

# 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

JUNE 18, 2009

## Follow-up Story

VOLUME II, ISSUE 8

### MAYOR SAYS NO HOMESTEAD CREDIT EXPECTED IN 2010

By Jamie Grabert, Publisher

In the June 11th issue of the City-County Observer, we broke the story on the non-renewal of the annual local Homestead Tax Credit. Since that time, other members of the local media have jumped on board to find out who, why, when and how the decision was made. The fact is, there is nothing that can be done about the local credit for this year. Our concern and focus must be shifted to 2010 and the re-instatement of that credit.

For the last two week's, the staff of the City-County Observer has compiled massive amounts of research and conducted countless interviews. All were fruitful and concerning. But one question plagued us: "What about next year's local Homestead Credit?" Knowledgeable and highly-reliable sources within the Civic Center told us last week that there would be no tax credit next year either.

Evansville Mayor Jonathan Weinzapfel confirmed our sources' statements for us last night. In an interview on the 10 p.m. news with WEHT, the mayor stated that there would be no tax credit for 2010; however, in statements he had previously made to the press, he stated that the decision to re-instate the local Homestead Tax Credit was not his decision. He also stated that the Vanderburgh County Council could have voted to re-instate the tax credit.

But research reveals that simply is not the case. According to Indiana Code IC 6-3.5-6-13 Version b (c), "The homestead credit percentage must be uniform for all homesteads in a county."

While there seems to be some question by the powers that be as to who determines whether or not the residents of the Vanderburgh County receive the annual local Homestead Tax Credit, a statement from the Mayor's Office dated September 30, 2004, and titled

"Weinzapfel: COIT Revenue less than expected," stated, "Local income taxes are imposed on the adjusted gross income of residents in Vanderburgh County and distributed to the county, City of Evansville, Town of Darmstadt, townships and Evansville-Vanderburgh Public Library based upon each unit's relative share of the property tax levy. COIT monies are primarily used by the City of Evansville to provide a local homestead credit to reduce the property tax burden on homeowners and to pay operating expenses of the City – 82% of which goes directly for salaries, wages and benefits."

According to state law if you have a tax such as the County Option Income Tax [COIT], the county has to establish a tax council. Each entity must also establish a County Stabilization Fund (also referred to by some communities as the Rainy Day Fund). The Department of Local Government Finance (DLFG) states that this fund is to be used for any income tax proceeds that exceed the levy replacement are to be deposited in the [Rainy Day] fund. "Money in the stabilization [Rainy Day] fund could be distributed to the taxing units in the county in a year when the certified local option income tax distributions are less than the calculated levy growth amount for the year."

The law also states that the County Tax Council has to meet to suggest to each political subdivision [city council, county council and Town of Darmstadt] indi-



*Mayor Jonathan Weinzapfel*

*continued on page 4*

# — THE CITY-COUNTY OBSERVER —

## LETTERS TO THE EDITOR

**As the publisher, of the City-County Observer, we would like to thank our readers for their support. We have received an overwhelming amount of letters encouraging our watchdog mission. The letters and emails are pouring in, and we encourage those with something to say to write us. Our policy is located on page 11. Again, we thank all of those who support the City-County Observer and our efforts to inform the taxpayers and voters of Posey, Warrick and Vanderburgh County.**

Dear Publisher,

The City-County Observer was right on point in last Thursday's "Homestead Credit" article. Out of 92 counties in the state of Indiana, Vanderburgh is the only one who won't be dishing out a Homestead Credit. Which begs a bigger question, what is Mayor Weinzapfel doing with all this cash? Can you say "downtown stadium!" Let's point out that "The City-County Observer" first broke this story, and 5 days later, the aforementioned "Courier and Press", followed suit. So kudos to your electronic newspaper website and keep up the good work.

-Sean Richards, Evansville

Dear Publisher,

WOW, is this a dream? I just read a newspaper that researches and prints facts on local politics. More surprising is that this publication is free and printable. When the City-County Observer broke the news on the 'local Homestead tax credit' being eliminated caused quite a political stir among my family and friends. The Mayor's elimination of this tax in a non-publicized backroom meeting will come to haunt him when he runs for Governor.

-John Wheeler, Evansville

Dear Publisher,

Congratulations "City-County Observer", for editorial stance on annexing certain areas on the West Side of Evansville. Looks like us 'Westsider's' now have a newspaper that represents our interests, views, and needs.

-S. Seitz, Evansville

Dear Publisher,

I'm from Poser County, and I really enjoy your publication concerning the political misdeeds of the Evansville Mayor. After reading the articles pertaining to him, I bet you would love to have an outstanding, dedicated, and humble Mayor, like we have here in Mt. Vernon.

-Rodney T., Mt. Vernon

Dear Publisher,

I'm amazed that one man can strong arm and dictate his political agenda to a city council of intelligent and well rounded people elected by us. After talking to some political types at the coffee shop, who really enjoys your paper, is my opinion if the Evansville City Council, don't shape up and stand on their own two feet, then they shall be ousted in the next election. We didn't elect one person to make all the decisions. We elected one person to run the city on a daily basis, "the Mayor", and 8 people, "City Council", to make the financial decisions.

-J. Bryant, Evansville

Dear Publisher,

Go Girls! Jamie the Publisher and City County Observer rocks!

-Sally Ragsdale, Evansville

Dear Publisher,

As a long time public employee with the city, on behalf of many city employees thank you for exposing the shenanigans of Mayor Weinzapfel. We especially appreciate you pointing out that the director of Evansville housing authority got a \$6,000 dollar raise this year, while our raise was only \$500 for the year.

-K. Smith, Evansville

Dear Publisher,

As a past classmate of Mr. Know-it-all Jonathan, thanks for finally putting him in his place.

-LT, Evansville

Dear Publisher,

How can Weinzapfel think about running for Governor, when he can't even handle the city problems.

-Carlos, Evansville

# Historic architecture survey in Warrick County ends

A recently completed DNR Division of Historic Preservation and Archaeology (DHPA) survey identified 931 historic sites and structures in Warrick County. The public is invited to attend a meeting on June 30 to learn more about this project, called the Warrick County Historic Sites and Structures Inventory.

The meeting starts at 7 p.m. CDT at the Ohio Township Public Library in Newburgh. At the meeting, Amy Walker, survey coordinator for the DHPA, will give a brief presentation about the survey program, discuss what the surveyors found, talk about the National Register of Historic Places and historic preservation related grants/tax credits, and answer questions.

