

**Rising Sun City Council
Year End Meeting
December 22, 2009
5:30 P.M.
City Hall**

Call to order/Pledge

The meeting was called to order with the Pledge of Allegiance led by Mayor Marksberry with all of Council present.

Minutes

Minutes of the November 19th Council meetings had been distributed to Council and Mayor Marksberry prior to the meeting. After discussion it was determined the November 19th minutes would be addressed at the next Council meeting.

Unfinished Business

Steve Patz—Funding of School Aid

Steve Patz, School Superintendent, informed Council and Mayor Marksberry they have initiated Credit Recovery, a PILOT program, at the school. The Aids at the High School can help with this program. Patz stated the aids are not going away and they are not misusing them. The program is working out real well.

Bond Approval

Clerk Gipson informed Council and Mayor Marksberry approval had already been given by Ordinance to allow the Clerk Treasurer to be covered by the blanket bond. The next step according to IC 35-4-1-8 is that the actual bond be reviewed and approved by Council and the Mayor. After further discussion a motion was made by Councilman Slack to approve the Blanket Bond for the City and Utilities, 2nd by Councilman Radcliff; motion carried 5-0. See attached Exhibit A, the Bond Approval.

Transfer Resolution 2009-13

Clerk Gipson presented Transfer Resolution 2009-13 to Council and Mayor Marksberry for review. After discussion a motion was made by Councilman Padgett to approve Resolution 2009-13, 2nd by Councilman Graves; motion carried 5-0.

Additional Appropriation Resolution 2009-14

Clerk Gipson presented Additional Appropriation Resolution 2009-14 to Council and Mayor Marksberry for review. Gipson stated this was necessary to retire the WWTP Ban. After discussion a motion was made by Councilman Radcliff to approve Resolution 2009-14, 2nd by Councilman Slack; motion carried 5-0.

2nd Reading Ordinance 2009-7 “An Ordinance of the City of Rising Sun, Indiana, Concerning Payment in Lieu of Taxes by the Rising Sun Municipal Utilities and Repealing Ordinances inconsistent Therewith”

Clerk Gipson presented Ordinance 2009-7 “WWTP BAN Retirement and PILOT Plan with RSMU” to Council for Second reading. After discussion a motion was made by Councilman Slack to approve Ordinance 2009-7, 2nd by Councilman Padgett; motion carried 5-0.

Lobbyist Contract

Mayor Marksberry informed Council that City Attorney Lane Siekman had reviewed the proposed contract for Lobbyist services with Matt Brase with SDS LegisGroup and feels it is in order. The contract is for \$30,000 for calendar year 2010. Marksberry noted the City does not currently have a contract with Lewis Kappes but has been operating on a month to month basis. Discussion was held regarding the potential benefits of using Matt Brase and SDS Group for 2010, any potential conflicts that may exist with either lobbyist, and the cost of each lobbyist. SDS Group does not currently represent any other riverboat community.

After further discussion a motion was made by Councilman Graves to give Mayor Marksberry the authority to sign the contract with SDS LegisGroup, 2nd by Councilman Radcliff; motion carried 5-0. Attorney Siekman will send a letter to Lewis Kappes as well as the County Council and Commissioners informing each entity of the decision.

2010 Appointments to Boards and Committees

Mayor Marksberry informed Council he was making the following appointments for 2010:

Joanne Hamilton	Utility Service Board
Delena Hannan	Board of Zoning Appeals
Jodi Cole-Mulle	Redevelopment
Everett Boggs	RS/OC Joint Park Board
Peggy Fehrenbach (replaces Kathy Kelly)	Revolving Loan Board
Mike Padgett	Board of Works
Roy Powell	Board of Works

Marksberry also noted he has 2 remaining positions to fill on the Redevelopment Commission. He plans to replace Joanne Hamilton due to a conflict with Joanne being a member on the Utility Service Board and Economic Development Commission. Marksberry stated he also will be replacing Marsha Loudon due to a conflict as well. Marksberry also informed Council Gary Green's position on the Ohio County Community Foundation needs to be replaced. Peg Dickson had recommended Jodie Cole or Kent Abraham for the Ohio County Community Foundation position. After discussion Council decided to research this position and make this appointment at the next Council meeting.

