplete, inaccurate, or indicates that the provisions of this ordinance cannot be met.

G. The issuance of a permit does not constitute assumption by the Dubois County Health Department or its employees of liability for the failure of any sewage disposal system.

H. The Health Officer shall maintain a register of all persons engaged in or intending to engage in the installation of sewage disposal devices or equipment within Dubois County, Indiana.

I. Any individual, firm, association, or corporation engaged in or intending to engage in the installation of sewage disposal devices or equipment shall make application to the Health Officer to have his name placed on the register for those engaged in the installation of sewage disposal devices or equipment. The applicant shall submit an application fee of twenty-five ($25.00) dollars per calendar year or part thereof. The application form shall contain the name and address of the person making

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application and the address of the firm or place of business he is associated with, and such information as the Health Officer determines will reasonably aid in the administration and enforcement of this ordinance.

J. Upon acceptance of prospective applicant's registration, registrant shall post a surety bond with the Board of Health, Dubois County, State of Indiana, in the penal sum of not less than one thousand ($1,000.00) dollars in favor of the Board of Health, conditioned upon registrant's faithful compliance with Rule 410 IAC 6-8.1.

K. Upon recommendation to the Health Officer, the Board may remove the name of any individual, partnership, firm, association or corporation from the register of persons engaged in the installation of sewage disposal devices or equipment who have demonstrated inability or unwillingness to comply with the regulations. Such person may have his name reinstated on the register of persons engaged in the installation of sewage disposal devices or equipment by the Board of Health after satisfactory demonstration of ability or willingness to comply with the regulations.

L. All fees collected under the terms of this ordinance shall be receipted monthly into the Dubois County Treasury and credited to the Dubois County Health Fund for services rendered in enforcing this ordinance.

M. The permit for a private sewage disposal system shall be posted by the permitee in a conspicuous place at or near the building where the sewage disposal system is under construction. The notice should be plainly visible from the public thoroughfare serving the building.

N. The provisions of the permit for the construction of a private sewage disposal system or privy shall not be considered fulfilled until the installation is completed to the satisfaction of the Health Officer or his agent. The permitee shall notify the Health Officer at least one (1) working day prior to completion of the system for final backfill inspection. Such final inspection is required before any underground portions are covered.

O. The Health Officer or his agent shall be permitted to enter upon all properties at the proper time for purposes of inspection, observation, and testing necessary to carry out the provisions of this ordinance.

SECTION . ENFORCEMENT PROCEDURE

A. Any person found to be violating any provision of this regulation may be served by the Health Officer with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof.

B. After receiving an order in writing from the Health Officer, the owner, agent of the owner, the occupant or agent of the occupant of the property shall comply with the provisions of this ordinance as set forth in said order and within the time limit included therein. Said order shall be served on the owner or agent of the owner and the occupant or the agent of the occupant, but may be served on any person who, by contact with the owner, has assumed the duty of complying with the provisions of an order.

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SECTION . PENALTIES

A. Any person found to be violating any provision of this ordinance shall be guilty of a misdemeanor. On conviction, the violator shall be punished for the first offense by a fine of not more than five hundred ($500.00) dollars; for the second offense by a fine of not more than one thousand ($1,000.00) dollars; and for the third and each subsequent offense by a fine of not more than one thousand ($1,000.00) dollars to which may be added imprisonment for any determined period not exceeding ninety (90) days, and each day after the expiration of the time limit for abating insanitary conditions and conditions as ordered by the Health Officer or his agent, shall constitute a distinct and separate offense.

SECTION . APPEALS PROCEDURE

A. If an applicant is refused a permit, the administrative authority shall, upon request, afford the applicant a fair hearing in accordance with provisions of IC 4-21.5-3.

B. The administrative authority may, after reasonable notice and opportunity for fair hearing, in accordance with the provisions of IC 4-21.5-3, revoke a permit for authorizing the construction of a private sewage disposal system if it finds that the holder of the permit has failed to comply with any provision of this ordinance.