The DHPA, which started its statewide survey program in 1975, gathers information about Indiana's historic resources on a county-by-county basis. A similar survey was

conducted for Warrick and Gibson counties in 1984. Many of the counties with older information are being resurveyed.

The surveyors started the Warrick County project in October 2008 and finished in March 2009. Every building, district and structure constructed before 1968 that met the survey criteria was documented. The data gathered will be transferred into the DHPA's online database and will be available to the public in late 2009.

The historic sites and structures inventory has no impact on property taxes and does not result in official landmark status. It can offer a level of protection for historic resources when a state- or federally funded project occurs in a particular area. The existence of the county survey also can shorten the approval process and allow development, including road and highway improvements, to occur with fewer regulatory delays.

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## INDOT Announces Possible Delays on S.R. 62 in Warrick County

WARRICK COUNTY, Ind. - The State Road 62 (S.R. 62) Added Travel Lanes project continues to progress on schedule. Motorists should be aware that daytime lane restrictions will be taking place on S.R. 62 from Chandler to Boonville as drainage pipe structures are replaced under the roadway.

Flag persons will be used to control traffic through the work zone areas. One lane will be open to traffic while work takes place in the closed lane. Indiana State Police will be patrolling the work zone to ensure the safety of the motoring public and workers on site.

The \$17.6 million Major Moves job was awarded to E & B Paving, Inc., of Anderson, Indiana during the February 2009 letting. Work began in mid-March and it is anticipated this project will be complete in Fall 2010.

This project is part of Governor Mitch Daniels' Major Moves highway construction program. In March 2006, the Indiana General Assembly passed landmark funding legis-

lation to significantly upgrade the state's highways. It unlocks economic opportunities for Hoosiers and will leave a legacy for Indiana to be the global leader in distribution and logistics.



## No Local Homestead Credits for 2010?

*continued from page 1*

vidually to adopt a resolution in support of the local Homestead Tax Credit.

As the city's fiscal body and the body with the most votes, the Evansville City Council should have called a meeting with the Vanderburgh County Council and the Town Council or Board of Darmstadt to discuss the 2009 tax credit. Because the city council is responsible for the fiscal stability of the community and its people, the decision is not the mayor's decision to make. According to county officials, they were not consulted nor asked to convene a meeting, as the local tax board to discuss the re-instatement of the local Homestead Tax Credit. Because of the structure set forth by state law, their votes would not add up to enough to provide the credit.

Vanderburgh County officials support the tax credit. According to Vanderburgh County Auditor Bill Fluty, the county Rainy Day Fund currently has about \$2 million. Calls to the Evansville City Controller's Office requesting the amount currently in the city Rainy Day Fund produced no results. City Controller's Office Staffers stated that a formal public records request would be required before that information would be given to us.

Our sources in the Civic Center have told us that Mayor Weinzapfel has been the one to determine the tax credit in recent years. According to officials in other counties, county tax board meetings are called by either the county auditor or the body with the greatest number of votes. There are no public records of such a meeting from the Vanderburgh County Auditor's Office. Our sources from Posey, Gibson and Warrick Counties tell us that mayors are not part of the equation in determining tax rates or credits.

In further reading of the City Council minutes from 2008 and prior years, City Councilman Curt John, who is the former Finance Chairman, appears to have led the discussion in support of keeping the local Homestead Credit.

Evansville City Councilman and current Finance Chairman John Friend, who would be the person on the council to lead the discussion for the tax credit, echoed statements that no formal discussion has been held. "It would be wise on our part to re-instate the 8% Homestead Credit. Before we do that, we have to make sure it makes financial sense. We aren't going to sacrifice public safety."

In the same interview on the WEHT Wednesday evening,

the mayor said that opting to give the local Homestead Credit could mean a cutback in service is not necessarily factually-based. In discussions with other elected officials, they attempted to echo the mayor's statement, but they quickly recanted when the point was made that due to the recent plans to annex the Westside a cut in services would not be possible because of an increase in the service area that is provided by state law. One council member stated that cutting police and fire protection would not be the first area the city would have to make cutbacks, but failed to offer information as to where potential cuts would be made.

This would not be the case, as the city has money in the Rainy Day Fund, as provided by the DLGF, which would prevent the city from having to make many cutbacks.

While historically, the Evansville City Council has made the decision to renew the local tax credit in May, the state law states that a political subdivision has until December 31, to adopt an ordinance or resolution to give the taxpayers the local Homestead Tax Credit. According to IC 6-1.1-20.4-4 Version B, *Sec. 4. (a) A political subdivision may adopt an ordinance or resolution each year to provide for the use of revenue for the purpose of providing a homestead credit the following year to homesteads. An ordinance must be adopted under this section before December 31 for credits to be provided in the following year.*"

To further scrutinize this issue, the following questions need to be answered by Mayor Weinzapfel, concerning the decision to drop the local Homestead Tax Credit for 2010:

- What date was the decision made?
- Who attended the meeting?
- Were minutes of the discussion of the meeting taken?
- What is the rationale or criteria for opting to drop the local Homestead Tax Credit for 2010?

It is also important to note that City Officials are holding alleged meetings with the mayor and the controller this week to discuss next year's budgets. Calls to the county assessor's office revealed that budget meetings at this point are premature as the county just received the go-ahead from the DLGF on the trending values. This means the assessed values have not been approved by the state at this time. Vanderburgh County taxing entities have no real way of knowing how much they will be allowed to increase or may have to decrease at this time.





### CITY OF EVANSVILLE

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EVANSVILLE, INDIANA 47708

OFFICE OF THE MAYOR  
JONATHAN WEINZAPFEL

**May 9, 2005**  
**For Immediate Release**

**Contact: Stacey Wybiral**  
**(812) 436-4969**  
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#### **WEINZAPFEL SUPPORTS MEASURE TO GIVE LOCAL PROPERTY TAX CREDIT**

(Evansville, IN) - Mayor Jonathan Weinzapfel today urged members of the Evansville City Council to affirm the vote of the Vanderburgh County Income Tax Council and ratify an ordinance that would provide an eight percent local homestead credit for homeowners. The proposal is scheduled for second and third readings tonight on the City Council agenda.

□It is imperative that the City Council vote yes tonight to provide a local homestead credit to property owners, □said Mayor Jonathan Weinzapfel. □Through House Bill 1001, the Indiana General Assembly and the Governor approved capping the amount of property tax relief provided by the state, thus leading to an increase in property tax liability for homeowners.

