

THE CITY-COUNTY OBSERVER

A Non-Partisan Publication Dedicated To The Reporting Of Your Local Government At Work
Serving Posey, Vanderburgh & Warrick Counties & Their Communities

MAY 21, 2009

VOLUME II, ISSUE 4

Local Towing Company Files Suit Against City

By Franz Schroeder

On May 7, Les Shively filed a complaint in Vanderburgh Circuit Court against the City of Evansville's Board of Public Safety on behalf of Hamrick's Diesel Service & Trailer Repair Inc. for contractual issues for towing services.

According to the complaint, Hamrick's had a contract with the City of Evansville regarding third party vehicle towing and the storage of nuisance, wrecked and impounded vehicles. The paperwork continues by stating that "The Plaintiff [Hamrick's] for the years 2003-2008 was awarded contracts by the Board of Public Safety to provide these services."

December 3, 2008, was given as the date the City of Evansville disseminated its request for services for the next three years, which were set to begin January 1, 2009. The complaint states that Hamrick's responded within the time frame and met the bid specifications.

According to the complaint, the only other bidder was Tri-State Towing Inc. and that the bid was "not in compliance with the applicable statutes to be a viable and legal bidder for said services due to its failure to comply with the provisions of I.C. 9-18-13-3et. seq. A fact well known to the Defendants."

Tri-State Towing was awarded the contract at the December 17, 2008, City of Evansville Board of Public Safety meeting. At that time, Debbie Spalding, with City/County Purchasing, requested the permission to award the bid on the city's towing contract. Spalding recommended to the board that Tri-State Towing be awarded the three year city/county towing contract beginning January 1, 2009 and ending December 31, 2011. City Attorney David Jones and Board Attorney Bob Rock reportedly agreed with Spalding.

At that time, according to the minutes of the

meeting, Attorney Jones asked if Gary Crawford, owner of Tri-State Towing, would be able to begin work should any problems arise between Dec. 17 and Jan. 1. Crawford told the board he could begin, but his company would need an hour notice before their services were needed.

Attorney Jones then said the name on the contract needed to be amended to Tri-State Towing d.b.a. Ride Out Service Center. He also noted that there needed to be a change made in Article 7.2 to reflect changes in the cancellation of the contract. The Board of Public Safety then voted to award Tri-State Towing the three-year contract.

According to the complaint, Hamrick's has suffered damages that are unique to their company. The local towing company is also claiming that they will lose profits for the next three years because of this.

IS IT TRUE...



we are still wondering about the status of the
McCurdy Condo Project?



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OFFICE, RETAIL, WAREHOUSE, DISTRIBUTION



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Office	424	520	Retail	424	520	Warehouse	1,500	625
Office	636	780	Retail	636	780	Warehouse	2,700	1,125
Office	848	1,040	Retail	848	1,040	Warehouse	3,000	1,250
Office	1,500	1,250	Retail	1,500	938	Warehouse	4,200	1,750
Office	3,000	2,500	Retail	3,000	1,876	Warehouse	5,700	2,375
Office	7,200	6,000	Retail	12,000	3,500	Warehouse	12,000	3,000

Office: \$10/sfNNN Retail: \$7.50/sfNNN Warehouse: \$5/sfNNN NNN: \$.65/sf

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Walker announces bid for Jarboe's vacated council seat

Donald Walker Sr. has announced he is seeking the City Council At-Large seat being vacated by Keith Jarboe, who recently announced he was resigning his post after being appointed Chief of the Evansville Fire Department. Walker, 70, represented more than 2,000 members of the Carpenter's Local 90 Union in the 1980s as a business agent. Walker's terrain included 50 counties in Southern Indiana as well as Western Kentucky.

"With former Third Ward Councilman Stephen Melcher vacating his seat for the County Commissioners, and Jarboe also now leaving his post, the working man needs a strong voice on City Council," said Walker, who has been in the Carpenter's Local 90 labor union since 1972. Prior to that, he was in the Labor's Local 561 union for 10 years. "I am a true Democrat and I will do my best to represent the citizens of Evansville to the best of my ability if I am fortunate enough to earn the nod for this post from the committeemen."

Walker, who has lived at 319 Harrison Blvd. in Evansville for the past 20 years, has been a longtime Democratic Party backer. He was also the President of the Central Labor Council for two years in the mid-90s, and is currently a member of the Evansville Parks Board. He will be required by law to resign his Parks Board position if he is selected to fill out the remainder of Jarboe's term, which expires on Dec. 31, 2011. Walker is also a charter member of one of Evansville's newest, most dynamic social organizations in the area, the John F. Kennedy Club of Vanderburgh County.

Walker has been a Democrat since he turned 18. Democrats currently hold an 8-1 majority on the Evansville City Council. Walker said he will seek re-election in the next municipal election in 2011 if he is fortunate to win.

Walker said his experience representing working people in difficult times makes him the perfect person to replace Jarboe on City Council.

"It doesn't take a PhD in Economics to know that times are tough. Unemployment is rising; the State of Indiana is facing economic difficulties; and the stock market continues to recover from one devastating economic blow

after another," said Walker. "I've seen this economic climate before, in the 1980s when I was a business agent for the Carpenter's Local 90. More than 2,000 of my fellow Carpenter's Union members put their trust in me to help keep their families financially secure, and with hard work and perseverance we overcame our economic challenges in the past, and I'm prepared and eager to help the City of Evansville fight through these troubling times again now."

Democratic Party chairman Mark Owen has yet to announce when Precinct Committeemen will vote to select Jarboe's replacement.



LOCAL POLITICS

RINEY ANNOUNCES AS CANDIDATE FOR PERRY TOWNSHIP TRUSTEE

In a surprise announcement today, Rick Riney a fifth generation Westsider threw his hat in the political ring and announced that intends to seek the office of Perry Township Trustee as a Democrat.

Riney said, "He has a fervent desire to be the next Perry Township Trustee. I know how Perry Township value and demand accessibility. I love the Westside and its people, and I take great pride in this community."

"As an independent-thinking Democrat, my only agenda as your next Perry Township Trustee will be to provide you with outstanding service without regards to political affiliations. My approach as your next trustee will be that of a fresh perspective," Riney commented.