SECTION . VALIDITY

A. If any section, paragraph, sentence, clause, phrase, or word of this ordinance, or any part thereof be declared invalid for any reason, the remainder of said ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION . DATE OF EFFECT

A. This ordinance shall be in full force and effect on the 1st day of July, 1991, upon its adoption and its publication as provided by law.

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FILED
AUDITOR DUBOIS COUNTY

JUN 28 1991

Basil C. Kunkel

AGREEMENT OF SALE

AGREEMENT by and between the Dubois County Bank, a financial institution with principal offices in Jasper, Indiana, the successor of The Dubois County State Bank, ("Seller") and Dubois County, Indiana, a governmental entity of the State of Indiana, ("Buyer").

The Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller the following real estate in Dubois County, Indiana, to-wit:

> Part of Lot Number Ninety (90) in the Original Town, now City of Jasper, more particularly described as follows: Beginning at the southwest corner of said Lot 90 and running thence north 50 feet to the City of Jasper real estate, thence east 75 feet, thence south 5 feet to the northwest corner of Kean Building (formerly known as the B. L. Green Company Building) thence east 25 feet to the east line of said Lot, thence south 45 feet to the southeast corner of said Lot, thence west 100 feet to the place of beginning.

such sale to be under the following terms and conditions.

(1) The purchase price for said real estate shall be Four Hundred Seventy-seven Thousand Dollars ($477,000.00), which shall be payable in the following manner:

(a) Fifty Thousand Dollars ($50,000.00) on or before June 30, 1991;

(b) Fifty Thousand Dollars ($50,000.00), including interest on the unpaid principal balance at the rate of eight percent (8%) per annum, each on June 30, 1992, and June 30, 1993, said interest to begin on October 1, 1991.

(c) Not less than one-half (1/2) of the remaining principal balance, plus interest at the above rate, on June 30, 1994; and

(d) The remaining unpaid principal balance, plus interest thereon at the above rate, on June 30, 1995.

(e) Buyer shall be entitled, however, to pay any additional sum towards principal at any time, without penalty.

(2) Seller shall pay all real estate taxes payable on said real estate through and including the November 10, 1992 installment. Buyer shall be liable for any taxes thereafter due and for any assessments which may be placed against said real estate after July 1, 1991.

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(3) Seller shall be liable for and pay the cost of all utilities consumed on said real estate and all insurance coverage on said premises for the period prior to October 1, 1991. Insurance coverage and utility expenses for the period subsequent to September 30, 1991 shall be the obligation of Buyer.

(4) Seller shall deliver title to and possession of said real estate to Buyer, including an Assignment of Leases, as of 11:59 P.M. on September 30, 1991. Title shall be evidenced by Corporate Warranty Deed and shall be merchantable title, free of all liens and encumbrances, but subject to presently existing leases. While Seller shall have no obligation to deliver abstract, opinion or insurance of title, Seller does agree at its expense to correct all defects of title or in place thereof to provide satisfactory owner's title insurance in the full amount of the purchase price.

(5) As of time of title transfer, the described real estate shall be in substantially the same condition as exists as of date of execution of this Agreement, reasonable wear and tear excepted. Prior to said date, Seller shall continue to maintain said real estate in its current condition.

(6) Seller shall bear all risk of loss as to said real estate until the time of title transfer. In the event the improvements on said real estate should be destroyed or damaged by fire, storm or other act of God or by any other cause prior to 11:59 P.M. on September 30, 1991, Seller shall use the proceeds of casualty insurance thereon to replace said real estate to its present condition, provided that should Seller fail to so fully replace said improvements, then Buyer may terminate this Agreement and receive a refund of any payment previously paid to Seller hereunder. All risk of loss shall pass to Buyer upon delivery of possession.

(7) In the event Buyer should default in any payment required herein, Buyer shall pay all expenses incurred by Seller, including reasonable attorney's fees, in the collection of all sums due hereunder. Should Seller fail to perform or observe any term or condition of this Agreement, Buyer shall be entitled

158545

LEASE

THIS AGREEMENT by and between Dubois County Commissioners of Dubois County, Indiana, hereinafter referred to as "LESSOR", and the Dubois County Park and Recreation Board of Dubois County, Indiana, hereinafter referred to as the "LESSEE".