□Without the City Council's approval of this ordinance, homeowners would pay higher property taxes, □the Mayor concluded.

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*Publisher's Note: This press release from Mayor Weinzapfel's office was located while researching this week's cover story. This press release is printed here in its original form taken from the City of Evansville's website. The release shows the mayor's support for the local Homestead Tax Credit, acknowledging the need for such relief for taxpayers.*

# Something Rotten in America



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

WASHINGTON -- One thing we can conclude from David Letterman's bad jokes about Sarah Palin: He hasn't flown commercial in a while.

Letterman's "slutty flight attendant" remark about Palin was in poor taste, we can all agree. But it was a joke and Letterman is a comedian. The joke probably would have been shrugged off and forgotten -- Palin proved her humorous good sportsmanship on "Saturday Night Live" during the campaign -- if not for Letterman's sexually suggestive "joke" about her daughter.

Everyone knows by now that Letterman made fun of the Palin family's trip to New York last week. He quipped that Palin's daughter got "knocked up" by Yankees third baseman Alex Rodriguez during the 7th inning. Unable to stop his slide into the gutter, he said the hardest part of the visit was keeping Eliot Spitzer away from her daughter.

Ba-da-bad. Alas, the only daughter with Palin was 14-year-old Willow.

Sorry, Dave, not funny. It was a joke according to stand-up formula -- take two disparate news items and combine them in an unexpected way. No one does this better than humor columnist Andy Borowitz, who has the blogosphere in a snit with his column suggesting that Newt Gingrich accused Supreme Court nominee Sonia Sotomayor of faking her

broken ankle to get sympathy. It was a JOKE!

The flight attendant line is a grown-up joke that one may or may not think is funny -- though my guess is that many of the offended big brothers out there were happy to participate in the Palin-as-sexy-librarian fantasy. Fess up.

In any case, the joke was about an adult voluntarily in the public arena and, therefore, clearly of a different order than suggesting sexual relations between a child and a man. We call that rape. Letterman's sort-of apology fell short of fixing things. He didn't mean the 14-year-old daughter, he said. He meant the 18-year-old.

Sir, may I offer you a shovel? Or, perchance, a backhoe? Letterman was way off base and should apologize sincerely. But, please, may we stop there?

Calls for censorship or worse are far more dangerous to the land of the free than any inappropriate one-liner. John McCain -- ever the chivalrous warrior -- sallied forth with his own disapproving statement Thursday, saying: "They (the Palins) deserve some kind of protection from being the butt of late-night hosts."

They DO? Are we talking vigilantes -- or just good ol' government censorship?

No, the Palins don't deserve protection from late-night hosts. No one does. But children deserve protection from adults who have lost sight of their responsibility to be wardens of the innocent. And parents are the best guardians of their children. Keeping them out of the limelight seems a good starting point. And, no, I'm not suggesting that anyone "asked for it."

The Palin jokes, for lack of a better term, were merely the latest in a string

of recent hostile treatments of women -- conservative women in particular. The Playboy magazine Web site listing conservative women whom men would like to have "hate" sex with was beyond the pale. The harsh treatment of poor Miss Runner-Up California when she expressed her opinion that marriage should be between a man and a woman was simply unfair.

Opinions don't get punished in this country. Period.

But we do have a problem, don't we? Simply put, the Zeitgeist has become mean and nasty, and we're at a loss as to how to fix it. Here's one thought: The Internet -- which, ironically, contributes to the problem -- may be the best solution possible.

Both gift and curse, the Internet has been so revolutionary and its gifts so immense that we've been like inmates in sudden possession of the keys. Instant access to a bullhorn and the world as one's stage has unleashed a monstrous id, that undisciplined, infant part of the human psyche that wants what it wants when it wants. Multiply that by billions and civilization is one harried nanny.

Thus, we have hate-sex Web pages and millions of others that degrade women, sexualize children and leave man- and womankind to their basest instincts. Such is the profoundly messy, sometimes frightening, part of free expression.

On the other hand, we also have the passionate voices of sensible Americans, who won't let a comedian get away with trivializing rape. Which suggests that the best defense against rude comics is not "some kind of protection," but the rallying cry of people who demand more from their society and themselves.

# — THE CITY-COUNTY OBSERVER —

## EDITORIAL

# IS IT TRUE?

Is it true that a potential Democratic candidate for governor visited this fine city last week? Is it true this individual worked in the Evan Bayh administration when he was governor? Is it true that they call him Roy (short for Roglo) Dominguez? Is it true that Roy is extremely well-known statewide, popular and politically connected sheriff from the Hammond, Ind., area? Is it true that one day soon you will be able to read an in-depth profile on this soon-to-be-announced Democratic gubernatorial candidate in the City-County Observer?

Is it true that a local woman will be running on the Republican ticket against Democratic State Representative Trent VanHaaften? Is it true Wendy McNamara, who was recently named assistant principal at North High School, has announced her desire to run for this office?

Is it true the Honorable Richard Mourdock, State Treasurer, was correct in challenging the government on the sale of Chrysler to Fiat? Is it true Mr. Mourdock proved how dedicated public officials can fight the law with a law? Is it true that although he lost the legal battle, he won a Constitutional battle in the hearts of Hoosiers?

Is it true that urban blight is a citywide problem? Is it true that urban blight is a citywide problem? Is it true that urban blight is a citywide problem? Is it true that urban blight is a citywide problem? Is it true we wonder when Missy Mosby, BJ Watts, Wendy Bredhold, Curt John, Dr. Dan Adams, Donald Walker, and Dan McGinn are going to bring this issue to public discussion and public vote?

Is it true that the Evansville City Council is the fiscal body of the City of Evansville (Please see Chapter 36 of the State Code.)? Is it true that the mayor merely signs the approved contracts and manages the day-to-day operation of the city? Is it true that this is not the way it has been in the city for the last five years?

Is it true we wonder why most of the fiscal power of the city has been given to the Evansville Redevelopment Commission? Is it true this board has usurped the power from the Evansville City Council that was given to them by the Indiana Code? Is it true the individuals that make up the Redevelopment Commission were appointed by Mayor Weinzapfel and the City Council? Is it true we are stunned to find out that these appointees are telling the duly elected officials how to spend millions of taxpayer dollars? Is it true it's time for BJ Watts, Curt John, Don Walker, Missy Mosby, Wendy Bredhold, Dr. Dan Adams, Dan McGinn and Con-

nie Robinson to start complying with state law as the fiscal body of the city?