As a retired Evansville City Fireman, Riney said he plans to devote all of his time, energy and resources to helping people help themselves and working for what is in the best interest of the Westside people.

"I pledge if elected, that I will listen to my constituents,

provide accessibility and enhance service," he said.

He went on to say, "I would like to follow in my father's and grandfather's footsteps by serving the people of the Westside by running for the office and not against anyone. I seek your personal help through this historical, political journey."

Riney noted his qualifications, such as:

- Professional Firefighter – 30 years on EFD
- Member of Evansville Firefighters Local #357
- Graduated from Reitz High School in 1964
- Attended Evansville College
- U. S. Navy – Vietnam Veteran
- Westside Nut Club – 20-year member
- R-Men's Club
- Board of Directors and president – Evansville Firefighters' Federal Credit Union.

• Married to Paula Riney and has two children, Kami Hibbs and Kala Henney.

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O'Daniel replaces Siebeking

Publisher's Note:

This correspondence was sent to the City-County Observer from a source who chooses to remain anonymous. Due to the ambiguity of the email received, our staff decided to dig a little deeper into the matter. The email was created and originally sent by Mark Owen, Chairman of the Vanderburgh County Democrat Party.

Date: 5/15/2009

[To Vanderburgh County Democrats]:

It is a pleasure to announce the appointment of Rick O'Daniel to our staff at Democrat Headquarters. Rick will replace Jonathan Siebeking.

Rick has had a long and successful career in marketing, public relations, media relations, sales and fund raising. During his professional career, he has previously worked for Regent Communications, Alvey Sign, Brill Media, WFIE TV-14 and Aiken Productions. He has worked with

Larry for a number of years and was highly recommended by Larry for this important position. Rick is available to work with our officeholders and future candidates in all of their respective needs.

Rick is a lifelong resident of Evansville. He graduated from Harrison High School and Northwood Institute. He brings a very strong media background to this position and has been very successful raising funds for various organizations.

Many of you know Rick and have worked with him over the years. Rick will be visiting with our officeholders in the next few weeks and renewing those friendships and meeting some of you who are not as familiar with Rick.

We wholeheartedly welcome Rick to our staff and encourage you to utilize his services to further enhance your efforts and the Vanderburgh County Democrat Party.

Mark R. Owen
Chairman

Vanderburgh County
Democrat Party

Footnote: As was referred to above, the City-County Observer Mole obtained information regarding O'Daniel's voting history. On May 1, 2009, O'Daniel re-registered to vote. His previous voting privileges were cancelled by the State of Indiana because he failed to vote. This information was collected through various sources, including the Vanderburgh County Voter Registration Office.



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Diversity as the New Patriotism



By
**Kathleen
Parker**
*Washington Post
Writers Group*

WASHINGTON -- Racial and ethnic diversity is the key to happiness, success in the global marketplace and, not least, an interesting life.

So we are told in a batch of new “fair housing” radio ads that are the sort of treacly propaganda that cause sober drivers to run off the road.

Presented as a celebration of the 40th anniversary of the Fair Housing Act, the ads were produced by the National Fair Housing Alliance, a private, nonprofit group whose stated purpose is to make sure the act is properly implemented. The act bans housing discrimination and imposes stiff penalties for those who get caught.

Lately, the fine intent of eliminating discrimination seems to have morphed into diversity advocacy.

Before I proceed, let me say that I prefer a world in which not everyone is the same. I like that my neighbors include a gay couple, a single mother, and that several languages are spoken on my street.

But happy diversity is an organic process that results when like-minded citizens congregate around shared values and interests. Often those interests and values have evolved from racial and ethnic identities, but not necessarily. Sometimes neighbors of diverse backgrounds share affection for old houses, or window boxes, or pet-friendliness.

That not all people have access to all the same housing opportunities is called life in a free-market society. But the fair

housing folks want life to be more fair and the ads are warming us up for some really fun social engineering.

The wormiest of three ads posted online features a mother and daughter just home from visiting mom’s workplace. Daughter is breathless with wonder at how diverse Mom’s workplace is, but wants to know why everyone in their neighborhood “looks just like us?” Dum-de-dum-dum.

A cheerful, third-party voice explains that “diversity shouldn’t be left behind at work each day. In our neighborhoods, we can create a greater appreciation and respect for cultural differences. And prepare our children for the global life that lies ahead. After all, your family doesn’t live in a 9-to-5 world. Why should diversity?”

Another ad called “Parallel Lives” features a boring white guy and an exciting Latino. White Guy is dull because “my neighborhood always stayed the same.” Latino is vivacious and engaging because his diverse neighborhood “always got more interesting!”

In a flourish of diversity solidarity, dull White Guy and fascinating Latino say in unison: “I want my kids to live a richer life.”

Doesn’t everyone? But is diversity the key to prosperity and happiness? Or, is diversity what naturally occurs when people from different backgrounds are drawn to a nation where prosperity can be earned and the pursuit of happiness is a founding principle?

In fact, Harvard political scientist Robert Putnam found that diversity actually hampers civic engagement: The greater the diversity, the less people engaged in charity and community projects. In the most diverse communities, people trust each other half as much as they do in the most homogenous settings.

Putnam, a pro-diversity fellow, didn’t

particularly like his findings and has insisted that the data suggest challenges rather than excuses to avoid diversification. Hear, hear. But wouldn’t those challenges best be met by individuals discovering the rewards of diversity rather than by receiving the superior wisdom of bureaucrats through chirpy public service messaging?

No one’s suggesting that the government or the alliance intends to direct where people live, but coercion usually nips the heels of propaganda. More than a hint of inorganic engineering seeps between the lines of a December 2008 report by the National Commission on Fair Housing and Equal Opportunity.

Based on hearings across the country, the commission found high levels of residential segregation, which “result in significant disparities between minority and non-minority households, in access to good jobs, quality education, homeownership attainment and asset accumulation.”

And what is the solution to such disparities? How does one make a neighborhood more diverse? Is it only luck -- or the absence thereof -- that determines how people cluster themselves?

Apparently, a little proactivity is in order. Commissioners have recommended creation of an independent enforcement agency to “advance fair housing, not just to avoid discriminating.” (Emphasis mine.) They also want to “break down residential segregation and provide households isolated in segregated areas the opportunity to find integrative alternatives.”

