WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
November 14, 2016
4:00 P.M.

The Warrick County Commissioners met in regular session with Don Williams, President; Richard Reid; Vice President; and Marlin Weisheit; Member. Attorney Todd Glass attended.

President Don Williams called the meeting to order at 4:00 PM.

Auditor Debbie Stevens and Secretary Kristine Georges attended and recorded the minutes.

PLEDGE OF ALLEGIANCE

Don Williams: Thank you. Please be seated. We have quite a bit of Area Planning Commission today, but before that we have a Public Hearing.

PUBLIC HEARING
VACATION OF UTILITY EASEMENT ACACIA RESIDENTIAL DEVELOPMENT

Sherri Rector: Yes.

Don Williams: So, I entertain a motion to recess for the Public Hearing.

Richard Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Motion has a second, we are in recess. The matter of the first Vacation, I understand that has been postponed?

Sherri Rector: Ah, yes. Notice wasn't put in the newspaper so it will have to be continued until your first meeting in December.

Don Williams: Okay. Then we've got the Acacia. Are you here to represent that, Sir?

Bill Bivins: No, the next one, Sir.

Don Williams: That's what I mean, the second one (1), the matter of Petition to Vacate the east six (6) feet of the Public Utilities Easement. Is that you?

Bill Bivins: Yes.

Don Williams: Can you state who you are and who you represent?

Bill Bivins: Bill Bivins, Engineer. The owner…

Jonathan Alstatt: Jonathan Alstatt.

Don Williams: Anything you'd like to say?

Bill Bivins: There was a twelve (12) foot public utility on the west side of this lot. No utilities are in the easement and in order to put a garage there why he needs to vacate six (6) feet of it.

Sherri Rector: The subdivision had a building envelope, Mr. President, and so they're re-platting it so he will be able to build an attached building and it was found that there was an easement that needs to be vacated. We do have all notices from the utility companies and the people in the subdivision.

Don Williams: You mean as far as utilities are concerned, it's clear?

Sherri Rector: Yeah, we didn't get any correspondence back from 'em.

Bill Bivins: And, and no response from them.

ACTION ON PUBLIC HEARING

Don Williams: Okay. Anybody else have a comment? Any questions from the Board? Is there anyone here from the public who would like to address this issue at the Public Hearing? Hearing none, I'll call the Commissioner's Meeting back into operation here. We're back in the Commissioner's Meeting. Item B, Subparagraph 3, vacating the east six (6) feet of public utility, west side, Lot 10 of the Corrected Plat of Sunrise Manor, Amended Plat of Acacia Residential Development. Is there any questions or anything anyone would like to say? If not I'll need the Ordinance Number.

Richard Reid: Twenty-one (21).

Don Williams: Anybody on the Board have anything else?

Marlin Weisheit: I have none.

Don Williams: I'll entertain a motion.

Richard Reid: I'll make a motion for approval of Ordinance 2016-21.

Marlin Weisheit: Second.

Don Williams: Motion has a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries (3-0).

Bill Bivins: Okay, thank you. It's been a pleasure working with you two (2), and...

Don Williams: It's been a long time, Bill.

Bill Bivins: It sure has, it sure has for both of us. Okay, thank you much.

Don Williams: Yeah.

Jonathon Alstatt: Thank you.

(Ordinance 2016-21 is located on Pages 22 through 24 of these Official Minutes)

AREA PLAN COMMISSION
STREET CONSTRUCTION PLANS
ARBOR POINTE SECTION 3

Don Williams: Area Plan, Sherri, you got the helm here.

Sherri Rector: Okay. The first items are Street Construction Plans. The first is Primary Plat 16-07-A, Arbor Pointe Section III, by Route 66 Development, LLC, Bruce Bennet, Member. Owner is the same. It's twenty point four (20.4) acres located on the east side of Grimm Road, zero (0) feet northeast of the intersection formed by Grimm Road and State Road 66 in Ohio Township. This was previously platted with private easements, however they've amended the plat for them to be public right-of-ways and Mr. Howard has inspected the street plans and the Certificate of Compliance.

Don Williams: Mr. Morley, do you have anything you'd like to say, Sir?

Jim Morley, Jr.: No, just the same subdivision that we did a couple of months ago. Only they changed their minds and wanted to make the street public now.

Don Williams: Mr. Howard, your comments?

Bobby Howard: The street plans are in compliance with the Subdivision Control Ordinance and would recommend approval.

Don Williams: Any questions from the Board?

Richard Reid: None.

Don Williams: I'll entertain a motion please.

Richard Reid: I'll make a motion to approval of Street Construction Plan for PP-16-07-A, Arbor Pointe, Subdivision III.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor let it be known by saying, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Jim Morley, Jr.: Thank you very much.

(Street Construction Plan for PP-16-07-A are located on Pages 24 through 27 of these Official Minutes)

BASELINE PLACE SUBDIVISION

Sherri Rector: The next subdivision is Primary Plat 16-16, Baseline Place Subdivision, by Newmaster EERWA Development LLC, Thomas E. Newmaster, Owner. It is fifty-two point one-five (52.15) acres located on the northwest side of Baseline Road and St. John's Road approximately zero (0) feet northwest of the intersection of Baseline Road and St. John's Road in Campbell Township. They're requesting no improvements to Baseline Road or St. John's Road. There are no interior streets within the sub...within the new subdivision. And Mr. Howard has reviewed it.

Don Williams: Is there anyone here to represent this? We talked to Mr. Newmaster at the Drainage Board. No comments, Mr. Howard?

Bobby Howard: On the requesting no improvements, I recommend approval.

Don Williams: So you have a problem, no problem with not approving Baseline...

Bobby Howard: No.

Don Williams: Or St. John's. Gentlemen, what's your will?

Marlin Weisheit: I make a motion to approve PP-16-16.

Richard Reid: Second.

Don Williams: I have a motion and a second to approve PP-16-16. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries (3-0). Thank you.

(Street Construction Plans for PP-16-16 are located on Page 27 of these Official Minutes)

CAROLYN JEANETTE WILLIAMS ESTATE SUBDIVISION

Sherri Rector: Number three (3) is Primary Plat 16-17 Carolyn Jeanette Williams Estate Subdivision, by Williams Landholdings, LLC, by Carolyn Jeanette Williams Family Trust, Trudy Miller, Trustee. Owner is the same. It's five point five (5.5) acres located on the south side of State Road 662, zero (0) feet southwest of the intersection formed by State Road 662 and Pollack Avenue in Ohio Township. They're requesting no improvements to Pollack Avenue. This is just doing a two (2) lot subdivision, adjusting property lines for their trucking company and for the residents there. Bobby's reviewed.

Jim Biggerstaff: This is basically the same as the drainage. It's all family. Everything's preexisting. We're just dividing it up, the property, into two (2) parcels.

Don Williams: Ma'am, you have anything you would like to say?

Jim Biggerstaff: This is Trudy Miller, she's a...

Don Williams: Yes.

Jim Biggerstaff: Trustee.

Don Williams: Trustee. Are there any questions from the Board?

Marlin Weisheit: I have none.

Richard Reid: No.

Don Williams: Any comments from anybody? I'll entertain a motion.

Marlin Weisheit: I'll make a motion to approve PP-16-17.

Richard Reid: Second.

Don Williams: Motion and a second, all in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye. Motion carries (3-0).

Jim Biggerstaff: Thank you.

Don Williams: Thank you.

(Street Construction Plans for PP-16-17 are located on Page 28 of these Official Minutes)

SPRING CREEK SUBDIVISION

Sherri Rector: Number four (4) is Primary Plat 16-18, Spring Creek Subdivision, by Spring Haven, LLC, John Elpers, Manager. Owner, same. A subdivision of Lot 2 in Martin Bell Subdivision. And also part of the northwest quarter from the southwest corner of 22-6-8, in Ohio Township, being nineteen point four-seven-one (19.471) acres, located on the east side of Bell Road and on the south side of Vann Road approximately two hundred fifty-nine (259) feet east of the intersection of Bell and Vann Road. Bobby has reviewed the street construction plans and the Certificate of Compliance.

Don Williams: If you would introduce yourselves.

Glen Meritt: Glen Meritt with Cash Waggner.

John Elpers: John Elpers, the developer.

Don Williams: Do either one (1) of you, Gentlemen, have anything you'd like to say?

Glen Meritt: I mean, it's the same thing we brought before you, before the Drainage Board. There are fifty-one (51) lots, single family residential, southeast corner of Vann and Bell. We do have two (2) entrances. One (1) on Bell Road and one (1) on Vann Road. And I say, Bobby's reviewed the plans and I think they're ready for approval.

Don Williams: Mr. Engineer, you have any comments?

Bobby Howard: I have reviewed the plans and would recommend approval at this time.

Don Williams: Any questions from the Board?

Richard Reid: None.

Marlin Weisheit: None.

Don Williams: Entertain a motion.

Richard Reid: I make a motion for approval of PP-16-18.

Marlin Weisheit: Second.

Don Williams: Motion and a second, all in favor let it be known by saying, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Richard Reid: Good luck on that.

Don Williams: Thank you, Gentlemen.

Sherri Rector: I do forget to mention, that I know you've seen the plats in the Drainage Board and you do have a copy of them in your packets.

Don Williams: But this is a different meeting.

Sherri Rector: Right, and just so, I do have larger ones if you need to see them.

(Street Construction Plans for PP-16-18 are located on Pages 28 through 30 of these Official Minutes)

HIGH POINTE CENTRE

Sherri Rector: The next one is number five (5), Primary Plat 16-19, High Pointe Centre North Section 4 PUD, by Ubelhor Homes, INC, Daniel Ubelhor, President and Ortez Alaya, is that right?

Jim Morley, Jr.: Alaya.

Sherri Rector: Alala, huh?

Jim Morley, Jr.: Alaya.

Sherri Rector: Alaya, LLC, Melvin Ortex, Member. Owner is the same. It's a re-plat of Lot 2 in High Pointe Center North Section 4 PUD, and a re-plat of Lots 42, 43 in High Point Center North, Section II, Phase II, and being four point eight-three (4.83) acres located on High Pointe Drive approximately one hundred (100) feet east of the intersection formed by High Point Drive and Bell Road in Ohio Township. They're requesting no improvements to High Pointe Drive and this is creating an additional lot. And Bobby has reviewed the subdivision plat and request.

Don Williams: Mr. Engineer, your comments?

Jim Morley, Jr.: Jim Morley, Jr., Morley and Associates, Project Engineer. I just, there's no new building lots, this is all the same streets. I'm sorry, new building lot, no new buildings, uses all the same streets.

Don Williams: Mr. Howard, you have any comments?

Bobby Howard: Yes, this utilizes the existing entrances. I recommend their approval to their requests.

Don Williams: Any questions from the Board?

Richard Reid: None.

Marlin Weisheit: None.

Don Williams: Entertain a motion.

Richard Reid: I'll make that motion for approval of PP-16-19.

Marlin Weisheit: Second.

Don Williams: Have a motion and a second. All in favor say, aye.

Marlin Weisheit & Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Jim Morley, Jr.: Thank you.

Don Williams: Thank you, Mr. Morley.

(Street Construction Plans for PP-16-19 are located on Page 30 of these Official Minutes)

FELDBUSCH SUBDIVISION

Sherri Rector: And number six (6) is Primary Plat 16-20 Feldbusch Subdivision, by Lisa Feldbusch Trust, Lisa Feldbusch, Trustee and Mulzer Crushed Stone, Mark Mulzer, Vice President. Owner is the same. Is a re-plat of Lot 68 and the east fifty (50) feet of Lot 67 in Power's Place. Also a part of Lot 2 of Waterworks number 2, Minor Subdivision, and a part of the northwest corner of 4-7-9 in Ohio Township. Being point six-seven (.67) acres located on the south side of Pollack Avenue, approximately four hundred (400) feet south of the intersection by Power's Drive and Pollack Avenue. They're requesting no improvements to Power's Drive. Mr. Feldbusch is simply putting this property together to build an unattached accessory building.

Mike Feldbusch: With a man cave.

Sherri Rector: With a man, yeah, a man cave.

Don Williams: I was gonna ask you if you had anything to say, Mr. Feldbusch.

Mike Feldbusch: No, I just wanted to say I was here with the owners, Lisa Feldbusch and Bart Mulzer of Mulzer Crushed Stone. And if you, if you have any questions, be glad to answer them. But there are no improvements.

Bobby Howard: Recommend approval of their request

Don Williams: Any questions from the Board?

Richard Reid: None.

Marlin Weisheit: I have none.

Don Williams: Entertain a motion.

Richard Reid: I'll make that motion for approval of PP-16-20.

Marlin Weisheit: Second.

Don Williams: I have a motion and I have a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries (3-0).

Mike Feldbusch: Thank you.

Don Williams: Thank you, Sir.

Roger Emmons: Thank you, Mike. Take care.

(Street Construction Plans for PP-16-20 are located on Page 31 of these Official Minutes)

REZONING PETITION
SPRING HAVEN

Sherri Rector: The next item is Rezoning Petition. PCR 16-09, Petition of Spring Haven, LLC by John Elpers, Managing...Manager. Owner is the same. To rezone two point two-eight-seven (2.287) acres located on the south side of Vann Road approximately two hundred fifty-nine (259) feet east of the intersection formed by Bell Road and Vann Road in Ohio Township from A. Agriculture to R-1-1 Family Dwelling. It was a unanimous recommendation of approval by the Planning Commission at their October 10th, 2016 meeting. This is a part of the Spring Creek Subdivision that you just approved the street construction plans for.