Is it true that for the last five years the powers that be voted to approve the local Homestead Tax Credit in May? Is it true that as of June 18, 2009, the mayor has not requested the president of the city council [BJ Watts] to put on the agenda to put to discussion and vote on the issue of a local Homestead Credit for next year?

Is it true that past council president and newly appointed fire Chief Keith Jarboe attended a meeting with the mayor to discuss the local Homestead Credit for this year? It is true we now know why this was never put on the agenda for discussion and a vote last year, as president of the council; he never allowed it to be placed in the agenda?

Is it true we are wondering when the Evansville Redevelopment Commission is going to ask the alleged developer of the McCurdy Condo Project to return the \$655,000 of taxpayers' money they spent to purchase a 55-space parking lot next to the McCurdy? Is it true we hope that the mayor and his redevelopment commission legally and contractually covered the upfront money they gave the alleged developer to being the project in case of a breach of construction contract?

Is it true the Evansville City Council meeting will be filled with many remonstrators against the proposed Westside annexation and people irate over the local Homestead Tax Credit issue?

Is it true that the hardworking, professional and dedicated city employees received only a \$500 raise for this year? Is it true that in February 2009 the Evansville Housing Authority Executive Director [an agency created to assist impoverished people] received a whopping \$6,000 annual raise?

Is it true we are complimented by the fact that the Evansville Courier & Press picked up on our exclusive story titled "NO LOCAL HOMESTEAD CREDIT GIVEN FOR 2009" in the June 11th issue? Is it true that we are impressed with the way they continued this most important tax issue? Is it true when all local media work together the public benefits?

Is it true the United Freedom Makers (formerly the United Conservative Movement) are planning another tea party on July 4th? Is it true the focus of this tea party is the re-instatement of the local Homestead Tax Credit? Is it true this great Constitutional act will take place at the Civic Center at 10 a.m.?

# — THE CITY-COUNTY OBSERVER —

## EDITORIAL-GAVEL GAMUT

# POSEY COUNTY'S ENLIGHTENMENT

*By Judge James Redwine*

In July of 2005 after my friend Connie Weinzapfel with Historic New Harmony read my Gavel Gamut column about the Fourth of July she sent me a copy of New Harmony's Fourth of July Tradition. This booklet was compiled by Donald Pitzer and Josephine Elliott. It includes Fourth of July speeches by Robert Owen (1826), William Owen (1827) and what may have been the first public address by a woman to an audience of men and women in America, Frances Wright (1828).

A great deal of Robert Owen's vision was based on the same principles of the Enlightenment that our Founders looked to for our United States and Indiana Constitutions. Baron de Montesquieu's Separate and Equal Branches and John Locke's Balancing of the Powers of government were crucial parts of what has kept our Union alive since 1789.

These ideals and the prohibition of religious tyranny, marital inequality and what the extremely wealthy Owen considered a flawed system of private ownership of property, provided the Owenites with their cultural lode-stars.

In his Fourth of July address Robert Owen proudly

referred to the American Revolution and the Declaration of Independence:

"Rejoice, with me, that we now live under a government unconnected with any of the superstitions of the dark ages of ignorance; a government established purposely to give man his natural rights; to give him the full power to obtain mental liberty as soon as he could disburthen himself of the prejudices of his ancestors.

The individuals who compose a great majority of your present general government are happily free from the weakening and deadening influence of Superstition; their experience is too extensive, their minds are too enlightened, to be longer held in slavery and bondage by imaginary notions unsupported by a single fact."

William Owen was one of Robert Owen's four sons. He based his Fourth of July address on the same philosophical principles that guided Robert Owen's vision. In extolling the genius of the Constitution of the United States he said:

"...[O]ur ancestors, on that day, the anniversary of which we this morning celebrate, by one bold step recovered that state of liberty and independence, which is the birthright of humanity, and gave a death blow, to the unnatural league

## Order Judge Lynch today!



A work of historical fiction by Jim Redwine. Order it at [www.authorhouse.com](http://www.authorhouse.com). Price \$29.00 + S & H.

Seven black men were murdered by a mob of 300 influential white men during one week of October 1878, in Posey County, Indiana. These horrific crimes have remained hidden from public scrutiny for over 100 years. The events and their subsequent cover-up are examined in depth in this new novel. Southwestern Indiana and southeastern Illinois provide several of the locales for the book.

between despotism and superstition, by the adoption of a constitution, which forever precludes, so long as adhered to, the recurrence of such an unhappy connection." {William Owen was speaking about the connection of America to England or any sort of subjugation by any nation, person or religious dogma of another.}

Next week Frances (Mad Fanny) Wright's brilliant and many said radical Fourth of July speech will be our topic.



EDITORIAL

# SHOULD HISTORY BE CHANGED TO SATISFY A MINORITY

By Don Counts, Staff Writer

## WW II Vets Slapped in Face by “non-vet” VA Director!

*DIRECTOR OF INDIANAPOLIS VA HOSPITAL APOLIGISES TO JAPANESE EMPLOYEE AND ORDERS HISTORICAL NEWSPAPER IN HALLWAY REMOVED THAT HAS A HEADLINE READING “JAP SURRENDER”!*

*In an unprecedented single-minded decision Thomas Mattice, Director of the U.S. Department of Veterans Affairs Medical Center, West 10th Street, Indianapolis, Indiana has taken it upon himself without consulting his superiors to remove a framed World War II historical newspaper front page whose headline declare the end of that horrendous conflict. The newspaper sub-headline reads. JAPS SURRENDER.*

Reference: <http://www.marinesofindiana.com/2009/02/ww-ii-vets-slapped-in-face-by-non-vet.html>

This situation first came to my attention in the March and April 2009 editions of the Veterans’ Voice of Indiana. The Marine Corps League River Cites Detachment and the Vanderburgh County Veterans Council was made aware and members expressed outrage.

Thomas Mattice, Director of the U. S. Department of Veterans Affairs Medical Center, West 10th Street, Indianapolis Indiana has decided without consulting his superiors to remove a framed World War II historical newspaper front page that declared the end of the war. The newspaper has a sub-headline that reads JAPS SURRENDER.

I want to know what happened to freedom of Speech and Freedom of the Press.

I have heard veterans and veterans organizations express their outrage. The Marine Corps League still has members that fought in WWII and remember that country’s terrible action to any Allied POW and civilian populations.

Director Mattice said that this was done because of a complaint by one of his employees who is of Asian descent.