What exactly this means isn’t clear, but it doesn’t sound like a prescription for self-determination or free markets. And “Love Thy Neighbor” is beginning to sound like an “or else” proposition -- not so much an expression of Christian charity, but a patriotic duty.

IS IT TRUE?

IS IT TRUE that next year the Evansville-Vanderburgh County School System shall give each high school student a free laptop computer (7,100 at \$300.00 each)? IS IT TRUE if this happens, it could cost the taxpayers about \$2,130,000. IS IT TRUE if this happens, where is the money coming from?

IS IT TRUE that that the CITY COUNTY OBSERVER visited the LST-325 this week and found numerous volunteers working on the ship? IS IT TRUE they were having a good time and could care less what the media and public thinks about the happenings aboard the ship; as a matter fact, the crew members we talk with are wondering what all the fuss is about? IS IT TRUE that our readers can expect a detail breakdown of the contract between the city and LST-325 committee? IS IT TRUE that our readers shall find the 5 year period of the contract extremely interesting, as they will see in the next issue of the City-County Observer?

IS IT TRUE that new Evansville Fire Chief (and Navy Veteran) Keith Jarboe has announced that he is moving his office upstairs to what is now being called the “Crow’s Nest” in the Fire Administration Building? IS IT TRUE that this move gives the impression he does not want to be easily accessed? IS IT TRUE we are wondering how much this will cost the city in terms of furniture and other moving expenses?

IS IT TRUE that a proposed City Council resolution that requires companies bidding on city projects to disclose pending lawsuits or disputes with the City is bad public policy? IS IT TRUE this action is seemingly directed at a local contractor, who has an alleged legal problem with the city zoo? IS IT TRUE we feel that this alleged legal issue shouldn’t disqualify them from future work with the city? IS IT TRUE that we are pleased that B J Watts and Curt John stood up to city attorney, David Jones and the mayor by objecting to this non-binding resolution?

IS IT TRUE that the Mayor’s NATIONAL search for a new fire chief may have been a waste of taxpayers’ money because of the expenses of bringing in candidates from out of town to interview them? IS IT TRUE that the Mayor could have walked across the hall and hired Keith Jarboe when he was leaving the council chambers after a meeting?

IS IT TRUE that a Warrick county dispatcher came to work intoxicated (.08) and was not fired? IS IT TRUE that Warrick has a “zero tolerance” policy?

IS IT TRUE that the City County Observer should give more attention to the Evansville Redevelopment Commission? IS IT

TRUE one good example of us becoming better watch dogs, is at the December 2, 2008 meeting they approved the designation of a portion of the Capital Development Fund for the expansion of the Evansville Museum? IS IT TRUE the agreement is similar to the other museum incentives that this board provided to CMOE and AFRICAN AMERICAN MUSEUM (3:1 CHALLENGE GRANT)? Finally, IS IT TRUE we wonder if these organizations have met the grants terms by paying the city and the Redevelopment Commission any OF THE GRANT MATCH?

IS IT TRUE we are wondering what the true annual salary the Director of the Department of the Metropolitan Development really makes?

IS IT TRUE that Mayor’s arena project committee may be wasting their time? IS IT TRUE that the public minds are already made up, either for or against the arena? IS IT TRUE the Mayor hopes this committee will take the political heat off him? IS IT TRUE that legal and binding Arena contracts have been offered, accepted and signed? IS IT TRUE that the Downtown Arena project is a done deal? IS IT TRUE that this public relations effort won’t salvage the major political damage this issue has caused him?

IS IT TRUE that the expansion of the Fourth Ward FRONT DOOR PRIDE program is a political and a public relations mistake? IS IT TRUE we wonder why members of our city council didn’t stand up and push for the FRONT DOOR PRIDE in their wards? IS IT TRUE we suggest the city council members of the third, sixth and second wards drive down alleys and streets in their areas and shall be surprised about Urban Blight in their neighborhoods? IS IT TRUE that this issue shall be addressed in the upcoming city elections, especially in the Third Ward? IS IT TRUE if the Third Ward Councilwomen would like, our staff would give her a tour of the “Blighted” area in the Third Ward? IS IT TRUE the only person to stand up and say this is a citywide problem in Fifth Ward City Councilman John Friend?

IS IT TRUE we are disappointed to hear that the Democratic At-Large candidate, Don Walker couldn’t get a list of present precincts workers, so he can contact them to ask for their votes at the upcoming caucus meeting?

IS IT TRUE we are pleased that County Commissioner, Steve Melcher is asking that all “CONSENT” items on future Commissioner agendas must be made as part of the public agenda by reading them aloud? IS IT TRUE if this happens, this shall take care of the alleged “clerical error” problems?

EDITORIAL

WHAT MAKES AMERICA AMERICA?

By Judge James Redwine

Now that another Law Day has been celebrated, it might be of interest for us to ponder what it is that most distinguishes us from “them”. I know there are many subsidiary factors, but for the next few weeks, it is the bedrock upon which the United States of America was built that will be our area of concern.

What is it that has allowed us to become the longest lived constitutional government in the world? You may have your own candidate for this Holy Grail of what makes us us, but as for me, there is only one possible answer: the Separation of Powers.

The National Center for State Courts (NCSC) has just released the results of a survey concerning Americans and how we feel about our government. The NCSC is a non-profit organization that provides assistance and information to judges and court systems.

What the survey reported were findings that Americans are much better informed about our government than many in the media and academia believe. According to the survey, Americans express widespread public support

for the principle of separation of powers. In other words, Americans “Get it!”

Another interesting result was that in these days of calls for “taking the courts out of politics”, 74% of respondents expressed confidence in the ability of state courts to decide cases regardless of the judge’s political affiliation.

My take on this is that Americans want to retain the right to elect their judges and they have confidence that judges so selected are not beholden to party affiliation. After all, elections are decided by thousands of voters so that an individual vote cannot be expected to influence a judicial decision. However, when judges are selected under a so called “merit system” a handful of people, each with their own agendas, determine who will sit in judgment on the rest of us. One interpretation of these results is that most Americans believe it is less likely that a democratically elected judge can be influenced by political considerations than an appointed one.

And when it comes to resolving difficult controversies, Americans prefer that the courts remain the final arbiters of what the law means. This faith in the judiciary’s ability and

integrity when it comes to deciding the great issues is based on our core belief that the balancing of legislative and executive power is best monitored by the judicial branch.