Richard Reid: What's your Ordinance Number?

Don Williams: Twenty-two (22).

Sherri Rector: We should be twenty-two (22).

Don Williams: Last one (1) was twenty-one (21).

Richard Reid: (Inaudible).

Don Williams: Yeah. If any one of you, Gentlemen would introduce yourselves and...

John Elpers: John Elpers the Developer.

Don Williams: You have anything you'd like to say?

Scott Buedel: This is just the missing piece for the Subdivision that you just approved road plans on. Just a one (1) acre piece that John picked up additional property on, make a better layout for the subdivision.

Richard Reid: Is that the one (1) right on the corner?

Don Williams: It's not the one (1) right on the corner, it's the one (1)...

Sherri Rector: It's the one (1) next to..

Don Williams: Everything but the corner lot. I think the corner belongs to (inaudible).

Sherri Rector: He'd like that one (1) too, wouldn't he?

Scott Buedel: (Inaudible).

Don Williams: Any questions from the Board?

Marlin Weisheit: None.

Richard Reid: None.

Don Williams: Is there anyone here who would like to remonstrate for or against the Petition for Rezoning? Hearing none, do we have a motion?

Richard Reid: I make a motion for approval of Ordinance 2016-22.

Marlin Weisheit: Second.

Don Williams: Motion has a second, all in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, it's approved (3-0).

Scott Buedel: Thank you.

Don Williams: Thank you, Gentlemen.

(Ordinance 2016-22 is on Page 31 of these Official Minutes)

REQUEST FOR EXTENSION OF SURETY ARBOR POINTE SUBDIVISION

Sherri Rector: The next item is Request for Extension of Surety, Arbor Pointe Subdivision, Section II, Phase III, by New Urban Development LLC, Brian Murphy, Member. Street construction they're requesting a one (1) year extension with no reduction of thirteen thousand three hundred and forty-three dollars ($13,343.00). They've only had three (3) years. The Letter of Credit expires December the 20th, of this year. Bobby has reviewed and signed off.

Don Williams: Anybody here to represent this issue? If you would, just come on up. Glen, good to see you again. You have any comments, Sir?

Glen Merritt: Glen Merritt with Cash Waggner. No, I honestly didn't realize this one (1) was coming up. We submitted a revised Letters of Credit for some sidewalks that were put in. But the streets, like Sherri said, have not finished the punch list items that Bobby and Steve had given us, so they're requesting that one (1) year extension on the streets.

Don Williams: Thank you. Mr. Howard, is the money right?

Bobby Howard: Yes, I'd recommend approval.

Don Williams: Any questions from the Board? If not I'll entertain a motion.

Richard Reid: So moved.

Marlin Weisheit: Second.

Don Williams: I have a motion and a second to approve the Arbor Pointe, Section II, Phase III request. All in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Motion carries (3-0).

Glen Merritt: Thank you.

(Request for Extension of Surety, Arbor Pointe, is located on Page 32 of these Official Minutes)

REQUEST FOR ACCEPTANCE OF STREETS FOR MAINTENANCE/REQUEST FOR ACKNOWLEDGEMENT OF SIDEWALKS HUNTINGTON CREEK SUBDIVISION

Sherri Rector: Okay, next item, I say the next two (2) actually, the first one (1) is request for Acceptance of Streets for Maintenance, Huntington Creek Subdivision, Section II, by Newburgh Development Group, Aaron Miller, President. Huntington Drive, two hundred ninety-seven point three-six (297.36) lineal feet; Lauren Court, three-eighty-two point five-three (382.53) lineal feet; Glen Oak Court, five hundred and twenty-seven point eight-three (527.83) lineal feet; Tapers, four hundred forty-six point four-six (446.46) lineal feet. And this is kind of grouped together because we're holding the Surety and they're also requesting and Acknowledgment of Sidewalks and it would be Lauren Court, eight hundred and fifty point seven-six (850.76) lineal feet; Huntington Drive, three-ninety-two point twenty-four (392.24) linea feet; and Glen Oak Court, nine hundred ninety-two point four-eight (992.48) lineal feet. And I believe that Bobby wants to give a report on these two (2) items.

Don Williams: Okay. Sir, would you introduce yourself?

Aaron Miller: Yes, my name is Aaron Miller with Newburgh Development Group.

Don Williams: Mr. Miller, do you have anything you would like to say?

Aaron Miller: No.

Don Williams: Okay, Mr. Howard, your input?

Bobby Howard: In inspecting this development, there are some island medians with some large brick signage, some brick fences that are also in the right-of-way. So in regards to that, I would recommend that if this be approved at this time that it be approved subject to either the plat being amended to have this areas in out lots or some type of Hold Harmless Agreement in favor of Warrick County in regards to these structures.

Don Williams: Are you aware of this, Sir?

Aaron Miller: Yes, yeah, I think we're going to have the Homeowner's Association set up a Hold Harmless on this and put them into our insurance package, also as the Homeowner's Association.

Don Williams: You'd rather do the Hold Harmless instead of the re-plat, I assume?

Aaron Miller: Yes.

Don Williams: That being said, I think we can approve this subject to the Hold Harmless being in place, Counselor?

Todd Glass: Yes, I believe we've done that before. So that could easily be done.

Don Williams: If it's alright with you two (2) gentlemen, I'll entertain a motion.

Marlin Weisheit: I'll make a motion to approve as long as it meets the Engineer's and Legal Counsel's Hold Harmless Agreement.

Richard Reid: Second.

Don Williams: Okay, we have a motion and a second to approve the Huntington Creek Subdivision, Section A, I'm assuming for both the roads and the sidewalks.

Aaron Miller: Yes, Sir.

Don Williams: Okay, and with that being said, as contingent upon the Hold Harmless being signed and put in place, with that being said, I have a motion and a second, all in favor let it be known by saying, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Aaron Miller: Thank you.

Sherri Rector: Mr. President, who's going to prepare the Hold Harmless? Are they? Or is Attorney Glass?

Todd Glass: I would suggest I prepare it; I'll just need the contact information that I assume someone has.

Sherri Rector: Okay.

Todd Glass: You'll share that with me?

Richard Reid: (Inaudible).

Don Williams: Agreed.

Sherri Rector: Okay. Let's see. And if you can, I'm going to put these in here for you all to go ahead and sign, but Bobby won't until it's done, and then we won't record them until it's done. Unless you want me to bring them back? Which you've already approved them really...

Sherri Rector: Yeah, I'll just go ahead...

Don Williams: Yes.

Sherri Rector: Okay

(The Huntington Creek Acknowledgement is found on Page 32 of these Official Minutes)

AMENDING ORDINANCES TO THE COMPREHENSIVE ZONING ORDINANCE ORDINANCE 2016-23 AMEND ARTICLE IV, SUBSECTION III, TIME LIMITS

Sherri Rector: Alright, the next is Amending Ordinances to the Comprehensive Zoning Ordinance. An Ordinance to Amend Article IV provisions by amending Subsection III, Time Limit of the Comprehensive Zoning Ordinance, in effect for Warrick County, Indiana. This was advertised in the Standard, September the 29th. It was a unanimous recommendation of the Area Plan Commission at their October 10th, meeting. The purpose of this Ordinance is to remove the Special Use and Variance from the time limit. The time limits are set in a different article than this, so it was, it just needed to be deleted here.

Richard Reid: What's your Ordinance number for that?

Roger Emmons: Twenty-three (23).

Sherri Rector: Twenty-three (23).

Don Williams: Are there any questions from the Board?

Richard Reid: None.

Marlin Weisheit: None.

Don Williams: I need a motion and a second.

Richard Reid: I'll make a motion for approval of Ordinance 2016-23.

Marlin Weisheit: Second.

Don Williams: I have a motion and I have a second. All in favor let it be known by saying, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries (3-0).

Sherri Rector: Okay.

(Ordinance 2016-23 is located on Page 33 of these Official Minutes)

ORDINANCE 2016-24 AMEND SPECIAL USES SECTION VI

Sherri Rector: And the next Ordinance is our Ordinance to amend Article V, Special Uses, Section VI, Discontinuance of Special Use, Subsection A, of the Comprehensive Zoning Ordinance in effect for Warrick County, Indiana. It was advertised in the Standard on September 29th. It was a unanimous recommendation of the Area Plan at their meeting on October the 10th. The purpose of this Ordinance is to allow a Special Use to request a longer time period to become established. Right now it has to be completely established and done within one (1) year. However, we're having such large developments come in, such as hospitals and hospital expansions and the Christian school and all that, that's going to take way longer than a year to get completed. So this allows the applicant to request additional time.

Don Williams: So it's not open ended? They request this time?

Sherri Rector: No, they have to request it to the Board of Zoning Appeals.

Don Williams: Good, good. Any questions from the Board?

Richard Reid: None.

Marlin Weisheit: None.

Don Williams: What's your pleasure, Gentlemen?

Richard Reid: I'll make that motion for approval of Ordinance 2016-24.

Marlin Weisheit: Second.

Don Williams: I have a motion by Commissioner Reid, a second by Commissioner Weisheit, all in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Sherri Rector: That is all I have, thank you.

Don Williams: Good job, guys.

(Ordinance 2016-24 is located on Page 33 of these Official Minutes)

MOTION FOR CHANGE TO THE SUBDIVISION CONTROL ORDINANCE FOR SIDEWALKS

Richard Reid: I'd also like to make a motion for, move that our Area Planning Commission Director prepare a change to the Subdivision Control Ordinance to add the ability of a development to request activity paths in lieu of sidewalks, with approval of the Area Planning Commission with the provision of appeal to Warrick County Board of Commissioners.

Marlin Weisheit: I'll second that motion.

Don Williams: I have a motion and a second for the change to the Subdivision Control Ordinance, Sidewalk Section. All in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries three, zero (3-0).

Sherri Rector: And I will need Mr. Howard to sit down with me and go over any changes we need on construction and things to add on there also.

Don Williams: You're Board holds a hearing so we'll let, we'll sit down and work it out, and you can give it to your attorney and he can run it by our attorney.

Sherri Rector: Thank you. I needed something else to do.

ITEMS FOR DISCUSSION

Don Williams: We have Items for Discussion? Mr. Emmons you have...?

Roger Emmons: Nobody here for Items for Discussion. But, I have a few items for your consideration.

Richard Reid: (Inaudible).

APPROVAL OF MINUTES

Roger Emmons: First of all...

Don Williams: Wait, wait, wait, wait, wait (inaudible).

Richard Reid: Yeah.

Don Williams: Yeah, we didn't...

Richard Reid: We didn't have the Minutes yet.

Don Williams: We didn't do the Minutes. I have Minutes, Gentlemen. Have you had a chance to read the October 24, the Minutes?

Marlin Weisheit: Yes.

Don Williams: I entertain a motion.

Richard Reid: I'll make a motion for approval of October 24th, 2016, Minutes.

Marlin Weisheit: Second.

Don Williams: Okay, I have a motion and a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries three, zero (3-0). Thank you, Mr. Reid. I appreciate that.

Richard Reid: Yeah.

Don Williams: Some of us here (inaudible) two (2) cataract and neither one (1) of them are good.

Richard Reid: That's okay. Just trying to move it along.

DEPARTMENTAL REPORTS
COUNTY ADMINISTRATOR
BLIGHT ELIMINATION PROGRAM
APPROVE DATES AND TIMES

Don Williams: Okay, now Items for Discussion.

Roger Emmons: I'm going to County Administrator Items. Debbie Bennett-Stearsman is here to discuss the Blight Elimination Program. The next set of demolitions has been tabled like four (4) different times (inaudible).

Debbie Bennett-Stearsman: Story of my life, Debbie Bennett-Stearsman, with the Economic Development Coalition. I actually have a few more things besides just the dates, which is why you should have several documents there on your desk and why we've been tabling. We've been working hard to try to get through this program going on two (2) years now. The first thing I did want to bring before you though was the bid set for the next set of homes. We picked…

Don Williams: Do we, when you're referring to one (1) of these papers, make sure you hold it up so we know which one (1) you mean.

Debbie Bennett-Stearsman: I'm not referring to a paper yet.

Don Williams: Okay. That's why we can't find it.

Debbie Bennett-Stearsman: Yeah, no, I'll tell you in a minute. There are four (4) homes and this will complete all of the original sixty-four (64) homes…

Don Williams: Wow.

Debbie Bennett-Stearsman: That we had on the original list when the County applied, with the exception of those who've dropped off. They are 911 South Third Street in Boonville, 1333 West Lover's Lane in Boonville, 1367 Park Lane Drive in Boonville, and 455 Main Street in Elberfeld. And that was a replacement property that got moved up and Mr. Bailey, I believe was his name, was insistent in having his name removed from the original list. So this was approved by IHCDA to go in that. Those four (4) we would like to bid or have in the paper, which it actually has already been in the paper, November 10th, November 17th, the pre-bid this Friday at 9:00 AM, here, and then open the bids at the Commissioner's meeting which is the 28th at four o'clock (4:00 PM). It's a short bid set.

Don Williams: That meeting will probably be changed to ten o'clock (10:00 AM).

Debbie Bennett-Stearsman: Ten o'clock (10:00 AM)? Okay, it's in the paper, I may be able to get, we've got the bids due until four (4:00 PM), so I'd have to change the next, do it…

Don Williams: We can extend it or have a special (inaudible).