Don Myers, Indiana’s Most Decorated Marine, attempted to talk to Director Mattice, Myers said this man’s mindset was blocked with political correctness blinders because of this one employee. Myers also asked if the newspaper headline read JAPS BOMP PERAL HARBOR would the director have tak-

en that down also? Director Mattice said he had nothing else to say to Myers and hung up on him.

Does one Federal employee of Asian descent who is paid by American tax dollars have a right to do this?

You may voice your opinion to the Indianapolis Marine Corps League Newsletter Editor at [Gnasby@IndyMarines.org](mailto:Gnasby@IndyMarines.org)

Mattice is now citing guidance from the Veterans Affairs Ethics Center <http://www.ethics.va.gov/>. I reviewed this site and found many regulations trying to be all things to all people. As the old saying goes “You Cannot Please All the People All the Time”.

Mattice has continued to ignore complaints and petitions over his action. He rejected a compromise of putting a disclaimer plaque next to the headline saying this is a slur that was used in 1945. News of his action has been observed from Alaska to New York. At what point does history and the sacrifices of our Veterans matter more that political correctness? Just because we may not like a particular historical outcome, should that history be changed? I think not.

## 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.”**

# Bad Public Policy: The Unnecessary Westside Annexation

*By Jamie Grabert, Publisher*

News stories are typically assigned to staff writers. Editorials and columns are typically outsourced or requested from respected writers. But in this case, because of the importance of this issue, we are denouncing the city's attempt to tap another funding source by taking more money from the people of the Westside. We would like to make a few points about our belief that annexing the Evansville's Westside is an unnecessary step and will fiscally stretch the city more than it will help.

The hearing is less than a week away. Westsiders are scrambling to find any way they can to prevent the proposed (and seemingly inevitable) annexation attempt by Evansville Mayor Jonathon Weinzapfel.

We have spent week's researching annexation laws and listening to the people's opinions on this issue. In this story, we will present some of our findings.

Here are a few points the Evansville City Council needs to consider:

- Can the city afford to increase fire and police protection in that area?
- Is the city prepared for the increase in water and sewer flow that will be required by State Law within two years?
- Does the city realize it may be 2011 before they even see a dime from the annexed area, while they will be forced to make infrastructural improvements within that time? Does

the city realize that means an increase in the costs to do business by the utility? Do the people realize this will mean the city may be forced to raise the rates of these services?

- Who is going ultimately to benefit from annexing this area? No one, at least not for many years.

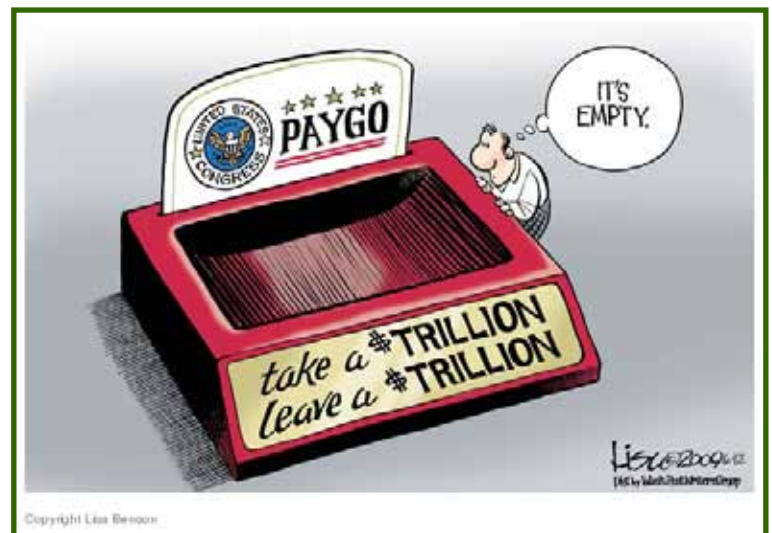
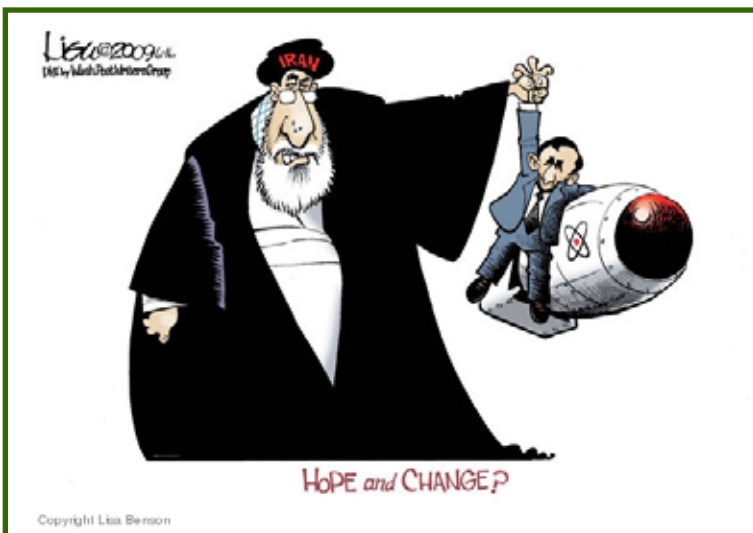
- Is the city willing to honor or entertain existing tax abatements for commercial and/or industrial businesses located in the proposed annexed area?

- Does the city realize that according to IC 36-4-3-10, the city will be required to pay any debt the proposed annexed area has accumulated?

- The volunteer fire departments and Vanderburgh County Sheriff's Deputies are doing an outstanding job in this area. While we have all confidence in the world in the men and women of the Evansville Fire Department, they continue to fight for the basic firefighting equipment needed to serve the people.

Here are a few fiscal points to think about:

- How much will it cost the people of Evansville if annexation becomes a protracted legal battle?
- What is the initial investment the city will have to make to annex the proposed area without being in violation of state law?
- How long will it take the city [the taxpayer] to recoup the costs associated with annexation?
- How much is the City of Evansville currently in debt?



# — THE CITY-COUNTY OBSERVER —

## EDITORIAL

### Westside Annexation

•Can the city afford to maintain the additional roads and streets at time when there is a decrease in the funds coming from the Wheel and Excise taxes, which is where a majority of the money comes from to maintain and fix roads and streets? What about the sidewalks and street lights that may be necessary in some areas?

•What will the newly annexed area cost the city to maintain annually, in terms of increased fire and police protection, roads and streets, water and sewer services?

For years, politicians have used growth and development as their basis for deciding to annex particular areas. Why is it then that they only seem to want to annex areas that are thriving and appear to be making money? Areas of quick growth are a breeding ground for annexation fears. And essentially, that's what we have going on in this fair city.