City Council made the following appointments for 2010:

Fred Taylor	Redevelopment
Tina Wills	Redevelopment

Miscellaneous

- **Hoffman Vacation Carry Over**—Clerk Gipson presented a letter of request from Amy Hoffman requesting to carry 6 vacation days from 2009 to 2010. After discussion a motion was made by Councilman Slack to approve this request, 2nd by Councilman Powell; motion carried 5-0.
- **List of Regional Foundation Grants**--Marksberry noted this information was copied in Council's packet of information.
- **Board Member Applications/By-Laws**—Marksberry informed Council he had prepared a form application for all Board Members to complete and have on file. He has also requested a copy of the By-Laws of each Board to have with the Board Member applications.

- **Main Street Newsletter quotes**—Clerk Gipson presented information received from Hoffman regarding quotes for the Main Street Newsletter. Gipson stated that she understood Hoffman had requested quotes for the Newsletter and received only 1 quote from Mark Mellang. It was Gipson's understanding these funds would come from the Main Street Budget, but Mayor Marksberry was not sure if that was the case. After further discussion Council requested this be researched before it is approved.
- **Park Funds**--Clerk Gipson stated Jamie Bell had requested, on behalf of the Park Board, to carry any remaining appropriations to the 2010 budget. She stated the Park Board needs to do some painting and maintenance upgrades at the Senior Building. Gipson stated funds are not allowed to be carried unless there is a contract for the equipment to be purchased or work to be done. In past years Council has added an appropriation in riverboat that was somewhat vague—Park Additional Projects. After further discussion it was decided that Council will consider an appropriation line in the Additional Appropriation for 2010 that will be specific for painting the Senior Community Building.
- **Revenue Sharing Information**--Clerk Gipson informed Council and Mayor Marksberry that in reviewing numbers for the riverboat budget meeting she had noticed the Fire Department, Life Squad, Port Authority and School appropriations were deeply in the red. After some research Gipson stated she figured out the problem. According to Gipson in January/February 2009 most appropriations were cut 25%. The Fire Dept, Life Squad, Port Authority and School are paid off the same spreadsheet which a line was not added to reduce the checks for these groups by 25%. These entities received checks for 4 quarters with no reduction in distribution, yet the appropriations had been cut by 25%. Gipson stated she is now processing 2 quarters of Revenue Sharing which the 25% has been deducted and she can make an adjustment to these Pie Chart Entities' shares for the past 4 quarters if that is Council's decision. Gipson stated she added enough in the appropriations with the Additional Appropriation to cover the 4 quarters which have already been received by the entities as well as the 2 quarters currently being processed. After much discussion a motion was made by Councilman Padgett not to penalize the entities for the past 4 quarters and to inform the entities by letter that their 2009 appropriations were not reduced by 25%, 2nd by Councilman Slack; motion carried 5-0.

Adjournment

After the reviewing and signing of claims, and with no further business; a motion to adjourn was made by Councilman Padgett, 2nd by Councilman Radcliff; meeting adjourned at 6:35pm.

Attest:

Rae Baker Gipson,
Clerk Treasurer

William A. Marksberry,
Mayor

Approval of the
Great American Insurance Company
Public Entity Commercial Crime Coverage
Policy Number GVT 585-87-73

This document sets forth approval of the Great American Insurance Company Public Entity Commercial Crime Coverage Policy Number GVT 585-87-73 by the Mayor, as the City Executive of Rising Sun, Indiana, and the Common Council of the City of Rising Sun, Indiana. This document is to be attached to the Great American Insurance Company Public Entity Commercial Crime Coverage Policy Number GVT 585-87-73.

The undersigned have reviewed the Great American Insurance Company Public Entity Commercial Crime Coverage Policy Number GVT 585-87-73, including endorsements thereto, and hereby approve the coverage, in accordance with IC 5-4-1-8, as signified by signing below.

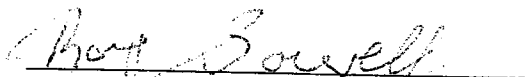
Approved by the City Executive:


William A. Marksberry, Mayor

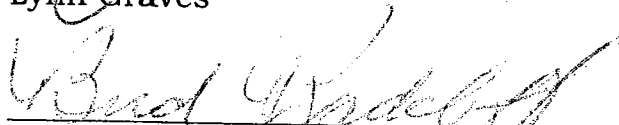
12-22-09
Date

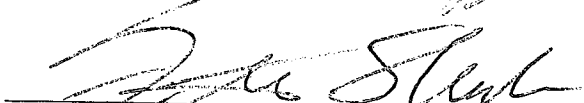
Approved by the Common Council of the City of Rising Sun on the 22nd day of December, 2009:


Michael Padgett


Roy Powell


Lynn Graves


Bud Radcliff


Steven Slack



Fidelity/Crime Division
900 Oakmont Lane, Suite 425
Westmont, IL 60559
www.CrimeInsurance.com

November 6, 2009

Ms. Kathy Kebo
Global Insurance Managers, Inc.
800 E. 96th Street, Suite 130
Indianapolis, IN 46240

**RE: City of Rising Sun, Indiana
Public Entity Commercial Crime Policy Binder & Invoice Letter**

Dear Kathy:

Thank you for the order! Per your instructions, coverage is bound per the terms and conditions set forth below. **Please consider this letter as our invoice.**

PUBLIC ENTITY COMMERCIAL CRIME COVERAGE

NAMED INSURED: City of Rising Sun, Indiana
ADDRESS: 200 N. Walnut Street
Rising Sun, Indiana
POLICY NUMBER: GVT 585-87-73
EFFECTIVE DATES: 12:01 AM on 11/6/2009 to 12:01 AM on 11/6/2010
ISSUING COMPANY: Great American Insurance Company
A.M. Best Rated "A" (Excellent) Class XIII (as of Mar 27, 2009)
Admitted in all 50 U.S. States
POLICY FORM: ISO/SAA Commercial Crime Policy (Ed. 04/97)
Loss Sustained Form

COVERAGE:

COVERAGE FORM	LIMIT	DEDUCTIBLE
O-Public Employee Dishonesty w/Faithful Performance of Duty Coverage	\$600,000	\$15,000
B-Forgery or Alteration	\$600,000	\$15,000
C-Theft, Disappearance & Destruction	\$600,000	\$15,000
D-Robbery & Safe Burglary	\$600,000	\$15,000
F-Computer Fraud w/ Funds Transfer Fraud	\$600,000	\$15,000

ANNUAL PREMIUM: \$2,314 - paid 11/6/09 *JKW*

COMMISSION PAYABLE: 15%

NET PREMIUM PAYABLE: \$1,967. due 12/6/2009

ENDORSEMENTS:

FORM #	DESCRIPTION
1)	Indiana Changes
2) CR 10 19	Include Specified Directors or Trustees on Committees As Employees: ALL
3) CR 10 26	Include Specified Non-Compensated Officers As Employees: ALL
4) CR 10 47	Joint Loss Payable: (Applies to Coverage Form O) 1) State of Indiana
5) CR 88 02	Sixty (60) Day Discovery Period
6) MECRP002	Cancellation By Us: 60 days
7) MECRP005	Wire Funds Transfer Fraud Coverage
8) MECRP021	Welfare and Pension Plan ERISA Compliance
9) MECRP027	Students Added as Employees
10) MECRP037	Delete Exclusions D.1.c. and D.1.d. from the Employee Dishonesty Coverage Form
11) MECRP038	Revision to Inventory Shortage
12) CR 10 04	Exclude Trading Loss
13) CR 10 23	Include Volunteer Workers Other Than Fund Solicitors as Employees
14) CR 10 44	Add Faithful Performance of Duty

SUBJECTIVITIES:

Coverage afforded under this binder letter is subject to our receipt and review of the following information:

- 1) N/A

PAYMENT OF PREMIUM:

Please send check payable to: **GREAT AMERICAN INSURANCE COMPANY**

If you are using regular mail:
P.O. Box 691516
Cincinnati, OH 45269-1516

If you are using overnight mail:
Attn: Denise Vogel
49 East 4th St., Suite 400 South
Cincinnati, OH 45202

Regards,



Chris Charlesworth
Manager
Fidelity & Crime Division
630-455-0839

**List of Positions covered by
Great American Insurance Company
Public Entity Commercial Crime Coverage
Policy Number GVT 585-87-73**

Mayor
Clerk – Treasurer
Deputy Clerk – Treasurer (4)
Police Pension Secretary
Utilities Superintendent
Utilities Office Manager
Utilities Clerk (4)
Park Director
Redevelopment Commission (5)

INSURANCE BINDER

DATE (MM/DD/YYYY)
11/10/2009

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON REVERSE SIDE OF THIS FO

AGENCY
Global Insurance Managers, Inc.
800 E. 96th St., Suite 130

COMPANY
Great American Insurance Co. BINDER #
B09111000045

Indianapolis IN 46240

DATE EFFECTIVE		TIME		EXPIRATION	
DATE	TIME	DATE	TIME	DATE	TIME
11/6/2009	12:01		<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	12/6/2009	<input checked="" type="checkbox"/> 1201 <input type="checkbox"/> NOON