Debbie Bennett-Stearsman: It's been in once so I can try to get them to change the second advertisement and then I'll announce it at the bid this Friday. I have had no one pick up the books yet. So we can do that in our agenda to the Plan Holder's List. We'll change the second, but at ten o'clock (10:00 AM) on the 28th?

Richard Reid: Yes.

Don Williams: We haven't decided yet, but…

Debbie Bennett-Stearsman: Okay. But those are my proposed houses, and the proposed bid dates, and the proposed publications. That was the first thing for…

Don Williams: We changed our Drainage Board Meeting to nine (9:00 AM) that morning, so I assume we'll change ours since it's the same people basically.

Debbie Bennett-Stearsman: So that's the first item to bring to you. I don't know if you need to do an official motion to approve that and those dates.

Don Williams: It doesn't hurt anything.

Marlin Weisheit: No.

Richard Reid: No.

Don Williams: Get the first set done, finally. That's great.

Richard Reid: Yeah. Great job.

Don Williams: Do I have a motion for her to proceed?

Marlin Weisheit: I make a motion to approve the dates stated.

Richard Reid: Second.

Don Williams: Motion has a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. (Motion carried 3-0).

BEP CONTRACT CHANGE ORDER

Debbie Bennett-Stearsman: Second thing I had, I did all the change orders for the last bid set in one (1) change order so you don't have to do eight (8) change orders. It, this is for Aigner Construction. Their original contract amount was one hundred seventy-six thousand five hundred dollars ($176,500.00). This is for your last bid set which was number three (3). You don't, you don't have it in front of you. I'm just reading it to you right now. This is a change order. We deducted nineteen thousand seven hundred ($19,700.00) because we had to remove two (2) homes that were originally bid on. They could not be acquired. One (1) was due to too many delinquent judgements on the house and we couldn't satisfy those, and the other was because the woman that owned it while we were waiting died. She had eleven (11) heirs. Some of those heirs have died. They had heirs. We could not reach them all. We took the house off of the property list. And those two (2) were 4055 South Bullocktown Road and the other was 224 East Sycamore Street. So those were two (2) deducts. And then we had several additions at 520 East Division. We had to remove a large tree and grind the stump down. At 323 South Fifth, remove small tree and two (2) large trees. At 5356 McCool Road there was a septic tank abandonment and had to remove three (3) large trees. At 1221 North Second Street, removed one (1) large tree. At 1377 Fuquay Road we had to fill an existing well. At 1377 Fuquay Road had to clean up debris in the back of the lot that we didn't think was on the lot and we had to have it surveyed and then we had to clean the debris up. 411 East Goff Street remove one (1) large tree. 1377 Fuquay also we had to fill in an abandon septic tank. 520 East Division there was additional asbestos, a large amount of asbestos. We had to do a change order to 833 North Two-Story Road was additional cleanup of back lot. At 316 South Fifth Street was filling in an existing well for total deduct of nineteen thousand seven hundred ($19,700.00). Change or add ons twenty-five thousand six-six-six point three–eight ($25,666.38), making the revised contract amount one hundred and eighty-two thousand four-sixty-six point thirty-eight ($182,466.38). All these are already completed and were approved onsite by myself and Jeff Floyd with the city. So I have four (4) copies of the change order and I'm asking for your approval.

Don Williams: On the change order?

Debbie Bennett-Stearsman: All of the above.

Marlin Weisheit: Make a motion to approve.

Richard Reid: Second.

Don Williams: Have a motion and a second. All in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye. (Motion carried 3-0).

Debbie Bennett-Stearsman: Now you can look at your papers I left you.

Don Williams: Thank you.

(BEP Contract Change Order is located on Pages 33 through 37 of these Official Minutes)

BEP UPDATE

Debbie Bennett-Stearsman: And I'll try to go through them quickly, cause I know you've, everybody's wanting to get out of here. But I wanted to give you an update of where things stand. And you should have a large sheet here like this, which gives you the list. This was the original sixty-four (64) at the top. As you can see at the bottom, we have completed twenty-seven (27). Yeah, I've got that on the wrong page. Yeah, completed, twenty-seven (27) of those we have removed. That's incorrect. One (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), sorry about that...

Don Williams: It says twenty-seven (27) complete.

Debbie Bennett-Stearsman: We've completed twenty-seven (27); we've removed twenty-one (21). There's a one (1) missing.

Roger Emmons: Okay.

Debbie Bennett-Stearsman: The one's in red are the ones we are removing. We've completed twenty-seven (27), they are in yellow. And then the ones that are in white are the ones that we just approved for the next bid set. The second page was round two (2). We completed seven (7) of those and we have removed two (2) of those. So now you should have a little paper like this and it says Warrick County BEP Recap of Funds Available in the corner. And that, that gives you this scenario that I'm going to talk about, round two (2), one property shows you there was fifty-two (52) original properties, twenty-seven (27) completed, twenty-one (21) removed, and four (4) in bid set four (4). Round two (2) properties, nine (9). Seven (7) completed, two (2) removed, none in bid set four (4). And it gives you the totals at the bottom. And the reason I say includes Bailey Paxton is because Bailey is the house we removed out of the original sixty-four (64). And Paxton is the house in Elberfeld that the State put back in its place. So it really comes out to be sixty-five (65) instead of sixty-four (64). We've had hearings on seven (7) additional properties. We have ten (10) properties since our last hearing. As you know when each property is removed or added we have to do a public hearing. We have to do a hearing on ten (10) more properties so right now we have seventeen (17) additional properties to fill the void of all the properties that we have removed. We have thirty-four (34) that we've removed. Going on down to the bottom, I did it in dollars for you. There was a reason for this. Round one (1) replacement funds, removing twenty (20) homes removes four hundred and thirty thousand ($430,000.00) from your original budget. In round two (2) removing two (2) homes, removes forty-three thousand ($43,000.00) from your original budgets. And these budgets were set by, based on whether they were a one (1), house without a basement or house with a basement. So right now you would have four hundred seventy-three thousand dollars ($473,000.00) available in funding. You were already awarded for the replacement homes at the top. Then I had to go through the process of doing recaptured funds for all the houses you've already taken down. And I brought over earlier, for Don to sign, a list of homes, ones that look like this, and that's all the homes we've already demolished and how much each of those

remember maintenance is for mowing. It goes on to 2018. So we left that intact. The one (1) that says closed, that property was actually sold by Boonville Now to the property owner next door. So if you include the recaptured funds and I said not including the four (4) in set four (4) because I can't recapture them until after we take them down. There's a hundred and seventy-seven thousand four hundred four dollars and twelve cents ($177,404.12) for a grand total of funds available six hundred fifty thousand four 'o four-twelve ($650,404.12). That's how much we have to do the seventeen (17) homes that we know of right now. And the reason I'm telling you all of this information is the last thing you should have, which is a two (2) page IHCDA memo stating there is additional funding available if you want to apply. You are in Division IV, Warrick County is, and right now, and this is right now cause I highly expect that there will be more in the future. There's two hundred seventy-six thousand dollars ($276,000.00) available should you decide that you want to apply for more money. The application's due December 23rd. My opinion and my opinion only right now there's not enough homes to ask for more money. We have more money than we have homes. And I hate to ask for more money, when we don't have anything to support it, because the application asks for that, those supporting documents. That's my opinion only. I have sent this, tried to send this to all the communities in the County and to Boonville Now who of course has been very active. I did not been getting any feedback from anybody stating they had additional homes. But you don't have to make the decision tonight. But I just wanted to let you know. If you decide to do it I need to know as soon as possible because the application takes a while to put together and I don't have enough homes to put in the application. But I felt that I needed to tell you about it.

Marlin Weisheit: Thank you.

Debbie Bennett-Stearsman: And I, I gave you the list so you can see who the replacements are. If there's somebody on there we don't have, you can let us know so that we can try to work on it. Cause even with these homes, we still have money left, and we certainly want to use all the money that we've got. So, I don't need a decision on anything, just wanted to tell you where everything stood. It's a lot to digest. If you have questions you know how to find me. I'll be happy to answer any of your questions or I'll answer any of them that you have right now if you want me too.

Don Williams: I don't have any questions.

Richard Reid: No.

Marlin Weisheit: No. I don't have any questions.

Don Williams: Great job by the way, getting this done.

Marlin Weisheit: I just want to thank you for all you hard work and everybody that's been working with you. I know Roger's put a lot into this too. Boonville Now. So it's been overwhelming, and a lot done, and a lot to do yet...

Debbie Bennett-Stearsman: A lot of people.

Don Williams: A lot of good (inaudible).

Marlin Weisheit: It's been working out real good.

Debbie Bennett-Stearsman: Right.

Don Williams: A lot of people have been helped and there's a lot less sore eyes out there.

Debbie Bennett-Stearsman: And there's going to be more. Okay. I'll leave the change order with Roger and then after you get them all signed you can let me know. Thank you very much for your time.

Marlin Weisheit: Thank you, Debbie.

Don Williams: Thank you, Ma'am.

Roger Emmons: Thank you, Debbie.

DENTAL HEALTH OPTIONS RENEWAL

Roger Emmons: Okay, ready for the next item?

Don Williams: We are.

Roger Emmons: Next item is the renewal of our Dental Health Insurance. We've had Dental Health Options, by Health Resources, Inc. for many years now. I emailed you on October the 26th that gave some information about that. We renew the monthly premiums. They have only increased by fifty-four cent ($0.54) for employee only, a dollar four ($1.04) for employee plus one (1), and one dollar and ninety-four cents ($1.94) for employee and family. And those are definitely nominal increases. You've only have six dollars and forty-eight cents ($6.48) a year for the employee only, and on out with the math times twelve (12) on the monthly increase. So I'd recommend this be approved by motion so Don can sign the two (2) documents, the policy and the Plan Sponsor Certification.

Don Williams: Any questions from the Board? If not I entertain a motion?

Marlin Weisheit: Make a motion to approve.

Richard Reid: Second.

Don Williams: Motion has a second to renew our Dental Health Options. All in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Roger Emmons: Thank you.

(Dental Health Options Renewal is located on Page 38 of these Official Minutes)

AMERICAN LEGAL PUBLISHING S-16 SUPPLEMENT

Roger Emmons: Next item, I'm really not too clear on this S-16 Supplement for the Warrick County Code of Ordinances and I think we should probably continue this 'til we get, I get more information back from Paul Jones who's with their customer service department.

Don Williams: Actually we don't have to table it or anything. It's not on the agenda other than in your notes, so just bring it back up when it needs to be brought up. If that's ok with you, Gentlemen.

Marlin Weisheit: Yep.

Richard Reid: That's fine.

Roger Emmons: This, this is on the agenda.

Todd Glass: Number A3.

Don Williams: It is? I'm sorry.

Marlin Weisheit: I'll make a motion to table.

Richard Reid: Second.

Don Williams: It is on the agenda, I'm sorry.

Roger Emmons: Okay.

Don Williams: I have a motion to table. And did you second it, Mr. Reid?

Richard Reid: Yes.

Don Williams: Motion has a second. All in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Motion carries (3-0).

Roger Emmons: Thank you.

PUBLIC EMPLOYEE'S RETIREMENT FUND

Roger Emmons: And then a couple of additional items, PERF is the Public Employee's Retiree's Fund and Heather Soberg, she's the Auditor's Payroll Deputy and she also does many HR functions, passing out information regarding our Employee Option Benefits. And she would like to use our PERF Retirement Services Consultant, it's a Mr. Bob Boxell, he is a Newburgh resident, to make himself available while we're in the open enrollment period to our employees one (1) day to answer questions. Mainly to talk to them and let them know that the County pays the three percent (3%) towards their PERF. But they can also contribute from their paycheck directly to their PERF account. This is at no charge to the County and I just wanted to know if you, if it'd be okay if Heather reached out to Mr. Boxell for this purpose.

Marlin Weisheit: Be fine with me.

Richard Reid: Yeah, fine.

Roger Emmons: Okay. Thank you.

SONICWALL FIREWALL UPGRADE

Roger Emmons: Last item I have has to do with some quotes our computer resource manager, Doug Duncan, took regarding the SonicWALL Firewall Upgrade and he has requested and believes it's best that we go with an advanced coverage which involves two (2) years of support. And the advanced support is, lowest quote was from Zones, four thousand six hundred and eighty dollars and eighty-seven cents ($4,680.87). Last year we paid, well let's see, we've had it since January of 2013. We paid a total of four thousand six hundred and fifty-one dollars ($4,651.00) to CDWG that year. And so you can see now, this four thousand six hundred eighty ($4,680.00) is only twenty-nine dollars ($29.00) more, and it's for two (2) years rather than a one (1) year renewal. So I would recommend the Board approve this by motion for Doug to proceed with Zones' quote.

Don Williams: Did Mr. Duncan say how this compares to all the other, cause when we're talking about firewalls, we're talking about security and that was the topic at our IACC Executive Board meeting this past Tue, Thursday. And the consensus is those who tend to hack government computers are getting more and more sophisticated and the consensus was get the best you can, when you can, and be able to forget about it. As long as this is the best we can get this time I'm all for it and even if it costs a little more. I know we have at least one (1) Councilman here. This is getting to be a real, real issue which affects any and all departments in the County or at least it can.