Next week, we will begin to flesh out how our system of three separate and equal branches of government came into being, then we will try to see how it has been maintained.

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7:00 – 11:00 P.M.
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Evansville Arena Project Committee Formed

(EVANSVILLE, IN)- Mayor Jonathan Weinzapfel has announced the formation of the Evansville Arena Project Committee. The Committee's mission is to work in collaboration with the Mayor's office to keep the public informed about various aspects of the project and help evaluate key decisions.

"The Roberts Stadium Advisory Board invested a lot of time and effort in the process of determining that the City should no longer invest in Roberts Stadium and instead move forward with building a new arena downtown," said Mayor Jonathan Weinzapfel. "The Evansville Arena Project Committee will help us with the important task of keeping the public informed about the arena project as it moves forward."

Chairing the Evansville Arena Project Committee will be Kathy Kleindorfer, granddaughter of Mayor O.H. Roberts for whom Roberts Stadium was named. Kleindorfer is also the President of the Roberts Stadium Foundation Board. The Foundation was formed to build and manage the cases at Roberts Stadium that pay tribute to the history of basketball in our region. It also funds capital projects such as locker room renovations for the University of Evansville teams.

A majority of the members of the Roberts Stadium Advisory Board have agreed to continue their work as part of the Committee. Also being added are representatives of groups that have a vested interest in the arena and the future of our City. They include hockey interests, downtown business owners, students, young professionals, and representatives of the Carpenters and Electrical Workers Unions just to name a few.

In addition, a logo and slogan have been created for the Evansville Arena Project Committee. The slogan is, "A



A brighter future is just around the bend

brighter future is just around the bend." A copy of the logo is attached to this press release.

Mayor Weinzapfel also announced at today's press conference that a new informational website has been created for the downtown arena- www.evansvillearenaproject.com. The website contains all previous information and studies related to the arena. Updates will also be posted as they occur. There is also a "Contact Us" section where visitors to the website can leave their comments or ask questions.

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Assessor defends position

Mr. Leach:

In response to your editorial on Monday, May 11, I'd like to add that I did seek the advice of the county attorney. I interpreted that response to say that no wrong doing occurred because no county policy exists toward working from home in the short period of time it occurred.

The attack against my Chief Deputy is nothing more than a political witch hunt. While I am before council to discuss business, Mr. Shetler attempts to deflect attention from the following facts he voted for: that some township assessors are being paid at the expense of a miniscule raise this year for county employees and no raise for 2010; that Mr. Shetler voted twice for his father-in-law (Knight Twp. Assessor) to keep his salary even though Mr. Folz admirably denied it; that the township budgets were not transferred to the County Assessor's budget in its entirety according to law; that the auditor illegally spent nearly \$10,000 on office furniture out of the reassessment fund when I was raked over the coals for wanting to use that money for its intended purpose; and that seven part-time positions were eliminated without discussion in a public forum.

I've requested many meetings with Mr. Shetler to discuss the issues at hand rather than following his lead of taking cheap shots on the council floor. My requests have been refused. Perhaps that's because I have done nothing wrong and there is nothing to be discussed.

This Chief Deputy, the number two in the office, has residency requirements like myself and is essentially me, if I'm incapacitated. The fact that she worked from home for a few short weeks' time and was not a permanent change has been touched lightly.

For many, many Americans, being allowed to work from home

is the only way it can happen this day and age. I'm not going to apologize for having a policy that's family-friendly, especially since work was being performed by a woman who had a baby less than 3 months ago. This backwards, sexist thinking from some male members of government (Mr. Shetler, Mr. Fluty, Mr. Deputy Auditor Gries, Mr. Raben, Mr. Lloyd, and Mr. Winnecke) sets this county back 20 years. If you think about it, that's truly the last time one can recall Mr. Shetler being elected by the people and not the good old boys caucus.

If this audit occurs, we will be able to back up the 51 hours of comp time still owed to Ms. Gonyer and produce hundreds of emails since February 18. The truth of the matter is that she's a full-time manager with an outdated 1993 job description. The county can't have it both ways. If Mr. Shetler wants to go back and pay her for all her overtime the last two years, then she needs to be hourly instead of salary. As in any successful organization, there are weeks salaried employees work 50-60 hours and maybe 35 the next and get paid the same. This is one of the most honest and hardest working woman you'll ever meet. She did the right thing by thinking of taxpayers first. Of course she would be responsible and turn in her FMLA to use her vacation and sick time up first.

Thank you for your time.

Jonathan Weaver

Vanderburgh County Assessor

Level II Certified Indiana Assessor-Appraiser

Our Policy:

The City-County Observer accepts letters to the editor and op-ed pieces. We reserve the right to edit such items to maintain the integrity of this publication, space constraints, or for misleading and accusatory statements. We will not print letters that have not been signed and are not verifiable with the original source. From time to time, we reserve the right to print (or electronically publish) correspondence from your local officials. Again, all emails and letters must be able to be verified. Any items without accurate contact information and are not signed (a digital signature is acceptable) will not be published. We encourage our readers to submit letters to the City-County Observer, regardless of your political affiliation.



County attorney responds to Weaver

Jonathan,

David Miller, the currently serving County Attorney, discussed with me your recent phone conversation with David regarding your Chief Deputy, her FMLA leave and whether she is an exempt employee.

We have again reviewed the County Employee Handbook and based on that review, we reaffirm that there is nothing in the Handbook which provides for Chief Deputies to be considered “exempt employees.” Further, it is our understanding that no chief deputy of any elected office holder is or ever has been considered an “exempt employee.” Therefore, the FMLA does apply in this case and its provisions govern.

As to the FMLA leave, we understand that, based on a pink slip submitted by your office to the Auditor’s Office, she is considered by you to have returned to work on April 1, 2009. We further understand that, based on that return date, she only used 8 of the 12 weeks of FMLA leave she has available to her and that therefore, under the County Employee Handbook, for 2009 she has an additional 4 weeks of such leave available to her should it become necessary for her to use it.

