

Decision about temporary asphalt plant placement may be rendered Friday

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Officials of Austin may soon learn the fate of their request to deny a Cincinnati company the ability to install a temporary asphalt plant on North Dowling Drive west of the I-65 interchange.

City councilmen, Mayor Doug Campbell and others asking for a declaratory judgment against the John R. Jurgensen Company and Valley Asphalt Corporation should get a ruling by Scott Circuit Court Judge Roger Duvall on Friday, August 16.

Judge Duvall conducted a bench trial at the courthouse in downtown Scottsburg most of Monday, August 12. Both sides presented their arguments for and against allowing the plant to operate through most of 2014. The Jurgensen firm was awarded a multi-million-dollar contract from the Indiana Department of Transportation to repair and repave Interstate 65 from the Scottsburg interchange at State Road 56 to the Seymour interchange at State Road 50.

A previous request by the City of Austin for a preliminary injunction was denied by Judge Duvall on July 24. The injunction would have prevented Valley/Jurgensen from continuing to improve the site in preparation for installation of the plant.

To expedite the final decision, Judge Duvall set the August 12 date for a bench trial. Bench trials do not require juries. Arguments are instead presented to the presiding judge.