Roger Emmons: Right. The other two (2) companies were CDWG and their advanced quote was five thousand two hundred and twelve dollars and ninety-three cents ($5,212.93). The third one (1) was GovConnection, five thousand two-eighty-five-seventy-nine ($5,285.79). Doug had stated in his November 1st email that we currently have an NSA 3500 model. That is no longer, will no longer be supported after the end of this year, I believe. That's why he's recommending we go with the Zones Basic. He did say, "I would recommend we purchase the Advance Threat Protection Service at the lowest price from Zones. This would allow for the unit to inspect encrypted traffic for threats. Most threats come though via that method." There was a link to a video. I didn't have time to watch that. There's more information about the Advanced Threat Protection, it talks about a cloud based service available on Dell SonicWALL Firewalls. And that's what this update is to, it's to our SonicWALL Firewall. I don't know, it's talking about multiengine advanced threat analysis to provide us with threat protection and it detects and prevents zero (0) day attacks, broad file type analysis in addition administrators can manually submit files to the cloud service for analysis. I'm sure that he's recommended a good product, he feels comfortable with this company. I mean you're right. Ransomware is a real threat to all computers. We recently, I think State Board of Accounts put out a notice, Bobby and I forwarded it, but I'm sure all department heads already had that information about a, can't remember the County, they recently had a ransomware attack. I don't know how much they had to pay.

Don Williams: We had one (1).

Roger Emmons: We had one (1) too.

Don Williams: The Clerk's Office the year before last.

Roger Emmons: That's right, a couple years ago.

Don Williams: I believe that we have taken measures to make sure everything gets backed up where if we are attacked by a ransomware, it's not going to affect us that much. I believe I'm correct. You might check with our computer IT guy.

Roger Emmons: Doug also stated that our renewal is on January the 17th, but he needs plenty of time to get the new unit in place and migrate and test the settings. The Firewall connects three (3) of our locations to the Judicial Center securely and most all of the traffic in the building touches it. I would love to purchase it if possible as soon as we can. That's my presentation to you today.

Todd Glass: Roger, is that a piece of equipment or is it both equipment and services of some sort.

Roger Emmons: Both.

Todd Glass: I would assume that there would be a contract of some sort.

Roger Emmons: That would be forthcoming that I would need to submit to you.

Todd Glass: Okay. Thank you.

Roger Emmons: There's installation services, onsite technical services, and hourly service rates. Several of those, okay that's, and remote help desk and remote network OS support.

Don Williams: I'd like to see us go forward with this as quickly as possible. We know the approximate cost without the maintenance contract anyway.

Roger Emmons: Yes.

Don Williams: Do we have funds? Or do we need to go to the Council?

Roger Emmons: I didn't have the time to check that Don, I will let everybody know.

Don Williams: Anybody have anything else they'd like to say on this issue? If not, I'll entertain a motion.

Marlin Weisheit: I'll make a motion to approve the Zones request as long as it meets our Counsel's approval.

Richard Reid: Second.

Don Williams: Have a motion and a second. All in favor let it be known by saying, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

(The Zones Contract is located on Pages 63 through 66 of these Official Pages)

NOVEMBER 28, 2016 COMMISSIONER MEETING TIME CHANGE

Roger Emmons: Then I have a reminder which you already brought up, November 28th meeting, about the change from 4:00 PM to 10:00 AM.

Don Williams: We can take care of that now if somebody wants to make a motion to do that.

Marlin Weisheit: I'll make a motion that we move our next meeting on Monday the 28th to 10:00 AM cause we have to leave for a conference.

Richard Reid: Second.

Don Williams: Motion has a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries (3-0). Be sure all the papers get notified.

Roger Emmons: Alright, will do. Thank you, Gentlemen, that's all I have.

COUNTY ATTORNEY

Don Williams: County Attorney, do you have something for us?

Todd Glass: The only thing I do need to bring up is that we do in fact have the Interlocal Agreement signed and returned from the Warrick County School Corporation. So we do have that. The next step was to sign the LPA Agreement with INDOT, but we've actually got to get it an updated version of it. My recommendation, Mr. President, is there's going to be some updates to the agreements, primarily going to be the same agreement, with a few updates here and there. I would presume maybe dates and that sort of thing. I have a signature page you've previously approved this, it's my recollection. I failed to go back and look at the minutes from about six months ago or so when we did approve this. But I would recommend that if it's agreeable to the Commissioner's that we sign the signature page and you entrust that into my possession until we get that approved and updated agreement. That would save us that, and expedite getting it up to INDOT.

Marlin Weisheit: Do you need a motion on that?

Bobby Howard: You probably also want to make the motion to approve the LPA Consultant Agreement, that INDOT has approved as well with RQAW.

Todd Glass: I don't recollect that that was previously approved. It's been...

Bobby Howard: We have not select, we have not, we've negotiated, we have the price which is included in the Interlocal Agreement, but we have not approved the Agreement.

Todd Glass: The Agreement itself.

Bobby Howard: Right, but INDOT did approve to allow us to sign that Agreement.

Todd Glass: So, I would agree with Mr. Howard, if the Commissioners would move to approve and enter into the Consultant's Agreement with RQAW that has previously been provided to the Commissioners, and also to proceed to sign the signature page of the LPA Agreement which was previously approved.

Marlin Weisheit: I'd make that a motion as stated.

Richard Reid: Second.

Don Williams: Okay, have a motion and a second. All in favor say, aye.

Marlin Weisheit and Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0).

Todd Glass: Thank you, Mr. President. That's all.

(LPA Signature Page & Consultants Agreement is located on Pages 39 through 49 of these Official Minutes)

COUNTY COPY MACHINE ORDINANCE

Don Williams: Is that all you have? This Ordinance is just for us to look over?

Todd Glass: That Ordinance is an Ordinance updating the purchasing code of Ordinances for Warrick County, I'm sorry I didn't get it to you before today. But it could be read and approved, all three (3) readings, next meeting, is my recommendation, to help the Purchasing Department with purchasing certain central services and goods in the County. So, Mr. President, you can review that Code of Ordinances and advise me if you have any questions or changes.

Don Williams: Okay.

Roger Emmons: So, it's listed as the County Copy Machine? Is that actually was the Purchasing, County Purchasing Ordinance Update, correct? Or?

Todd Glass: Yeah, Oh, I see it. Purchasing, yes, the County Purchasing Ordinance. Section 3108 of the Code of Ordinances. I apologize that's a bit out of order, but...

Roger Emmons: So, that's not ready for a number yet?

Todd Glass: Probably not. I don't believe the Commissioners have had a chance to review it.

Don Williams: We have not read it. It's not ready.

Roger Emmons: Okay. Very good.

Todd Glass: That's good for your review.

Don Williams: Okay.

Roger Emmons: Could you email that to me also?

Todd Glass: Yes.

Roger Emmons: Okay, thank you.

COUNTY AUDITOR

Don Williams: County Auditor, you have some bills for us.

Debbie Stevens: Debbie Stevens, Warrick County Auditor. I have, we've submitted AP Claims in the amount of six hundred seventy-nine thousand one hundred thirty-nine dollars and eight cents ($679,139.08). Courts and Manuals, one million two hundred thirty-one thousand four hundred twenty-nine dollars and thirty-five cents ($1,231,429.35), for a grand total of one million nine hundred ten thousand dollars five hundred sixty-eight dollars and forty-three cents ($1,910,568.43).

Don Williams: What's the will of the Board?

Marlin Weisheit: I'll make a motion to pay the Claims.

Richard Reid: Second.

Don Williams: I have a motion seconded to pay the Claims, all in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0). Pay the Claims. Thank you.

Debbie Stevens: Thank you.

COUNTY ENGINEER/HIGHWAY
SPEED LIMIT FOR TERRACE DRIVE

Don Williams: County Engineer/Highway.

Bobby Howard: The first item I have, I received a petition from the residents on Terrace Drive.

Don Williams: What, is that a subdivision?

Bobby Howard: I don't believe it's a subdivision.

Don Williams: I don't believe it is either. Go ahead.

Bobby Howard: But they are requesting a speed limit sign of twenty (20) miles per hour and I would recommend approving their request…that we would need to draft a Resolution for that.

Don Williams: And I understand that they circulated a petition and everybody signed off on it except for one (1) resident?

Bobby Howard: That's my understanding, yes.

Marlin Weisheit: They're probably driving forty-five (45) miles an hour.

Don Williams: We don't know that for sure. We just know he didn't sign the petition.

Marlin Weisheit: I make a motion to approve that request to draft that.

Richard Reid: Second.

Don Williams: I have a motion and a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye. (Motion carried 3-0).

SPEED LIMIT RESOLUTION 2016-11

Don Williams: Do we need a Speed Limit Resolution?

Todd Glass: That's what we've always done in the past.

Bobby Howard: Yeah.

Don Williams: Okay, I think we can approve it by motion and then we'll do the Resolution when you get it prepared next meeting. How's that?

Todd Glass: You certainly could approve that and, for, as a Resolution and then sign it into entry. And then not even have to wait 'til next meeting.

Don Williams: Do we have a Resolution number? And we'll...

Roger Emmons: Yes. Resolution, yeah I know, Resolution will be 2016-11.

Todd Glass: I can do that.

Don Williams: So, we need a motion to actually approve that Resolution, I think?

Marlin Weisheit: I'll make a motion to approve Resolution 2016-11.

Richard Reid: Second.

Don Williams: Motion has a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye. (Motion carried 3-0).

Roger Emmons: Not 'o 11, just 11.

Marlin Weisheit: 11.

Don Williams: 216-11.

Roger Emmons: Yes.

(Resolution 2016-11 is located on Pages 50 through 51 of these Official Minutes)

INDOT UNOFFICIAL DETOUR FOR STATE ROAD 61 AND NEW HARMONY ROAD

Bobby Howard: The next item I have is a memorandum of understanding for the unofficial detour route for the, what INDOT called the Boonville Bypass State Road 61 Project. They are getting ready to close the intersection at New Harmony Road and State Road 61. And the unofficial detour route would be Kelly Road east to Eby Road and south to Square Deal Mine Road and then back west to State Road 61. And I need approval of that tonight for the unofficial detour.

Marlin Weisheit: I'll make a motion to approve that detour route (inaudible).

Richard Reid: Second.

Don Williams: Motion has a second to approve INDOT's unofficial detour route. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. (Motion carried 3-0).

OLD PIPER SUBDIVISION SUBORDINATION AGREEMENT

Bobby Howard: And I have one (1) more item, if I may. In regards to the Old Piper Subdivision. I have a Subordination Agreement to be entered into with the Town of Newburgh for a sewer line I believe they have out there that the new roadway would cross. And we need approval of this, subject to our Attorney's review, in order to be able record the plat. The developer needs this. I just received it before the meeting today. But basically this is a Subordination Agreement since they do have an existing sewer line in an easement there. This would allow our, them to be subordinate to us as far as the right-of-way. But if, if for some reason we would need to relocate them in the future, then we would bare that responsibility since they would, they had an easement there before our right-of-way.

Marlin Weisheit: I'll make a motion to approve it as long as it meets the County Engineer Howard's and Attorney...

Bobby Howard: And Attorney...

Marlin Weisheit: Glass's approval.

Richard Reid: Second.

Don Williams: We have a motion and a second to approve the Old Piper Subdivision Subordination Agreement contingent upon County Attorney approval. All in favor let it be known by saying, aye.

Marlin Weisheit and Richard Reid: Aye.

Don Williams: Aye, motion carries (3-0). Anything else Mr. Howard?

Bobby Howard: That is all I have, thank you.

(Old Piper Subordination Agreement is located on Pages 51 through 52 of these Official Minutes.

COUNTY PURCHASING
2017 BITUMINOUS CONTRACT

Don Williams: County Purchasing, you have a couple three (3) things for us?

Joe Grassman: Joe Grassman, Purchasing Manager. The first item I have is, as you well know, you received a letter from Metzger Construction offering to extend the current Bituminous Contract for the year. You were of course, pursuant to Indiana Code 5-22-17-4, you are entitled to, to do that if you so wish. So, I guess we're seeking an answer to the offer from Metzger to extend the contract, Bituminous Contract.

Don Williams: Okay, what's the will of the Board?

Richard Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Motion has a second. All in favor say, aye.

Marlin Weisheit: Aye.

Richard Reid: Aye.

Don Williams: Aye, motion carried (3-0).

Joe Grassman: Thank you.

(Metzger Construction Bituminous Contract is on Pages 53 through 55 of these Official Minutes)

JUDICIAL CENTER SECURITY CAMERA UPDATE PROJECT AWARD

Joe Grassman: The last item I have, as of course you all well know, we issued some RFP's for a security equipment update in the Judicial Center. It's primarily cameras but also a new access panel for the Sheriff's Department's security guards. In the RFP, it was very specific, we had a set of evaluation criteria which we, which we had a panel, a committee evaluation of, evaluation panel looked. After interviewing the vendors that were, that had sent us RFP's, it was very specific that they're, that this evaluation criteria be scored by the evaluation panel or committee, award committee. And that the highest score would be the one (1) who would be awarded the project. So we had two (2), two (2) vendors who issued RFP's. The first, one (1) of, well, the first one (1) I'll give you is American Lock. They scored a total points on the evaluation criteria scoring sheet, total score of two hundred seventy-six points (276). The other vendor, Wireless Networking Solution, scored a total of two hundred and fifty-six points (256). Which, so according to the evaluation criteria, the RFP, All American Lock, should be awarded this project.

Richard Reid: They're from Warrick County too, aren't they?

Joe Grassman: They are.