WITNESSETH:

In consideration of the rents and covenants hereinafter set forth, stated and reserved, the Lessor does hereby demise, let, lease and assign to the Lessee the following additional described premises located in Dubois County, Indiana, to-wit:

The Southeast Quarter of the Northwest Quarter of Section 29, Township 2 South, Range 4 West, containing 40 acres, more or less; ALSO,

The East ten (10) acres off the Southwest Quarter of the Northwest Quarter of Section 29, Township 2 South, Range 4 West; ALSO,

A part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 2 South, Range 4 West, described as follows: Beginning at a steel stake North 0 degrees 00 minutes East 1055.0 feet from the southwest corner of said Quarter-Quarter; thence North 88 degrees 59 minutes East 398.4 feet parallel with the south line of said Quarter-Quarter to a P-K nail in the centerline of State Road 162; thence northwesterly 50.2 feet along said centerline along a 1 degree 30 minute curve to the right and subtended by a long chord having a bearing of North 4 degrees 30 minutes West and a distance of 50.1 feet to a P-K nail; thence South 88 degrees 59 minutes West 394.5 feet to a steel stake on the west line of said Quarter-Quarter; thence South 0 degrees 00 minutes West 50.0 feet to the point of beginning and containing 0.45 Acre, more or less;

Subject to an easement for right of ingress and egress over and across said 50 foot wide tract last described for access to property adjacent to said 50 foot tract.

TO HAVE AND TO HOLD the same, with all the rights, privileges, easements and appurtenances thereunto attaching and belonging unto the said Lessee for a term commencing with the date hereof and extending to March 31, 2067.

FILED
AUDITOR DUBOIS COUNY
JUL 11 1991

Basil C. Humbl

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It is agreed between the parties hereto that rental of the sum of One Dollar ($1.00) for the term of this lease is being paid at the time of execution hereof, receipt whereof is hereby acknowledged.

It is further agreed that this lease supplements a prior Lease dated June 7, 1976, which Lease relates to a 44.31 acre tract, and this lease involves real estate heretofore controlled by Lessee at the request and with the authorization of the Lessor.

As a further consideration of the leasing and demising aforesaid, the said Lessee further covenants and agrees to bear, pay and discharge, in addition to the rent herein reserved, all taxes, assessments and levies of every name, nature and kind, including all utilities, including water, telephone, gas or electric, which may be taxed, charged or assessed against said premises, or upon any of the buildings or improvements thereof, or which may be levied or imposed upon the leasehold estate hereby created, and upon the reversionary interest in said estate, during the term thereof.

The said Lessee further covenants and agrees to pay the entire and total cost of all the improvements placed on said real estate during the term thereof and also agrees to pay for all repair, maintenance and upkeep of the said improvements and appurtenances. The said Lessee also to have the right to move any such buildings or improvements to other locations on the property, and to entirely remove or demolish any of said improvements.

It is further covenanted and agreed by and between the parties hereto that the said Lessee will, at its own expense and so long as this lease shall be in force, keep any buildings, improvements or appurtenances that shall at any time be upon said premises insured in good and responsible insurance companies, to an amount deemed by the Lessee to be sufficient to protect Lessee's interest therein. That as

specific performance of the terms hereof and Seller shall be liable for all expenses incurred by Buyer, including reasonable attorney's fees, in the enforcement of this Agreement.

(8) Each party hereto certifies that they have been duly authorized to execute this Agreement on behalf of their respective corporate or governmental entity.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed as of the 28th day of June, 1991.