Here's the perceived fact: "We need more money to spend on unnecessary items, like a new downtown arena, \$655,000, 55-space parking lot at the McCurdy on the riverfront, astronomical expenses associated with urban blight throughout the entire city, etc.; so let's go after an area that is providing quality goods and services and seems to be experiencing growth."

Upon further research, we discovered that annexation is not only a municipal matter, but it is also a county matter. According to Indiana Code 36-4-3-9.1, "the consent of the executive of the county is first obtained" before annexation can be legal. Phone calls made to the Vanderburgh County Commissioners [the executive branch of county government] revealed that the county commissioners have not discussed this matter in an open meeting.

After carefully considering the pros and cons of the proposed Westside Annexation, the City-County Observer has determined it is not beneficial to the people of Vanderburgh County. This is especially true given the mistrust of the people following the recent discovery of Mayor Weinzapfel's and Evansville City Council members' failure to continue the local Homestead Credit without voting on or discussing the matter in an open meeting.

In essence, it is bad public policy to annex the proposed Westside area. It is our stance that if the City Council will not do away with the entire plan to annex, they should at least drop the proposed residential annexed area from the plans.

### 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.

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# Who's in control of the city finances?

By Franz Schroeder

Call it ideology. Call it wishful thinking. Call it what you will. I was under the belief that a community belongs to its people. I believe the people elect people they hope will make decisions in their best interest. But time and time again those we elect to lead us in the right direction as a community choose the path of what's best for them as politicians.

Yesterday, I had the privilege of speaking with Marsha Abell about the status of local politics. We talked about how people are sacrificed for the furthering of another person's agenda. There's no disputing this is the case in Evansville. It is worth sacrificing the best interests of a community with a proud, dedicated and hard-working history just to be governor? Is it worth being part of a governing board that is supposed to be the fiscal protector of the city but in an actuality is merely a board of pawns? Is it worth sacrificing your own principles to cover the lies and trickery of one person? Can you still look at the person in the mirror and know you are serving in the best interest of those who put their trust and hope in you?

It disappoints me to have the knowledge of things that really go on in this city. I find it grotesque that one man is allowed an open bankroll and continues to rule as a czar, while those "beneath" him are forced to fall on his sword for his poor decisions. The buck has been spread around, along with many empty promises, and it's time for the buck to stop. The tantrums and unwarranted spending must stop.

The State of Indiana spells out clearly the roles of the city council and the mayor. Guess what – the city council has the fiscal power and control to tell the mayor "no."

After some research and quality time on the state website, it was determined that a separation of powers is undoubtedly necessary in terms of local government. Here's what the Indiana Code says:

## IC 36-4-4-4

### Legislative powers and duties

*Sec. 4. (a) The legislative power of a city is vested in its legislative body. All powers and duties of a city that are*



*This political cartoon was created to make the point that the mayor's excessive spending on pet-projects must stop immediately.*

*legislative in nature shall be exercised or performed by its legislative body. The legislative body of a city may not elect or appoint a person to any office or employment, except as provided by statute.*

*(b) The legislative body may manage the finances of the city to the extent that that power is not vested in the executive branch.*

*As added by Acts 1980, P.L.212, SEC.3.*

It's time for the Evansville City Council (Missy Mosby, Wendy Bredhold, BJ Watts, Curt John, Dr. Dan Adams, Dan McGinn, Connie Robinson, John Friend and Donald Walker) to stand up for the taxpayers. It's time for the Evansville City Council to realize that it was the taxpayers who put them into office, not the mayor, and it is the taxpayers who will remove them from office. Political agendas won't matter if you can't retain your seat.



# Federal Grants now available for farmers and rural small businesses

Even in today's economy, there are federal grants available to assist Hoosier farmers and rural small businesses with needed capital to add value to their products or improve energy efficiency on their farms. The Indiana State Department of Agriculture (ISDA) is always looking for opportunities to encourage and promote agriculture within the state and feels the following federal grants are an additional resource to offer Hoosier farmers. The two grants available through the U.S. Department of Agriculture (USDA) are the Value Added Producers Grant and the Rural Energy for America Program Grants/Renewable Energy Systems/Energy Efficiency Improvement Program (REAP/RES/EEI).

"Each year Congress appropriates funding for various grants to accomplish specific goals and initiatives within federal government agencies. These grants are excellent opportunities for farmers or small businesses to go directly on-line, apply for the grant and get the funding," said Amy Eizinger-Ott, ISDA grants coordinator. "They do not need to be a part of any group and they will be pleasantly surprised at the numerous resources available to assist them through the application process."

The USDA's Value Added Producers Grant is intended for the independent producer, agriculture producer group, farmer/rancher cooperative or majority-controlled producer-based business venture. Funds can be used to create marketing opportunities and to help

develop business plans for viable marketing opportunities. Applications are due to USDA by July 6th. For more information please visit USDA's Web site.

USDA's REAP/RES/EEI provides funds to agricultural producers and rural small businesses to purchase and install renewable energy systems and make energy efficiency improvements. Eligible renewable energy projects include projects that produce energy from wind, solar, biomass, geothermal, hydro power and hydrogen-based sources. The projects can produce any form of energy including, heat, electricity or fuel. Projects must be located in a rural area, be technically feasible and be owned by the applicant.

Grants are awarded on a competitive basis and can be up to 25 percent of total eligible project costs. Grant requests can range from \$2,500 to \$500,000 for renewable energy systems and \$1,500 to \$250,000 for energy efficiency improvements. Additional information can be found on the USDA's Web site and applications are due July 31, 2009.

For more information on these or other current grants available, go the ISDA Grants Web page. It is updated weekly with current federal and foundation funding that agricultural producers' may find useful. In addition to grants there are a number of resources listed on this site to assist first time grant applicants along with step-by-step guides on how to register with the federal government.



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## IDEM honors Evansville's Bethany Little Disciples Day Care Ministry for environmental stewardship

Indiana Department of Environmental Management (IDEM) Southwest Regional Office Director Troy Woodruff presented Bethany Little Disciples Day Care Ministry in Evansville with a plaque congratulating the organization for its induction into the Five Star Environmental Recognition Program for Child Care Facilities today.

In qualifying for five stars, Bethany Little Disciples has taken voluntary steps to protect the children in their care from environmental hazards. "Our entire facility really wanted to participate in this program," said Martha Doan, director of Bethany Little Disciples Day Care Ministry. "We earned one star earlier this year and decided we were going to do all we could to earn the full five stars. In fact, we reduced our pesticide usage by more than 30 percent when we implemented integrated pest management. It's great to know the steps we've taken really make an impact in the lives of the children."