Don Williams: Two hundred fifty (250) for All American? So...

Richard Reid: Two-seventy-six (276)...

Don Williams: Not All American but Wireless...

Richard Reid: Wireless was two-fifty-six (256).

Don Williams: Two-fifty-six (256).

Roger Emmons: Joe, would you remind us again about their bid quotes? The amount?

Joe Grassman: Excuse me?

Roger Emmons: How much did each one of them bid?

Joe Grassman: Oh, sorry.

Don Williams: We probably care more about that than we do the points.

Joe Grassman: I was more concerned, you're right, um, I don't have that number. But I can tell you that the, um, what was it, forty-two ($42,000.00) something...

Marlin Weisheit: Forty-two-six-sixty ($42,660.00) was American.

Joe Grassman: And the, and the other one (1) was...

Roger Emmons: The other one (1) was over ninety-five ($95,000.00) wasn't it?

Marlin Weisheit: It was over ninety ($90,000.00), yeah.

Joe Grassman: And there was some questions about that, cause he actually gave me two (2) numbers. And the same RFP.

Don Williams: So All American Lock was not only the high scorer, but they were also the low bidder?

Joe Grassman: Absolutely. And that's what really won them the scoring battle was that they were so much lower that everybody scored them, gave them more points for price than the other guy, cause they were less than half (inaudible).

Marlin Weisheit: And then the service being local too. The other was out of Indianapolis.

Joe Grassman: That was the other issue that I think All American came out a little bit ahead on was the fact that they were local and the other guys were from Lafayette. That they basically charged fifteen hundred dollars ($1,500.00) every time they come down for a service call.

Don Williams: Yeah.

Joe Grassman: So...

Marlin Weisheit: Plus (inaudible).

Joe Grassman: Yes.

Roger Emmons: Hum.

Don Williams: Need a motion, Fellas.

Marlin Weisheit: Roger, do we have the forty-two ($42,000.00) in Contractual Services?

Roger Emmons: We have a line item in Cum Cap for courthouse repairs that I think we can use for that.

Marlin Weisheit: Well, it needed to be updated. We've known that for some time (inaudible).

Richard Reid: (Inaudible).

Marlin Weisheit: I'll make a motion to approve All American Lock for the forty-two thousand six-sixty ($42,660.00).

Richard Reid: I'll second it.

Don Williams: Okay, I have a motion and a second to select All American Lock at forty-two six-sixty ($42,660.00) to upgrade the security in the Judicial Center. All in favor let it be known by saying, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries three to zero (3-0).

Joe Grassman: That's all I have, thank you.

Marlin Weisheit: Thank you, Joe.

Don Williams: Thank you, Sir.

(All American Lock Contract is located on Pages 56 through 58 of these Official Minutes)

COUNTY SHERIFF
VEI COMMUNICATIONS FOR RADIO SERVICE

Don Williams: Sheriff, you have anything? Sheriff, do you have anything?

Brett Kruse: No, Sir.

Don Williams: Did your, did we do the Communications Agreement for the Sheriff's for BEI? I was thinking we did.

Roger Emmons: No, I sent that to Todd for review and I hadn't heard back from him.

Don Williams: Okay, I was going to say, I didn't think we had done that yet.

Roger Emmons: It's VEI Communications.

Todd Glass: Oh.

Roger Emmons: For the phone maintenance at the jail, right, Sheriff?

Don Williams: That's...

Brett Kruse: Radio...

Roger Emmons: Radio, I'm sorry, radio, yeah.

Don Williams: Radio, phone, radio...

Todd Glass: We'll, uh, we'll get that to the top of the list.

Don Williams: Good, appreciate it.

Roger Emmons: While we're on that subject, Sheriff, are you recommending a labor only? Same as what we currently have? Not sure? Okay. Yeah, I understand. Okay.

Bobby Howard: (Inaudible).

Don Williams: Anything else, Sheriff?

INSURANCE ON DRONES

Roger Emmons: I do have one (1) thing for the Sheriff to hear and the Board as well. I just got this, it was right at 3:28 PM from Rita McConnell our local insurance agent regarding the coverage on the drones, your two (2) drones. She went ahead and got a quote for liability coverage with a limit of one million dollars ($1,000,000.00) for the two (2) drones that she had the information on. The annual premium is one thousand one hundred ninety-two dollars ($1,192.00) a year. However if GIE with Bliss McKnight should approve the endorsement we're working on then we would be able to cancel that policy which she got from Arlington Roe and the unused portion of the premium would be refunded to the County. We're waiting to find out from, I asked her, I said, 'well would we have to pay the eleven hundred and ninety-two ($1,192.00) as soon as the policy was in place. Yes, we would pay our local agency and they would pass it on to Arlington Rowe.' I asked if the endorsement that they're working on would also be a cost and Mike Gunn with Bliss McKnight was looking into that. So, you know if the County wants to move forward with the coverage right now, depending on your need to use those drones, before we can find out about the endorsement, then I would recommend the Board approve this interim policy.

Brett Kruse: The way I understood her email was that those were, those were not exempt from our policy.

Roger Emmons: Well she had to defer to our actual underwriter which was Bliss McKnight and GIE on that. It says that if GIE, Bliss McKnight should approve the endorsement, and I already read it, they'd refund what we've paid Arlington Roe.

Brett Kruse: Is it the same price on two (1) as it is on one (1)? Cause one (1) of them is in the shop.

Roger Emmons: I don't know that.

Don Williams: Is it going to be there forever?

Brett Kruse: I hope not.

Richard Reid: You already had a crash on those?

Marlin Weisheit: You know I had a conversation with Bliss McKnight last week, where I thought he'd quoted me that they was going to be covered under our existing policy too.

Brett Kruse: Well and that's the way I understood the last email.

Marlin Weisheit: Yeah. Cause I know they was checking on it for us.

Don Williams: I think, I think we can approve this and not go forward with it 'til we know if were covered or not. We, if we're not covered, we can go ahead and sign it and go with it.

Marlin Weisheit: Yeah, we know we've got to have insurance on 'em.

Don Williams: But if we've got insurance, we don't need it.

Marlin Weisheit: And, Roger, Emergency Management has one (1) as well. So there is three (3) drones. I don't know if Dallas uses his, he's had it up before. So we need to make sure it's all covered. There is three (3) drones.

Roger Emmons: Okay.

Marlin Weisheit: That I'm aware of.

Roger Emmons: I didn't know that.

Brett Kruse: I forgot about his. But I know we've got two (2). And one of them's in...

Marlin Weisheit: Yeah.

Don Williams: Men and their toys.

Roger Emmons: I'll check with Dallas and read about that. But, I don't know based on, looking at this quote, it's valid for thirty (30) days. Arlington Roe is the broker, so...

Don Williams: That's easy enough to check, so...

Roger Emmons: Yeah.

Brett Kruse: And they wanted a thousand dollars ($1,000.00) for thirty (30) days?

Roger Emmons: No, that's the total for a year.

Brett Kruse: Oh, okay.

Roger Emmons: One thousand one-ninety-two ($1,192.00) for November to next November.

Brett Kruse: Okay.

Don Williams: I think we can approve it and if it turns out we are covered then we simply don't go forward with it.

Roger Emmons: Okay. That sounds good to me.

Marlin Weisheit: Fine with me.

Don Williams: Mr. Attorney, can we do that?

Todd Glass: Yeah, if Bliss McKnight has coverage, we have coverage. Right? So find that out?

Roger Emmons: I don't know why…

Don Williams: Just go ahead and make a motion to go with it unless Bliss McKnight has coverage and in that case, there you go. Any one of you, Gentlemen, want to make that motion?

Marlin Weisheit: I'll go ahead and make a motion to approve the coverage but we'll check with Bliss McKnight to make sure we're not going to be doubly covered, so…

Don Williams: And it must be if we are covered then we don't need it.

Marlin Weisheit: Yeah.

Don Williams: That's part of it, right?

Marlin Weisheit: Yeah.

Richard Reid: Second.

Don Williams: Motion has a second. All in favor say, aye.

Richard Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye, motion carries (3-0). Anything else, Mr. Emmons?

Roger Emmons: That's it, Mr. President. Sorry for the interjection.

COMMISSIONERS ITEMS FOR DISCUSSION

Don Williams: Anyone have anything they'd like to talk about? Mr. Weisheit, you have anything you'd like to talk about?

Marlin Weisheit: I think we kind of thinned the crowd out, I believe.

Don Williams: Commissioner Reid, do you have anything?

Richard Reid: Motion to adjourn.

Marlin Weisheit: Second.

Don Williams: We are adjourned.

ADJOURNMENT: Meeting adjourned at 5:09 PM.

WARRICK COUNTY BOARD OF COMMISSIONERS

Don Williams

DON WILLIAMS, PRESIDENT

RICHARD A. REID, VICE PRESIDENT

Marlin Weisheit

MARLIN WEISHEIT, MEMBER

ATTEST: Deborah K. Stevens

DEBORAH K. STEVENS, AUDITOR
WARRICK COUNTY, INDIANA

Minutes transcribed by Kristine Georges

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE THE EAST SIX FEET OF A PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 10 OF THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT

PETITION

TO THE HONORABLE BOARD OF COUNTY COMMISSIONER OF THE COUNTY OF WARRICK, STATE OF INDIANA:

IN THE MATTER OF THE PETITION TO VACATE THE EAST SIX FEET OF A TWELVE FOOT PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 10 OF THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT.

1. The Petitioner is Jonathan Alstatt, 4811 Elizabeth Lane, Newburgh, IN 47630, to your Honorable Commission represent as follows:

2. That said Petitioner is the owners of the property at 4811 Elizabeth Lane, Newburgh, Indiana, 47630 described as follows: LOT 10 in the CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT, as per plat thereof, recorded in Doc. No. 2000R-008504 in the Office of the Recorder of Warrick County, Indiana.

3. The description of the proposed property to be vacated. THE EAST SIX FEET OF A TWELVE FEET PUBLIC UTILITY ALONG THE WEST SIDE OF LOT 10 OF THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT.

4. Names and Addresses of adjacent landowners SEE EXHIBIT "A"

5. Location Map showing area TO BE VACATED. SEE EXHIBIT "B"

6. Letter from Indiana – American Water. SEE EXHIBIT "C"

7. Letters from Newburgh Sewer Department: SEE EXHIBIT "D"

8. Letter from Vectren "E"; Southern Indiana Gas and Electric Company, Inc. d/b/a Vectren Energy Delivery of Indiana.

9. Letters from AT&T, Time Warner Cable & W.O.W. SEE EXHIBITS, "F", "G" and "H".

Respectfully Submitted by:

Jonathan Alstatt
4811 Elizabeth Lane
Newburgh, IN 47630

Before me, a Notary Public in and for the State of Indiana, personally appeared , Jonathan Alstatt, who acknowledged the execution of this document to be their voluntary act.

WITNESS my hand and Seal the 10th day of October, 2016.

Signature of Notary Public

My Commission Expires: September 9, 2022

Elyata Jean Bivins
Printed Name of Notary Public

Residence of Warrick County, Indiana.

NOTICE OF PUBLIC HEARING
TO
VACATE SIX (6) FEET OF A
PUBLIC UTILITY EASEMENT

FILED
OCT 11 2016

DATE: OCTOBER 11, 2016

TO: ADJACENT LANDOWNER

NAME OF PETITIONER: JONATHAN ALSTATT
4811 ELIZABETH LANE
NEWBURGH, IN 47639

RE: NOTICE OF A PUBLIC HEARING TO VACATE THE EAST SIX (6) FEET OF A TWELVE (12) FEET PUBLIC UTILITY EASEMENT ALONG THE WEST SIDE OF LOT 10 IN THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT WILLIAM Y. BIVINS, PE-PS, 10579 OAK GROVE ROAD, NEWBURGH, IN 47630 (812-858-9269). WITHIN 10 DAYS OF THE POSTMARK DATE OF THIS NOTICE. IF YOU WISH TO APPEAR AT THIS HEARING YOU MUST SIGN-IN AT THE COMMISSIONERS MEETING, THIRD FLOOR, OLD COURT HOUSE, BOONVILE, INDIANA AT 4:00 P.M. ON NOVEMBER 14, 2016.

Deborah Stevens, Auditor

ADJACENT LANDOWNERS SUNRISE MANOR
87-12-27-400-142.000-019
87-12-27-400-141.000-019
Larry & Kathy L. Hess, etal
8000 Camp Brosend Road
Newburgh, IN 47630
2015R-003770
87-12-27-300-084.000-019
Gary W. & Kimberly A. Adkisson
8011 Camp Brosend Road
Newburgh, IN 47630
2011R-000847
87-12-27-300-147.00-019
Stephen W. & Elaine R. Crow
P.O.Box 46
Newburgh, IN 47630
DF3Cd16769
87-12-27-412-011.000-019
Nathan Long
7333 Marywood Drive
Newburgh, IN 47630
2011R-007868
87-12-27-412-024.000-019
Roberto & Regina Nava
4820 Elizabeth Lan
Newburgh, IN 47630
87-12-27-412-009.000-019
Nathan Long
7333 Marywood Drive
Newburgh, IN 47630
2011R-009711

2016R-010727
YVONNE HUGHES
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
11/17/2016 9:23 AM
REC FEE: 0.00
PAGES: 3

STATE OF INDIANA)
) SS
COUNTY OF WARRICK)

WARRICK COUNTY COMMISSIONER ORDINANCE No. CC-2016-21

ORDINANCE TO VACATE THE EAST SIX FEET OF A TWELVE FEET PUBLIC UTILITY EASEMENT ON THE WEST SIDE LOT 10 OF THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, AS FOLLOWS, to wit:

1. Where it is desirable in the opinion of the BOARD OF COMMISSIONERS OF WARRICK COUTY, INDIANA, That the East six feet of the twelve feet Public Utility Easement on West side of Lot 10 of the CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT be vacated.