We understand that on April 10th, 2009 a pay voucher was turned by your office to the Auditor’s Office for your Chief Deputy indicating as follows:

- 24 hours of vacation time
- 32 hours of personal time
- 8 hours of departmental leave time
- 16 hours for work, of which, 8 hours was performed at home and 8 hours was for the April 10 (Good Friday) holiday.

Based on the foregoing information, we are advised that she will be paid for 80 hours of time through April 10, 2009.

We note that 8 hours of her work time were apparently performed at home. Working from home is not addressed in the County Employee Handbook. Accordingly, such work is not strictly prohibited. On the other hand, it is not the regular practice of the offices of any elected office holder that we know of to permit that. So, while not strictly prohibited, it is unusual. Perhaps the reason is that it is sometimes difficult to actually confirm the time an employee spends working on county business while at home. In any event, as the office holder involved here, because the employee handbook does not prohibit work from home by your Chief Deputy, it is your sole decision to determine whether she deserves to be paid under these circumstances. However, we are compelled by our role as legal counsel to remind you that you, in your capacity as a public official, are responsible for the appropriate expenditure of the funds allocated to your office. It is incumbent upon you to govern yourself accordingly.

Let us know if we can provide any further assistance in this regard.

Ted

First Amendment to the U.S. Constitution

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Transparency is a relative term

*Story by Jamie Grabert
Publisher*

In the last 18 months, the American people have learned that transparency is a relative term. President Barack Obama, while running for office, commented on what he perceived as a lack of transparency by the Bush Administration. Yet, just this week, ABC News did a story on the fact that the White House isn't quite as transparent as it would appear. In Evansville, transparency yields to opacity.

The owners of the City-County Observer like to tease me. We discuss what word we want to use in various situations. They always tell me I'm too literal or tell me it's all about semantics. I agree. But writers and politicians know the value of words. They know how a string of words can create public relations nightmares, no matter how innocent the intent. This is why I believe nothing with people, and especially people in government, is ever transparent. So let's compare the definition of transparency and opacity.

According to Noah Webster, the word transparency means that something is a: free from pretense or deceit : FRANK b: easily detected or seen through : OBVIOUS c: readily understood d: characterized by visibility or accessibility of information especially concerning business practices.

Webster says that opacity means 1 a: obscurity of sense : UNINTELLIGIBLENESS b: the quality or state of being mentally obtuse : DULLNESS ; 2: the quality or state of a body that makes it impervious to the rays of light ; broadly : the relative capacity of matter to obstruct the transmission of radiant energy; 3: an opaque spot in

a normally transparent structure (as the lens of the eye).

After comparing the two definitions, which do you think better suits the administration of this city and nation? Or I guess, transparent really is relative to the source and cause.

In the ABC News story mentioned earlier, the network news regurgitated President Obama's promise to the American people that he would run "the most transparent government in history." We see his face plastered all over the news, in print, on television and now online. But in the May 15th report given by Justin Rood, he states that the president opts for secrecy in a key White House Office – the Office of Administration.

In this story he also states, "Just weeks after taking office, the Obama Administration adopted a policy of sunlight, directing bureaucrats across government to 'apply a presumption of openness' regarding the release of documents to the public, according to a memo by Obama's attorney general, Eric Holder."

Rood goes on, "But in keeping with this predecessor's position, Obama's policy does not cover an important part of the White House: the Office of Administration, which oversees much of the day-to-day functions of the president's own office and staff."

Would you define that as transparent or opaque? What exactly is "a presumption of openness?" But like I said, it's all relative. So, how is this all relative to local government?

Evansville Mayor Jonathon Weinzapfel too likes to put on a "presumption of openness" to the local community. His staff is quick to send out press releases on his positive work for Evansville. But what happens when you ask a tough question?

Well, that's all relative as well.

I may seem like a newcomer to the Evansville political scene, but I'm really not. I learned many moons ago that value of sitting back and taking it all in before you begin commenting on anything. Find the answers, then ask the questions. That's where you find true transparency.

In the last two months, the staff of the City-County Observer has filed two complaints against the City of Evansville for a lack of willingness to cooperate with the Open Door Laws prescribed by the State of Indiana. As publisher, I now have them on my BlackBerry as speed dial number 317.

While one complain is pending, one complaint was determined to be warranted. It is not my wish to file these complaints, but I feel we would be doing a disservice to our readers if we did not follow through, after all, this administration is relatively open, right?

In many communities, citizens merely have to go in and request records in person. You ask the nice lady at the counter for the information you seek. She finds it; hands it to you; smiles and tells you to have a nice day. In the City of Evansville, you will fill out a formal, written request for information, and if the powers that be determine that you can have that piece of information, you may receive it. But, the question is did you receive all the information you requested, or just what they wanted you to have?

In the last two weeks, I have determined that I will force some type of transparency, even if it is relative to what I'm working on. Much ado has been made recently about the Front Door Pride program. The City-County Observer has taken a stance that urban blight is a citywide problem, not specific to one area. We have been trying for months

EDITORIAL

to look attend Brownsfields meetings, but to no avail. We have requested to be able to attend meetings, but to no avail. Trips to the Department of Metropolitan Development have been nothing but frustrating. But rest assured, ye citizens of Evansville, your administration is relatively transparent.

For over a week, I have been waiting for minutes from Brownsfields meetings, since they won't allow us to attend. I have been told that I can have the minutes, but it will take time for them to put them together. Here's what gets me, minutes are typically kept in a minute book, so the only time it should take is the time it takes to photo copy them, right?

Almost two weeks ago, I asked the Controller's Office (which is where the fiscal records for the city are kept) for the Mayor's travel expenses for 2007, 2008 and 2009 thus far. I received a phone call that the person in charge of that was out-of-town, but my request would be answered when she returned. One Tuesday, I received a phone call that my request had been answered and that it was one page and would cost 10 cents. I hung up the phone and laughed. In previous requests, we have made. We received itemized lists of expenditures. But this week, the game changed. For my latest request, I received a mere three lines of information. The name of the account was on one line. The years 2007, 2008 and 2009 were on another line. And the cumulative totals were on another line. Nothing was itemized. It was not on a printout like we had received for previous requests. It was not on city letterhead. It was placed in a make-shift intradepartmental envelop. Before, it was just for a question raised by the Mole. Now, it's a mission.

For someone of the inquisitive nature, like myself, this type of behavior makes me want to take a closer look at this administration. As a "Watch Dog" publication, it is our duty to follow up on this matter, and we will.