DUBOIS COUNTY BANK

BY David E. Eckerle

DAVID E. ECKERLE, PRESIDENT

ATTEST:

Paul R. Nolting

PAUL R. NOLTING, EXECUTIVE VICE PRESIDENT

"SELLER"

DUBOIS COUNTY, INDIANA
BY ITS BOARD OF COUNTY COMMISSIONERS

Virgil Schnaus

VIRGIL SCHNAUS

Mary Lou Schnell

MARY LOU SCHNELL

Gilbert Fleck

GILBERT FLECK

ATTEST:

Basil C. Kunkel

BASIL KUNKEL, County Auditor

"BUYER"

FILED
AUDITOR DUBOIS COUNY

JUN 28 1991

Basil C. Kunkel

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STATE OF INDIANA)
) SS:
COUNTY OF DUBOIS)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named David E. Eckerle and Paul R. Nolting, the President and Executive Vice President, respectively, of Dubois County Bank, Seller herein, and Virgil Schnaus, Mary Lou Schnell and Gilbert Fleck, the Board of County Commissioners, and Basil Kunkel, County Auditor, of Dubois County, Indiana, Buyer herein, who acknowledged the truth of the statements in the foregoing Agreement and the execution thereof to be their voluntary act and deed.

WITNESS, my hand and Notarial Seal this 28th day of June, 1991.

My Commission Expires:
Sept 1, 1992

Arthur C. Nordhoff Jr Notary Public
(Printed Name)
Resident of Dubois County, Indiana

FILED
AUDITOR DUBOIS COUNY
JUN 28 1991
Basil C. Kunkel

IN WITNESS WHEREOF, the parties have executed this agreement at Jasper, Indiana, this 2nd day of May, 1991.

BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA

Virgil Schnaus
VIRGIL SCHNAUS

Gilbert Fleck
GILBERT FLECK

Mary Lou Schnell
MARY LOU SCHNELL

"LESSOR"

DUBOIS COUNTY PARK AND RECREATION BOARD

Robert J. Steffe
ROBERT J. STEFFE PRESIDENT

Earl F. Buecher
EARL F. BUECHER SECRETARY

Gerald R. Terwiske
GERALD R. TERWISKE MEMBER

Robert H. Hedinger
ROBERT H. HEDINGER MEMBER

Al Mihajlovits
AL MIHAJLOVITS MEMBER

"LESSEE"

STATE OF INDIANA, COUNTY OF DUBOIS, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Virgil Schnaus, Gilbert Fleck and Mary Lou Schnell, known to me to be the members of the Board of County Commissioners of Dubois County, Indiana, who acknowledged the execution of the foregoing Lease to be their free act and voluntary deed.

WITNESS, my hand and Notarial Seal this 2nd day of May, 1991.

My Commission Expires:
27 JUNE 1994

Clemence A. Nordhoff
CLEMENCE A. NORDHOFF Notary Public
(Printed Name)
Resident of Dubois County, IN

SEAL

STATE OF INDIANA, COUNTY OF DUBOIS, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT J. STEFFE and EARL F. BUECHER, known to me to be the President and Secretary, respectively, and GERALD R. TERWISKE, ROBERT H. HEDINGER, AND AL MIHAJLOVITS, known to me to be the members of said Dubois County Park and Recreation Board who acknowledged the execution of the foregoing Lease to be its voluntary act and deed.

WITNESS, my hand and Notarial Seal this 29th day of May, 1991.

My Commission Expires:
Feb. 11, 1993

Jeanette S. Wendholt
Jeanette S. Wendholt Notary Public
(Printed Name)
Resident of Dubois County, IN

NOTARY PUBLIC SEAL INDIANA

[redacted] THIS INSTRU[redacted] WAS PREPARED [redacted]
BY ARTHUR C. N[illegible]ff JR.

Received for Record July 11 1991 at 9:50 A M
AMBROSE C. BUECHLEIN, Recorder, Dubois County
Book 86 Page 496 Fee 7.00

often as any of said buildings and improvements shall be destroyed or damaged by fire or otherwise, the Lessee shall, at its own cost and expense, and without expense to the said Lessor, rebuild and repair the same as the said Lessee may desire.

The Lessee may, without obtaining the previous consent of the Lessor, assign the leased premises or any portion thereof for any period of time, and the said Lessee shall be solely responsible for the actions of said assignee or assignees. The parties acknowledge that this Lease is subject however, to an option heretofore granted to St. Anthony Water Utilities, Inc. for an approximate .5 acre for water tank site and easement thereto, which option and future transfer has heretofore been approved by both parties hereto.