2. This Ordinance shall be in full force and effect from and after its passage and publication by the BOARD OF COMMISSIONERS OF WARRICK COUNTY, STATE OF INDIANA.

Approved this 14th day of November, 2016.

Don Williams, President

Richard Reed – Member

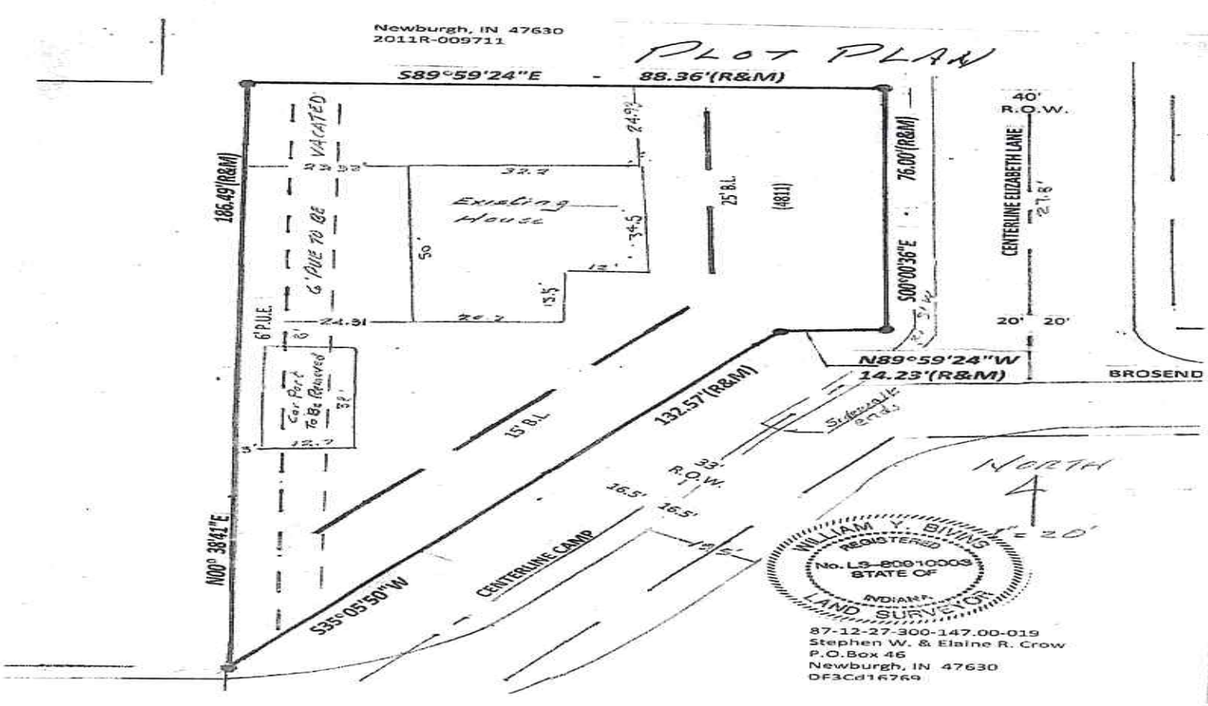
Marlin Weisheit

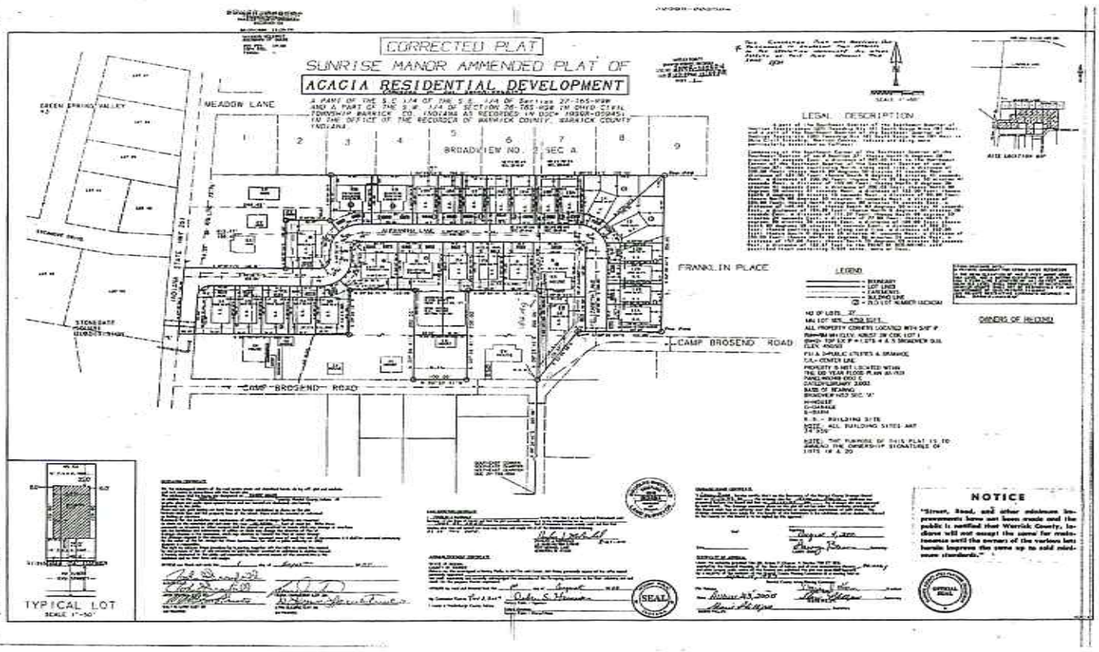
WARRICK COUNTY BOARD OF COMMISSEIONERS

ATTESTED:

Deborah Stevens, Auditor

Public Hearing held by the Board of Commissioner of Warrick County on 11-14, 2016.





Street Acceptance

Date: October 21, 2016 Receipt#: N/A

NAME OF SUBDIVISION: N/A

as recorded in N/A in the office of the Recorder of Warrick County, Indiana.

I hereby request acceptance of the following streets for maintenance by the County:

NAME OF STREET	NO. OF LINEAL FEET
Warrick Trail (Grimm Rd to Libbert Road)	4,962 LF
Libbert Road Improvements	390 LF
Arbor Creek Drive (Extension)	445 LF
Arbor Point Drive (Improvements)	100 LF

N/A
Subdivision Developer

This request is accompanied by a certificate of James E. Morley Licensed Land Surveyor-Engineer, that the streets were constructed in accordance with the plans approved by the Board of County Commissioners.

A SMALL COPY OF THE SUBDIVISION PLAT MUST ACCOMPANY THIS REQUEST FOR STREET ACCEPTANCE.

I have inspected subject streets and recommend acceptance.

County Highway Engineer

ACCEPTED:

Date: 10-24-16

SEE SIGNATURE PAGE (NEXT PAGE)

BOARD OF COUNTY COMMISSIONERS

SEE SIGNATURE PAGE, NEXT PAGE
ATTEST: COUNTY AUDITOR

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

This instrument was prepared by:
Morley and Associates, Inc.

Street Acceptance

1. Warrick Trail (Grimm Rd to Libbert Rd)
2. Libbert Road Improvements
3. Arbor Creek Drive (Extension)
4. Arbor Point Drive (Improvements)

ACCEPTED:

Date: 10/24/2016

Don Williams

Rick Reid

Marlin Weishelt

ATTEST:

Debbie Stevens, Auditor, Warrick County

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

Before me, a Notary Public in and for said County and State, personally appeared Don Williams, Rick Reid, and Marlin Weisheit, known to me to be the Commissioners of Warrick County, Indiana, who as such Commissioners acknowledged execution of the foregoing document, and who, having been duly sworn, stated that any representations therein contained are true.

Dated this 24 day of October, 2016.

My Commission Expires:
4/19/17

Notary Public

My County of Residence:
Warrick

Susan B. Taylor
Printed Signature

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

Before me, a Notary Public in and for said County and State, personally appeared Debbie Stevens, known to me to be the Auditor of Warrick County, Indiana, who as such Auditor acknowledged execution of the foregoing document, and who, having been duly sworn, stated that any representations therein contained are true.

Dated this 24 day of October, 2016.

My Commission Expires:
4/19/17

Notary Public, Susan B. Taylor

Notary resides in Warrick County

My County of Residence:
Warrick

Susan B. Taylor
Printed Signature

This instrument prepared by Thomas J. Kimpel, Bamberger, Foreman, Oswald & Hahn, LLP, 20 NW 4th Street, 7th Floor, P.O. Box 657, Evansville, IN 47704-0657. I affirm under the penalties of perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. Thomas J. Kimpel

L:\LIB\DOCS\64119\CONTRACT\1807571.DOCX

Exhibit 'A'

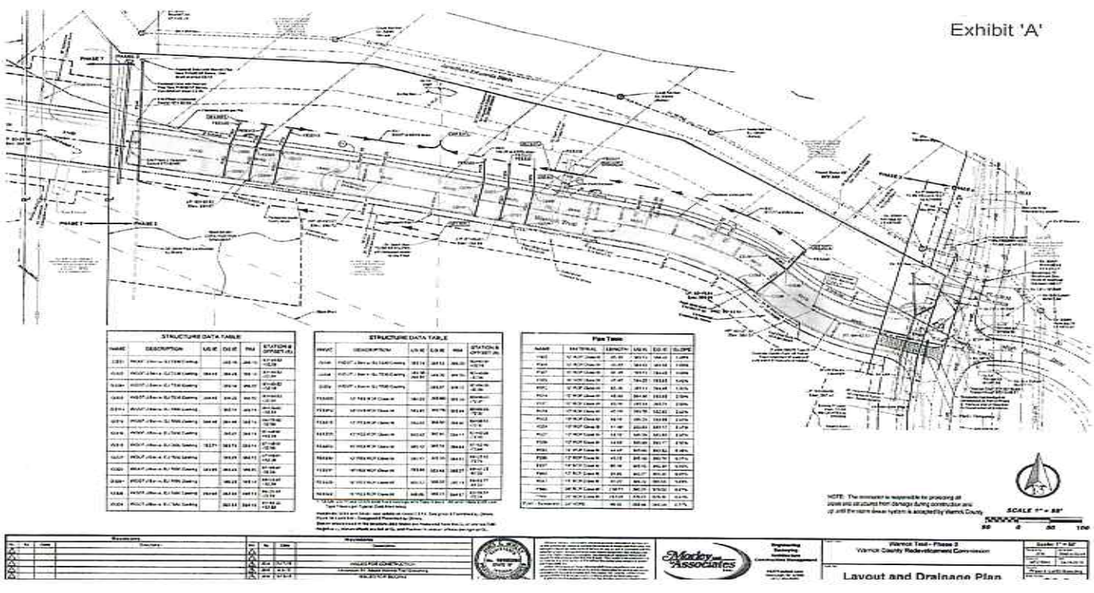


Exhibit 'B'

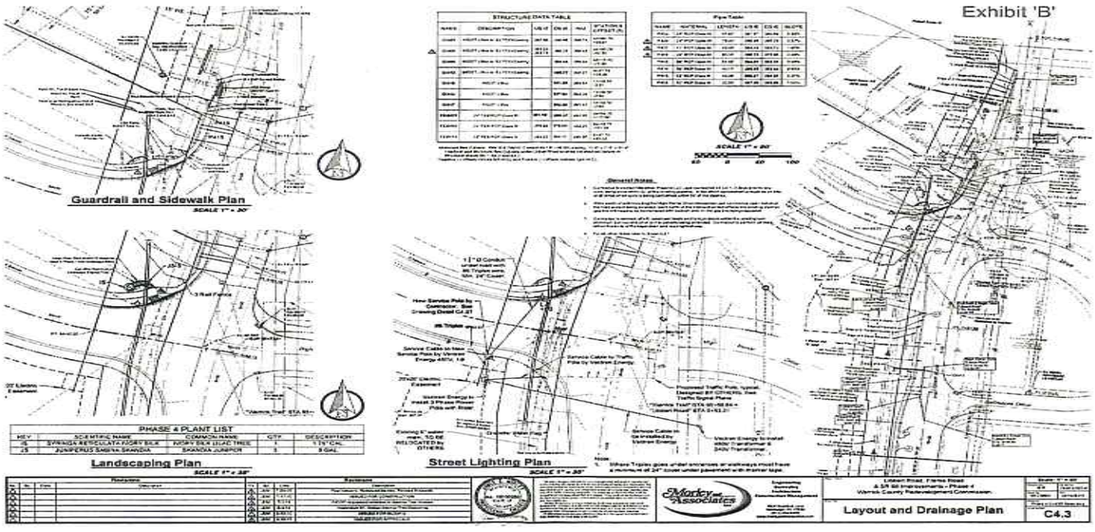
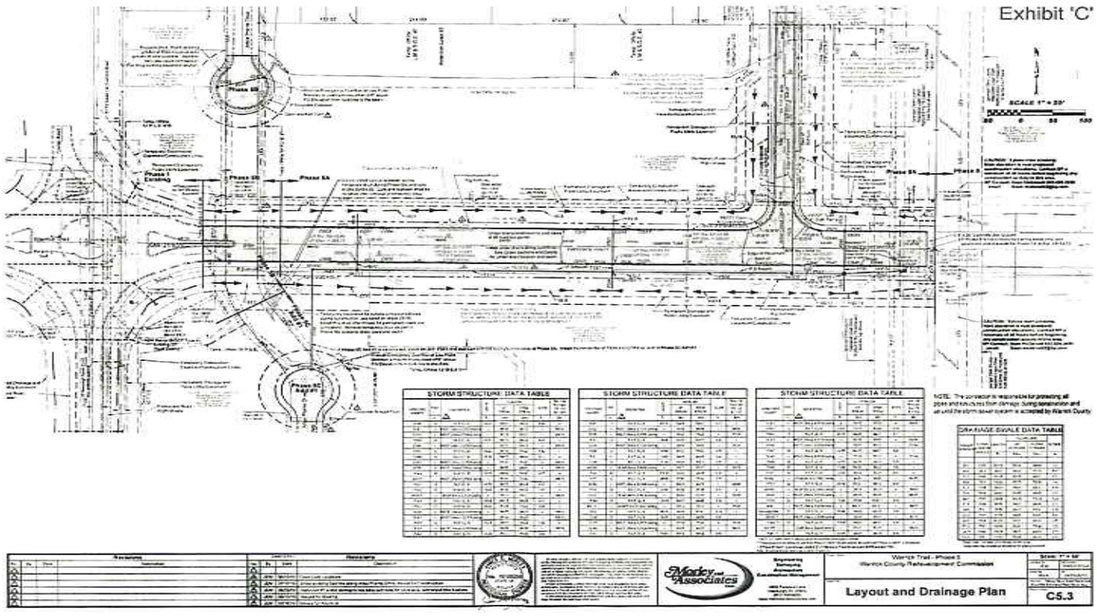