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Research at the Family History Library

Story by Don Counts, Staff Writer

As I talk to people locally, statewide and nationally on various subjects, when the subject of family history is mentioned, most all are interested. Many have talked to their families about their heritage. The response that is always interesting is, “My aunt researched our family and has found everything”. We all know that you will never find everything. This reminds me of a lady from Warrick County. Several years ago I was talking to Opal Phillips and she had been sick in bed for quite awhile. This gave her allot of time to work on her family history.

She used a roll of wallpaper, so she could have a continuing family line of her ancestors. She had traced her line back to Charlemagne. There she discovered someone had traced his ancestry back to Adam and Eve. She knew there were probably errors but was fun to have this all on a family history chart.

A true genealogist will document every piece of information that they find in tracing their family tree. We are very lucky to have several Certified Genealogists in the tri-state area that will help with your research for a fee. Willard Library in Evansville has an extensive collection of family histories and reference materials to help you get started. It is amazing how many people are drawn to research their family history.

(Mormons) is doing in this regard. The church is moving toward a digital format. A bit of history concerning the documentation goes back to Adolph Hitler. (A bit of history is that Adolph Hitler influenced some genealogical records.) Hitler had collected birth, death, and marriage records from churches and concealed these records in underground vaults and mines during WWII. He required people to prove pure German blood lines.

The Mormon Church has begun microfilming Mark gave a very interesting and informative talk about what the Church of Jesus Christ of (Latter-Day) Saints and putting on microfiche these records after the war. Now the LDS Church is transferring this information into digital format for the public. See familysearch.org.

I asked Mark why the Mormons encourage family research. He said “There are three steps. First they do research to locate and identify their ancestors. Second they group them into families. Third, a family member can then have an ordinance conducted at an LDS temple, to provide the

deceased the opportunity to become members of the church if they choose.” In a handout he provided it states “For the millions of people who lived before the Restoration of Christ’s Church, temple ordinances were not available during their lifetime. Even today, millions live and die without ever hearing the name of Jesus Christ or without accepting the gospel he taught. Provision must be made, then, for those who have died without that opportunity.” He said “we do not dig up dead people and take them into our temples”.

Mark said the census records are available from 1930 back, which many people have used in their family research. Almost all of them are available in digital format and are available on line. He said the church needs volunteers for indexing and transcribing the census records. He said the church will send the material for transcription and after finished the transcriber will send it back to the church.

A second person is sent the same information and when both copies reach the church they will be compared to insure accuracy for their data base. The goal of the church is to have their entire collection digitized in the next ten years and to have all this material available to the public. This is a worldwide work; they are indexing over 500,000 names a month which is done by 100,000 volunteers.

I asked him how he got started and became interested in Family History. He said as a child his family drug him along to many family reunions. As he got older he became interested in his ancestors. His parents spoke German and kept everything pertaining to their family. His grandma kept meticulous records including every obituary. His family just handed over all of these records to him. He is currently putting all of this information on ancestry.com web site and familysearch.org.

During the lecture and discussion we learned that the Indiana Department of Natural Resources is working on cemetery preservation and conducts classes on monument repair. You can read more about their work at <http://www.in.gov/dnr/historic/2807.htm>.

The Indiana Genealogical Society is doing a lot of work on “...Always A Hoosier” recording information on ancestors buried in Indiana, Cemetery Survey Project, Indiana Marriage Indexing Project, and Once a Hoosier which is a project to record information on ancestors who were in Indiana for some part of their lives but died in other states.

Ancestry.com is a for profit family history site. This is an invaluable site, but it is very important to use the documented information and not someone else's information that has been posted because they may have made errors. You want your family history to be correct. The LDS church is working in cooperation with them.

The LDS church is finding that up to 50% of information people have submitted may have errors or be duplicates. They have put together a computer program that can theoretically account for everyone in the world and this program will cross check and correct errors. LDS library has a new program that will show references which will be great for researchers. The Family History Center is open to the public in Evansville, Vincennes and Madisonville.

Mark said the church is in the process of looking for places, such as Willard Library, with the church's assistance, for Family History outlets of their material.

After the meeting he provided a handout on family research "Where Do I Start". This chart states in:

Step one to identify what you know about your family by filling out a pedigree chart.

Step two; decide what you want to learn about your family such as an ancestor that died before 1900.

Step three, select records to search such as compiled records such as ancestral file, international genealogical index, family hi

stories, biographies, genealogies, and histories; original records such as social security death index.

Step four, Obtain and search the record by reading and searching the record.

Step five, Use the information by evaluating the information found, copying new information onto your pedigree chart, organize newly acquired records and share the information.

The local LDS Family History Library is located at 8020 East Covert Avenue near the Jewish Temple. It is suggested that you call for hours of operation (812)471-0191

Mark Lammers, State Director of Family History Centers for the Evansville Indiana State, of the Church of Jesus Christ of Latter-Day Saints.

First Amendment to the U.S. Constitution

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

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Posey County establishes Economic Development Partnership

The Posey County Economic Development Partnership ("EDP") began organizing about 3 years ago in response to the need for a local economic development organization for Posey County. With the development of the Economic Development Coalition of Southwest Indiana, which is a partnership of four counties in Southwest Indiana (Gibson, Posey, Vanderburgh and Warrick Counties), it was essential that Posey County have an active organization to promote the present and future economic interests of Posey County.

The Posey County EDP was formally organized as a not-for-profit corporation in 2008. Its primary mission is to promote and enhance the economic climate of Posey County by attracting new business entities and retaining those entities that are currently located in Posey County. By strengthening and expanding Posey County's economic base through these means, residents will enjoy an increase in job opportunities and improved standard of living with expanded services and products. The EDP works to identify and inventory commercial and industrial sites in Posey County in order to attract new businesses and help existing businesses wishing to expand and/or relocate their facilities. It will encourage expansion and improvement of the infrastructure including water, sewage, utilities, communications and technology. It will work closely with the Posey County government and the Posey County municipalities as well as with the Economic Development Coalition of SW Indiana in promoting economic development in all of Posey County.