The Five Star program recognizes child care facilities that go above and beyond mandatory licensing requirements and demonstrate environmental stewardship. Facilities earn one, three or five stars based on the extent of their voluntary measures; IDEM assists facilities in implementing the plans and conducts site visits before granting facilities membership. In

the past two years, stars have been awarded to 58 child care providers to make their facilities safer for almost 4,000 Hoosier children.

Woodruff explained why the Five Star program was originally launched. "We developed a way to recognize child care providers because we believe children deserve a safe place to learn and play," he said. "With over 100,000 children attending day care in more than 4,000 facilities throughout the state, we felt child care providers play an important role in educating parents about environmental health hazards, such as mercury, lead, and radon."

Joining Bethany Little Disciples in the Five Star program are Dream Weaver Before & After School and Sugar 'N Spice, both of Indianapolis; Little U Academy, Valparaiso; First English Lutheran Nursery School, Mishawaka; Early Childhood Development Center, Inc. at Notre Dame and Early Childhood Development Center, Inc. at Saint Mary's College, South Bend.

Child care facilities can obtain additional information about the program by calling Karen Teliha, Community Environmental Health & Education Coordinator, at (800) 988-7901, or by visiting [www.idem.IN.gov/4180.htm](http://www.idem.IN.gov/4180.htm).

### 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."**

## NEW USI PRESIDENT TO SPEAK IN NEW HARMONY ON JULY 4

NEW HARMONY, IN (June 12, 2009) – The town of New Harmony will celebrate our nation's birth at its 194th annual Fourth of July celebration. Dr. Linda L. M. Bennett, who will become University of Southern Indiana's third president on July 1, will give the keynote address entitled, "New Harmony, Education, and the Common Good".

Dr. Bennett, a political science scholar, has presented conference papers on topics in political science at national and international conferences. She earned her undergraduate, master's, and doctoral degrees from the University of Cincinnati. She taught political science at Wittenberg University, Northern Kentucky University, and was dean of the College of Arts and Science at Appalachian State University before coming to USI in 2003. She served as provost and vice president of Academic Affairs at USI before assuming the presidency. She has 25 years of teaching experience and more than 11 years in higher education administration.

In addition to Dr. Bennett's featured speech, the town of New Harmony will commemorate the event with patriotic music and a reading of the Declaration of Independence by New Harmony resident Curt Schmitt. The festivities begin at 10 a.m. at the Atheneum/Visitors Center located at 401 N. Arthur Street. This event is free and open to the public.

The decorated golf cart parade will begin at 11 a.m. from the grounds of the Atheneum/Visitors Center and the celebratory activities will move to Maclure Park where the community picnic will take place. Music will be provided by Bob Minnette and the Dixieland Society. The picnic will feature a variety of food items for sale, including hot dogs, hamburgers, bratwurst, cobbler, and ice cream. Games for kids of all ages will be available.

Tri Kappa and the Kiwanis Club of New Harmony will jointly present an award for the "Outstanding Community Volunteer" during the July 4th festivities. This award will honor an individual in appreciation for work which has benefited others in New Harmony. In addition to the award, the Kiwanis Club

of New Harmony will have a raffle with proceeds going to Riley Children's Hospital.

In the tradition of New Harmony's founding Harmonists, free (root) beer will be available for all attendees. During early celebrations of the Fourth of July, members of the Harmonie Society would invite area residents into their community offering locally brewed beer to their guests.

New Harmony's Traditional Fourth of July Celebration is sponsored by the Kiwanis Club of New Harmony, the Friends of the Working Men's Institute, and Historic New Harmony.



# Scholarship 101

*By Greg Granger, Diva La Sports*

It is no longer only a man's world. This statement holds true in today's college athletic environment.

In 1972 Congress passed the Educational Act of 1972 which included Title IX. In 1974 Congress rejected an effort to exclude athletic programs from the scope of the Educational Amendment Act of 1972. Recently the NCAA released data from its 2002-03 NCAA Gender Equity Report. The report reflects a slight gain for women participating in an intercollegiate athletics over the past year but large gains in some areas compared to the past decade. There were slight gains in female student athlete participation between the 2002-03 report and the data from the 2001-02 report.

The proportion of female student athletes participating in intercollegiate athletics was 44% in Division I and 40% in Division II. In comparing studies that dated back to 1991-92 the female student athlete participation rate increased from 31% to 44% in Division I and 32% to 40% in Division II.

As far as scholarship dollars, the increase on the women's side was evident but still lagged behind the men's portion. In Division I, men received 58% of scholarship dollars while women received 42%. Among the divisions that sponsor football, women received 35% or less of the dollars in the recruiting budget.

Against this backdrop of gains in athletic scholarships, it is important to understand several points about athletic scholarships in Division I and II schools.

1. There is no such animal as a 4-year scholarship. All athletic scholarships awarded by NCAA schools are limited to one (1) year and are renewable annually. An athletic scholarship can only be reduced or cancelled after notice to the student athlete and an opportunity for hearing. Not all student-athletes receive a full scholarship. A coach is allowed to spread out financial aid over a number of student-athletes.

2. Athletic scholarships can be renewed annually for a maximum of five (5) years within a 6-year period of continuous college attendance.

3. An athletic scholarship cannot exceed the cost of attending the institution. Typical athletic scholarship awards include the cost of tuition, room and board, textbooks and student fees. Certain outside governmental grants are excluded in calculating the value of a student's financial aid package. Athletic awards based on academic achievement

are permitted.

4. All awards must state in writing the amount, duration, conditions and terms.

5. The National Letter of Intent is administered by the Collegiate Commissioners Association (CCA) not by the NCAA. The National Letter of Intent is not the same as an athletic scholarship. The National Letter of Intent places restrictions upon the student's ability to transfer among conference member schools and within the NCAA. An athletic scholarship is an agreement between the student athlete and the college in which the student athlete agrees to abide by the rules and regulations of the college awarding the aid as well as the college's conference affiliation.

6. The wrong college decision can cost you valuable time and experience. Take the time to evaluate the school, the coach and whether the school offers the curriculum for the particular major you wish to pursue. The National Letter of Intent contains the following penalty provision:

I understand that if I do not attend the institution named within this document for one full academic year, and I enroll in another institution participating in the NLI program, I may not represent the latter institution in intercollegiate athletics competition until I have completed two full academic years of residence at the latter institution. Further, I understand I shall be charged with the loss of two seasons of intercollegiate athletics competition in all sports, except as otherwise provided in this NLI. This is in addition to any eligibility expended at any institution.