Exhibit 'C'



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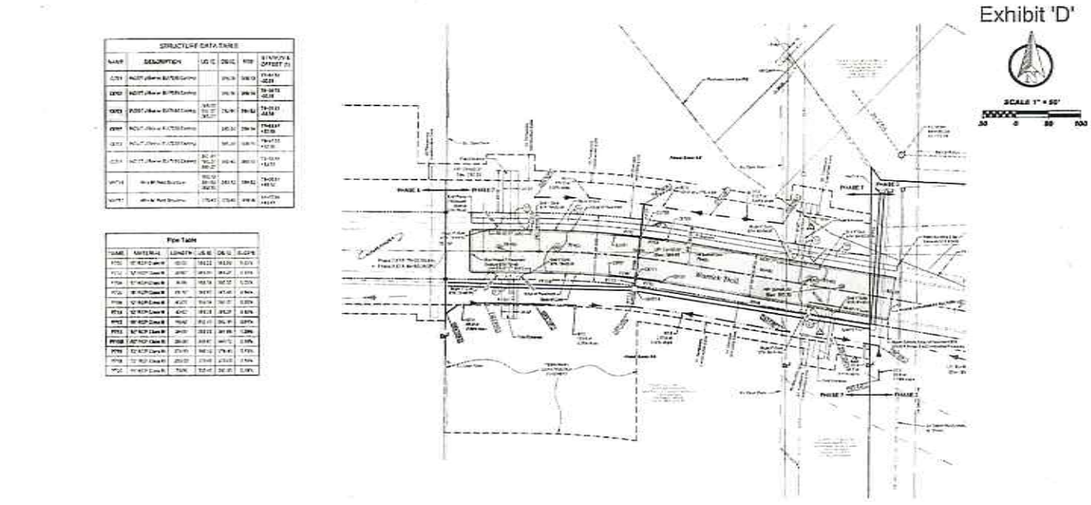


Exhibit 'E'

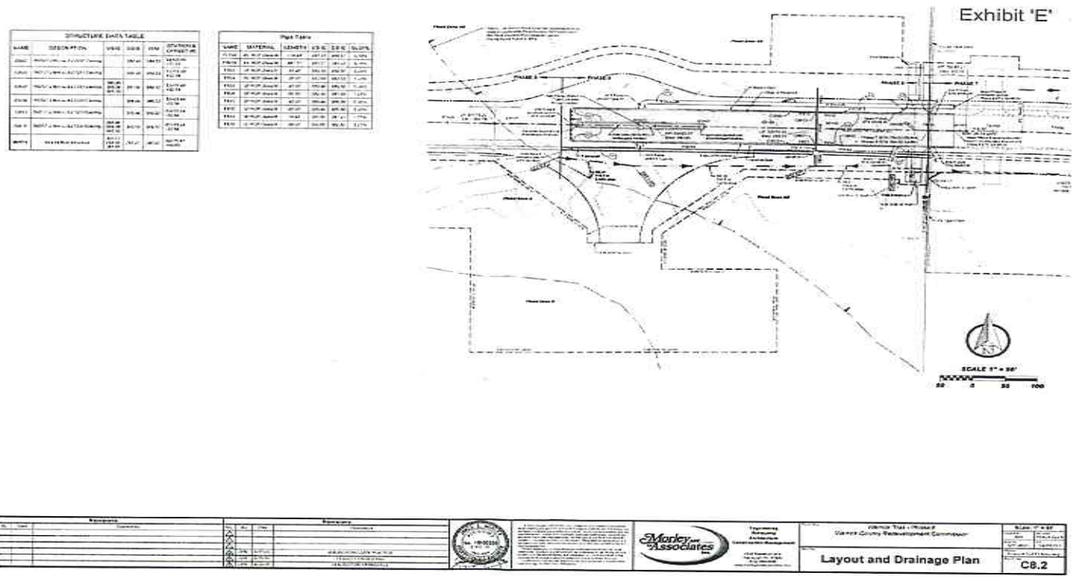
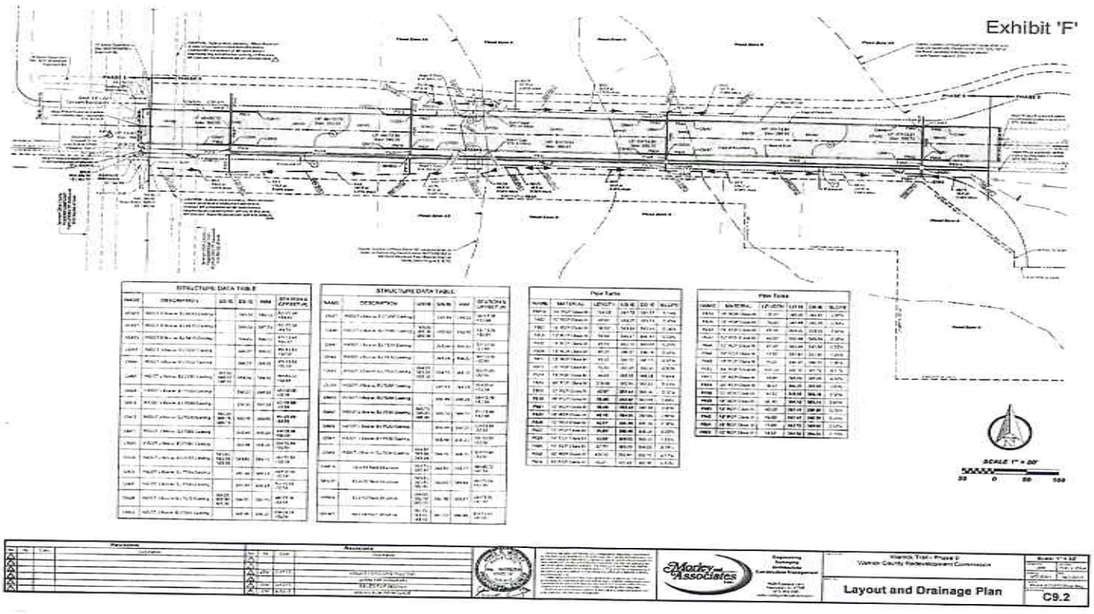


Exhibit 'F'



PP-116-16

FRED J. KUESTER
Engineer & Land Surveyor
1792 E 600 S
Port Branch, Indiana 47648
(812) 753-4843

October 4, 2016

Robert B. Howard, Jr, PE
Engineer, Warrick County
107 W. Locust Street, Room 208 Courthouse
Boonville, Indiana 47601

RE: NO ROAD IMPROVEMENT LETTER
PROPOSED BASELINE PLACE SUBDIVISION
NORTHWEST SIDE BASELINE & ST. JOHNS ROADS

Dear Mr. Howard:

New Master CERWA Development, LLC is proposing Baseline Place Subdivision, a nineteen (19) lot subdivision on the Northwest side of Baseline Road and St. Johns Road with Baseline Road and St. Johns Road being along the south and west lines respectively, Mueller Road being along the north line and Bethe Lane being along the west side of said proposed subdivision. As stated above, there are existing paved roads on all sides of the proposed subdivision; therefore the owner/subdivider is asking that no road improvements be required.

If you have any question, feel free to contact me at (812) 753-4843 (Office).

Sincerely,

Fred J. Kuester

BOARD OF COMMISSIONERS:

Don William

Richard Reid

Marlin Weisheit

FILED
OCT 05 2016
WARRICK COUNTY
AUDITOR'S OFFICE

ATTEST:
Auditor
Date: 11-14-16

PP-16-11

Utilities Consulting Co., Inc.
P.O. Box 441 Newburgh, IN 47629 - PH: (812) 483-3689 * consulting106@att.net

November 9, 2016

Warrick County Area Plan Commission
107 W. Locust St. #201
Boonville, IN 47601

Attention: Sherri Rector

RE: Lot # 1 # 2 Carolyn Jeanette Williams Subdivision

Trudy Williams (Trustee) is requesting that no street improvements and drainage improvements be required on Lot 1 & lot2 of said subdivision.

If you have any questions please call or e-mail me at the above number.

Sincerely,

James H. Biggerstaff
President

Encl.

BOARD OF COMMISSIONERS:

Don Williams

Richard Reid

Marlin Weisheit

ATTEST:

Auditor
Date: 11-14-16

Spring ~~Haven~~ Creek
PP-16-18

FILED
NOV 10 2016

WARRICK COUNTY, INDIANA
Board of County Commissioners
Court House
Boonville, In. 47601

CERTIFICATE OF COMPLIANCE
Plan and Specifications – Street Construction

Submission Date: October 4, 2016

Probable Start Construction: October 17, 2016

Probable Finish Construction: October 17, 2021

Project Location: Located on the east side of Bell Road approximately 2,250 feet north of the Highway 66 and Bell Road intersection.

Describe in detail type of street construction:

Streets will be constructed 30 feet in width with concrete roll curb and gutter. The streets will consist of 8 inches of #53 stone, 2½ inches of HMA base and 1½ inches of HMA surface.

Name of Street:	No. of Lineal Ft.:	Est. Cost of Construction:
Road 1 Duke	1,298' @ $100/ LF	$ 129,800.00
Road 2 Wyatt	190' @ $100/ LF	$ 19,000.00
Road 4 Cora	350' @ $100/ LF	$ 35,000.00
Forestdale Drive	339' @ $100/ LF	$ 33,900.00
10% Contingency:		$ 23,770.00
TOTAL		$261,470.00

Name the Streets the Area Plan Commission has required sidewalks and what is the estimated cost of their construction:

Road 1 : 2515-LF @ $12.00 / L.F. = $30,180
Road 3 : 485-LF @ $12.00 / L.F. = $5,820
Road 4 : 1,005-LF @ $12.00 / L.F. = $12,060
Forestdale Drive : 577-LF @ $12.00 / L.F. = $6,924

Total Estimated Cost of Street & Sidewalk Construction is $ 316,454.00

Total Estimated Cost of Storm Sewer and Detention Construction is $ 109,965.90

I/We the Owner/Owners of the above named subdivision certify that the information given above is correct and I/We will build all named streets accordingly and in compliance with the plans and specifications as submitted and attached hereto.

Owner/Owners Name: John Elpers – Spring Haven, LLC.
(Typed)

Signature:

Address: 21 Mt. Ashley Road Evansville, IN 47711

I certify that to the best of my knowledge and belief:

That these plans and specifications for this subdivision are in Compliance with the Standards for road and street construction as set forth in the Subdivision Control Ordinance for Warrick County, Indiana.

That the plans and specifications as presented and attached hereto are under my dominion and control and were created by my employees and me.

Signature:

Typed Name: Glen Merritt, Jr.

Engineer X Licensed Land Surveyor _____ Ind. Reg. No. PE 10403870

Address: 414 Citadel Circle - Suite B Phone No.: (812) 401-2561

GLEN F. MERRITT, JR. REGISTERED No. PE10403870 STATE OF INDIANA PROFESSIONAL ENGINEER

I will perform reasonable and periodic inspection of this project during construction to determine that such construction is in accordance with the plans and specifications for this project as approved by the Board of County Commissioners, Warrick County, Indiana, and attached hereto.

Signature:

Typed Name: Glen Merritt, Jr.