The Posey County Economic Development Partnership is county-wide and the Board of Directors and members represent all areas of Posey County. Area individuals, businesses, corporations, schools, and municipal governments are involved in the Board and are members. The annual budget for the organization is \$110,000. The EDP is funded by private donations (30%) and public support (70%).

Sally Denning is the Executive Director of the Posey County EDP. The current officers of the corporation are Bill Newman (President), Sheri Banks (Vice-President), John Wood (Secretary/Treasurer). The Board of Directors consists of the above officers and executive director, and Jim Alsop, Steve Bennett, Carl Gene Culiver, Senator Bob Deig, Bill Gillenwater, Beth McFaddin Higgins, M. Michelle Hudson, Mike Keene, Steve Koenig, George Morgan, Ralph Weinzapfel, Larry Williams, Andrew Wilson, and Phil Wilzbacher.

The office for the Posey County Economic Development Commission is currently located at the Chamber of Commerce office at 915 E. Fourth St. in Mt. Vernon and the phone number is 838-3639. If you would like to become a member of the Posey County EDP and become involved in the present and future economic development of Posey County, contact the office or any of the Executive Committee.

Urban Blight: Alleys

*Jerry Fruth, President
Urban Development & Planning Corp.*

The current city administration coined the work taking place in the inner city, "Front Door Pride." Very good name for what is taking place and the effort behind the work. Cleaning up a neighborhood. And all of this is as it should be.

But, what about all of the Back Door Trash? Within the core part of the city the Back Door trash is overwhelming. I would invite the Mayor or any city councilman/woman to take a drive with me up and down the alleys within the core of our city.

Something is terribly wrong when we allow trash, garbage, junk vehicles, tires, and assorted other items of junk to accumulate. Surely our officials recognize the fact that trash lowers property values, and invites all kind of social ills. It would seem to me that it would cost less to clean up the mess than to continue to deal with the costs of crime, poor health conditions and other issues that come with folks who are just plain trashy.

That may sound a little harsh. But lets face it. Trash begets trash. Our neighborhood associations need help. Lots of help. If Evansville is to compete with other communities, then we must clean up our act.

Failure to acknowledge the issue will lead to more urban flight, more decay within the core of our city and in the end, stagnant growth. Who wants to live in a trash heap?

We can do better. I take that back, we MUST do better.



Rapid progress in Front Door Pride Area

(EVANSVILLE, IN) – Mayor Jonathan Weinzapfel marked the completion of two new Front Door Pride homes recently by highlighting the noticeable changes the program is making in that area.

Currently, there are 10 lots ready for construction in the Front Door Pride Focus Area; 3 more are waiting for historical clearance. The City plans to have up to 20 new homes constructed in the Focus Area by year's end, which will be funded with INTR grants and money from the American Recovery and Reinvestment Act. Six homes have already been completed including the two unveiled today at 1211 Judson and 39 Jefferson; 5 of those have been sold. The Focus Area is roughly bound by Chestnut, Garvin, Riverside and Veteran's Memorial Parkway. The area was chosen because of the historic homes with rehab potential and the number of blighted homes in need of demolition as well as the proximity of the Alhambra Theatre and Haynie's Corner Arts District as focal points

The Evansville Redevelopment Commission and the Evansville Brownfields Corporation own an additional 54 parcels in the Focus Area, with acquisition of another 145 parcels pending. Abandoned or dilapidated structures on these parcels may be rehabilitated or demolished to further the goal of creating a mixed income neighborhood while eliminating blighted housing. Small parcels may be cleared to create side yards for existing homes or combined with adjacent unimproved parcels to create larger lots for new home construction.

Since the beginning of 2009, 20 structures have been razed by the City, and 2 more by their owners, in the Focus Area. Another 17 demolitions are pending. Compare that to 2006-2008, when only 29 structures were razed in 3 years.

"People who haven't been to this area in a while will be able to see a noticeable change in its appearance. There could be a total of 18 new homes in the Focus Area if we build on all the lots that are currently available," said Mayor Jonathan Weinzapfel. "You will find straw covering many vacant lots where eyesores no longer stand. These are all signs that we are making good progress toward restoring this neighborhood."

A new phase of the Front Door Pride program is also about to begin. The home at 22 Jefferson Avenue will be the City's first complete home rehab project. The inside of the home is currently being prepared and the project will be let for bid shortly. A second rehab will take place at 1112 Parrett with several also possible along Washington Avenue. More rehabs will begin as properties are purchased and inspected to determine if they are suitable for restoration.



The City and HOPE of Evansville are using a \$1 million INTR grant from the Indiana Housing and Community Development Authority to provide subsidies of up to \$25,000 toward the construction cost of each new home.

"Our goal is to make the dream of affordable housing come true for families across Indiana," said Sherry Seiwert, Executive Director of Indiana Housing and Community Development Authority. "The INTR program was created with the purpose of redeveloping distressed areas across Indiana and, one home at a time, creating affordable, family-friendly neighborhoods in communities like Evansville. I firmly believe that communities are strengthened by safe and affordable housing, and I am pleased with the progress in this community."

Due to grant restrictions, homes must be sold to individuals or families at or below 80% of area median income (see chart below). Qualified buyers may receive an allowance of up to \$5,000 to assist them with down payment and closing cost expenses.

Maximum Annual Household Gross Income

1 person - \$33,500	4 people - \$47,850
2 people - \$38,300	5 people - \$51,700
3 people - \$43,050	6 people - \$55,500

Buyers must also complete a pre-purchase homebuyer's class and make a minimum down payment of \$500. People who are interested should contact HOPE of Evansville (423-3169), a local non-profit agency which is partnering with the City of Evansville to administer the program.

Reitz High School Yearbook Receives National Honors

For nearly 10 months, 19 students at Reitz High School toiled in a labor of love to design the school's yearbook. All that hard work paid off when representatives from Walsworth Publishing Company, the company who printed the books, selected the yearbook - Reflections – to be included in the company's Gallery of Excellence for 2009.

As part of the gallery, the 2009 yearbook will be distributed nationwide as a sample of not only the quality of printing the company is capable of, but also the quality work that its customers have done. Inclusion in the gallery is based on overall quality of the book, photography, design,

theme development, coverage and writing. Samples of the yearbook will be given to Walsworth sales representatives across the nation and will be featured at national trade shows, workshops and other educational venues.