The following additional language is found in the National Letter of Intent:

I understand I have signed this NLI with the institution and not for a particular sport or individual. If the coach leaves the institution or the sports program, I remain bound by the provision of this NLI. I understand it is not uncommon for a coach to leave his or her coaching position.

The above language stresses the importance of making an informed and thorough decision on which institution to attend. If your feelings regarding the team, the coach or the institution change in your first year, you may have to sit on the sidelines for two years and in the process lose two years of athletic eligibility. Do not base your decision solely on the team and coach for the particular sport you wish to play. The coaches decision to leave the institution or the institution's decision to terminate the coach's contract does not relieve



# Scholarship 101

you of your obligations under the NLI.

7. An athletic scholarship is not a free ride. In the mid 1960's a football player, Gregg Taylor, attended Wake Forest University on an athletic scholarship. At the end of his first semester his grade point average was 1.0 out of a possible 4.0. The university required freshman athletes to carry a 1.35 after their freshman year. Gregg Taylor informed his coach that he would not participate in the Spring practice in order to concentrate on improving his grades. His efforts were successful as he improved his grade point average to 1.9.

Despite this improvement Taylor decided not to participate in the football program. The university at the end of his sophomore year terminated his athletic scholarship. He subsequently graduated from Wake Forest and then sued the university to recover his expenses for his two final years of attendance. In *Taylor v. Wake Forest University*, 191 S.E.2d 379 (N.C. Ct. App. 1972), the North Carolina Court of Appeals relied upon the language of the scholarship which stated it was "awarded for academic and athletic achievement" to conclude: "Participation in and attendance at practice were required to maintain his physical eligibility. When he refused to do so in the absence of any injury or excuse other than to devote more time to studies, he was not complying with this contractual obligations."

In its ruling, the North Carolina Court emphasized the contractual and somewhat business aspect of the athletic scholarship relationship between the institution and the student-athlete.

Your years at college are some of the most enjoyable, educational and rewarding years of your life. If you have the opportunity to play competitive college athletics and have been granted an athletic scholarship, your dedication and hard work will provide you with lasting friendship and memories.

For additional scholarship information consult [www.ncaa.org](http://www.ncaa.org) and [www.national-letter.org](http://www.national-letter.org).

*Greg A. Granger is a partner in the Evansville, Indiana law firm of Bowers Harrison, LLP. Greg is a Certified Contract Advisor with the National Basketball Players Association. He is also counsel to the Evansville Bluecats, a member of the United Indoor Football Association.*

*Greg has been in private practice in Indiana since 1983. He graduated from Indiana University Bloomington with a B.A. in Forensic Studies in 1978 and received his J.D. from Indiana University in 1983.*

*In addition to his sports law practice, Greg practices in the area of civil litigation before state, federal and appellate courts. He is a member of the Evansville and Indiana State Bar Associations as well as the Sports Lawyers Association.*

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# Athletic Abuse

**by Nicholas Romain, Diva La Sports**

It was a cold, rainy early winter afternoon about five years ago, but I still remember it like it was yesterday. The coach on the field next to ours kept vehemently telling one of his players that she "sucked", that she "had no business being on the soccer field," and to add further damage to the situation-not to mention the girls self-esteem- the coach made her sit by herself at the end of the bench in the cold rain. This wasn't a professional game, and the player wasn't a tough high school athlete, she was, however, only nine years old. I don't believe the girl has played any sport since. I'm not even sure if she had said something derogatory to the coach, and it doesn't matter...coaches (at all levels) need to have RESPECT for individual players as

people first, players second, and team members third...that winning at all cost is meaningless if it crosses the barrier of self-worth and/or abuse for players or coaches. (The coach was a female)

The Women's Sports Foundation, which has extensive studies on what constitutes athletic abuse, does a good job in keeping the public aware of policies and cases that make headlines. You hear about it all the time, that a coach went berserk and hit a player, or that a parent got into it with a coach. However, what we sometimes fail to hear about is the everyday abuse that young athletes take from coaches that fly under the media and legal radar, but yet results in permanent damage being done to the young athlete's mindset. (see related article on the Womens' Sports Foun-

## Athletic Abuse

dation website)

These coaches, perhaps most being new to the coaching ranks, or so very young themselves that they haven't learned the fine art of people skills, are more often than not attempting to coach in the same manner as they were coached. Unfortunately, what usually happens is that these personally un-people-skilled coaches are only coaching because they know the sport, not because they are particularly gifted with teaching the sport. (I recently heard about a young High School Star Athlete that was so humiliated by words from her new coach that the girl not only quit the sport that she loves...and was also considered to be the best in her grade level...but she also now risk losing a potential great scholarship in that sport.)

Most of us have heard the stories about the great athlete rising up from the junior ranks only to fall off the sports-radar after entering high-school...but, is it the coaching profession that is at fault, the parents, the school, the system or is it just a lack of RESPECT for young athletes in general.

The example given above happened just this year in one of our local schools, and unfortunately, it happens everywhere...perhaps, athletes (male and female) don't understand their rights as players, or don't want to rock the boat...but, athletes, both professional and youth alike, have rights against athletic abuse, no matter how insignificant it may seem. Listed below is a link to a great article on athletic abuse.

As always, Diva La Sports will seek to find information

We are looking for sports stories that haven't been told. The City-County Observer is looking for any kind of sports information you would like us to publish. Have a tournament coming? Did your T-Ball team win a game? Do you have an interesting sports story to tell, email it to us at [citycountyobserver@live.com](mailto:citycountyobserver@live.com).

that addresses issues for female athletes, and sometimes athletes in general. As a former girls basketball and soccer coach, and with many years of sports media experience, I can honestly say that about 99% of the coaches I have ever met, have 100% of the players interest at heart, but it's that 1% that continues to upset the profession.

Perhaps, with more emphasis being placed on mutual-respect between player and coaches, sports will get better, young athletes will continue to play...or perhaps, it will take a tighter and more provocative look at who's coaching our kids in the first place...then again, perhaps better communication and respect is needed in all sports, at all levels, at all times...otherwise, we will continue to see good young athletes just disappear off the sports radar screen, sometimes so adversely damaged that their self-worth and human spirit never recovers...at least not in time to catch up to what should have been a beautiful experience!

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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

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