Engineer X Licensed Land Surveyor _____ Ind. Reg. No. PE 10403870

Address: 414 Citadel Circle - Suite B Phone No.: (812) 401-2561

SEAL
GLEN F. MERRITT, JR. REGISTERED No. PE10403870 STATE OF INDIANA PROFESSIONAL ENGINEER

CASH WAGGNER & ASSOCIATES, INC
Consulting Engineers • Land Surveyors

November 9, 2016

Warrick County Area Plan Commission
107 W. Locust Street
Courthouse Room 201
Boonville, IN 47601

Re: Spring Creek Subdivision
Engineer's Cost Estimate
Our Project. No.: 16-2358

Storm Sewer & Detention Basin

	Quantity	Unit	$ / Unit	Amount to Complete
12" R.C.P.	205	LF	$20.00	$4,100.00
15" R.C.P.	145	LF	$23.00	$3,335.00
18" R.C.P.	355	LF	$28.00	$7,140.00
24" R.C.P.	253	LF	$40.00	$10,200.00
30" R.C.P.	207	LF	$52.00	$15,444.00
25" x 45" Elliptical R.C.P.	80	LF	$100.00	$8,000.00
12" Flared End Section	2	EA	$350.00	$700.00
18" Flared End Section	1	EA	$600.00	$600.00
24" Flared End Section	1	EA	$750.00	$750.00
30" Flared End Section	1	EA	$900.00	$900.00
24" x 36" "J" Box	11	EA	$1,600.00	$17,600.00
30" x 30" "J" Box	2	EA	$1,200.00	$2,400.00
30" x 45" Box	3	EA	$2,100.00	$6,300.00
Bedding/Backfill	1	LS	$5,000.00	$5,000.00
Detention Basin Excavation	1	LS	$17,500.00	$17,500.00
Sub-Total: Storm Sewer & Detention Basin				*$99,969.00*
10% Contingency				*$9,996.90*
Total: Storm Sewer & Detention Basin				*$109,965.90*

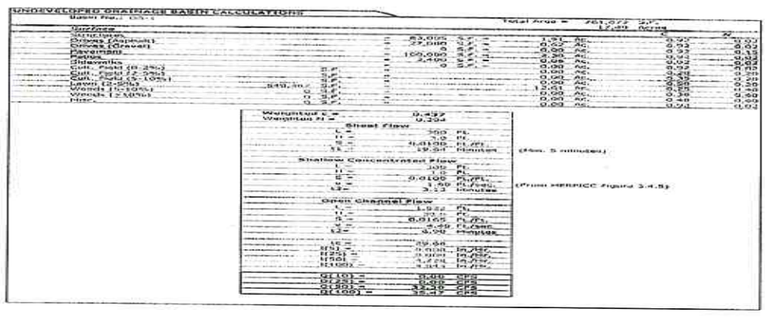
Prepared by:

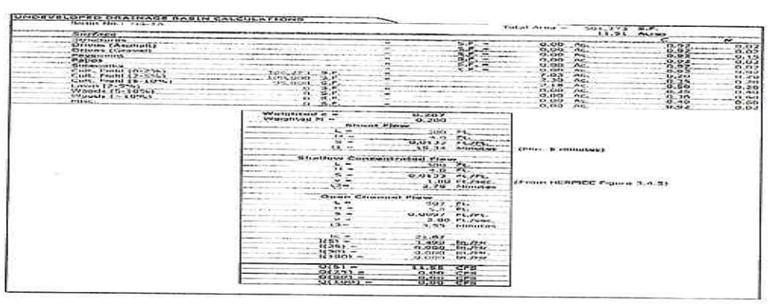
Glen Merritt, Jr., P.E.
Indiana Registration #: 10400076
Date: 11-9-16

cc: John Bigers
File

414 Citadel Circle, Suite B
Evansville, IN 47715

Ph: 812-401-9541
Fax: 812-401-2542





STORM SEWER CALCULATIONS

Design Return Period: 50 Year

Mannings 'n': 0.013

Project Name: Spring Creek Subdivision
Project #: 16-2556
Date: 12/9/16

I NO.	SUB-BASIN NO.	UPSTREAM STRUCTURE	PIPE #	DOWNSTREAM STRUCTURE	LENGTH (ft)	Q	Aj (ac)	CjAj	SUM CjAj	Tj (min)	Tcum (min)	I (in/hr)	PIPE Q (cfs)	PIPE DIA. (in)	PIPE SLOPE (%/%)	I.E. (Upstream)	I.E. (Downstream)	CAP. (cfs)	TRAVEL VELOCITY (ft/sec)	TIME (min)
1	1	[illegible]	[illegible]	[illegible]	20	[illegible]	[illegible]	0.59	0.59	[illegible]	23.54	[illegible]	7.91	12	[illegible]	395.00	394.72	3.55	4.51	0.10
1	2	[illegible]	[illegible]	[illegible]	20	[illegible]	[illegible]	0.39	0.97	[illegible]	23.74	[illegible]	4.99	12	[illegible]	394.73	394.55	8.94	10.28	0.02
1	3	[illegible]	[illegible]	[illegible]	60	[illegible]	[illegible]	0.40	1.37	[illegible]	23.76	[illegible]	7.01	12	[illegible]	394.72	393.19	8.72	4.54	0.22
1	4	[illegible]	[illegible]	[illegible]	42	[illegible]	[illegible]	0.40	1.77	[illegible]	23.98	[illegible]	8.99	18	[illegible]	393.19	392.72	11.11	6.29	0.11
1	5	[illegible]	[illegible]	[illegible]	20	[illegible]	[illegible]	0.49	0.49	[illegible]	14.05	[illegible]	2.33	12	[illegible]	394.03	393.31	4.29	5.45	0.11
1	6	[illegible]	[illegible]	[illegible]	120	[illegible]	[illegible]	0.40	0.89	[illegible]	21.37	[illegible]	13.03	24	[illegible]	393.73	392.15	14.63	4.17	0.47
1	7	[illegible]	[illegible]	[illegible]	104	[illegible]	[illegible]	0.35	0.92	[illegible]	21.84	[illegible]	14.63	30	[illegible]	392.15	391.92	17.65	3.58	0.57
1	8	[illegible]	[illegible]	[illegible]	10	[illegible]	[illegible]	0.38	3.30	[illegible]	22.12	[illegible]	16.37	30	[illegible]	391.92	391.80	18.23	3.93	0.22
1	12	[illegible]	[illegible]	[illegible]	20	[illegible]	[illegible]	0.18	3.48	[illegible]	22.34	[illegible]	17.16	30	[illegible]	391.80	391.50	20.09	4.09	0.52
2	11	[illegible]	[illegible]	[illegible]	40	[illegible]	[illegible]	0.41	0.41	[illegible]	14.43	[illegible]	2.16	12	[illegible]	394.70	393.46	2.15	4.01	0.16
2	9	[illegible]	[illegible]	[illegible]	104	[illegible]	[illegible]	0.32	0.73	[illegible]	14.59	[illegible]	4.15	12	[illegible]	393.46	392.12	5.76	5.30	0.33
2	10	[illegible]	[illegible]	[illegible]	21	[illegible]	[illegible]	0.40	1.13	[illegible]	15.21	[illegible]	6.40	12	[illegible]	392.12	392.12	8.26	6.24	0.00
2	13	[illegible]	[illegible]	[illegible]	21	[illegible]	[illegible]	0.46	1.59	[illegible]	15.35	[illegible]	8.85	12	[illegible]	392.12	392.12	10.79	6.98	0.07
2	14	[illegible]	[illegible]	[illegible]	121	[illegible]	[illegible]	0.39	1.98	[illegible]	15.42	[illegible]	10.51	12	[illegible]	392.09	391.10	15.39	4.88	0.43
2	15	[illegible]	[illegible]	[illegible]	20	[illegible]	[illegible]	0.79	6.75	[illegible]	15.72	[illegible]	3.97	12	[illegible]	392.09	391.47	4.22	5.05	0.08
2	16	[illegible]	[illegible]	[illegible]	20	[illegible]	[illegible]	0.32	0.93	[illegible]	15.80	[illegible]	5.19	12	[illegible]	391.47	391.10	6.64	5.76	0.19
4	05-1-05-1X-1	[illegible]			60	[illegible]	[illegible]	11.16	11.16	[illegible]	29.66	[illegible]	47.16	36	[illegible]	394.79	394.30	32.16	7.39	0.18

36" x 45" Elliptical RCP

Reviewed By: Area Plan Commission

Date: _____ Comments _____

By: _____

Reviewed By: County Engineer

Date: _____ Comments _____

By: _____

Approval granted by the Board Of County Commissioners this 14th day of November, 2016.

President

Member

Member

Attest:

County Auditor

Additional Space for Comments:

Four (4) Copies of the Certificate of Compliance accompanied by four (4) copies of the plans and specifications for street construction shall be submitted to the Board of County Commissioners for approval. Approved copies shall be filed with the offices of the Area Plan Commission and the County Engineer. One Copy shall be retained by the Licensed Land Surveyor or Engineer and the property owner shall receive a copy.

J:\0000s\9900-9999\9928\Civil 3D\Documents\9928 Arbor Pointe Section 3\Documents\Unsanded Plats\9928 Arbor Pointe Section 3 Primary Certificate of Compliance.docx Page 3

PP-16-19

Morley and Associates Inc.

Engineering – Surveying – Architecture – Construction Management

October 4, 2016

FILED
OCT 05 2016
WARRICK COUNTY
AREA PLAN COMMISSION

Warrick County Engineer's Office
Attention: Bobby Howard, P.E.
107 W. Locust Street, Suite 208
Boonville, IN 47601

Re: High Pointe Centre North Section 4 P.U.D.
No Road Improvements Request Letter
Morley and Associates, Inc. Project # 9928.4.001-B

Dear Bobby:
On behalf of Ortez Ayala, LLC we ask that this project require no road improvements. The project will access existing County Roads and Commercial Drive Cuts.

If you have any questions or comments, please let us know

Thank you.

James E. Morley, P.E., P.L.S.

cc: File
Melvin Ortez

BOARD OF COMMISSIONERS:

Don Williams

Richard Reid

Marlin Weisheit

ATTEST:

Auditor
Date: 11-14-16

J:\0000s\9900-9999\9928\Civil 3D\Documents\9928 HPCN Section 4 PUD Road Improvements Request Letter.docx

4800 Rosebud Lane • Newburgh, IN 47630 • (812) 464-9585 • FAX: (812) 464-2514
www.morleyandassociates.com • e-mail: info@morleyandassociates.com

FT-16-20

FILED
OCT 06 2016
WARRICK COUNTY
AREA PLAN COMMISSION

October 6, 2016

Robert B. Howard Jr, PE
Warrick County Engineer
107 W. Locust Street, Room 208 Courthouse
Boonville Indiana, 47601

Re: No Road or Storm Drainage Letter
Proposed Feldbusch Subdivision
9911 Powers Drive
Newburgh, In 47630

Dear Mr. Howard:

Lisa Feldbusch is adding 0.67 Acre Parcel to her property at 9911 Powers Drive and no new streets or drainage works are needed for this property. Ultimately she anticipates an accessory building to be constructed upon this 0.67 Acre parcel, which will be served by an extension of the existing house driveway.

If you have any questions, please contact me at 812 589-3956 (Cell)

Thank you

Michael F. Feldbusch PLS

BOARD OF COMMISSIONERS:
Don Williams
Richard Reid
Marlin Weisheit

ATTEST:
Auditor
Date: 11-14-16

WARRICK COUNTY COMMISSIONERS ORDINANCE # CC 2016-22
PLAN COMMISSIONER DOCKET # PC-R-16-09

AN ORDINANCE TO AMEND THE WARRICK COUNTY, INDIANA COMPREHENSIVE ZONING ORDINANCE BY REZONING CERTAIN REAL ESTATE IN WARRICK COUNTY, INDIANA

BE IT ORDAINED BY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

Section 1. That the Warrick County, Indiana Comprehensive Zoning Ordinance and the Warrick County Zoning District Maps dated February 1, 2005 and made a part of said Ordinance, be and the same are hereby amended as follows:

That the boundaries of the "AG" District as shown on said Warrick County Zoning District Maps, be amended as to the described real estate:

Part of the Northwest Quarter of the Southeast Quarter of Section 22, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 22; thence along the north line of said Quarter Quarter Section, South 88 degrees 58 minutes 14 seconds East 258.71 feet to the point of beginning; thence continue along the north line of said Quarter Quarter Section, South 88 degrees 58 minutes 14 seconds East 417.42 feet; thence parallel with the west line of said Quarter Quarter Section, South 00 degrees 31 minutes 28 seconds West 238.71 feet; thence parallel with the north line of said Quarter Quarter Section, North 88 degrees 58 minutes 14 seconds West 417.42 feet; thence parallel with the west line of said Quarter Quarter Section, North 00 degrees 31 minutes 28 seconds East 238.71 feet to the point of beginning and containing a gross area of 2.287 acres, more or less.

Subject to the right-of-way for Vann Road off the north side thereof.

Also subject to a 12-foot Sanitary Sewer Easement in favor of the Town of Newburgh, Indiana and recorded in Document 200-4R-013301 in the Office of the Recorder of Warrick County, Indiana.

Also, subject to all other easements, rights-of-ways, and restrictions of record.

Which real estate is zoned and classified as part of the Agricultural District, as shown on the aforesaid Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said Agriculture District to said R-1 One Family Dwelling District.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Warrick, State of Indiana.

President
Member
Member
BOARD OF COMMISSIONERS
WARRICK COUNTY INDIANA

County Auditor
Date Approved: 11-14-16

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signature

Scott Buedel
Printed Name

This document prepared by: Scott Buedel, Cash Waggner and Associates, PC
414 Citadel Circle, Suite B, Evansville, IN 47715.