Lessor shall give Lessee ninety (90) days written notice of default of the terms and conditions of lease by Lessee or assignees. If default is not corrected by Lessee or assignees within ninety (90) days, Lessor may cancel lease by written notice after ninety (90) day period.

It is mutually agreed between the parties that the premises herein leased shall be used primarily by Lessee for the establishment and installation of buildings and improvements for recreation purposes whether sponsored by Lessee or others. It is further agreed that the Lessee shall be the sole judge as to whom the premises may be assigned and occupied at various times.

It is further agreed and covenanted by and between the parties hereto that all the expressions, terms, conditions, provisions and agreements herein shall extend to and be binding upon or inure to the benefit of, as the case may be, each and every one of the successors or assignees of both parties hereto, and all of the conditions, covenants and limitations of this agreement shall be and are hereby covenants running with the land.

ORDINANCE NO. 91-6

AN ORDINANCE TO ESTABLISH THE DUBOIS COUNTY HEALTH DEPARTMENT AND TO RECONFIRM EXISTING SCHEDULES OF RATES AND CHARGES OF SAID DEPARTMENT.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA:

SECTION 1. The Dubois County Health Department is hereby established, pursuant to I.C. 16-1-3.8-1.

SECTION 2. Said Dubois County Health Department shall be managed by the Dubois County Board of Health, which shall consist of seven members, all in the manner prescribed in I.C. 16-1-3.8.

SECTION 3. All schedules of rates, charges and fees currently in use by said Department are hereby adopted and all Ordinances heretofore adopted by this Board of Commissioners and now in force regarding said Department are hereby ratified.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED this 5th day of August, 1991.

Virgil Schmaus
Mary Lou Schnell
Gilbert F. Leck
BOARD OF COMMISSIONERS

ATTEST:
Basil C. Kunkel
AUDITOR

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ORDINANCE NO. 1991-7

AN ORDINANCE PROVIDING FOR THE ERECTION OF IDENTIFICATION AND DIRECTIONAL SIGNS FOR PUBLIC HIGHWAYS IN DUBOIS COUNTY AND PROVIDING PENALTIES FOR THE REMOVAL, OBLITERATION OR DAMAGE TO SAID SIGNS

BE IT ORDAINED by the Board of Commissioners of Dubois County, Indiana, that:

1. In order to give guidance to the motoring public and emergency vehicles in response to 911 emergency calls, all county highways have been designated a name or number, and signs have been erected to designate the name or number of each highway in Dubois County.

2. That the removal of, obliteration or damage to a highway sign by any person shall be considered a Class C misdemeanor as provided in Indiana Code 35-50-3-4.

PASSED AND ADOPTED by unanimous vote of the Board of Commissioners of Dubois County, Indiana, at a regular meeting this 5th day of August, 1991.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

Virgil Schmaus

Mary Lou Schnell

Gilbert Fleck

ATTEST:

Basil C Kunkel
DUBOIS COUNTY AUDITOR

ORDINANCE NO. 1991- 8

An Ordinance to amend Ordinance No. 1991-5, an ordinance requiring a permit to install, repair or alter any private sewage disposal system and estabishing regulations with regard to the installation thereof; requiring the registration and bonding of installers of such systems; and fixing fees for such permits and registration and penalties for violations thereof.

Be it ordained by the Board of County Commissioners of Dubois County, Indiana that:

Section 1. That Section 1, Paragraph C, of Ordinance No. 1991-5 be amended to read as follows:

C. A fee of forty ($40.00) dollars shall be paid with each application for permit filed with the Dubois County Health Department.

Section 2. That all other parts and sections of Ordinance 1991-5 are hereby confirmed and ratified.

Section 3. That this ordinance shall be in full force and effect on the 1st day of October, 1991.

Passed and adopted in open meeting this 3rd day of September, 1991.

Virgil Schmaus

Mary Lou Schnell

Gilbert Fleck

BOARD OF COMMISSIONERS

FILED
AUDITOR DUBOIS COUNY

SEP 3 1991

Basil C. Kunkel

441

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ORDINANCE NO. 1991- 9

An Ordinance to amend Ordinance No. 1981-1, an ordinance requiring permits, and permit fees for the operation of food service establishments, mobile food service establishments, and temporary food service establishments.