"Each year only 5 percent of Walsworth customers are selected for this honor," said John Wells, Reitz High School advisor of student publications. "By receiving this distinction, it is evident of the quality of publications that come from not only Reitz High School but all Evansville schools."

This is the first gallery of excellence award for the Reitz Reflections yearbook, but the third for advisor Wells.

EXCHANGE PROGRAM APPOINTS LOCAL REPRESENTATIVE

Story by Don Counts, Staff Writer

Nita Sims, newly appointed Community Coordinator, is busy interviewing families to host international high school exchange students. She is representing PAX--Program of Academic Exchange, a non-profit organization that works in accordance with the U. S. State Department. The organization has been active in placing students for the past 18 years. This is the first year a representative from Evansville is available to the city and surrounding communities.

"All PAX students have been carefully screened, speak English, have full medical insurance, and come with their own pocket money," says Sims. We work with students from 35 different countries including those in Eastern Europe, Asia, South America and Africa."

Host families are asked to provide the student with meals, a warm supportive environment, and a place to sleep and study. In addition to the family supporting the student, Sims as Community Coordinator will be available to the students throughout the school year. "We are looking for

families who are interested in the world and in helping an exchange student learn more about America."

Families do not have to be a couple and/or have a high school student. Retirees, one-person households, and single parents all make wonderful hosts.

A native of Evansville, Sims was selected based on her demonstrated enthusiasm, interest in foreign cultures and a desire to become more active in her community. She is a graduate of F.J. Reitz High School, University of Evansville, and Indiana State University. Sims previously taught in The Philippines, Indiana, Missouri, California and Ohio.

If you are a member of an organization that needs a speaker, Sims will be happy to talk about the advantages of having a student from another country become part of the Evansville community. Anyone interested in learning more about hosting can contact Nita Sims at 812-602-3355.

For more information about this organization, please read the information on their website:

<http://www.pax.org/abouthistory.html>

Sims is presently looking for host families in the Reitz, North and Central school districts and surrounding areas.

THE CITY-COUNTY OBSERVER

IN THE SERVICE

ONE NAME TO BE ADDED TO THE VIETNAM VETERANS MEMORIAL

Washington, D.C. — The name of an American serviceman who died as a result of wounds sustained in the combat zone during the Vietnam War will be inscribed on the Vietnam Veterans Memorial next week, announced Jan C. Scruggs, founder and president of the Vietnam Veterans Memorial Fund.

Marine Corps Gunnery Sgt. Enrique Valdez's name was added to Panel 17W, Row 51 of the Vietnam Veterans Memorial during a press event on Tuesday, May 5, at 3 p.m. In case of rain, the date will be moved to May 6. His four children will be on hand to watch his name being added to The Wall.

"We will add Gunnery Sgt. Valdez's name as close as possible to his date of casualty, so he can remain in the company of those he served with," said Scruggs.

In a short ceremony before the name addition, JC Cummings, AIA, the architect of record for the Vietnam Veterans Memorial, will offer some history of the Memorial and the addition of names. Expert stoneworker James Lee of Colorado-based Engrave Write, who will be adding the names, will give details about the process. Memorial Fund President Jan Scruggs will offer remarks. A member of Valdez's family will also speak.

Gunnery Sgt. Enrique Valdez was from Sante Fe, New Mexico. He enlisted in the Marine Corps in November 1955, serving for a total of 14 years, with several tours of duty in Vietnam. On his last tour, beginning in March 1969, he was serving with B Company, First Battalion of the First Marine Division. He was wounded on Aug. 26, 1969, when his spinal cord was severed by shrapnel. The wound left him quadriplegic, and when Valdez succumbed to pneumonia on Feb. 4, 1994, it was determined by the U.S. Marine Corps to be directly attributable to the wounds he received in Vietnam.

In addition to adding Valdez's name to The Wall, Lee and his crew will also change the designations of five others. "Designation" refers to the symbol that has been inscribed beside every name on The Wall. A diamond symbol denotes confirmed death. The cross represents missing in action. When a service member's remains are returned or accounted for, the diamond is superimposed over the cross. This year, symbols will be changed for these individuals:

- Lt. Cmdr. Ralph C. Bisz, U.S. Navy, Miami, Fla.
- Sr. Master Sgt. James K. Caniford, U.S Air Force, Frederick, Md.
- Maj. John L. McElroy, U.S. Air Force, Schenectady, N.Y.

- Maj. Barclay B. Young, U.S. Air Force, Ft. Lauderdale, Fla.
- Col. David H. Zook Jr., U.S. Air Force, West Liberty, Ohio.

James Lee and the Engrave Write team will be in Washington, D.C. for several days to add the name and make designation changes. A variety of factors, including the weather and where the sun is hitting The Wall, determine when each can be made. When names are added, the highly technical procedure requires meticulous work to match the stroke and depth of the surrounding names to within one-thousandth of an inch.

The Speakers

Jan C. Scruggs is the founder and president of the Vietnam Veterans Memorial Fund. With \$2,800 of his own money, he began the effort in 1979 to build a memorial to all who served and sacrificed in Vietnam. His dream became a reality on November 13, 1982, when the Vietnam Veterans Memorial was dedicated.

James Lee has performed the name additions for many years through his former company, Great Panes Glassworks. Now with Engrave Write, he continues making the inscriptions for The Wall. Before adding Valdez's name, Lee will explain some of the technical aspects of the work.

JC Cummings, AIA, is the architect of record for the Vietnam Veterans Memorial. He worked for the Cooper Lecky architectural firm that helped build The Wall back in 1982.

Adding Names

Next week's change will bring the total number of names on the Vietnam Veterans Memorial to 58,261 men and women who were killed or remain missing in action.

The new name will become "official" when it is read aloud during the annual Memorial Day Ceremony at The Wall on Monday, May 25, at 1:00 p.m.

The Department of Defense sets the criteria for and makes decisions about whose names are eligible for inscription on The Wall. The Vietnam Veterans Memorial Fund pays for the name additions and status changes, and works with the National Park Service to ensure long-term preservation and maintenance of The Wall.

Dedicated on Nov. 13, 1982, the Vietnam Veterans Memorial was built to honor all who served with the U.S. armed forces during the Vietnam War. It has become known as an international symbol of healing and is one of the most-visited memorials on the National Mall.