PHONE (A/C, No, Ext): (317) 660-4938 FAX (A/C, No): (317) 569-9466

THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #: GVT5858773

AGENCY CODE: 219-335764 SUB CODE:

INSURED
Rising Sun, City of
200 N. Walnut Street

Rising Sun IN 47040

DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location)

COVERAGES

TYPE OF INSURANCE	COVERAGE/FORMS	LIMITS		
		DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC				
GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR	RETRO DATE FOR CLAIMS MADE:			EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
VEHICLE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> LEASED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	RETRO DATE FOR CLAIMS MADE:			COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$ MEDICAL PAYMENTS \$ PERSONAL INJURY PROT \$ UNINSURED MOTORIST \$
VEHICLE PHYSICAL DAMAGE DED <input type="checkbox"/> COLLISION: _____ <input type="checkbox"/> OTHER THAN COL: _____	<input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES			ACTUAL CASH VALUE STATED AMOUNT \$
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	RETRO DATE FOR CLAIMS MADE:			EACH OCCURRENCE \$ AGGREGATE \$ SELF-INSURED RETENTION \$
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY	RETRO DATE FOR CLAIMS MADE:			WC STATUTORY LIMITS E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
SPECIAL CONDITIONS/ OTHER COVERAGES O-Public Employee Dishonesty B-Forgery or Alteration C-Theft, Disappearance & Destruction D-Robbery & Safe Burglary F-Computer Fraud w/ Funds Transfer Fraud Lmt\$600K/Ded \$15K				FEES \$ TAXES \$ ESTIMATED TOTAL PREMIUM \$ 2,314

NAME & ADDRESS

	MORTGAGEE	ADDITIONAL INSURED
	LOSS PAYEE	
LOAN #		
AUTHORIZED REPRESENTATIVE Kathy Kebo/JOHN		

ACORD 75 (2007/01)
INS075 (200701)a

CONDITIONS

This Company binds the kind(s) of insurance stipulated on page 1. The Insurance is subject to the terms, conditions and limitations of the policy(ies) in current use by the Company.

This binder may be cancelled by the Insured by surrender of this binder or by written notice to the Company stating when cancellation will be effective. This binder may be cancelled by the Company by notice to the Insured in accordance with the policy conditions. This binder is cancelled when replaced by a policy. If this binder is not replaced by a policy, the Company is entitled to charge a premium for the binder according to the Rules and Rates in use by the Company.

Applicable in California

When this form is used to provide insurance in the amount of one million dollars (\$1,000,000) or more, the title of the form is changed from "Insurance Binder" to "Cover Note".

Applicable in Colorado

With respect to binders issued to renters of residential premises, home owners, condo unit owners and mobile home owners, the insurer has thirty (30) business days, commencing from the effective date of coverage, to evaluate the issuance of the insurance policy.

Applicable in Delaware

The mortgagee or Obligee of any mortgage or other instrument given for the purpose of creating a lien on real property shall accept as evidence of insurance a written binder issued by an authorized insurer or its agent if the binder includes or is accompanied by: the name and address of the borrower; the name and address of the lender as loss payee; a description of the insured real property; a provision that the binder may not be canceled within the term of the binder unless the lender and the insured borrower receive written notice of the cancellation at least ten (10) days prior to the cancellation; except in the case of a renewal of a policy subsequent to the closing of the loan, a paid receipt of the full amount of the applicable premium, and the amount of insurance coverage.

Chapter 21 Title 25 Paragraph 2119

Applicable in Florida

Except for Auto Insurance coverage, no notice of cancellation or nonrenewal of a binder is required unless the duration of the binder exceeds 60 days. For auto insurance, the insurer must give 5 days prior notice, unless the binder is replaced by a policy or another binder in the same company.

Applicable in Nevada

Any person who refuses to accept a binder which provides coverage of less than \$1,000,000.00 when proof is required: (A) Shall be fined not more than \$500.00, and (B) is liable to the party presenting the binder as proof of insurance for actual damages sustained therefrom.

Applicable in the Virgin Islands

This binder is effective for only ninety (90) days. Within thirty (30) days of receipt of this binder, you should request an insurance policy or certificate (if applicable) from your agent and/or insurance company.