Be it Ordained by the Board of County Commissioners of Dubois County, Indiana that:

Section 1. That Section 1, Paragraph B, of Ordinance No. 1981-1 be amended to read as follows:

B. Permit Fees - A permit shall be provided by the County Health Department upon approval of the county health officer together with a fee of $25.00. This $25.00 fee shall be deposited to the Dubois County Health Fund. Any person who desires to operate a food service establishment, or mobile food service establishment in the county of Dubois shall secure a permit from the Health Department. A separate permit shall be required for each food service establishment, temporary food service establishment or mobile food service establishment operated or to be operated by any person. A permit issued under this ordinance is not transferable. Any permit issued under this ordinance shall be for the term of one year beginning January 1st and expiring December 31st of the same year and shall be renewed annually.

Section 2. That this ordinance shall be in full force and effect on the 1st day of October , 1991.

Passed and adopted in open meeting this 3rd day of September , 1991.

Virgil Schmaus

Mary Ford Schnell

Gilbert Fleck

BOARD OF COMMISSIONERS

FILED
AUDITOR DUBOIS COUNY

SEP 3 1991

Basil C. Kunkel

ORDINANCE NO. 1991-10

An Ordinance to amend Ordinance No. 1981-2, an ordinance requiring permits and permit fees for the operation of retail food stores.

Be it ordained by the Board of County Commissioners of Dubois County, Indiana, that:

Section 1. That Section 2, Paragraph B, of Ordinance No. 1981-2, be amended to read as follows:

B. Permit Fees - A permit shall be provided by the County Health Department upon approval of the county health officer together with a fee of $25.00. This $25.00 fee shall be deposited to the Dubois County Health Fund. Any person who desires to operate a retail food store establishment in the county of Dubois shall secure a permit from the Health Department. A separate permit shall be required for each retail food store establishment operated or to be operated by any person. A permit issued under this ordinance is not transferable. Any permit issued under this ordinance shall be for the term of one year beginning January 1st and expiring December 31st of the same year and shall be renewed annually.

Section 2. That this ordinance shall be in full force and effect on the 1st day of October, 1991.

Passed and adopted in open meeting this 3rd day of September, 1991.

Virgil Schnaus

Mary Lou Schnell

Gilbert Fleck

BOARD OF COMMISSIONERS

FILED
AUDITOR DUBOIS COUNY

SEP 3 1991

Basil C. Kunkel

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ORDINANCE NO. 91-11

AN ORDINANCE TO CHANGE THE ENHANCED EMERGENCY TELEPHONE SYSTEM FEE FOR DUBOIS COUNTY, INDIANA.

WHEREAS, Dubois County, Indiana has heretofore implemented an enhanced emergency telephone system to serve said County; and,

WHEREAS, It has been determined that the fee heretofore established to support said system does not produce adequate revenue to provide for the funding thereof; and,

WHEREAS, That I.C. 36-8-16-7 authorizes that the fee heretofore established may be increased to provide adequate funding for such system.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

Section 1. Ordinance #1989-8 shall be amended solely for the purpose of increasing the enhanced emergency telephone system fee therein established.

Section 2. Beginning 1-1-92 and each month thereafter, each service supplier shall commence to collect a monthly enhanced emergency telephone system fee of $ 1.25 per telephone access line or other exchange access facility.

Section 3. That prior to such date, each service supplier shall continue to collect the monthly fee of $0.87 as heretofore established in Ordinance #1989-8.

Section 4. That in all respects except as hereinabove described, Ordinance #1989-8 shall remain in full force and effect and shall not by this Ordinance be modified.

PASSED by the Board of Commissioners of Dubois County, Indiana, on this 7 day of October, 1991.

Virgil Schmaus
PRESIDENT

Mary Lou Schnell
COMMISSIONER

Gilbert Fleck
COMMISSIONER

ATTEST:

Basil C Kunkel
AUDITOR OF DUBOIS COUNTY, IN

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